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Labour Action China (LAC) is an independent non-governmental organization registered in Hong Kong Special Administrative Region, the People's Republic of China (PRC). It is established in 2005 by a small group of people who have concerned and supported victims of work-related injury and occupational diseases in the Chinese mainland.

Together with three other Hong Kong based labour organizations, LAC had submitted joint stakeholder reports on labour rights in the last cycle.

## **RIGHT TO THE ENJOYMENT OF JUST AND FAVOURABLE CONDITIONS OF WORK**

1. The Committee on Economic, Social and Cultural Rights (the CESCR Committee) has commented that

[p]reventing occupational accidents and disease is a fundamental aspect of the right to just and favourable conditions of work, and is closely related to other Covenant rights, in particular the right to the highest attainable level of physical and mental health.<sup>i</sup>

The PRC Government has subscribed to this international human right through the ratification of, *inter alias*, the International Covenant on Economic, Social and Cultural Rights<sup>ii</sup> in March 2001 and the Occupational Safety and Health Convention<sup>iii</sup> in March 2002. The same right is enshrined throughout 7 different national instruments.<sup>iv</sup>

2. In the previous cycle, the PRC Government has voluntarily accepted Iceland's recommendation to "[c]ontinue its efforts to enhance labour rights and ensure the safety of worker".<sup>v</sup> Likewise, a similar pledge was noted in National Human Rights Action Plan (2012-2015), which stated "[e]fforts will be made to ... improve working conditions, strengthen labour safety and protect the people's right to work".<sup>vi</sup>

### *Poor Transparency*

3. The collection and dissemination of updated and reliable data is crucial to the coordination of policy implementation and support programme on occupational safety and health (OSH).<sup>vii</sup> Four labour organizations urged the PRC Government to disclose detailed official

statistics and data on work-related injuries nationally and locally in the last cycle.<sup>viii</sup>

4. The development and management of an information network to collect and analyse data in a timely fashion was addressed in National Occupational Disease Control Program (2009-2015), as a mission to build and strengthen the capacity in OSH prevention.<sup>ix</sup> Health administrative departments at and above county level are assigned the responsibilities to conduct regular survey and analysis.<sup>x</sup>

5. Key performance indicators are specifically set and mentioned in National Human Rights Action Plan (2016-2020):

90 percent and above of relevant workers shall receive special health checkups, and 95 percent and above of persons in charge of businesses and occupational health managerial staff shall receive the required training.<sup>xi</sup>

They are also reiterated in National Occupational Disease Prevention and Control Plan (2016-2020).<sup>xii</sup> Other major indicators include both reporting rate of occupational hazards by employers in key industries and inspection rate of occupational hazards are set above 80 per cent in the same national plan.<sup>xiii</sup>

6. 29,180 cases and 31,789 cases were reported nationally in 2015 and 2016 respectively as per the occupational diseases statistics released by National Health and Family Planning Commission (NHFPC) on 28 December 2017.<sup>xiv</sup> Pneumoconiosis accounted for 93.92 per cent (26,081 cases) of all occupational

diseases in 2015; the number of cases soared to 27,992 (95.49 per cent) in 2016.<sup>xv</sup> Besides, 548 cases of all chronic chemical poisoning were reported in 2015 and that leaped to 812 cases in 2016<sup>xvi</sup>

7. In general, official statistics and data have been criticized for their reliability. Neither the NHFPC nor the State Administration of Work Safety explained their methodology and sources of information in this situation. According to an unofficial estimation of a private philanthropic foundation, more than 6 million victims were suffering from pneumoconiosis whom they were mostly internal migrant workers.<sup>xvii</sup>

8. This criticism could also be compared and contrasted with an empirical research conducted around the same time. In this research, 59 victims suffering from various occupational chemical poisoning were effortlessly tracked in the electronics industry in Pearl River Delta region whom they were selected using convenience snowball sampling.<sup>xviii</sup> That research did not take into account of those who worked in other industries, for instance, footwear and metallurgy where chemical substances are commonly used.

9. If official data were that reliable, this research would have successfully found more than 10 per cent of chronic chemical poisoning victims in just one part of Guangdong province out of 33 provinces and autonomous regions. A senior doctor of Guangdong Prevention and Treatment Centre for Occupational Diseases had once

estimated the actual figures could be up to 40 times higher than the national statistics.<sup>xix</sup>

10. Nevertheless, actual progresses on reporting and monitoring are partially implemented. This is extremely difficult for grassroots organizations to obtain real and scientific pieces of information. Having said that reliable and valid data on the fullest possible range is essential to formulate the national policy and to undertake periodic reviews its effectiveness.

