



People's Republic of China

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Submission by CIVICUS: World Alliance for Citizen Participation, NGO in General Consultative Status with ECOSOC

And

Asian Human Rights Commission (AHRC)

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1. (A) Introduction

- 1.1** CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world.
- 1.2** Asian Human Rights Commission (AHRC) is an independent, non-governmental body, which seeks to promote greater awareness and realisation of human rights in the Asian region.
- 1.3** In this document, CIVICUS and AHRC examine the compliance of the Government of the People's Republic of China (hereafter in this submission referred to as the PRC) with its international human rights obligations to create and maintain a safe and enabling environment for civil society. Specifically, we analyse the PRC's fulfilment of the rights to the freedoms of association, peaceful assembly and expression, and unwarranted restrictions on human rights defenders (HRDs) since its previous UPR examination in 2013. To this end, we assess the PRC's implementation of recommendations received during the 2nd UPR cycle relating to these issues and provide a number of specific, action-orientated follow-up recommendations.
- 1.4** During the 2nd UPR cycle, the Government of the PRC received 32 recommendations relating to civil society space. Of these recommendations, eighteen (18) were accepted and fourteen (14) were noted. An evaluation of a range of legal sources and human rights documentation addressed in subsequent sections of this submission demonstrate that the Government of the PRC has not implemented any of the recommendations relating to civic space. Further, through its actions and subsequent legislative changes, it has made the situation much worse for civil society, and particularly human rights-oriented groups and HRDs.
- 1.5** CIVICUS and AHRC are deeply concerned by the escalation of repression against human rights activists, particularly since 2015, which Chinese activists described as one of the worst years in the ongoing crackdown on peaceful activism. CIVICUS and AHRC are further alarmed by unlawful restrictions on the freedom of association of international CSOs through the Law on the Administration of Activities of Overseas Nongovernmental Organizations, which came into force on 1 January 2017.
- 1.6** In Sections B to E below, CIVICUS and AHRC examine the PRC's implementation of UPR recommendations and compliance with international human rights standards concerning the freedom of association, protection of HRDs, the freedom of expression and the freedom of peaceful assembly. In the Annex to this document, we make a number of recommendations to address the concerns listed.

2. (B) Freedom of association

- 2.1** During the PRC's examination under the 2nd UPR cycle, the government received ten (10) recommendations on the right to the freedom of association and creating an enabling environment for CSOs. The government of the PRC accepted seven (7) of these and noted three (3). Among the recommendations accepted, the government committed to allowing "national and international NGOs to play a full and active role in promoting and protecting human rights, specifically by expanding registration to all categories of NGOs and social organizations in China."¹ However, the government has failed to make progress against most of these recommendations and has, in some cases, implemented laws and practices that have made the situation worse for some CSOs, particularly those engaged in human rights promotion, advocacy and democracy promotion.
- 2.2** Article 35 of the Constitution of the PRC states that citizens enjoy the freedom of association.² Moreover, Article 22 of the International Covenant on Civil and Political Rights (ICCPR), which China signed in 1998, also guarantees the freedom of association.³ However, despite these commitments, government policy continues to limit space severely for CSOs.
- 2.3** A wide range of domestic legislation governs the formation, registration, operation and funding of CSOs in the PRC.⁴ The most significant recent addition to these laws for domestic CSOs is the Charity Law, which entered into force on 1 September 2016.⁵ While regulations accompanying this law may have the effect of reducing the level of bureaucracy involved in setting up a CSO in China, other aspects of the law set clear limits on the activities that Chinese CSOs are allowed to carry out. Article 4 of the Charity Law, for instance, places a sweeping prohibition on any activities that may "endanger national security or harm societal public interests." Further, Article 5 of the Law makes it clear that the government only supports CSOs that carry out activities that "represent the core values of socialism and promote the traditional morals of the Chinese nation." Furthermore, there is little evidence that civil society organisations

¹ Recommendation from Netherlands, Report of the Working Group, 4 December 2013, A/HRC/25/5 at para. 186.151, <https://daccess-ods.un.org/TMP/1060808.97152424.html>.

² English translation of the Constitution of the Peoples Republic of China, as amended in 2004, sourced at The Constitute Project: https://www.constituteproject.org/constitution/China_2004?lang=en.

³ The PRC has yet to ratify the ICCPR. See the latest ratification status on the website of the United Nations Office of the High Commissioner for Human Rights: <http://indicators.ohchr.org>.

⁴ For a comprehensive overview of these laws and regulations see the 'National Laws and Regulations Affecting Sector' section of ICNL's Civic Freedom Monitor for the PRC, last updated 2 November 2017: <http://www.icnl.org/research/monitor/china.html>.

⁵ An unofficial English translation of the Charity Law can be accessed at: www.chinadevelopmentbrief.cn/wp-content/uploads/2016/04/Charity-Law-CDB-Translation.pdf.

have been meaningfully consulted in the development of the PRC's current National Human Rights Action Plan.⁶

- 2.4** A large number of other regulations ensure that many CSOs in the PRC that fall into the 'social association' category are subject to a 'dual management' system, which imposes heavy administrative burdens on mostly small organisations. Under this system, CSOs must meet strict requirements before they are allowed to operate, including having at least 50 individual members and minimum assets of 100,000CNY (approximately US\$15,700) for national associations.⁷
- 2.5** Since 1 January 2017, international CSOs in the PRC have been required to comply with the Overseas NGO management Law,⁸ which requires them to obtain a domestic political sponsor and subjects them to close scrutiny from the Ministry of Public Security. According to the International Center for Not-for-Profit Law (ICNL), international CSOs can either choose to register with the Ministry or engage in "temporary activities." In practice, reports are that registering with the Ministry is extremely difficult to do if an organisation works on sensitive subjects such as the rule of law or human rights. The latter option still requires the international organisation to notify the Ministry and to work in all cases with a local partner. The law has already forced a number of international CSOs, including the American Bar Association, to close their offices in the PRC.⁹ According to ICNL, as of November 2017, the Ministry of Public Security had only registered approximately 90 international CSOs.¹⁰
- 2.6** The Chinese Authorities have made previous attempts to curb the work of foreign organisations, in part through a circular from the State Administration on Foreign Exchange,¹¹ which allowed the authorities to sanction or block organisations

