

**HUMAN RIGHTS IN CHINA:
STATEMENT BY THE NETWORK OF CHINESE
HUMAN RIGHTS DEFENDERS FOR THE UPR PRE-
SESSION 45**

Issue 1: Discrimination

- 28.86 Adopt measures, including public policies or laws, which ensure the enjoyment of the right of every person not to be discriminated against in any way, including their sexual orientation, religion or ethnic origin (Mexico); Source of position: A/HRC/40/6/Add.1 - Para. 2
- **New developments:** No data disaggregated by relevant criteria

Issue 1: Discrimination

New developments:

- The Beijing LGBT Center was forced to shut down in May 2023.
- LGBT Rights Advocacy China, an NGO with operations nationwide, was forced to shut down in November 2021.
- In July 2021, nearly 20 WeChat accounts of university students' LGBT and gender studies groups were suddenly closed down.

Issue 1: Discrimination

New developments:

- Continued stereotypes of women's roles.

At the recent National Women's Congress, the country's top leader did not mention gender equality but instead emphasized the need to "...foster a new type of marriage and childbearing culture."

Issue 1: Discrimination

New developments:

- Continued discrimination against ethnic minorities.

As the OHCHR's assessment of Xinjiang notes, "...patterns of restrictions [on human rights] are characterized by a discriminatory component, as the underlying acts often directly or indirectly affect Uyghur and other predominantly Muslim communities (para 147.)"

Recommendations – Issue 1

- Promulgate comprehensive anti-discrimination legislation.
- Improve its data collection, with a view to producing reliable data disaggregated by sex, gender, ethnic origin, urban and rural populations and other relevant criteria.
- Ensure awareness-raising and capacity-building programs for the judiciary and law students on women's rights and gender equality, to eliminate judicial gender bias and discriminatory gender stereotypes (CEDAW/C/CHN/CO/9, para 16a.)

Issue 2: Human Rights Defenders



Belgium recommended, and the Chinese government accepted, the recommendation to, “take the necessary measures to guarantee that human rights defenders can exercise their freedom of expression and peaceful association.”

Issue 2: Human Rights Defenders

➤ New developments:

However, the CESCR committee noted "human rights defenders and lawyers working on human rights issues are systematically subjected to prosecution, reprisals and intimidation for legitimate activities, including by being arbitrarily sentenced to long terms in prison or under house arrest, tortured, subjected to enforced disappearance and denied access to medical treatment, legal aid and contact with their families..."

Issue 2: Human Rights Defenders

➤ New developments:

As of November 7, 2023, we have documented 2,991 cases involving HRDs currently in detention or prison. any defenders work on ESC rights, including housing rights, land rights, health rights, and labor rights.

Issue 2: Human Rights Defenders

- New developments:

The Foreign NGO Law and other national security laws have dramatically decreased the space for Chinese civil society to interact with the outside world outside of the government's control and without facing reprisals.

Recommendation – Issue 2

Adhere to its legal obligations under international human rights law and to refrain from persecuting and prosecuting human rights defenders and lawyers working on human rights issues (E/C.12/CHN/CO/3, par. 16.)

Issue 3: Workers Rights



Angola recommended, and the Chinese government accepted, the recommendation to, “Further improve laws and regulations regarding the rights and interests of workers and labour unions.”

Issue 3: Workers Rights

➤ New developments:

Many workers rights advocates have been detained, sometimes incommunicado. This include people attempting to organize in new sectors of the economy, such as food delivery workers.

Issue 3: Workers Rights

➤ New developments:

In the 2023 CESCR review, the Committee noted with concern that under the law workers in China are still unable to exercise the right to form independent trade unions or their right to strike in violation of Article 8 of the Covenant. (E/C.12/CHN/CO/3).

Recommendation – Issue 3



Ratify the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and the ILO Right to Organize and Collective Bargaining Convention, 1949 (No. 98).

Thank you

From all the members of our coalition:

- ❑ A
- ❑ B
- ❑ C
- ❑ D