#### *Inadequate Prevention and Monitoring*

11. An operable mechanism of prevention is possibly the best way to minimize the occurrence of OSH hazards. Both State parties and non-State actors, such as employers and worker organizations, share the duties and responsibilities to it.

12. The primary duties and responsibilities for prevention and control of occupational diseases are on the employers.<sup>xx</sup> They are obliged to provide information and training,<sup>xxi</sup> personal protective equipment (PPE),<sup>xxii</sup> etc. In reality, a significant number of enterprises did not follow and fulfil their statutory obligations.

13. The above mentioned research revealed that less than 10 per cent of the respondents had heard of OSH policy.<sup>xxiii</sup> Over 95 per cent of them claimed that they did not receive any OSH training.<sup>xxiv</sup> More than one third of the respondents stated that they were not

offered any necessary PPE at all.<sup>xxv</sup>

14. As the CESC Committee rightly states, States parties have a general obligation to ensure the accountability by establishing a functioning system of labour inspectorates, monitoring all aspects of leading to the fulfilment of this rights, providing advice to employers and workers; and raising any abuses with competent authorities.<sup>xxvi</sup> Furthermore, they have specific legal obligations to take measures to ensure the compliance by third parties.<sup>xxvii</sup>

15. In 2017, Liaoning Provincial Administration of Work Safety conducted an evaluation with the participation of 3,279 enterprises. Records of 586 enterprises were perused and 272 enterprises were selected for onsite inspection.<sup>xxviii</sup> This evaluation depicted 68.8 per cent of enterprises did not report industrial accidents in time or inaccurate; only 43.8 per cent provided OSH training; 83.3 per cent did not have complete records of occupational health examination; 40 per cent did not note OSH hazards on employment contracts according to the Labour Contract Law; 93.3 per cent did not display any OSH warnings; but the most worrying is that 53.3 per cent failed to inform their workers the result of occupational hazards examination.<sup>xxix</sup> Liaoning is a major industrial hub in the northeast. Not only its evaluation was alarming, but also has it showed the slow progress and partial implementation to prevent the violation from the third parties.



16. Besides work safety administrative departments,<sup>xxx</sup> trade unions<sup>xxxi</sup> have been delegated to monitor and supervise the fulfilment of employers' duties of care. But these unions are not truly worker driven and independent from any interferences in order to representing genuine interests of workers on the shop floor by formulating, implementing, reviewing, and monitoring laws and policies.<sup>xxxii</sup> Respecting **trade union rights** are unavoidable. The CESCR Committee has already reiterated that "the Trade Union Act be amended to allow workers to form independent trade unions, both within and outside the structure of the All China Federation of Trade Unions".<sup>xxxiii</sup>

#### *Hindrance to the Right to a Remedy*

17. The right to a remedy is often encompassed the **RIGHT TO SOCIAL SECURITY**,<sup>xxxiv</sup> but not limited to it. The CESCR Committee did emphasize and outline the remedial mechanism:

Workers affected by a preventable occupational accident or disease should have the right to a remedy, including access to appropriate grievance mechanisms, such as courts, to resolve disputes. In particular, State parties should ensure that workers suffering from an accident or disease and, where relevant, the dependants of those workers, receive adequate compensation, including for costs of treatment, loss of earnings and other costs, as well as access to rehabilitation services.<sup>xxxv</sup>

18. In the second Concluding Observations, the CESCR Committee has also urged the PRC Government that it has the undeniable obligation "to ensure ... access to medical and accident

insurance, as well as to adequate compensation for injuries and work-related diseases".<sup>xxxvi</sup>

19. Work-related injury insurance is a constituent of the Social Insurance. Its actual operation is governed by Regulation on Work-Related Injury Insurance.<sup>xxxvii</sup> A worker shall be ascertained to suffer from work-related injury if they are contracted with any occupational diseases<sup>xxxviii</sup> listed in the Occupational Diseases Classification and Directory. Apart from the work-related injury benefits, victims of occupational diseases shall have the right to compensation from employers according to relevant civil laws.<sup>xxxix</sup> Their expenditures on obtaining official diagnosis and rehabilitation, as well as their social security for the loss of ability to work, shall be governed by the work-related injury insurance.<sup>xl</sup>

20. The first step of entering legal redress is to obtain an official diagnosis where it could only be applied by the victims.<sup>xli</sup> It is the applicant's burden to submit the following documents: (a) work history and exposure history of occupational hazards, including the length, the names of chemical substances, and so on; (b) records of occupational health examination; (c) test results of occupational hazards on the shop floor; (d) the personal dose monitoring records if the victim is suspected of radiation-induced diseases; and (e) any other relevant information.<sup>xlii</sup>

21. This is an arduous task for many already sick victims because

those documents are normally kept by the management. Considering if the management would fail to inform their workers about potential OSH hazards, they might equally lack the incentive to provide all relevant documents to the victims whereby they would use these documents to prove their diseases occupational.