⁶ See here for a full English text of the current action plan: http://www.xinhuanet.com/english/2016-09/29/c_135722183.htm and here for *The Diplomat's* assessment of this plan: <https://thediplomat.com/2016/10/2-dueling-visions-of-human-rights-in-china/>

⁷ An unofficial English translation of the Regulations and Management of Social Organizations (Associations) 1998 is provided by the Congressional-Executive Commission on China: <https://www.cecc.gov/resources/legal-provisions/regulations-on-the-registration-and-management-of-social-organizations>. The requirements referred to in this paragraph are contained in Articles 10 (1) and 10 (5) respectively.

⁸ The law's full title is 'Law of the People's Republic of China on the Administration of Activities of Overseas Nongovernmental Organizations in the Mainland of China', adopted on 28 April 2016. The full English text of the Law is available on the website of the Ministry of Public Security: <http://www.mps.gov.cn/n2254314/n2254409/n4904353/c5548987/content.html>.

⁹ 'A new law in China is threatening the work of international NGOs', Andreas Fulda, *The Conversation*, 6 January 2017: <https://theconversation.com/a-new-law-in-china-is-threatening-the-work-of-international-ngos-70884>.

¹⁰ ICNL, op. cit.

¹¹ Circular of the State Administration of Foreign Exchange (SAFE) on 'Relevant Issues Concerning the Administration of Donations in Foreign Exchange by Domestic Institutions', posted 30 December 2009: http://www.safe.gov.cn/wps/portal/!ut/p/c5/04_SB8K8xLLM9MSSzPy8xBz9CP0os3gPZxdnX293QwP30FAnA8_AEBc3C1NjI3dXE6B8JG55MwMCusNB9uHXD5I3wAEcDfT9PPJzU_Uj9aPMcZnibGquH5mTmP6YXKlfbBthkGUSgg_aHuiZXA!!/dl3/d3/L2dJQSEvUUt3QS9ZQnZ3LzZfSENEQ01LRzEwT085RTBJNkE1U1NDRzNMTDQ!/?WCM_GLOB

providing funds for activities which did not align with the Communist Party of China's (CPC) goals. In combination, existing and new laws governing the operation of international CSOs in the PRC mean that the government has failed to fulfil the recommendation referenced in paragraph 2.1 above, relating to ensuring that the state allows CSOs in all sectors, including human rights, to register and operate.

- 2.7** The expansion of regulations governing civil society in the PRC has been intentionally designed to divide civil society, fostering the growth of organisations that are either sympathetic to, or allied with, the CPC while at the same time silencing more independent organisations.¹²
- 2.8** The Counter-terrorism Law (2015)¹³ and the National Intelligence Law (2017)¹⁴ also pose a direct threat to the freedom of CSOs in the PRC. The Counter-terrorism Law has been described as introducing sweeping powers, without necessary oversight, with the effect that it will “inevitably affect fundamental human rights.”¹⁵ The National Intelligence Law increases the powers of the authorities to carry out surveillance of potential dissidents, as well as “search premises, seize property, and mobilize individuals or organizations to carry out espionage.”¹⁶ Chinese rights groups heavily criticised the intelligence law prior to its hasty adoption by the National People's Congress.¹⁷
- 2.9** Laws and regulations governing civil society in the PRC give the authorities wide discretion to impose practical barriers on the operation of some organisations – typically those engaged in advocacy, the rule of law, human rights or democracy promotion activities. At the same time, they allow others engaged in the provision of social services to operate largely free from obstruction. While this means that there are now thousands of active CSOs working in many sectors across the PRC, the freedom of association is still severely curtailed in practice for those organisations whose aims do not fully align with those of the state.

AL_CONTEXT=/wps/wcm/connect/safe_web_store/state%20administration%20of%20foreign%20exchange/rules%20and%20regulations/6894de004866255e984cba362e8d3913.

¹² See, for example, ‘China's NGO Regulations and Uneven Civil Society Development’, Scott Wilson, China Policy Institute, 15 February, 2017: <https://cpianalysis.org/2017/02/15/chinas-ngo-regulations-and-uneven-civil-society-development>.

¹³ An official Chinese version of the draft law can be found on the National People's Congress' website: http://www.npc.gov.cn/npc/xinwen/lfgz/flca/2014-11/03/content_1885027.htm.

¹⁴ An official Chinese version of the final text of the law can be found on the National People's Congress website: http://www.npc.gov.cn/npc/xinwen/2017-06/27/content_2024529.htm.

¹⁵ ‘China's Comprehensive Counter-Terrorism Law’, Zunyou Zhou, The Diplomat, 23 January 2016: <https://thediplomat.com/2016/01/chinas-comprehensive-counter-terrorism-law>.

¹⁶ ‘What you need to know about China's intelligence law that takes effect today’, Quartz, 28 June 2017: <https://qz.com/1016531/what-you-need-to-know-about-chinas-intelligence-law-that-takes-effect-today>.

¹⁷ ‘Draft Intelligence Law Portends Further Squeeze on China's Civil Society’, Press Release by the Network of Chinese Human Rights Defenders (CHRD), 24 May 2017: <https://www.nchrd.org/2017/05/draft-intelligence-law-portends-further-squeeze-on-chinas-civil-society>.

