

Chapter 4: Human Rights Education

By Initiative to Advance Human Rights Education in China

1. During the 2013 UPR review of China, Chinese authorities accepted every recommendation put forth by UN Member States related to human rights education and said they have “already implemented” all of them.¹ This assessment, however, finds that China has not implemented five and only partially implemented four of those recommendations.
2. Overall, this assessment found that although there are books and educational information available to the public related to human rights, as well as materials in schools and trainings for officials, it is questionable if these meet international standards or convey fundamental human rights principles. The Chinese government promotes views of human rights that negate or ignore the principles of universality and indivisibility, including in human rights education materials. So, it is doubtful that available information and materials contribute to building a culture of universal human rights, or develop values, attitudes, and behavior which uphold human rights.² Authorities have also criminalized human rights education and documentation activities of NGOs, thereby limiting free discussion of human rights concepts and issues. In addition, Chinese officials have not been forthcoming regarding the exact content of training materials for officials, and have not been transparent about the efficacy of those trainings or of school materials. It is unclear, for example, if training and education in places of detention have actually been effective in preventing human rights abuses.
3. At the 2013 review, UN Member States made a total of 10 recommendations but one, from the Democratic Republic of the Congo (186.43) was not appropriate. It involved foreign affairs and cannot be assessed because it may encourage human rights violations in other countries. Five of the nine appropriate recommendations—from Cyprus (186.39), Burundi (40), Iran (41), Bahrain (42), and Togo (47)—are “poor” recommendations because they make assumptions that may not be true about human rights training or education programs.³ China accepted these and the other four appropriate recommendations from the State of Palestine (45), Thailand (46), Uzbekistan (48), and Seychelles (44).

China’s relativist & severable model of human rights

4. China has partially implemented some recommendations by referencing human rights in materials, but those materials do not necessarily support the concepts of universal and indivisible human rights. The Chinese government has allowed the publication of some books and articles that include so-called “human rights education” information,⁴ including materials published by human rights research centers in academic institutions and the central Party school (recommendations from Thailand and Uzbekistan).⁵ Chinese authorities have also partially implemented Cyprus’s recommendation by simply including the goal of expanding, “improving,” and “strengthening” human rights education and training in both the 2016-2020 and 2012-2015 National Human Rights Action Plans (NHRAP).⁶ Due to the ongoing lack of support for universal human rights values and the prioritization of some rights above others, it is questionable if Chinese government efforts will be able to build a culture of universal human rights, or develop values, attitudes, and behavior which uphold human rights.
5. Chinese leaders disregard the core concept of the universality of human rights set forth in the Universal Declaration of Human Rights (UDHR) and are promoting relativist human rights values.⁷ Chinese leaders have emphasized that human rights are dependent upon each country’s “culture, religion, and background.” They have also emphasized “the rights of the individual being subordinate to the rights of the collective, “human rights concepts with Chinese characteristics,” “socialist human rights concepts,” and “Marxist human rights concepts.”⁸ In December 2017 White Paper, Chinese authorities noted they would “fully consider the suggestions and opinions put forward by UN treaty bodies, and adopt and implement reasonable and feasible recommendations based on China’s national conditions.”⁹ President Xi Jinping, also in December

2017, said that China and developing countries should integrate both the principles of “universality” and “relativism” in rising human rights standards. Contradictorily, he also noted that countries can only promote human rights according to their own situation and the “needs of citizens.”¹⁰

6. Xi Jinping also emphasizes China’s “insistence that development promotes human rights,” and that the rights to survival and to development are of “overriding importance,”¹¹ which contradicts the principle in the UDHR that economic, social, cultural, civil, and political rights are indivisible.
7. China appears to be globally exporting its vision of “human rights with Chinese and socialist characteristics,” including by hosting a “South to South Human Rights Forum” in 2017 for developing countries and at which some countries signed a “Beijing Declaration” that includes language promoting relativism in human rights values and endorsing the idea that the rights to survival and development are of primary importance.¹²