22. The entire process could be smoothly completed in 9 months.<sup>xliii</sup> Both parties could trigger the appeal. The second appeal is final.<sup>xliv</sup> When there are disputes in the verification on employment relations, types or length of job, and/or job duties, arbitration would become an extra procedure before reaching the first non-conclusive diagnostic result. If this were the case, it might take 4 or 5 years, from first diagnosis to receipt of compensation.<sup>xlv</sup>

23. NHFPC revised the directory in 2016 and that has broadened the coverage to 132 kinds of occupational disease from the sum of 115. This directory is exhaustive although it has 4 open terms for exceptional circumstances related to respiratory, skin, and radiation-induced diseases, as well as chemical poisoning.

24. LAC have recently learnt that a deceased victim of chemical poisoning lost the final appeal to a provincial appraisal committee. The victim started to work for an electronics factory in August 2005 and diagnosed with multiple myeloma and plasma cell leukaemia in July 2015. The committee argued that his multiple myeloma was not an occupational tumour due to the fact that it is not listed in the

occupational diseases directory, whereas his plasma cell leukaemia was secondary although it is recognized as an occupational tumour. His final appeal was, therefore, rejected. When the primary disease is not listed in the directory, the right to a remedy has reached a cul-de-sac.

25. Another systemic problem is that the assessment mechanism is not reviewable by the judiciary because the pools of experts registered to appraisal committees do not have an independent legal personality, it is barely assigned to conduct the business on behalf of local and provincial health administrative departments.

26. Obtaining official diagnosis is just the first and crucial step. There are two more steps before claiming the work-related injury benefits. The second stage is to verify and confirm the disease occupational by local human resources and social security bureaux. Normally, this step is simply procedural and dispute-free.

27. The last stage is assessing the loss of labour capacity to the disease where it is the determinant of the work-related injury benefits and tortious claims. It is normally conducted in the end of one year's treatment period, which is applicable to all work-related injuries and occupational diseases. The problem is some occupational diseases could not fit into this way of examination.

28. LAC have learnt an occupational leukaemia victim was in

critically condition that a bone marrow transplant was the only lifesaving option. So his wife had to borrow more than 400,000 yuan (equivalent to US\$65,000). Unfortunately, his disability was rated low since the assessment conducted in remission period after the transplant and hence that has affected his enjoyment of work-related injury benefits. It is important to note that the expenditures on bone marrow transplant was not recoverable!

29. Despite the availability of access to have a legal redress, the scope of occupational diseases is very narrow. Moreover, it could not guarantee the procedural fairness, especially when *onus probandi* is bore by the victims instead of the perpetrators. Even though a victim could successfully pass those three stages, it would consume a significant amount of time which most victims could not afford.

## **LABOUR RIGHTS UNDER THE REGIME OF CYBERSECURITY**

30. The **RIGHT TO FREEDOM OF OPINION AND EXPRESSION** is a justiciable right enshrined in the International Covenant on Civil and Political Rights.<sup>xlvi</sup> As the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has stated, it is customary to extend the same right to the cyberspace.<sup>xlvii</sup>

31. Together with the National Security Law,<sup>xlviii</sup> the Cybersecurity Law<sup>xlix</sup> and the subsequently announced National

Cyberspace Security Strategy<sup>l</sup> have revealed the intent of the PRC Government in claiming its sovereignty over the cyberspace.

32. Private intermediaries are imposed an excessive liability to screen online activity<sup>li</sup> that:

endangers national security, honour and interest, incites to subvert the state power or overthrow the socialist system, incites to split the country or undermine national unity, advocates terrorism or extremism, propagates ethnic hatred or discrimination, spreads violent or pornographic information, fabricates or disseminates false information to disrupt the economic and social order, or infringes upon the reputation, privacy, intellectual property rights or other lawful rights and interests of any other person.<sup>lii</sup>

This extensive scope could leave the authorities a broad discretion to determine what is constituted to cybersecurity.