3. (C) Harassment, intimidation and attacks against human rights defenders, civil society activists and journalists

- 3.1** Under the PRC's previous UPR examination, the government received nine (9) recommendations on the protection of HRDs, journalists and civil society representatives. The government committed to several relevant recommendations, including ensuring that "human rights defenders can exercise their legitimate activities, including participation in international mechanisms, without being subjected to reprisals."¹⁸ Of the recommendations received, three (3) were accepted and six (6) were noted. However, as examined in this section, the government has not implemented any of the recommendations and has failed to ensure the protection of defenders. Instead it has actively targeted peaceful activists through a range of coercive measures designed to silence dissent.
- 3.2** Article 12 of the UN Declaration on Human Rights Defenders mandates states to take necessary measures to ensure protection to HRDs. The ICCPR further guarantees the freedoms of association, peaceful assembly and expression. Article 35 of the PRC's constitution also makes it clear that citizens are entitled to the enjoyment of their fundamental freedoms.¹⁹ However, despite these protections, the government displays flagrant disregard for the rights of HRDs.
- 3.3** For many years, HRDs in the PRC have been subjected to the full force of the law because of their human rights work. This has resulted in a continuing pattern of arbitrary detentions,²⁰ unfair trials²¹ and harsh prison sentences.²² The security laws referenced in paragraph 2.8 above, in addition to the National Security Law (2015),²³ further compound the problem, with authorities now able to engage in more widespread surveillance of HRDs, carry out raids and arrests and seize property without oversight. The use of these laws by the state turns HRDs into criminals and results in a climate of fear in which other citizens are deterred from becoming involved in human rights work.

¹⁸ Recommendation from Switzerland, Report of the Working Group, 4 December 2013, A/HRC/25/5 at para. 186.62: <https://daccess-ods.un.org/TMP/1060808.97152424.html>.

¹⁹ See note 3 above.

²⁰ See, for example, '[CHRB] Detentions in Suzhou & Xinjiang, New Measures Curb Free Expression (3/20-23, 2017)', 24 March, 2017, via CHRDR: <https://www.nchrd.org/2017/03/chrb-detentions-in-suzhou-new-measures-curb-free-expression-320-23-2017>. In one incident in March 2017, nine people were detained, some reportedly for infractions as minor as "picking quarrels and provoking trouble."

²¹ See, for example, a report on the trial of activist Li Tingyu, whose trial was held in secret with no judgment or decision ever released, via CHRDR: <https://www.nchrd.org/2017/02/li-tingyu>.

²² See, for example, the case of human rights lawyer Xia Lin, who was sentenced in September 2016 to 12 years (reduced to 10 years on appeal) in jail for trumped up charges of fraud, following his involvement defending high-profile human rights cases. Report via CHRDR: <https://www.nchrd.org/2015/02/prisoner-of-conscience-xia-lin>.

²³ An unofficial English translation of the National Security Law can be accessed at: <http://www.chinalawtranslate.com/2015nsl/?lang=en>.

- 3.4** The most blatant use of the powers of arrest and prosecution to target HRDs since the PRC's last UPR review began on 9 July 2015, when the authorities initiated a crackdown that saw 248 lawyers and activists questioned, detained or charged.²⁴ During this period of intense repression, commonly known as the '709 crackdown', human rights lawyers and activists were vilified on Chinese state media as criminals intent on undermining the state. Those targeted and ultimately imprisoned through this crackdown were engaged in legitimate and lawful legal work, which included providing legal services to people from minority groups, victims of torture and other vulnerable groups in the PRC.
- 3.5** While most of those initially arrested in 2015 have been released, some are still in detention. Human rights defender Wang Quanzhang remains in detention without access to his family or lawyers, two and a half years after he was detained in August 2015.²⁵ ChinaChange.org has reported that, during his detention, Wang was tortured "by being shocked with electricity."²⁶ Others detained and subsequently released during this crackdown have also reported the widespread use of torture tactics including sleep deprivation, physical assault and extended periods of solitary confinement.²⁷
- 3.6** At the time of writing, the PRC authorities' campaign against these lawyers and activists was continuing, with many lawyers now facing a loss of their livelihoods through disbarment. This deliberate campaign is designed to deter human rights lawyers from continuing their defence of the freedom of expression, religious freedom and other civil rights. In some of the most recent developments, lawyers Sui Muqing, Yu Wensheng, Peng Yonghe, Wang Liqian and Wang Longde have had their licences to practise law revoked. All five had been involved in some aspect of human rights or pro-democracy activism.²⁸
- 3.7** The crackdown on human rights activism that has been ongoing since 2015 has been accompanied by some harsh sentences. In December 2017, Wu Gan, a blogger who is

²⁴ 'China's Crackdown on Human Rights Lawyers', Amnesty International, July 2016:

<https://www.amnesty.org/en/latest/campaigns/2016/07/one-year-since-chinas-crackdown-on-human-rights-lawyers>.

²⁵ 'Time's up: China must release imprisoned lawyer Wang Quanzhang', Michael Caster, Hong Kong Free Press, 9 December 2016: <https://www.hongkongfp.com/2016/12/09/times-china-must-release-imprisoned-lawyer-wang-quanzhang>.

²⁶ 'The Anti-Torture Work of Lawyer Li Helping That Irked the Chinese Authorities', China Change, 25 January 2017: <https://chinachange.org/2017/01/25/the-anti-torture-work-of-lawyer-li-heping-that-irked-the-chinese-authorities>.

²⁷ Wang's wife has attempted to call for his release, and on occasion she has protested outside the Tianjin Number Two Detention Center where she believes he is being held. As a result, she had her bank card confiscated and has been regularly harassed, assaulted and monitored in an attempt by the authorities to stop her calling for her husband's release.

²⁸ 'Detention and Disbarment: China Continues Campaign Against Human Rights Lawyers in Wake of 709 Crackdown', China Change, 24 January 2018: <https://chinachange.org/tag/709-crackdown>.

known for exposing abuses of power by the government, was sentenced to eight years in jail for “subversion.”²⁹ Others, including human rights lawyer Jiang Tianyong, appeared on state television and read forced confessions of crimes including “subversion of state power” and “smear[ing] the Chinese government.”³⁰

4. (D) Freedom of expression, independence of the media and access to information

4.1 Under the 2nd UPR cycle, the government received twenty-six (26) recommendations relating to the freedom of expression and access to information. For example, the government pledged to “reform legislation and law enforcement in order to ensure freedom of opinion and expression, including on the internet.”³¹ Of the recommendations received, thirteen (13) were accepted and thirteen (13) were noted. However, as discussed below, the government has not implemented any of the recommendations.