Criminalization of human rights NGO activities

8. The government has strengthened control over NGOs since President Xi Jinping came to power in 2013, and it has become even more difficult for NGOs that undertake human rights education activities to register or operate openly. In addition, government-affiliated non-profit organizations (GONGOs) dominate the human rights NGO landscape, including at the UN.¹³ For example, the Human Rights Society of China reportedly works internationally to deflect attention away from China’s human rights abuses.¹⁴
9. Authorities have passed legislation and taken action to suppress more independent NGOs, and have considered their human rights reporting and education activities as “endangering national security,” effectively criminalizing them. In 2016 and 2017, the National People’s Congress passed two laws that could negatively affect NGOs, the Charity Law, passed in September 2016,¹⁵ and the the PRC Law on the Management of Overseas NGO Domestic Activities, passed in January 2017.¹⁶ Both laws prohibit NGOs from “endangering national security” but do not provide information on what activities are restricted. The Charity Law restricts all online fundraising activities to government-registered and approved charities while fining other groups that seek online donations.¹⁷ The Overseas NGO Law targets overseas NGOs operating in China but it also has had the effect of reducing funding opportunities for local NGOs and increasing the risk of accepting foreign funding.¹⁸ In 2016 and 2017, authorities detained the leaders of at least three human rights NGOs that monitor, document and report on human rights violations. Just prior to and immediately after the Overseas NGO Law took effect on January 1, 2017, authorities targeted Liu Feiyue (刘飞跃), head of Civil Rights & Livelihood Watch, which had submitted information for China’s 2nd UPR; Zhen Jianghua (甄江华), the head of the group Human Rights Campaign in China; and Huang Qi (黄琦), founder of the Tianwang Human Rights Center.¹⁹ Two of these NGO leaders were charged with “inciting subversion of state power” and one was charged with “illegally providing state secrets to foreign entities,” thus authorities linked human rights reporting to “national security.”
10. Some more independent NGOs have continued to try to carry out a range of human rights education activities, including on discrimination, LGBTQ issues, and business and human rights, but they face potential persecution by officials. Since the 2014 review, the government has shut down human rights NGOs and persecuted their leaders. In February 2016, authorities forced the Beijing Zhongze Women’s Legal Counseling Service Center to close down, possibly because officials suspected the group received funding from the overseas-based Ford Foundation.²⁰ The center had operated for over two decades and had provided legal assistance to tens of thousands of women, and produced publications on various topics including gender discrimination in the workplace and rural women’s economic rights.²¹ Other women’s groups and NGO members were also targeted in 2015, including Beijing Yirenping Center, a public health and anti-discrimination

NGO, and Weizhiming Women's Center in Hangzhou, and five Chinese female NGO personnel who had planned to raise awareness about sexual harassment on public transportation by distributing information to the public.²²

11. UN human rights bodies have warned against citing “national security” as the pretext to restrict civil liberties. By criminalizing human rights education and reporting by NGOs, the Chinese government is contravening a September 2014 Human Rights Council resolution urging governments to stop targeting civil society actors and organizations through legislation on counter-terrorism, national security, and funding for civil society development.²³ The UN High Commissioner for Human Rights raised concerns that China's Law on National Security, adopted on July 2015, could leave “the door wide open to further restrictions of the rights and freedoms of Chinese citizens, and to even tighter control of civil society by the Chinese authorities than there is already.”²⁴

Human rights information & training for officials

12. Officials and State-affiliated research centers have held “human rights trainings” for government personnel, law enforcement officials, the media, and judicial authorities.²⁵ According to China's official assessment of the implementation of its 2012-2015 NHRAP, during that five-year period, Chinese officials have held 144 training sessions for Chinese Communist Party cadres, government employees, judiciary and media personnel.²⁶
13. Greater focus should be placed on the content of China's overall views of human rights and human rights education and training materials, rather than simply concentrating on the number of trainings or education programs. In addition, insufficient attention is given to efforts to examine the effectiveness of China's human rights education and training programs. It is unclear for example, if any of the education and training for officials in places of detention are methodologically sound so as to be effective in preventing human rights abuses, promoting equality, and enhancing public participation in decision-making, among other goals, as outlined by UN instruments.²⁷ The Committee against Torture also noted the need for evaluating the effectiveness of education and training programs relating to torture in its 2015 Concluding Observations.²⁸
14. Authorities have refused citizen requests for information on some of the training materials. For example, based on one in-depth study done over several years by a Chinese NGO, a majority of authorities in judicial and public security departments at the provincial level refused to disclose information about training for law enforcement personnel in places of detention, including on the number of training sessions, the contents of education materials, and if the materials met international standards, or whether medical personnel have been trained.²⁹ Of note, while the Chinese government told the Committee against Torture in 2015 that all medical personnel in places of detention had already received anti-torture training, authorities did not answer information requests regarding this type of training, making it difficult for civil society to independently assess the government's claims.³⁰

