

PERSISTING IN RESISTING

SITUATION OF HUMAN RIGHTS DEFENDERS IN CHINA

2022
Annual Report

CHINESE
HUMAN
RIGHTS
DEFENDERS



“Persisting in Resisting”

Annual Report on the Situation of Human Rights Defenders in China (2022)

Table of Contents

<i>Executive Summary</i>	2
<i>Positive Role of Human Rights Defenders</i>	4
<i>Pathways to Change</i>	8
<i>The Risks Human Rights Defenders Face</i>	10
<i>The Role of other Stakeholders</i>	13
<i>Recommendations</i>	15
<i>Conclusion</i>	17

Executive Summary

This year marks the 25th anniversary of the adoption of the [U.N. Declaration on Human Rights Defenders](#), which recognizes the key role of human rights defenders (HRDs) in the realization of human rights and provides that each State has a responsibility and duty “to protect, promote and implement all human rights and fundamental freedoms” (art. 2(1)). While the Chinese government violates the Declaration in its unceasing persecution of human rights defenders, HRDs nonetheless continue to fight to promote and advocate for human rights in China.

Inspired by the UN Special Rapporteur on the situation of human rights defenders [call](#) for inputs to her report on the positive changes achieved by human rights defenders globally, CHRDR presents its 2022 Annual Report on the Situation of Human Rights Defenders in China echoing her report’s focus on hope, achievements, and lessons learnt.

Twenty-five experienced HRDs in China responded to the Special Rapporteur’s questionnaire, which CHRDR circulated within its networks. The number of responses may be relatively small in relation to the whole population, and do not capture the situation for human rights defenders in the Uyghur region, areas populated by Tibetans, or in Hong Kong.

Nevertheless, given the Chinese government’s extreme suppression of human rights defenders, and given their lack of channels to express their views publicly without facing reprisals, even a limited sample can provide a clarifying, unique snapshot of the critical role of HRDs in defending and realizing human rights in China, the challenges and risks they face, and the opportunities for having an impact on making lasting and sometimes systemic changes.

Key takeaways from 2022:

- Human rights defenders in China continued to foster support and build solidarity within their communities, both online and in-person.
- HRDs enhanced their security awareness and shared knowledge and tactics to scale the Great Firewall and evade digital surveillance.
- HRDs continued to make use of the few legal tools available to them, despite China's deeply flawed legal system and lack of independence of the judiciary. They sought justice for victims of human rights abuses and helped them defend their rights, scoring some small victories. They also sought to hold perpetrators accountable.
- The continued resistance of human rights defenders in China, against all odds, speaks to their abiding hope in justice, and for their future. Many spoke of the psychological and spiritual skills they had developed as part of their efforts. As one HRD put it, a major ongoing achievement of the movement is simply "persisting in resisting."
- Although perhaps unacknowledged and unappreciated, HRDs were often at the forefront in assisting marginalized populations and helping to build a more inclusive China.
- HRDs expressed that attention to individual cases by UN experts, international NGOs, or foreign governments played a positive role in putting pressure on the government and/or improving conditions for HRDs.

Besides these takeaways from the questionnaire of human rights defenders, CHRDR also noted that 2022 was in some respects a breakthrough year for the human rights movement in China:

- Activism found new inspiration and purpose in 2022, as many people across the country, especially youth and women, took to the streets and the Internet to protest against China's inflexible Zero-Covid policies. These protests undoubtedly played a role in the Chinese government's subsequent decision to abandon its strict Covid controls.
- Impressive efforts by diasporic communities and international human rights defenders resulted in progress at countering the Chinese authorities' false narratives aimed at covering up or defending the government's gross and systematic human rights violations, particularly in the Uyghur region and in Tibetan areas. These efforts helped facilitate actions taken by UN human rights mechanisms, such as the [Committee on Elimination of Racial Discrimination](#) (CERD) in 2022.

This report presents the findings and our analysis of the responses CHRDR gathered to the above-mentioned questionnaire of the [Special Rapporteur on the Situation of Human Rights Defenders](#), Ms. Mary Lawlor. The report is organized into five sections, tracking the questions in the survey:

1. *Positive Role of Human Rights Defenders*: This section documents the role played by HRDs in achieving some small victories and systemic changes in China, which has led to sustained improvements in the human rights of others, not only in 2022 but in previous years as well.
2. *Pathways to Change*: This identifies some of the means and opportunities human rights defenders have used to achieve these improvements.
3. *Risks Human Rights Defenders Face*: This section summarizes the major risks human rights defenders were subjected to while working to bring about change in China.

4. *The Role of other Stakeholders* (NGOs, INGOs, international mechanisms, media, etc.): This section presents findings about the support and protection that was provided to human rights defenders by other stakeholders.
5. *Recommendations*: We sum up the actions that HRDs in China suggest that the Special Rapporteur on human rights defenders and other international mechanisms should take to assist human rights defenders, and to encourage States and businesses to provide an environment that enables human rights defenders to be successful in their important work.