33. The intermediaries could refuse to publish and subsequently delete all posts and comments,<sup>liii</sup> restrict or even shutdown any accounts.<sup>liv</sup> They must keep all records<sup>lv</sup> and deal with any report promptly by third parties where Cyberspace Administration would monitor these reports.<sup>lvi</sup>

34. Encryption and anonymity are absolutely essential to protect and advance the freedom of expression.<sup>lvii</sup> However, the intermediaries could refuse the provision of services to anyone without a real identity.<sup>lviii</sup>

35. Most labour issues, such as, OSH prevention and wages, are

closely related to all workers. Workers do not have any independent and reliable channels to reflect their concerns. As such, they might choose to stay anonymous and connect through instant messaging or social media networks to expose these violations.

36. Under the new laws, their messages could be screened out and considered as, for instance, false information to disrupt the economic and social order, or infringes upon the reputation. They might then face retaliation by employers or even prosecution. Recently, some workers have been criminally charged for “picking quarrels and provoking troubles”.<sup>lix</sup> On 16 March 2018, an environmentalist was administratively detained for “disseminating rumours causing the disruption of public order” because she posted an “unverified” picture and related it to the pollution of a quarry.<sup>lx</sup> On the other hand, the quarry was ordered to suspend business for rectification.<sup>lxi</sup> Using online tools has become more risky when it could stir public outcry or it is about collective labour disputes.

37. **Recommendations:**

- a) To disclose detailed official statistics and data on work-related injuries and occupational diseases promptly;
- b) To strengthen labour inspection and enforcement of OSH legislations;
- c) To allow independent and worker driven trade unions in monitoring OSH prevention;
- d) To invert the burden of proof to the perpetrators when

victims apply for official diagnosis;

- e) To simplify work-related injury compensation system by removing unnecessary hurdles, and increase its transparency and accountability;
- f) To reform the disability assessment systems more adaptable to various circumstances.

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- i Committee on Economic, Social and Cultural Rights, *General Comment No 23 (2016) on the Right to Just and Favourable Conditions of Work (article 7 of the International Covenant on Economic, Social and Cultural Rights)*, UN Doc E/C.12/GC.23 (27 April 2016) 25.
  - ii *International Covenant on Economic, Social and Cultural Rights*, opened for signature 16 December 1966, 993 UNTS 3 (entered into force 3 January 1976).
  - iii *Convention concerning Occupational Safety and Health and the Working Environment*, opened for signature 22 June 1981, 67<sup>th</sup> ILC session (entered into force 11 August 1983) ('*Occupational Safety and Health Convention*').
  - iv They are: (1) 《女職工勞動保護特別規定》 [Special Rules on the Labour Protection of Female Employees] State Council, Order No 619 (28 April 2012); (2) 《中華人民共和國勞動合同法》 [Labour Contract Law of the People's Republic of China] National People's Congress, 1 July 2012; (3) 《使用有毒物品作業場所勞動保護條例》 [Regulations on Labour Protection in Workplaces Where Toxic Substances Are Used] State Council, Order No 352 (12 May 2002); (4) 《中華人民共和國安全生產法》 [Law of the People's Republic of China on Work Safety] National People's Congress, Order No 70 (29 June 2002); (5) 《危險化學品安全管理條例》 [Regulations on the Safe Management of Hazardous Chemicals in China] State Council, Order No 591 (1 December 2011); (6) 《中華人民共和國職業病防治法》 [Law of the People's Republic of China on Prevention and Control of Occupational Diseases] National People's Congress, Order No 60 (27 October 2001); (7) 《中華人民共和國勞動法》 [Labour Law of the People's Republic of China] National People's Congress, Order No 28 (5 July 1994).
  - v Human Rights Council, *Report of the Working Group on the Universal Periodic Review: China (including Hong Kong, China and Macao, China)*, 25<sup>th</sup> sess, UN Doc A/HRC/25/5 (4 December 2013) 186.177.
  - vi State Council, *National Human Rights Plan of China (2012-2015)* (11 June 2012) <[http://www.china.org.cn/government/whitepaper/node\\_7156850.htm](http://www.china.org.cn/government/whitepaper/node_7156850.htm)>.
  - vii *General Comment No 23 (2016) on the Right to Just and Favourable Conditions of Work (article 7 of the International Covenant on Economic, Social and Cultural Rights)*, above n i, 28.
  - viii The Chinese Working Women Network, Globalization Monitor, Labour Action China, Labour Education and Service Network, *A Joint NGO Submission Concerning China for Consideration under the Universal Periodic Review by the United Nations Human Rights Council at its 17<sup>th</sup> Session from 21 October to 1 November 2013*, 8.
  - ix State Council, *National Occupational Disease Control Program (2009-2015)* (24 May 2009) <[http://www.gov.cn/zwgk/2009-08/21/content\\_1398577.htm](http://www.gov.cn/zwgk/2009-08/21/content_1398577.htm)>.
  - x *Law on Prevention and Control of Occupational Diseases* art 12.
  - xi State Council, *National Human Rights Action Plan (2016-2020)* (29 September 2016) <[http://english.gov.cn/archive/publications/2016/09/29/content\\_281475454482622.htm](http://english.gov.cn/archive/publications/2016/09/29/content_281475454482622.htm)>.
  - xii State Council, 《國家職業病防治規劃 (2016-2020年)》 [National Occupational Disease Prevention and Control Plan (2016-2020)] (26 December 2016) <[http://www.gov.cn/zhengce/content/2017-01/04/content\\_5156356.htm](http://www.gov.cn/zhengce/content/2017-01/04/content_5156356.htm)>.