4.2 Article 19 of the ICCPR guarantees the right to the freedom of expression and opinion. Article 35 of the Constitution of the PRC also guarantees the right to “freedom of speech, of the press.”³² However, in policy and practice, people in the PRC come nowhere near to being able to enjoy this freedom properly. Due to a deliberately-constructed and extensive architecture of state censorship, surveillance and sanction, people in the PRC must choose their words carefully and are unable to access information freely or share opinions through traditional media or on the internet.

4.3 A vast array of laws and regulations in the PRC ensures that free expression is tightly controlled and that the authorities have wide-ranging powers to censor information and severely punish people with views that run contrary to those officially sanctioned by the CPC. Since the PRC’s last review at the UPR in 2013, and in a clear failure to meet the undertakings given at that time, several new laws have been introduced that are designed to restrict free expression. These include the National Security Law (2015), the Cybersecurity Law (2016)³³ and the National Intelligence Law (2017). As the International Federation of Journalists reports, under these laws, “people who challenge the party or the state can be charged with offences such as ‘splittism’,

²⁹ ‘China hands down harshest sentence yet in crackdown on activists’, Christian Shepherd, Reuters, 26 December 2017: <https://ca.news.yahoo.com/china-hands-down-harshest-sentence-yet-multi-rights-023955698.html>.

³⁰ ‘China: On “709” Anniversary, Legal Crackdown Continues’, Human Rights Watch, 7 July 2017: <https://www.hrw.org/news/2017/07/07/china-709-anniversary-legal-crackdown-continues>.

³¹ Recommendation from Germany, Report of the Working Group, 4 December 2013, A/HRC/25/5 at para. 186.155: <https://daccess-ods.un.org/TMP/1060808.97152424.html>.

³² See footnote 3 above.

³³ ‘China’s Cybersecurity Law: What You Need to Know’, Jack Wagner, The Diplomat, 1 June, 2017: <https://thediplomat.com/2017/06/chinas-cybersecurity-law-what-you-need-to-know>.

‘endangering state security’ and ‘inciting subversion of state power’.³⁴ These laws compound an already extensive set of laws, including a complex web of regulations on the release of state secrets, governed in part by the State Secrets Law (2010)³⁵ and State Secrets Law Implementing Regulations (2014).³⁶ In the latest legislative attempt to regulate free expression, in November 2017, the legislature passed an amendment to the criminal law punishing anyone who “disrespects” the national anthem.³⁷

- 4.4** These laws have been used to persecute journalists like Gao Yu, who was put on trial in 2014 on the charge of leaking a classified CPC document.³⁸ She was forced to confess her “crime” on state television after the authorities threatened to arrest her son. Ms Gao faced a life sentence for this alleged offence, even though the document she was alleged to have leaked to the foreign media had already been widely circulated. In 2014, she was convicted and sentenced to seven years in jail. In 2015, her sentence was reduced to five years and she was released on medical grounds to complete her sentence outside prison.³⁹
- 4.5** There are no independent news sources in China that members of the public can easily access, and the state or CPC control the majority of media outlets. According to the journalists’ advocacy group Reporters Without Borders, the CPC’s Publicity Department “provides the media with a daily list of topics to be highlighted and topics that are banned, on pain of sanction.”⁴⁰ The state strictly regulates critical content and prevents anything that may harm its image from being published. Any mention of anti-government sentiment, the deaths of activists, corruption cases, or extreme violence are censored or severely punished, even when accidental.⁴¹ Chinese journalists who do not follow these regulations risk imprisonment, torture, or

³⁴ ‘China Press Freedom Report 2017 Ten Year Edition: A Decade of Decline’, International Federation of Journalists, 2 February 2018: www.ifj.org/fileadmin/documents/Ten_Year_Edition_-_A_Decade_of_Decline_single_LR.pdf.

³⁵ The official version of the 2010 law, in Chinese, is available on the PRC government’s website: http://www.gov.cn/flfg/2010-04/30/content_1596420.htm. An English language commentary is available from the Library of the US Congress: <http://www.loc.gov/law/foreign-news/article/china-state-secrets-law-revised>.

³⁶ The official version of these regulations, in Chinese, is available on the PRC government’s website: http://www.gov.cn/zwgk/2014-02/03/content_2579949.htm. An English language commentary is available from the US Library of Congress: <http://www.loc.gov/law/foreign-news/article/china-new-implementing-regulations-of-law-on-state-secrets>.

³⁷ ‘Human rights lawyers bear the brunt of clampdown’, CIVICUS Monitor, 5 January 2018: <https://monitor.civicus.org/newsfeed/2018/01/05/human-rights-lawyers-bare-brunt-clampdown>.

³⁸ ‘Chinese journalist Gao Yu faces trial for leaking state secrets’, BBC, 20 November 2014: <http://www.bbc.com/news/blogs-china-blog-30125635>.

³⁹ ‘Gao Yu: Chinese journalist released from jail over illness’, BBC, 26 November 2015: <http://www.bbc.com/news/world-asia-china-34929468>.

⁴⁰ ‘From Snake to Dog, five dark years for journalism in China’, Reporters Without Borders, 14 February 2018: <https://rsf.org/en/news/snake-dog-five-dark-years-journalism-china>.

⁴¹ ‘China suspends reporters over Xi ‘resigns’ typo’, Al Jazeera, 6 December 2015: <http://www.aljazeera.com/news/2015/12/china-suspends-reporters-xi-resigns-typo-151206150302212.html>.

dismissal. Foreign journalists inside the country are also at high risk of expulsion,⁴² physical harm and raids if they publish reports critical of the state. Religious expression is also carefully controlled.