School curriculum lacks information about universal human rights principles

15. Chinese authorities have partially implemented the recommendation by Palestine on including human rights in school curriculum. Not all education departments/commissions, however, have been transparent about materials used in elementary and middle schools, as well as institutions of higher education. One local Chinese NGO survey showed that 26 out of 31 departments or committees responded to the requests about those materials but only 22 provided some or all of the information requested.³¹ At least nine others, however, either did not respond or refused to provide information, citing articles from the Regulations on Open Government Information³² as reasons for not giving out information.³³

16. According to the local Chinese NGO survey, human rights education concepts were not taught as stand-alone subjects in elementary and middle schools but incorporated in various types of curriculum, most often in “legal studies,” “history,” or “ideological & ethical education.”³⁴ In institutes of higher education, human rights concepts were most often incorporated into curriculum focused on “ideological, ethical, and legal education,” “Mao Zedong thought and theory of socialism with Chinese characteristics,” “modern Chinese history,” or “principles of Marxism.” Of those that did respond, some merely replied that the materials used were based on the national standardized education materials.³⁵ Human rights concepts taught to teachers focused on the teacher-student relationship.³⁶
17. As part of the local Chinese NGO survey, a more in-depth study of 19 randomly chosen education materials for elementary, middle, and higher education students included in “ideology and ethics” or “political education” curriculum was conducted. Results illustrated that the majority of the materials did not contain human rights principles or only included such principles indirectly or ambiguously.³⁷ One introduced human rights education more systematically; four included some human rights education information; eight only indirectly included information on human rights; and the remaining six did not appear to include human rights concepts.³⁸
18. In summary, while the Chinese government has said that school curriculum in elementary and middle schools and in institutes of higher education include materials on human rights, most of those materials do not address universal human rights principles or international human rights treaties, and do not discuss things like the right to supervise the government, the right to participate in elections, or freedom of expression or assembly.³⁹

¹ In response to all nine recommendations, China referred to its response to 186.39 (Cyprus): “The Chinese government attaches great importance to human rights education and promotes it at all levels. China has included human rights education in training programs of civil servants.”

² For more information on these goals, see: UN Human Rights Council, Draft plan of action for the second phase (2010-2014) of the World Programme for Human Rights Education, A/HRC/15/28, July 27, 2010.

³ The recommendations that are “poor” are from Cyprus (186.39), Burundi (40), Iran (41), Bahrain (42), and Togo (47). Human rights education and training in China barely exist and the contents of materials are often not disclosed. The school materials that are disclosed are not in line with international standards and do not clearly promote universal human rights principles. So, recommending China to “maintain,” “intensify,” “continue,” “keep up” or “mainstream” such education or “awareness raising” assumes a level of action on the part of Chinese officials that does not exist; and so, the recommendations do not address the problems.

⁴ For in-depth information on the numbers of materials published each year, see Wenshe Centre for Human Rights Education (WCHRE), “*Human Rights Education Bulletin No. 5*” (人权教育通讯第5期), September, 2016, p. 11, <https://www.humanrightseducation.cn/wp-content/uploads/2016/10/%E4%BA%BA%E6%9D%83%E6%95%99%E8%82%B2%E9%80%9A%E8%AE%AF%E7%AC%AC%E4%BA%94%E6%9C%9F%EF%BC%882016%E5%B9%B49%E6%9C%88%EF%BC%89.pdf>.

⁵ Ibid, pp. 9-11.

⁶ Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2012-2015), Chap. IV, <http://www.china-un.ch/eng/rqrd/jblc/t953936.htm>; Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2016-2020), September 29, 2016, Chap. IV, http://news.xinhuanet.com/politics/2016-09/29/c_129305934_7.htm; Xinhua News Agency, “China Pledges Greater Efforts in Human Rights Education, Research,” September 29, 2016, http://news.xinhuanet.com/english/2016-09/29/c_135722106.htm. The 2016-2020 NHRAP objectives include building research platforms, encouraging public and enterprise units to strengthen human rights education, adding five human rights “education training bases” and standardizing their management, “researching the need and feasibility” of establishing a national human rights institution, and supporting media to set up specialized human rights programs.

⁷ This approach could be explained as an effort to justify the lack of protection of basic human rights and freedoms at home and an effort to assert its influence internationally in human rights affairs.