Positive Role of Human Rights Defenders

HRDs who responded to the questionnaire have provided ample examples of the positive role of HRDs in bringing about both small victories and in some instances, changes to laws, policies, or practices in China. Some of these successes have led to sustained improvements in the human rights of **vulnerable or marginalized populations**. The following are a few selected examples from the responses:

“We took many actions to push for positive changes, mostly to promote protection of the rights of persons with disabilities, for instance, their right to movement and access.”

“Most of what I do is to assist those who defended their housing rights after forced demolition, which helped them to get some compensation.”

In China, as the UN Working Group on Arbitrary Detention [has noted](#) on multiple occasions, there is a “systemic problem with arbitrary detention in China.” But HRDs have, in some instances, helped put pressure on the government to **respect some the fair trial rights** of those who had been arbitrarily detained:

“When a jailed Tibetan’s right to meet with a lawyer was violated in Qinghai Province, we represented him and filed complaints and lawsuits against jail management officials. This helped the prisoner to gain his right to communication via [letters and phone calls], and to be allowed visits from his family and lawyers.”

“I have assisted detained HRDs to contact lawyers, who were able to obtain information about the detainees’ conditions and the situation inside detention facilities and publicized what the authorities had tried to hide, which was helpful for others to get involved in advocacy for the detainees, and which also helped ease the harsh treatment of detainees.”

“I have helped people, particularly women, participate in county-level people’s congress elections by running for office. I’ve helped the sons and daughters of migrant workers get enrolled in local schools.”

In a similar way, HRDs report that attention to individual cases can result in the authorities giving activists **shorter prison sentences** than would typically be the case:

“Our group organized advocacy campaigns for detained activists. We drew public attention to their cases, used social media, and contacted experienced lawyers willing to take on human rights cases. We tried to help family members to overcome fear. In some cases, the sentences were shorter than the average sentences meted out in similar cases.”

HRDs facilitated the creation of new communities to **foster solidarity and mutual assistance**:

“I helped with building a sustainable network to assist other defenders to find ways to survive in the difficult environment, particularly for activists working on women’s rights and workers’ rights.”

Although China’s laws are largely out of compliance with international human rights laws and standards, and the limited procedural safeguards in place are often not enforced, HRDs have nonetheless **used legal tools** to advocate for individuals’ human rights.

“Through a combination of filing requests under the Open Government Information Act, or through the administrative review or the administrative law procedures, we have had some success in disclosing the unlawful acts of local governments and forcing authorities to address the legitimate grievances of victims. Some officials were disciplined. When other people learned about such successes, they were motivated to use the law and take legal actions. This helped prevent more abuses from taking place. Furthermore, such actions could build networks, inspiring more and more people to defend their rights.”

“We organized seminars on the law, which helped build up citizens’ capacities to file complaints, request Open Government Information, and use other tools such as the administrative review and administrative procedural law [to hold officials accountable for abuses].”

They have also worked to help **change laws, policies, and government practices**:

“Through [our] advocacy, the Chaoyang District in Beijing began to recognize unlawful forced evictions and home demolitions.”

“During the period when we were under the policy of Zero-COVID lockdowns, we filed complaints against officials in charge of enforcing COVID testing and controlling residents’ movements by using the health codes. These actions helped gain a degree of public support and often resulted in a loosening of restrictions in local areas.”

“Over the past 30 years, I have been involved in pushing for many legal and policy reforms in the system that severely infringe upon human rights, such as the 2003 end to the ‘custody and repatriation’ system and the 2013 end to the ‘re-education through labor’ system. Abolishing these two systems that seriously violated human rights helped improve freedom of movement and personal liberty rights for millions of people.”

HRDs engaged in multi-faceted advocacy to assist marginalized groups, such as rural women, disabled persons, and the children of migrant workers. They **created public education campaigns and awareness-building opportunities** related to the human rights of these neglected communities:

“Through our participation, many disabled women were able to have their rights respected, and through their defense of their rights and interests, their demands were met and resolved. This has been very impactful for us, especially since we have used Weibo and a WeChat public account to disseminate this knowledge, which enabled more people to pay attention to our issues, and this [pressure from public opinion] also plays a key role in getting demands for rights addressed.”

“We created a WeChat public account and group for discussing the rights of disabled women.”

“We created comics related to CRPD [the UN Convention on the Rights of Persons with Disabilities] and popularized gender equality, anti-domestic violence and set up disabled people’s NGOs. We also produced a documentary about the employment rights of Chinese disabled people.”

“We participated in advocacy for revising the Law on the Protection of Rights and Interests of Women, assisted rural women fighting for land rights in the face of forced expropriation and women filing lawsuits in gender discrimination cases.”

