



**International PEN  
NGO in Consultative Status with ECOSOC**

**Contribution to the Universal Periodic Review Mechanism  
4<sup>th</sup> Session of the Working Group of the UPR (2 – 13 February 2009)**

**Submission on the People's Republic of China**

1 September 2008

International PEN welcomes the opportunity provided by the Office of the High Commissioner on Human Rights to comment on the situation in the People's Republic of China, about which it has serious concerns. This document provides a general comment on the current situation of writers and print journalists, and case samples of occasions where individuals have had their fundamental rights to freedom of expression severely restricted.

**General comment**

International PEN expresses its extreme concern regarding the Chinese government's position towards Article 19 of the International Covenant on Civil and Political Rights, to which it is a signatory, and its failure to abide by pledges it made to the international community to expand press freedom and improve the climate for human rights and freedom of expression in China in this Olympic year. What we have witnessed instead has been a grinding and relentless campaign to jail or silence prominent dissident voices, and new, especially brazen efforts to restrict or control domestic and international press coverage.

In any year, these findings would be bleak. Against the backdrop of the explicit commitments that China made to the world to win the privilege of hosting the Olympic Games, they are especially discouraging. International PEN has long been concerned about the number of long-term detainees in China, and this has not reduced. The Chinese government has intensified its suppression of dissent in recent months, and International PEN is alarmed at the number of reports of dissidents suffering wide-ranging forms of harassment, including brief detentions, periods of house arrest, travel restrictions, loss of work, denial of access to information and communications, heavy surveillance and censorship.

**Restricting media reporting and movement of journalists**

When bidding for the 2008 Olympics, the Chinese government made a specific promise to open up the country to free media reporting, stating "there will be no restrictions on media reporting and movement of journalists up to and including the Olympic Games." The unrest in Tibet, however, has revealed just the opposite: a

government intent on controlling media access to important stories and on restricting the access its own people have to domestic and international media coverage.

During the crackdown on protests in Tibetan areas that began in March 2008, government-instigated interruptions in telephone and Internet service in the Tibetan capital of Lhasa and other Tibetan areas significantly hindered the flow of first-hand reports and other information as violence spread and the number of deaths rose.

Since March, small numbers of journalists have been allowed into Tibetan areas on three government-orchestrated visits, always chaperoned and closely monitored by Chinese officials. Many foreign journalists who attempted on their own to enter the Tibetan Autonomous Region and neighbouring areas in Sichuan, Qinghai, Yunnan and Gansu Provinces were detained and turned away. Meanwhile, satellite broadcasts focusing on events in Tibet have been jammed in Beijing and other Chinese cities, and entire news outlets have been shut down, leaving China's citizens without access to the full story about monumental political and human rights issues in their own country.

### **Internet censorship and other troublesome laws**

Of the writers currently imprisoned in China, many are being held for writings they posted on the Internet or disseminated electronically. There have been reports that many web sites have been shut down recently, including a site for the Tiananmen Mothers—an organization of family members of those killed or imprisoned during the 1989 crackdown—and Uighur Online, a site aimed at promoting understanding between Han Chinese and ethnic Uighurs.

Three laws are routinely misused to detain and imprison writers in China: 1) subversion; 2) revealing state secrets; and 3) “splittism” or separatism. The “splittism” charge is used most often against Tibetans and Uighurs. Long term imprisonment remains unchanged as does the deprivation of political rights even after sentences of incarceration.

Dissident writers and journalists who are not in prison face serious restrictions on their movements and on their ability to speak and publish freely. Internet censorship and other laws remain in force and continue to be used specifically to deny the universally-guaranteed right to freedom of expression.

### **Final comment**

International PEN considers that the People's Republic of China falls well short of its commitments under the International Convention on Civil and Political Rights, Article 19, in continuing to restrict the right to freedom of expression. It requests that the Universal Period Review of China's adherence to the human rights instruments to which it is committed takes into consideration these concerns and requests the Chinese authorities to:

- a) release all those detained in denial of their right to freedom of expression, and to end further arrests and trials of others solely for the legitimate practice of this right;

- b) end harassment and to remove other obstacles placed in the way of others writing with views that challenge those held by the those in authority;
- c) discontinue the practice of shutting down and blocking internet sites and thus denying access to the full variety of news and information on issues relating to the civil and political rights to which every citizen is entitled.