4.6 Although over half of Chinese people have internet access,⁴³ online expression is seriously restricted in the PRC, through the “Great Firewall”, the removal of hundreds of thousands of internet posts per year and the closure of thousands of users’ internet accounts. This is occurring despite the PRC having accepted four (4) separate recommendations on internet freedom during its last UPR examination in 2013.⁴⁴ In 2014, the authorities announced the formation of a panel of 3,000 volunteer internet monitors, whose job is to act as the state’s ‘eyes and ears’ online.⁴⁵ In 2017 the government of Xi Jinping targeted social networking and messaging apps, one of the only remaining ways for people in the PRC to report news and access information. In 2017, the PRC’s internet regulatory authority banned journalists from citing information from such platforms unless it had already been confirmed by the government.⁴⁶

4.7 On 25 September 2017, it was revealed that the Chinese authorities had also blocked the encrypted messaging app, WhatsApp.⁴⁷ While the service had experienced intermittent obstructions since July 2017, a recent analysis of the service’s blockage concluded that Chinese authorities have developed sensors to prevent the transmission of text messages within the application.⁴⁸ A week earlier, on 18 September 2017, authorities in China also shut down a human rights chat group on the popular social media platform, ‘QQ’, after users discussed the recent subversion trial in China of a Taiwanese political activist, Lee Ming-cheh.⁴⁹ Lee was a volunteer with a number of human rights groups and was known for sharing his experiences of Taiwan’s democratic transition with those in mainland China.⁵⁰ After Lee disappeared

⁴² ‘China to expel French journalist who questioned treatment of Muslim minority in Xinjiang’, Dominic Jackson, Shanghai List, 26 December 2015:

http://shanghaiist.com/2015/12/26/china_to_expel_french_journalist.php.

⁴³ Individuals using the Internet (% of population), The World Bank, accessed 20 February 2017:

<https://data.worldbank.org/indicator/IT.NET.USER.ZS>.

⁴⁴ Recommendations from Ireland, Germany, Viet Nam and Bangladesh.

⁴⁵ ‘Beijing Police Have Thousands of Internet Monitoring Volunteers’, Radio Free Asia, 14 January 2014:

<http://www.rfa.org/english/news/china/volunteers-01142016151959.html>.

⁴⁶ See footnote 35 above.

⁴⁷ ‘China blocks WhatsApp, broadening online censorship’, Keith Bradsher, New York Times, 25 September 2017: <https://www.nytimes.com/2017/09/25/business/china-whatsapp-blocked.html>.

⁴⁸ ‘China blocks WhatsApp’, Shannon Liao, The Verge, 25 September 2017:

<https://www.theverge.com/2017/9/25/16362292/china-whatsapp-censorship-wechat-no-more-texts>.

⁴⁹ ‘China Cracks Down on Public Discussion of Activist’s Subversion Trial’, Radio Free Asia, 18 September 2017:

<https://www.rfa.org/english/news/china/trial-09182017123542.html>.

⁵⁰ ‘Detained Taiwanese NGO worker Lee Ming-cheh to be tried in China’, Catherine Lai, Hong Kong Free Press, 7 September 2017: <https://www.hongkongfp.com/2017/09/07/detained-taiwanese-ngo-worker-lee-ming-cheh-tried-china>.

on 14 March 2017 in the Chinese city of Zhuhai, the authorities confirmed they were holding him on charges of "endangering state security."⁵¹

4.8 Faced with systematic online censorship, many internet users in the PRC resort to the use of Virtual Private Networks (VPNs) to access blocked content. The authorities have now extended their crackdown on free speech to include the use of these technologies. In 2017, it was reported that multinational technology companies, including Apple and Amazon, allegedly colluded with the Chinese authorities to remove VPNs from their Chinese app stores.⁵² These reports came as the authorities in the PRC intensified their efforts to clamp down on VPN providers. On 1 July 2017, one of the most popular VPN providers in the PRC, GreenVPN, announced it would stop service after being pressured by the Chinese authorities.⁵³

5. (E) Freedom of peaceful assembly

5.1 During the PRC's examination under the 2nd UPR cycle, the government received three (3) recommendations on the right to the freedom of assembly. Among other recommendations, the government committed to ensuring that it would "refrain from impeding civil society and respect its international obligations on the right to freedom of peaceful assembly"⁵⁴ and "expedite legal and institutional reforms to fully protect in law and in practice" the freedom of assembly.⁵⁵ Of the recommendations received, the PRC accepted two (2) and noted one (1). However, as evidenced below, the government has not implemented any of these recommendations.

5.2 Article 21 of the ICCPR guarantees the freedom of peaceful assembly. In addition, article 35 of the PRC's Constitution also guarantees the right to the freedom "of assembly... of procession and of demonstration."⁵⁶ However, in practice and policy the right to gather in public for the purposes of protest or demonstration is tightly controlled and can only be exercised legally once the aims of the protest are approved by the authorities.

⁵¹ 'Watchdog warns of 'chilling effect' as China confirms it is holding missing Taiwanese NGO worker', Catherine Lai, Hong Kong Free Press, 29 March 2017: <https://www.hongkongfp.com/2017/03/29/watchdog-warns-chilling-effect-china-confirms-holding-missing-taiwanese-ngo-worker>.

⁵² 'Joining Apple, Amazon's China Cloud Service Bows to Censors', Paul Mozur, New York Times, 1 August 2017: <https://www.nytimes.com/2017/08/01/business/amazon-china-internet-censors-apple.html>.

⁵³ 'China's great firewall gets tougher as popular VPN shut down', Bloomberg News, 3 July 2017: <https://www.bloomberg.com/news/articles/2017-07-03/china-s-great-firewall-gets-tougher-as-popular-vpn-shut-down>.

⁵⁴ Recommendation from Germany, Report of the Working Group, 4 December 2013, A/HRC/25/5 at para. 186.167: <https://daccess-ods.un.org/TMP/1060808.97152424.html>.

⁵⁵ Recommendation from Australia, Report of the Working Group, 4 December 2013, A/HRC/25/5 at para. 186.136: <https://daccess-ods.un.org/TMP/1060808.97152424.html>.

