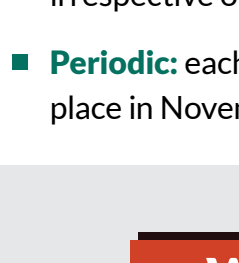


The Universal Periodic Review: China's 2024 human rights review at the UN



On 23 January 2024, the Chinese government will undergo a major human rights review at the United Nations (UN), known as the 'Universal Periodic Review' (UPR). This explainer summarises everything you need to know about China's UPR and its significance, and provides tips for NGOs and activists to engage with it, and for journalists to report on it.

WHAT IS THE UPR?



The [Universal Periodic Review](#) (UPR) is a peer-review process under the auspices of the UN Human Rights Council, where UN Member States assess each other's human rights records, their fulfilment of human rights obligations and commitments, and provide recommendations to the State under review. It is:

■ **Universal:** it ensures equal treatment by reviewing *all* 193 States and *all* human rights, irrespective of which treaties the State under review has ratified.

■ **Periodic:** each State is reviewed approximately every five years. China's last review took place in November 2018.

WHY IS CHINA'S 4TH UPR SIGNIFICANT?

In the absence of a UN Human Rights Council debate on the human rights situation in China, the UPR will be a rare moment of global scrutiny of the country's human rights crisis:

- It will demonstrate the **degree of global concern** about human rights violations in China.
- It will take place **in the context of grave human rights abuses** perpetrated against Uyghurs, Tibetans, Hong Kongers and Chinese human rights defenders, widely documented since 2018 by dozens of UN Special Rapporteurs, five UN committees, and the UN High Commissioner for Human Rights.
- It will expose the **major human rights challenges faced by China**: this includes long-standing problems and emerging issues since 2018.
- It will be a **test of the Chinese government's willingness** to recognise and commit to address urgent human rights challenges, and, in doing so, to cooperate in good-faith with the UN.

WHAT HAPPENS DURING THE UPR REVIEW?

UN Member States prepare their recommendations mostly on the basis of information from the UN and independent civil society. In addition to engagement with NGOs and human rights defenders, **three pre-session documents** serve as the basis of the UPR:

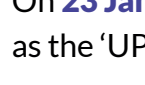
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 **National report:** prepared by the government, where it highlights what it sees as its achievements and challenges.

- In principle, the government should prepare it in consultation with civil society; in practice, China does not engage with independent civil society, and has retaliated against those wishing to do so (see 'Cao Shunli' below).



'UN compilation' report: prepared by the UN, it compiles and summarises all human rights documentation by UN bodies.



'Civil society' report (known as the 'stakeholders' report): also prepared by the UN, it compiles and summarises [all reports](#) submitted by civil society. The deadline for NGO reports was 18 July 2023.

All these reports were made available on the [UN website](#) on 21 December 2023. 'Advance questions' posed by governments ahead of the review can be found [on this website](#), together with the list of the 163 States who signed up to speak during the review.

On **23 January 2024**, from 9h00 to 12h30 CET, China will be examined during what is known as the 'UPR Working Group session':

➔ The government presents what it considers to be its progress and areas for improvement since its last UPR in 2018.

➔ All States wishing to do so, can issue recommendations depending on the time available (usually around 2 to 4) in light of the total number of speakers: for this UPR, 163 countries have registered to the speakers list, with an allocated time of 45 seconds each.

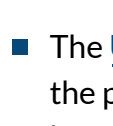
➔ The session and outcome reports are facilitated by a group of three countries (the 'troika'), randomly selected and acting independently: the 'troika' for China's UPR will be composed of Albania, Malawi and the United Arab Emirates.

WHAT HAPPENED DURING CHINA'S LAST UPR IN NOVEMBER 2018?



Source: UN Webtv

In **November 2018**, China underwent its 3rd UPR a few months after a [UN committee](#) had raised the alarm about the existence of mass detention camps for Uyghurs and Muslim populations. During the UPR, China received 346 recommendations from 150 countries, and accepted 284 of them, with many questionably noted as 'accepted and already implemented.'

 The UN High Commissioner for Human Rights highlighted priority areas in a [letter](#) to Foreign Minister Wang Yi in April 2019.