⁸ Wenshe Centre for Human Rights Education (WCHRE), “Beijing Human Rights Forum (2008-2015) Introduction” (Lijie Beijing renquan luntan (2008-2015nian) jianjie), December 11, 2017, <https://www.humanrightseducation.cn/archives/2570>.

⁹ State Council Information Office, White Paper on New Progress in the Legal Protections for Human Rights, December 2017, <http://www.scio.gov.cn/32618/Document/1613600/1613600.htm>.

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- ¹¹ Regarding the Question of Human Rights, Xi Jinping Said This (Guanyu renquan wenti, Xi Jinping zheyang shuo), China Daily, December 8, 2017, http://webcache.googleusercontent.com/search?q=cache:NQNGwG7-Sa4J:projects.iq.harvard.edu/files/mobilized_contention/files/chris_carithers_gongos_memo.doc+&cd=1&hl=en&ct=clnk&gl=us.
- ¹² “First ‘South to South Human Rights Forum’ (Beijing Declaration)” (Shoujie “nan nan renquan luntan 《Beijing Shunyan》”), People’s Daily, December 9, 2017, <http://world.people.com.cn/n1/2017/1209/c1002-29695829.html>.
- ¹³ Sui-Lee Wee and Stephanie Nebehay, “At the U.N., China uses intimidation tactics to silence its critics,” Under Siege series, Reuters, October 6, 2015, <https://www.reuters.com/investigates/special-report/china-softpower-rights/>; Human Rights Watch, The Costs of International Advocacy: China’s Interference in United Nations Human Rights Mechanisms, September 5, 2017, <https://www.hrw.org/report/2017/09/05/costs-international-advocacy/chinas-interference-united-nations-human-rights>.
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- ²⁴ Office of the High Commissioner on Human Rights, “UN human rights chief says China’s new security law is too broad, too vague,” July 7, 2015, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16210&LangID=E>.
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- ²⁷ UN Office of the High Commissioner for Human Rights, “Evaluating Human Rights Training Activities, A Handbook for Human Rights Educators,” 2011, pp. iii, 9, 25, <http://ohchr.org/Documents/Publications/EvaluationHandbookPT18.pdf>.
- ²⁸ Committee against Torture, Concluding Observations on the Fifth Periodic Report of China, CAT/C/CHN/CO/5, February 2016, para. 60.
- ²⁹ Fourteen of the provincial-level judicial agencies contacted did not respond to requests, 16 did respond, but 13 of those refused to provide information citing various articles of the regulation on open government information. Ten of the provincial-level public security departments did not respond to requests, 20 responded and three agreed to provide the information requested, but 17 refused to disclose information, again citing various articles of the regulation on open government information. Even though four of those departments cited various articles of that regulation for refusing to answer the questions, they did provide very basic information. WCHRE, Mid-term Report on the Partial Contents of Human Rights Education in China After the Second Universal Periodic Review of China, p. 12. For more specific details about the reasons authorities gave for refusing to provide information see: WCHRE, “Human Rights Education Bulletin No. 4” (人权教育通讯第4期), July 2016, pp. 15-29, <https://www.humanrightseducation.cn/wp-content/uploads/2016/07/%E4%BA%BA%E6%9D%83%E6%95%99%E8%82%B2%E9%80%9A%E8%AE%AF%E7%AC%AC%E5%9B%9B%E6%9C%9F%EF%BC%882016%E5%B9%B47%E6%9C%88%EF%BC%89.pdf>.
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- ³⁵ WCHRE, *Human Rights Education Bulletin No. 2* 人权教育通讯第2期, March, 2016, pp. 10-26; WCHRE, Mid-term Report on the Partial Contents of Human Rights Education in China After the Second Universal Periodic Review of China, p. 4.
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- ³⁹ WCHRE, *Human Rights Education Bulletin No. 2* 人权教育通讯第2期, March, 2016, p. 26-27; WCHRE, *Human Rights Education Bulletin No. 3* 人权教育通讯第3期, May 2016, pp. 19-20, <https://www.humanrightseducation.cn/wp-content/uploads/2016/06/%E4%BA%BA%E6%9D%83%E6%95%99%E8%82%B2%E9%80%9A%E8%AE%AF%E7%AC%AC%E4%B8%89%E6%9C%9F%EF%BC%882016%E5%B9%B45%E6%9C%88%EF%BC%89.pdf>.