⁵⁶ See footnote 3 above.

5.3 The Law of the PRC on Assemblies, Processions and Demonstrations (1989) governs the right to the freedom of peaceful assembly.⁵⁷ Although hundreds of protests take place in China every day⁵⁸ – some of them in open opposition to the authorities – officially, public demonstrations and protests in China can only take place once organisers obtain government approval. Organisers must submit an application five days before a gathering is due to take place and are required to submit a huge amount of information, including the wording of any slogans or banners to be used.⁵⁹

5.4 In practice, approval is rarely granted. Any gathering organised with the aim of criticising the government or the CPC is categorised as a threat to security and participants in such protests are routinely detained. During the 25th anniversary of the Tiananmen Square massacre in 2014, for instance, the government went to extensive lengths to suppress any public memorial events for the victims. Despite the formal obstacles to demonstrations, in recent years China has experienced increasing public mobilisation, which the authorities have struggled to contain.⁶⁰ While the authorities do turn a blind eye to many localised protests, even demonstrations promoting relatively benign, non-political causes can attract the ire of the authorities in China.

5.5 In March 2015, five Chinese feminist activists were detained for organising a protest to spread awareness about sexual harassment on public transportation in Beijing.⁶¹ The women were arrested on suspicion of “picking quarrels and provoking trouble” and detained for approximately two months before being released on bail. In May 2017, riot police used excessive force against residents protesting against a waste incinerator plant in the southern province of Guangdong. The police reportedly fired teargas into the crowd and rounded up protesters en masse. Local residents also reported that the police injured a number of people and detained more than a hundred.⁶²

⁵⁷ An English version of the law can be found on the website of The Supreme People’s Court of the PRC: <http://en.chinacourt.org/public/detail.php?id=134>.

⁵⁸ ‘How China Stays Stable Despite 500 Protests Every Day’, Max Fisher, The Atlantic, 5 January, 2012: <https://www.theatlantic.com/international/archive/2012/01/how-china-stays-stable-despite-500-protests-every-day/250940>.

⁵⁹ Article 8 of the 1989 Law of the PRC on Assemblies, Processions and Demonstrations: <http://en.chinacourt.org/public/detail.php?id=134>.

⁶⁰ A proxy indicator of generalised unrest across the country is shown by the China Labor Bulletin’s statistics, which show that the number of strikes doubled from 1,379 incidents in 2014 to a total of 2,741 in 2015: <http://www.dw.com/en/labor-rights-movements-gaining-momentum-in-china/a-18959557>.

⁶¹ ‘Chinese authorities release 5 detained female activists’, Katie Nelson, Shanghaiist, 14 April 2015: <http://shanghaiist.com/2015/04/14/chinese-authorities-release-5-detained-female-activists.php>.

⁶² ‘Chinese laws further suppress and squeeze out civil society’, CIVICUS Monitor, 28 June 2017: <https://monitor.civicus.org/newsfeed/2017/06/28/china-laws-suppress-civil-society>.

- 5.6 Perhaps the most visible violation of the right to the freedom of peaceful assembly occurred in Hong Kong in reaction to the “Umbrella Movement” protests that began in September 2014.⁶³ Those protests were deemed unlawful by the authorities. Despite their overwhelmingly peaceful nature, there were credible reports of the repeated use of excessive force, including through “indiscriminate beating and use of pepper spray.”⁶⁴ Scores of protestors were also arrested over the course of several weeks of protests.
- 5.7 Since the protests in 2014, several leaders of the “Umbrella Movement” have been harassed by the authorities through lengthy judicial proceedings. These include Joshua Wong, Alex Chow and Nathan Law, who were all given prison sentences ranging from six to eight months for “unlawful assembly”.⁶⁵ Although a magistrate had initially sentenced the three to community service,⁶⁶ Hong Kong’s justice secretary subsequently intervened, resulting in harsher sentences being imposed on the three. In February 2018, Wong, Chow and Law were freed after the Court of Appeal overturned their prison sentences. Wong, however may still face jail time because of a separate contempt case he faces related to the protests in 2014.⁶⁷

6. (F) Recommendations to the Government of the PRC

CIVICUS and AHRC call on the Government of the PRC to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

At a minimum, the following conditions should be guaranteed: the freedoms of association, peaceful assembly and expression, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state’s duty to protect. In light of this, the following specific recommendations are made:

⁶³ ‘Hong Kong’s umbrella revolution – the Guardian briefing’, Jonathan Kaiman, The Guardian, 30 September 2014: <https://www.theguardian.com/world/2014/sep/30/-sp-hong-kong-umbrella-revolution-pro-democracy-protests>.

⁶⁴ Joint communication of three UN Special Rapporteurs to China, 5 December 2014, AL CN 11/2014, [https://spdb.ohchr.org/hrdb/29th/public_-_AL_China_05.12.14_\(11.2014\).pdf](https://spdb.ohchr.org/hrdb/29th/public_-_AL_China_05.12.14_(11.2014).pdf).

⁶⁵ “Joshua Wong and two other Umbrella Movement leaders jailed in Hong Kong”, James Griffiths, CNN, 17th August, 2017: <https://edition.cnn.com/2017/08/17/asia/hong-kong-umbrella-joshua-wong/index.html>

⁶⁶ “Hong Kong protest leaders avoid jail over ‘Umbrella Revolution’”, NBC News, 15th August, 2016: <https://www.nbcnews.com/storyline/hong-kong-protests/hong-kong-protest-leaders-avoid-jail-over-umbrella-revolution-n630751>

⁶⁷ “Hong Kong court overturns sentences for pro-democracy activists”, Associated Press/NBC News, 6th February, 2018: <https://www.nbcnews.com/storyline/hong-kong-protests/hong-kong-court-overturns-sentences-pro-democracy-activists-n844996>

6.1 Regarding the freedom of association

- Remove all undue restrictions on the ability of CSOs to receive international and national funding in line with best practices articulated by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association.
- Repeal restrictive provisions of the Charities Law and the Overseas NGO Management law in line with international human rights law.
- Allow all CSOs to operate free from state interference or harassment regardless of their alignment or otherwise with the political viewpoint of the CPC.