- xiii Ibid.
- xiv 國家衛生和計劃生育委員會疾病預防控制局[National Health and Family Planning Commission Disease Prevention and Control Bureau]《2015-2016 年全國職業病報告情況》[National Occupational Disease Report 2015-2016] (28 December 2017) <<http://www.nhfpc.gov.cn/jkj/s5899t/201712/c46227a95f054f5fa75a40e4db05bb37.shtml>>.
- xv Ibid.
- xvi Ibid.
- xvii <中國青年網> [Youth.cn] 《為了 600 萬塵肺病農民》 [For 6 Million Internal Migrant Workers with Pneumoconiosis] (online) (22 August 2017) <[https://gy.youth.cn/gywz/201708/t20170822\\_10564604\\_1.htm](https://gy.youth.cn/gywz/201708/t20170822_10564604_1.htm)>.
- xviii Jason Chan, Pikki Fung and Pauline Overeem, *The Poisonous Pearl: Occupational Chemical Poisoning in the Electronics Industry in the Pearl River Delta, People's Republic of China* (Good Electronics, 2016) 23.
- xix Original text is written as “實際病例數·在年均六七百例基礎上·還要再乘 40 倍”。<廣州日報> [Guangzhou Daily] 《職業病四成塵肺三成中毒 新發病年增 3 成》 [40% Pneumoconiosis, 30% Poisoning, New Occupational Diseases Cases Annual Growth by 30%] (26 November 2014).
- xx *Law on Prevention and Control of Occupational Diseases* arts 3-7, 14-15, 20-26, 28-39 and 41. See also *Law on Work Safety* arts 4-6, 18-49.
- xxi *Law on Prevention and Control of Occupational Diseases* arts 24, 26, 28, 29 and 34.
- xxii *Law on Prevention and Control of Occupational Diseases* arts 15, 22 and 25.
- xxiii Chan, Fung and Overeem, above n xviii, 32.
- xxiv Ibid.
- xxv Ibid, 33.
- xxvi *General Comment No 23 (2016) on the Right to Just and Favourable Conditions of Work (article 7 of the International Covenant on Economic, Social and Cultural Rights)*, above n i, 54.
- xxvii *General Comment No 23 (2016) on the Right to Just and Favourable Conditions of Work (article 7 of the International Covenant on Economic, Social and Cultural Rights)*, above n i, 59.
- xxviii <遼寧省安全生產監督管理局> [Liaoning Provincial Administration of Work Safety] 《遼寧省安全生產監督管理局關於 2017 年度職業病危害防治評估工作督查情況的通報》 [The Evaluation on Monitoring the Prevention and Control of Occupational Diseases in 2017] 遼安監安健〔2017〕22 號 (23 November 2017) <[http://www.lnsafety.gov.cn/zyws/gwgg/201711/t20171123\\_3118390.html](http://www.lnsafety.gov.cn/zyws/gwgg/201711/t20171123_3118390.html)>.
- xxix Ibid.
- xxx *Law on Prevention and Control of Occupational Diseases* arts 3, 7, 9-12, 16-17, 27, 35, 37, 42, 62-75, 77, 79-80, 82-83. See also *Law on Work Safety* arts 9, 60-71, 75, 81-83, 87-88, 107 and 110.
- xxxi *Law on Prevention and Control of Occupational Diseases* arts 3-4, 40. See also *Law on Work Safety* art 7.
- xxxii *General Comment No 23 (2016) on the Right to Just and Favourable Conditions of Work (article 7 of the International Covenant on Economic, Social and Cultural Rights)*, above n i, 57.
- xxxiii Committee on Economic, Social and Cultural Rights, *Concluding observations on the second periodic report of China, including Hong Kong, China, and Macao, China*, UN Doc E/C.12/CHN/CO/2 (13 June 2014) 23.
- xxxiv Committee on Economic, Social and Cultural Rights, *General Comment No 19: The Right to Social Security*, 39<sup>th</sup> sess, UN Doc E/C.12/GC/19 (4 February 2008) 2.
- xxxv *General Comment No 23 (2016) on the Right to Just and Favourable Conditions of Work (article 7 of the International Covenant on Economic, Social and Cultural Rights)*, above n i, 29.
- xxxvi Committee on Economic, Social and Cultural Rights, *Concluding observations on the second periodic report of China, including Hong Kong, China, and Macao, China*, UN Doc E/C.12/CHN/CO/2 (13 June 2014) 20(c).
- xxxvii 《工傷保險條例條例》 [Regulation on Work-Related Injury Insurance] State Council, Order No 375 (1 January 2004).
- xxxviii *Regulation on Work-Related Injury Insurance* art 14(4).
- xxxix *Law on Prevention and Control of Occupational Diseases* art 58.
- xl *Law on Prevention and Control of Occupational Diseases* art 57.
- xli 《職業病診斷與鑒定管理辦法》 [Administrative Measures for Diagnosis and Identification of Occupational Diseases] Ministry of Health, Order No 91 (10 April 2013) art 19.
- xlii *Administrative Measures for Diagnosis and Identification of Occupational Diseases* art 21.
- xliiii Chan, Fung and Overeem, above n xviii, 21.
- xliiv *Administrative Measures for Diagnosis and Identification of Occupational Diseases* art 36.
- xlv Chan, Fung and Overeem, above n xviii, 21.
- xlvi *International Covenant on Civil and Political Rights*, opened for signature 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976) art 19.
- xlvii Human Rights Council, *Report of the Special Rapporteur on the Promotion and Protection of the*