Despite a seemingly high acceptance rate, China broadly rejected recommendations on:

- Cooperation with the UN and unrestricted UN access to all regions of the country
- The rights of Uyghurs and Tibetans
- Enforced disappearances and arbitrary detention
- The ratification of international treaties
- The death penalty.

China accepted - therefore committed to implement - recommendations related to the human rights impact of its business activities overseas, and LGBTI rights, despite a subsequent [crackdown](#) on LGBTI groups.

Since 2018, mounting human rights abuses have been largely documented by a range of UN human rights bodies:

- The UN's [Xinjiang report](#), that concluded to the possible commission of crimes against humanity against Uyghurs and Muslim populations.
- The [UN committee on economic, social and cultural rights](#), that reported on the rights to education and language of Tibetans, Uyghur forced labour, and other issues.
- Over [100 letters and press statements](#) from UN-appointed independent human rights experts (Special Rapporteurs and Working Groups), on the separation of children and forced assimilation of [Uyghurs](#) and [Tibetans](#), judicial persecution of activists and journalists in Hong Kong, systemic arbitrary detention, [enforced disappearances under Residential Surveillance at a Designated Location \(RSDL\)](#), over 100 cases of targeted human rights defenders and lawyers in mainland China, the government's [abuse of national security](#) legislation, among other issues.
- The [UN women's rights committee](#), that reported on the rights of Uyghur, Tibetan, Hong Kong and mainland Chinese women among other issues.
- The [UN civil and political rights committee](#), that documented the human rights crackdown in Hong Kong and the imposition of the 2020 National Security Law.
- The [UN committee on racial discrimination](#), that published a historic urgent decision to protect the rights of Uyghurs and Muslim populations.
- The [UN committee on the rights of persons with disabilities](#).
- Over 40 cases of [reprisals against activists](#) and NGOs cooperating with the UN, documented by the UN Secretary-General
- The former UN High Commissioner's visit to China, and her [recommendations](#).

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Unfortunately, the Chinese government [rejected all these findings](#) as 'groundless' and an 'interference in internal affairs', and [attacked UN committees and experts in public statements](#). UN Special Rapporteurs [said](#) they 'have yet to see any signs of political will to address the concerns raised.'

Chinese Mission Spokesperson Refutes the Smeears by Certain Special Procedure Mandate Holders
2022-06-10 23:55

On June 10, Fionnuala Ni Aoláin, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and a few other special procedure mandate holders of the Human Rights Council, [acting as the political tool of anti-China forces](#), flagrantly violated the Code of Conduct and [made vicious slanders against China](#), which China strongly condemns.

Ignoring China's tremendous human rights achievements, Ms. Aoláin and a few other mandate holders endorsed the lies and disinformation fabricated by western countries, including the United States, and anti-China forces. [They abused their mandates and chose to collaborate with the United States](#) in slandering China on the eve of the 50th session of the Human Rights Council, [in a vain attempt to kidnap the Human Rights Council to serve the U.S. strategy of containing and winning](#), and to serve the interest of hegemony and power politics. They are promoting their private interests and fail to distinguish right and wrong. Their attempt to impose Western dogma on others and acts of wantonly politicizing and instrumentalizing human rights has seriously damaged the credibility of the Special Procedures.

Source: [Permanent Mission of China to the UN in Geneva](#)

The government did not publish a 'mid-term' report in 2022, but a range of NGOs [did](#).

I AM A JOURNALIST, WHAT SHOULD I CONSIDER WHEN REPORTING ON CHINA'S UPR?