6.2 Regarding the protection of human rights defenders

- Immediately release all HRDs and lawyers detained as part of the '709 crackdown' that began in July 2015 and drop all charges against them. Where necessary, reinstate licences that have been revoked from practising lawyers.
- Ratify the ICCPR.
- Put in place effective protection measures to ensure that human rights lawyers, activists and journalists are not subjected to future harassment, intimidation or attacks because of their legitimate human rights work.
- Publicly condemn instances of harassment and intimidation of CSOs and activists.

6.3 Regarding the freedom of expression, independence of the media and access to information

- Review the National Security Law (2015), Cybersecurity Law (2016), National Intelligence Law (2017) and relevant provisions of the PRC's criminal code to ensure that all legislation is in line with best practices and international standards in the area of the freedom of expression.
- Cease the practice of harassing and intimidating independent journalists, including bloggers and citizen journalists posting news, opinions and information on social media.
- Ensure that journalists and writers may work freely and without fear of retribution for expressing critical opinions or covering topics that the government may find sensitive.

- Enable unfettered access to online information resources by removing restrictions on access to national and international news websites, social media outlets and CSO websites.
- Refrain from censoring social and conventional media and ensure that the freedom of expression is safeguarded in all forms, including the arts.

6.4 Regarding the freedom of assembly

- Adopt best practices on the freedom of peaceful assembly, as put forward by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association in his 2012 annual report, which calls for procedures in which there is simple notification of assemblies being held, rather than explicit permission being needed to assemble.
- Amend the Law of the PRC on Assemblies, Processions and Demonstrations in order to guarantee fully the right to the freedom of assembly.
- Unconditionally and immediately release all demonstrators, journalists and HRDs detained for exercising their right to the freedom of peaceful assembly and review their cases to prevent further harassment.
- Immediately and impartially investigate all instances of the use of excessive force by security forces, including those committed during the ‘Umbrella Movement’ protests in Hong Kong.

6.5 Regarding access to UN Special Procedures mandate holders

- Extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the Special Rapporteurs on the situation of human rights defenders and on the promotion and protection of the right to freedom of opinion and expression.

Annex: Assessment of implementation of civic space recommendations under the 2nd cycle