Actions by HRDs that demonstrated **resistance and sparked change** were evident throughout 2022. Some notable examples include:

Ji Xiaolong, an online citizen reporter based in Shanghai, was taken away by police on August 31, 2022, and [arrested](#) on September 23 on the charge of “picking quarrels and provoking trouble,” likely in [retaliation](#) for an open letter he wrote criticizing then-Party Secretary of Shanghai (now Premier) Li Qiang and China’s supreme leader Xi Jinping. Ji’s actions helped draw attention to the way in which ordinary people were suffering under the harsh citywide Zero-COVID lockdown. In November it emerged that Ji Xiaolong was being [detained](#) with more than 60 other people, in an overly crowded room meant to hold only 25 people, and was suffering from severe tooth aches and was being prevented from seeing a dentist.

In October 2022, in Beijing just before the Chinese Communist Party’s 20th Party Congress, a lone protester, physicist [Peng Lifa](#), hung two banners from a bridge in Beijing. One read, “We want food, not COVID testing; We want reform, not the Cultural Revolution; We want freedom, not lockdowns; We want a vote, not a leader; We want dignity not lies; we are citizens not slaves!” The other banner urged: “Depose the traitorous dictator Xi Jinping!”

Peng’s solo protest seemingly had little impact on the lives of millions living under Zero-COVID restrictions. Indeed, Peng was quickly arrested by police, and news of the protest was censored swiftly inside China.

Yet, Peng’s brave protest and his messages unexpectedly inspired people across China and all around the world. By the end of November, more than [350 demonstrations](#) took place in China, where protestors on college campuses and in cities across the country, and then around

the world, echoed the messages that Mr. Peng expressed. This spirit of protest, spurred on by fatalities in a fire on November 24 in Urumqi, came to be known as the [“Blank Paper Movement.”](#)

The Urumqi fire claimed the lives of at least ten Uyghur women and children. As their rescue was obstructed by barriers many people thought were erected as a COVID lockdown measure [but likely](#) were for “counter-terror” measures, people took to the streets to mourn the loss of lives, and to [assemble and speak out](#) against the devastating Zero-COVID control policies and the political system that made such control possible.

As indignation over these unnecessary deaths grew, so did the protests. Commemorations in solidarity with those who lost their lives in the Urumqi fire and protests took place from late November to early December 2022 throughout China. The scope of this wave of protests in cities across China was something that had not been seen since the nationwide pro-democracy protests in China in 1989. There were at least 68 protests across 31 cities: [according to](#) the Australian Strategic Policy Institute. CHRD has [documented](#) at least 50 people who were reported to have been taken into custody in the aftermath of the protests. As of March 15, at least four people have been formally arrested on charges of “picking quarrels and provoking trouble.”

One of them, **Cao Zhixin**, an [editor at Peking University Press](#), fearing that she might be arrested, made a video for her friends to release if she was detained. In the video, which was released on January 16, she [said](#) that her main reason for participating in the protest was to show her respect and solidarity for those who died in the Urumqi fire, “We pay attention to the society we live in. When our fellows die we have the right to express our legitimate emotions. Our sympathy is for those who lost their lives and that’s why we went to the scene.”

To date, Chinese authorities have conducted its investigation of the protestors with the [utmost secrecy](#). Many of those detained were active in previous advocacy campaigns for women’s rights or rights of LGBTQI persons, and most were mostly young, educated women, students or professionals.

The role these young people played in the “Blank Paper” protests, which helped bring an end to the government’s Zero-COVID measures, is one of the clearest examples of what HRDs achieved in bringing about social and policy changes in 2022.

And yet it’s important to note that while 2022 was the year in which protests against Zero-COVID reached a tipping point, during the few preceding years, several citizen journalists who reported on the COVID outbreak or expressed criticisms of the lockdowns were detained or sent to jail. For example:

[Zhang Zhan](#), a citizen journalist, was detained, put on [trial](#) and convicted in a Shanghai court on December 28, 2020 on the charge of “picking quarrels and provoking trouble.” The court sentenced her to four years in prison. The court cited as “evidence” of her purported criminality reports on the COVID outbreak in Wuhan, which she had uploaded to [Youtube and Twitter](#). Zhang was [denied](#) the right to a fair trial. She told her lawyer that she went on hunger strikes to protest being subjected to torture.

[Fang Bin](#), a citizen journalist and rights activist, went missing after being taken away by police on February 9, 2020. His family has not received any legal notification concerning his detention. In February 2022, it became known that he was [being held](#) at a detention center in Wuhan, but he still did not have access to a lawyer.

[Chen Mei and Cai Wei](#), citizen journalists who were detained and eventually [sentenced](#) to 15 months in jail on the charge of “picking quarrels and provoking trouble.”