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- Right to Freedom of Opinion and Expression*, 32<sup>nd</sup> sess, Agenda item 3, UN Doc A/HRC/32/38 (11 May 2016) 6.
- xlviii 《中華人民共和國國家安全法》[National Security Law of the People's Republic of China] Standing Committee of the National People's Congress, Order No 29, 1 July 2015, art 25.
- xlix 《中華人民共和國網路安全法》[Cybersecurity Law of the People's Republic of China] Standing Committee of the National People's Congress, Order No 53, 7 November 2016.
- i < 國家互聯網資訊辦公室 > [Cyberspace Administration of China] 《國家網路空間安全戰略》[National Cyberspace Security Strategy] (27 December 2016) <[http://www.cac.gov.cn/2016-12/27/c\\_1120195926.htm](http://www.cac.gov.cn/2016-12/27/c_1120195926.htm)>.
- ii *Cybersecurity Law* art 21.
- lii *Cybersecurity Law* art 12.
- liii < 國家互聯網資訊辦公室 > [Cyberspace Administration of China] 《互聯網跟帖評論服務管理規定》[Provisions on the Administration of Internet Comments Posting Services] (25 August 2017) <[http://www.cac.gov.cn/2017-08/25/c\\_1121541842.htm](http://www.cac.gov.cn/2017-08/25/c_1121541842.htm)> art 8.
- liiv *Provisions on the Administration of Internet Comments Posting Services* art 8.
- liv *Provisions on the Administration of Internet Comments Posting Services* art 8.
- lvi *Provisions on the Administration of Internet Comments Posting Services* art 10.
- lvii *Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression*, above n 46, 6.
- lviii *Cybersecurity Law* art 24.
- lix Austin Ramzy, 'Chinese Court Sentences Activist Who Documented Protests to 4 Years in Prison', *The New York Times* (online), 4 August 2017 <<https://www.nytimes.com/2017/08/04/world/asia/china-blogger-lu-yuyu-prison-sentence-protests-picking-quarrels.html>>.
- lx < 信宜市人民政府 > [The People's Government of Xinyi] 《信宜市依法查處一起散布謠言擾亂公共秩序案件》[Xinyi Investigate and Prosecutes a Case of Spreading Rumors and Disturbing Public Order According to Law] (online) (17 March 2018) <<http://xinyi.gov.cn/Item/26451.aspx>>
- lxi *Ibid.*