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: Freedom of Association (some recommendations also pertain to Freedom of Expression, Freedom of Peaceful Assembly, Protection of HRDs)</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Consider including civil society in the assessment sessions of the National Action Plan on Human Rights and in the formulation and preparation of the corresponding National Report (Mexico)</p> <p>Source of position: A/HRC/25/5 Para 186.35</p>	Accepted	<p>Civil society</p> <p>Freedom of association and peaceful assembly</p>	<p>Status: Not implemented</p> <p>Source: See paragraph 2.3.</p>
<p>Allow national and international NGOs to play a full and active role in promoting and protecting human rights, specifically by expanding registration to all categories of NGOs and social organizations in China and by expanding their freedom to operate effectively (Netherlands)</p> <p>Source of position: A/HRC/25/5 Para 186.150</p>	Accepted	<p>Civil society</p> <p>Freedom of association and peaceful assembly</p>	<p>Status: Not implemented</p> <p>Source: see paragraphs 2.3 – 2.9.</p>
<p>Intensify efforts to facilitate the participation of NGOs, academic institutions and the media in safeguarding human rights (Nigeria)</p> <p>Source of position: A/HRC/25/5 Para 186.148</p>	Accepted	<p>Freedom of association and peaceful assembly</p> <p>Freedom of opinion and expression</p>	<p>Status: Not implemented</p> <p>Source: see paragraphs 2.3 – 2.9.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Take urgent steps to fully respect the rights of ethnic minorities, including peaceful political and religious practices and expressions of cultural identity (Sweden)</p> <p>Source of position: A/HRC/25/5 Para 230</p>	Noted	<p>Freedom of association and peaceful assembly</p> <p>Freedom of opinion and expression</p> <p>Freedom of religion</p>	<p>Status: Not implemented.</p> <p>Source: see paragraphs 2.3 – 2.9.</p>
<p>Refrain from impeding civil society and respect its international obligations on the right to freedom of peaceful assembly (Germany)</p> <p>Source of position: A/HRC/25/5 Para 186.167</p>	Accepted	<p>Civil society</p> <p>Freedom of association and peaceful assembly</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 2.3 – 2.9, 5.3 – 5.7.</p>
<p>Expedite legal and institutional reforms to fully protect in law and in practice freedom of expression, association and assembly, and religion and belief (Australia)</p> <p>Source of position: A/HRC/25/5 Para 186.136</p>	Accepted	<p>Freedom of association and peaceful assembly</p> <p>Freedom of opinion and expression</p> <p>Freedom of religion</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 2.3 – 5.7.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Remove all the obstacles to freedom of information on the Internet, and guarantee freedom of expression, assembly and association for all (France)</p> <p>Source of position: A/HRC/25/5 Para 186.159</p>	Noted	<p>Freedom of association and peaceful assembly</p> <p>Freedom of opinion and expression</p>	<p>Status: Partially Implemented.</p> <p>Source: see paragraphs 2.3 – 2.9; 4.3 – 4.8.</p>
<p>Facilitate the development, in law and practice, of a safe and enabling environment in which both civil society and human rights defenders can operate free from fear, hindrance and insecurity (Ireland)</p> <p>Source of position: A/HRC/25/5 Para 186.149</p>	Accepted	<p>Civil society</p> <p>Freedom of association and peaceful assembly</p> <p>Protection of Human Rights Defenders</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 2.3 – 2.9; 3.3 – 3.7.</p>
<p>Set up a national institution in line with the Paris Principles and ensure a climate that is favourable to the activities of human rights defenders, journalists and other civil society actors (Tunisia)</p> <p>Source of position: A/HRC/25/5 Para 186.59</p>	Noted	<p>Civil society</p> <p>Freedom of association and peaceful assembly</p> <p>Protection of Human Rights Defenders</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraph 2.3 – 5.7.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Stop all criminal prosecutions, arrests and all other forms of intimidation of individuals as a result of the peaceful exercise of their rights to freedom of expression, freedom of association, and assembly, or freedom of religion and belief (Spain)</p> <p>Source of position: A/HRC/25/5 Para 186.137</p>	Noted	<p>Protection of Human Rights Defenders</p> <p>Freedom of association and peaceful assembly</p> <p>Freedom of opinion and expression</p> <p>Freedom of religion</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 3.3 – 3.7.</p>
<i>Right or area: Freedom of Opinion and Expression</i>			
<p>Take the necessary measures to ensure that the rights to freedom of religion, culture and expression are fully observed and protected in every administrative entity of China (Poland)</p> <p>Source of position: A/HRC/25/5 Para 186.138</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Remove restrictions on freedom of information and expression that are not in accordance with international human rights law - established by law, and deemed necessary and proportionate (Sweden)</p> <p>Take the necessary measures to eliminate restrictions on the freedom of expression, including those imposed to national and international journalists (Costa Rica); Repeal any unreasonable restrictions on freedom of expression particularly for the media (Poland);</p> <p>Source of position:</p> <p>A/HRC/25/5 Para 186.151</p>	Noted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Urgently release those being held in detention or imprisonment for exercising their right to freedom of expression (Sweden)</p> <p>Source of position:</p> <p>A/HRC/25/5 Para 186.152</p>	Noted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Ensure that all laws, regulations and judicial interpretations comply with the Constitution and the ICCPR to ensure that the constitutionally provided right to freedom of expression is fulfilled (Denmark)</p> <p>Source of position: A/HRC/25/5 Para 186.153</p>	Noted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Make further efforts towards safeguarding the freedom of expression of all citizens (Norway)</p> <p>Source of position: A/HRC/25/5 Para 186.154</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Reform legislation and law enforcement in order to ensure freedom of opinion and expression, including on the internet (Germany)</p> <p>Source of position: A/HRC/25/5 Para 186.155</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Strengthen the measures aimed at guaranteeing freedom of expression and freedom of the press (Cote d'Ivoire)</p> <p>Source of position: A/HRC/25/5 Para 186.157</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Undertake measures enabling unrestricted use of Internet to all members of the society (Estonia)</p> <p>Source of position: A/HRC/25/5 Para 186.161</p>	Noted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Further develop and manage internet and communications sectors, ensuring the legitimate rights and interests of ordinary people enjoying safe and secure internet usage (Vietnam)</p> <p>Source of position: A/HRC/25/5 Para 186.162</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Strengthen efforts to promote orderly development of Internet and protect the legitimate rights and interest of ordinary people while reinforcing the legislation on Internet information protection and supervision (Bangladesh)</p> <p>Source of position: A/HRC/25/5 Para 186.163</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Strengthen institutional guarantees for the legitimate rights and interests of news agencies and journalists (Myanmar)</p> <p>Source of position: A/HRC/25/5 Para 186.165</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Continue strengthening the protection and promotion of the right of all citizens to publicly express their beliefs and opinions (Chile)</p> <p>Source of position: A/HRC/25/5 Para 186.169</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Increase transparency of its traditional and social media by guaranteeing the rights of Chinese citizens to freely critique any state organ or functionary (Australia)</p> <p>Source of position: A/HRC/25/5 Para 186.170</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<p>Further guarantee citizens' right to express themselves, to vote and to be elected (Uganda)</p> <p>Source of position: A/HRC/25/5 Para 186.173</p>	Accepted	Freedom of opinion and expression	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 4.3 – 4.8.</p>
<i>Right or area: Protection of Human Rights Defenders</i>			
<p>Ensure that human rights defenders can exercise their legitimate activities, including participation in international mechanisms, without being subjected to reprisals (Switzerland)</p> <p>Source of position: A/HRC/25/5 Para 186.62</p>	Accepted	Protection of human rights defenders	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 3.3 – 3.7.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>End the use of harassment, detention, arrest, and extra-legal measures such as enforced disappearance to control and silence human rights activists as well as their family members and friends (United States of America)</p> <p>Source of position: A/HRC/25/5 Para 186.115</p>	Noted	<p>Detention</p> <p>Protection of human rights defenders</p> <p>Freedom of opinion and expression</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 3.3 – 3.7.</p>
<p>Release all people in administrative detention for political reasons including bishops, priests, artists, reporters, dissidents, people working to advance human rights, and their family members, and eliminate extra-judicial measures like forced disappearances (Canada)</p> <p>Source of position: A/HRC/25/5 Para 186.122</p>	Noted	<p>Detention</p> <p>Protection of human rights defenders</p> <p>Freedom of opinion and expression</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 3.3 – 3.7.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>Take effective measures to guarantee the freedom of expression and the media through amending existing laws and practices, including its State Secrets Law, and to release all human rights defenders and journalists (Czechia)</p> <p>Source of position: A/HRC/25/5 Para 186.156</p>	Noted	<p>Freedom of opinion and expression</p> <p>Protection of human rights defenders</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 3.3 – 3.7.</p>
<p>Ensure that proper investigations are conducted in all cases of attacks on journalists, media workers and human rights defenders (Poland)</p> <p>Source of position: A/HRC/25/5 Para 186.158</p>	Accepted	<p>Freedom of opinion and expression</p> <p>Protection of human rights defenders</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 3.3 – 3.7.</p>
<p>Take steps that all persons including bloggers, journalists and human rights defenders can freely exercise their right to freedom of expression, online as well as offline, without fear from censorship or persecution (Austria)</p> <p>Source of position: A/HRC/25/5 Para 186.160</p>	Noted	<p>Freedom of opinion and expression</p> <p>Protection of human rights defenders</p>	<p>Status: Not Implemented.</p> <p>Source: see paragraphs 3.3 – 3.7.</p>