

## [China: Urgently implement UN recommendations to end torture, protect defenders and address reprisals](#)

11.12.2015



(Geneva) - ***UN anti-torture experts have released a major report on China, calling on the government to stop harassing human rights defenders and lawyers. The report is a critical tool and roadmap for defenders on the ground seeking to promote human rights and combat torture and ill-treatment in the country.***

The UN Committee Against Torture released a frank, concrete set of [Concluding Observations](#) following [its review of China on 17-18 November](#). But the process of preventing and seeking accountability for torture does not stop with the conclusion of the review.

The Committee's Observations touch on a number of areas under their mandate. For example, they raise concerns about prolonged pretrial detention, including of human rights lawyers and defenders (as was the case for [the Feminist Five](#)); the abuse of '[residential surveillance in a designated location](#)' (applied liberally to lawyers and activists caught up in the '709' crackdown); forced conversion of LGBTI persons; and the problematic legal frameworks established by the [new National Security Law](#), draft [Anti-Terrorism law](#), [Criminal Law amendments](#), and others.

'The Committee should be applauded for not shying away from asking hard questions in this document. The question now is, "How will the government follow through?,"' said Sarah M Brooks, programme manager at ISHR.

### **UN experts demand accountability for reprisals and deaths in detention**

ISHR is especially pleased to see the Committee recognise alleged cases of reprisals against human rights defenders for participating, or seeking to participate, in the UN review, with the Concluding Observations recording that 'the Committee is concerned at allegations that seven human rights defenders, who were planning to cooperate with the Committee ... were prevented from travelling, or were detained on the grounds that their participation could "endanger national security".' The Government of China should promptly respond, and conduct transparent and impartial investigations into such cases. The Committee also pressed for investigations and accountability in relation to deaths in detention, specifically noting Tibetan monk Tenzin Delek Rinpoche, and human rights lawyer and victim of reprisals, [Cao Shunli](#).

## **Human rights defenders must not be prosecuted for their legitimate activities**

In line with submissions made by ISHR, Chinese Human Rights Defenders and others, the Committee also expressed grave concern at 'consistent reports that human rights defenders and lawyers, petitioners, political dissidents and members of religious or ethnic minorities continue to be charged, or threatened to be charged, with broadly-defined offences as a form of intimidation.' The Committee called on China to ensure that such broadly-defined offences as 'picking quarrels and provoking troubles' or 'gathering a crowd to disturb social order' are not used or abused to restrict or prosecute 'human rights defenders, lawyers, petitioners and others for their legitimate activities'.

## **Committee calls for urgent implementation of particular recommendations**

The Committee also placed particular emphasis on critical areas for follow-up actions, which should take place and be assessed within one year. These included timely recommendations focused on:

- violations of due process and prevention of access to counsel;
- the coordinated and continuing attack on human rights lawyers and activists; and
- the abuse of State Secrets legislation.

'Given that the Chinese government utterly failed to implement recommendations from the last review - and the recognition of that fact in the Observations - the Committee should not hesitate to apply its new procedures on follow-up to recommendations. Honest and transparent assessment of the Government's progress - and shortcomings - should be informed by engagement with and information from defenders and civil society organisations on the ground,' said Ms Brooks.

## **International community should push for progress and implementation**

The response from the international community was rapid, with [Human Rights Watch](#), [International Campaign for Tibet](#), and [Human Rights in China](#) publishing commentaries and Tweeting about the recommendations; media outlets, many of whom covered the review, have also [raised the visibility of the outcomes](#). National and regional networks have begun to disseminate the document, generating more awareness and galvanising action.

'The final, critical link is the role of other governments in reinforcing these issues,' Ms Brooks concluded. 'Whether in bilateral dialogues, in technical cooperation, or in regular communications, the message to the Chinese government must be clear and unequivocal. Another failure to implement recommendations is not an option. The people of China - lawyers, human rights defenders, ordinary citizens - deserve to see improvement, to see accountability, and to see their efforts supported'.

See ISHR's submission to the CAT Committee [here](#).

A video of the [UN experts' interrogation of Chinese officials is here](#).

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