

Civil Society Participation in China's UPR

Civil Society Input into PRC's National Reports: Predominately from GONGOs

According to the two national reports that China submitted for the UPR in 2009 and 2013, oral and written consultations were held with nearly 20 NGOs and academic institutions and broad public input on the report was sought via the website of the Ministry of Foreign Affairs. However, according to the list of NGOs that China provided, the 15 NGOs in the first cycle and the 22 NGOs in the second cycle are all government-organized NGOs (GONGOs), including mass organizations directly supervised by the Chinese authorities.

China's National Report (2009) states:

A special task force was established to prepare this report. The task force was composed of members from nearly 30 national legislative, judiciary and administrative departments (see list in annex 1), with the Ministry of Foreign Affairs as its focal point. Oral and written consultations were held with nearly 20 non-governmental organizations (NGOs) and academic institutions (see list in annex 2), including the All-China Federation of Trade Unions, the All-China Women's Federation, the China Society for Human Rights Studies and the Institute of Law of the Chinese Academy of Social Sciences. Broad public consultations were conducted via the website of the Ministry of Foreign Affairs.¹

Annex 2, entitled "Non-Governmental Organizations Participating in the Consultation on the Preparation of China's National Report Under the Universal Periodic Review," provides the following list of 15 organizations:

- All-China Women's Federation
- All-China Federation of Trade Unions
- China Disabled Persons' Federation
- China Society for Human Rights Studies
- United Nations Association of China
- Law Institute of the Chinese Academy of Social Sciences
- China NGO Network for International Exchanges
- Red Cross Society of China
- China Family Planning Association
- China Centre of Tibetan Studies
- China Care Association
- China Ethnic Minority Association for International Exchanges
- China Association of Women Entrepreneurs
- China Glory Charity Programme Promotion Association
- China Education Association for International Exchange

China's National Report (2013) states:

To compile the present report, China's Ministry of Foreign Affairs took the lead in setting up a special task force comprising representatives of nearly 30 legislative, judicial and administrative organs of the national Government (see Annex I for a complete listing). The Ministry also solicited the oral and written opinions of nearly 20 non-governmental organizations and academic institutions, including the All-China Federation of Trade Unions, the All-China Women's Federation, the China Society for Human Rights Studies, and the Institute of Law of the Chinese Academy of Social Sciences (see Annex II for a complete listing). Broad public input on the report was sought via the website of the Ministry of Foreign Affairs.²

Annex 2, titled "Non-Governmental Organizations Participating in the Consultation on the Preparation of China's National Report Under the Universal Periodic Review," provides the following list of 22 organizations:

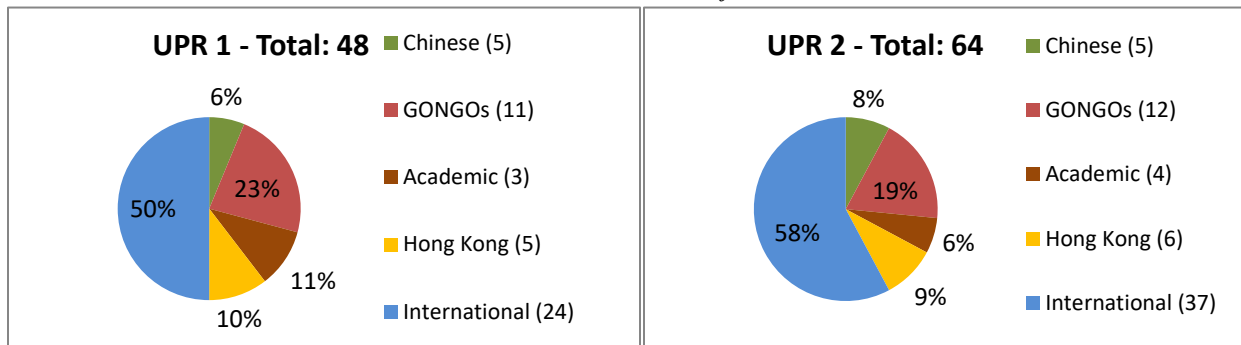
- Chinese Academy of Social Sciences
- All-China Federation of Trade Unions
- All-China Women's Federation
- China Disabled Persons' Federation
- China NGO Network for International Exchanges
- Chinese Association for International Understanding
- Chinese People's Association for Peace and Disarmament
- China Foundation for Peace and Development
- China Society for Human Rights Studies
- China Foundation for Human Rights Development
- China Care Association
- China Association of Poverty Alleviation and Development
- China Law Society
- United Nations Association of China
- Red Cross Society of China
- China Association for the Protection and Development of Tibetan Culture
- China Tibetology Research Centre
- China Ethnic Minorities Association for International Exchanges
- China Glory Society
- China Education Association for International Exchange
- All-China Lawyers Association
- Internet Society of China

Written Submissions: Few from Domestic Chinese CSOs

The number of submissions from non-GONGO Chinese domestic CSO was small and remained static for both UPR cycles (five submissions each cycle), despite a 33% increase in total number of submissions. (See chart below.) In addition, for the second cycle, 15³ joint submissions were received from a combined 214 international CSOs or individuals, and an additional ten Chinese CSOs or GONGOs participated in joint submissions, often joining with international CSOs.⁴

Factors that may contribute to this limited participation include: the barriers of language, lack of information about the opportunity and guidelines for submission, and the political sensitivity and risks of submitting any information or report that may be viewed as critical of the regime. In addition, from the perspective of citizens without any concrete practical exposure to the process, the UPR may simply not be viewed as relevant or effective in light of the serious ongoing human rights problems they see on the ground.

Stakeholder Submissions Received for China's UPRs⁵



¹ U.N. General Assembly, “National Report Submitted in Accordance with Paragraph 15(A) of the Annex to Human Rights Council Resolution 5/1: China,” U.N. Doc. A/HRC/WG.6/4/CHN/1 (November 10, 2008), para. 2, http://lib.ohchr.org/HRBodies/UPR/Documents/Session4/CN/A_HRC_WG6_4_CHN_1_E.pdf.

² U.N. General Assembly, “National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21,” U.N. Doc. A/HRC/WG.6/17/CHN/1 (August 5, 2013), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/169/58/PDF/G1316958.pdf?OpenElement>.

³ Although the submissions website lists twelve joint submissions, according to the OHCHR report on stakeholder submissions, fifteen joint submissions were received. See U.N. Doc. A/HRC/WG.6/17/CHN/3 (July 30, 2013) at 13-14.

⁴ One submission, ITN, represents a coalition of 185 member groups of the International Tibet Network. Other large joint submissions were received, but most represent coalitions of two to four organizations. Ibid.

⁵ Organizations were classified by location (international or domestic) and domestic organizations were further subcategorized based upon type (academic, CSO) and extent of government control. Hong Kong CSOs were broken out separately to reflect the separate civil society space under the One Country Two Systems policy.