- The UPR is an **inter-governmental process**, it is inherently political. While its outcome is a good indicator of the key human rights challenges in a country and the degree of global concern, recommendations are often based on each government's human rights priorities, or its political proximity to the country under review. It is common that diplomatic allies misuse this opportunity to provide public support to the country or even **raise specific recommendations at the request of the country undergoing the review**.
- The Chinese government may participate in the UPR - as all States do - and accept recommendations based on its interests. But **this does not mean it cooperates in good faith with the UN human rights system**, and shouldn't overshadow its lack of implementation of recommendations by UN committees, [disregard](#) for the UN Xinjiang report, [verbal attacks](#) against UN Special Rapporteurs, denial of unfettered access to the whole country for [nearly twenty UN experts](#), and retaliation against activists who cooperate with the UN.
- Ask the Chinese government how it plans to implement accepted recommendations, **how it plans to cooperate with the UN to do so** - including through unrestricted access to all regions of the country for UN experts -, and the reason for rejecting some recommendations.
- The UPR is an important process in the UN human rights system, but it is not the only one. Given its intergovernmental nature, it does not substitute itself to the findings of impartial, expert UN bodies, nor should it sidestep the **need for ongoing international scrutiny and in-depth investigation** to verify allegations of atrocity crimes and grave abuses.
- **Check out the 'advance questions'** formally raised by governments ahead of the review, and pose them to the Chinese government if it has not yet responded.
- **Cross-check the government's national report** and commitments against [information from UN bodies](#), interview NGOs and activists about those, and question where you find inconsistencies.
- Ask other governments how they plan to follow up on their recommendations, bilaterally with the Chinese authorities and at the UN.
- **Impactful UPR recommendations** are those reflecting human rights challenges, grounded in impartial UN and civil society documentation, recommending specific, concrete, measurable action. Recommendations to 'continue to...' are most often a display of politeness rather than a constructive recommendation.

[GET IN TOUCH WITH ISHR FOR ANY QUESTIONS AHEAD, DURING OR AFTER THE UPR](#)



Consider possible risks when engaging with NGOs and activists during China's UPR, and take measures accordingly. Engagement with the UN comes at a cost for most human rights defenders: *China is, alongside Saudi Arabia, the second most cited country in the UN Secretary-General's annual report on [reprisals against civil society for cooperation with the UN](#).*



Cao Shunli was a courageous woman human rights defender who mobilised society to pressure the government to consult civil society ahead of China's 2nd UPR. She was detained in September 2013 prior to boarding her plane to Geneva, and died as a result of ill-treatment and lack of adequate medical care in detention. Her death in custody remains one of the most emblematic cases of repressions against human rights defenders for their engagement with the UN. The Chinese government even [disrupted](#) a Human Rights Council session for one hour and a half to interrupt a moment of silence requested by ISHR and let US honour a week after her death in March 2014. **Ten years later, other NGOs honour her legacy, and echo the call by UN experts for a probe into her death!**

I AM A HUMAN RIGHTS DEFENDER, WHAT CAN I DO AHEAD OF AND DURING CHINA'S UPR ON 23 JANUARY?

-  Closely **monitor the UPR review session online**, available live on [UN Web TV](#).
-  **Alert your networks**, and invite others to follow the session on your social media platforms.
-  If you face **reprisals** because you engaged with or simply followed the UPR, immediately contact ISHR through safe channels.
-  **Approach journalists** and social media influencers, inform them about the UPR, encourage them to report about it and interview NGOs and activists.
-  In the likely case that the government cuts or slows down connection to the UN website inside China, **prepare safe alternatives** to watch the UPR session.

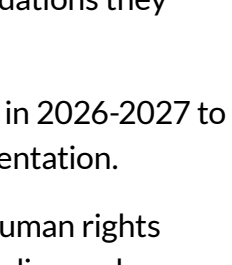
WHAT HAPPENS AFTER JANUARY 2024?

The government will review the recommendations it received, and decide which ones it commits to implement (by **accepting** them) or not (by **rejecting** them, known as 'noting'). During the **June 2024** session of the Human Rights Council, China will have the opportunity to provide further information, and a limited number of governments and NGOs will be able to make comments. The Council will then adopt China's UPR report, composed of the:

- UPR Working Group report, summarising all recommendations.
- Addendum, listing the government's responses to each recommendation.

WHAT HAPPENS IN THE NEXT FIVE YEARS?

The Chinese government is **expected to implement accepted recommendations** until its next UPR in 2029. The government is also encouraged by the UN to **report on the status of implementation** halfway through, by publishing a ['mid-term report'](#); yet, China has never done it for past reviews.



You can play a key role in follow-up to the UPR review. You can:

- Monitor the government's response to UPR recommendations, hold authorities accountable for accepted recommendations, and track the **status of implementation**.
- Continue to **raise awareness** among your communities, the press, and the general public about the UPR, its outcomes, and the government's human rights commitments towards the international community.
- **Engage with third governments** on ways to follow up on the recommendations they issued to China.
- Submit a **'mid-term' report** in 2026-2027 to assess the status of implementation.
- Cooperate with other UN human rights bodies, to address long-standing and new human rights concerns in China.