[He Fangmei](#), a health rights defender, who previously drew public attention to faulty vaccines made by state manufacturers, was forcibly disappeared for nearly two years after the COVID outbreak. She [went missing](#) after staging a protest in front of China’s National Health Commission in Beijing as China started to launch its COVID vaccination drive in October 2020. He Fangmei went on trial sometime during the spring of 2022, but the details remain unclear.

Pathways to Change

From the 25 questionnaire responses, we’ve compiled the following list of methods and means HRDs in China have used to achieve their successes — from small victories to systemic improvements. Here we drill down on *how* HRDs have been able to accomplish what they’ve accomplished.

Many respondents mentioned **the role of communications and protests**:

- Sharing information.
- Gaining attention and leverage by shifting public opinion.
- Writing reports about HRD cases.
- Through social media, exposing official misconduct and putting pressure on rights’ violators.
- Taking to the streets to protest.

Many people also mentioned **using the law** to defend their rights. For example:

- Providing legal support.
- Using the law for rights defense and collective action.
- Coordinating lawyers and family members of HRDs, traveling with lawyers.
- Communicating demands to relevant government departments, protesting, and engaging in dialogue.

Other HRDs described a **process of solidarity building**:

- Connecting people who need assistance to those who can help them.
- HRDs can attend trainings thanks to international NGOs; we support each other and share experiences, and we can enhance our legal knowledge and rights defense skills.
- Visiting family members and delivering care packages to political prisoners.

Others mentioned the **psychological and spiritual** resolve needed for change:

- Relying on our beliefs and spending countless hours involved in public interest to help others.
- Using all methods for redress and not giving up.
- Persisting in resisting.
- Believing that faith brings about courage.

Even though the Chinese government and ruling Chinese Communist Party (CCP) have continued to persecute human rights lawyers in recent years and has all but eliminated any semblance of an independent judiciary in cases involving “sensitive issues” such as human rights defense, several respondents noted the strategic importance of having lawyers for detained HRDs regardless and **using legal tools** in rights advocacy:

“We can use laws, regulations, and policies to engage in rights defense according to the law, and by doing so we decrease risk, have lower overhead costs, increase the confidence of rights defenders, and encourage people from marginalized communities.”

“We have seen improvements for the conditions of detained HRDs when their family members engage in resistance and ask for a lawyer to represent their loved one.”

“We use methods like coordinating lawyers and family members of HRDs, traveling with lawyers, writing reports of HRD cases, visiting family members, and delivering care packages to political prisoners.”

“Some people who have tried to defend their election rights have seen success. Some people who have tried to become election candidates have done so, and had unlawful elections overturned. In other instances, we’ve had success in holding police accountable and allowing children to enroll in school.”

“Attention from outside [detention facilities or jail] has helped people resolve difficulties and improve their situation.”

One respondent noted how he/she had urged **petitioners** – people who lodge complaints with higher level authorities but who run the risk of fierce government reprisals – to use safer and more effective means through **legal procedures**:

“We have helped petitioners change their method of rights defense and thereby improve their ‘human rights situation.’ In the past, they would go to Beijing to petition, submit some written materials, and speak out. [Consequently], they would be intercepted by social stability maintenance functionaries of their local government, who would then control, surveil, and suppress them. Now they utilize our method of filing open government information requests, administrative reviews, and administrative lawsuits. From their hometowns they can send materials [to higher levels of government and Beijing] through the postal service. Not only can they speak out, but they can also get “stamps of approval” from various levels of government (a reply to a request for open government information, a decision on administrative review), and courts must take the case. [...] Through open government information requests, and the use of administrative review, and lawsuits . . . we can bring many problems to higher levels of authority, and . . .

obtain evidence, and thereby expose some local government's unlawful behavior, forcing local officials to resolve the requests of the complainants. Moreover, with every successful case, people in the public see it and start to emulate these methods."

Several respondents noted the importance of **using the Internet or social media** to disseminate information and influence public opinion:

"Using the internet to spread information is important, and at the same time, creating diffuse groups of people and the construction of a decentralized civil society network of friends and newcomers is important."

"We have helped some HRDs break through the "Great Firewall." This has allowed them to freely receive information from the outside world. This has also enabled them to more securely communicate with other human rights defenders, to mutually support and assist each other..."

"We support people in social movements, get involved in issues of importance, attend trials of HRDs, use the internet to disseminate news and information, and use Douyin [the domestic TikTok]."

The most important prerequisite for bringing about positive change is **persistence and a sense that achievements will be brought about in the long run**. As one HRD put it:

"In mainland China, promoting reforms or abolition of the systems and laws and regulations that violate human rights is an extremely difficult process. It takes persistent efforts over a very long period of time. This is because the Chinese government always treats such completely lawful actions defending human rights as heresy or extremist dissent, and HRDs are thus treated as dissidents and subjected to crackdowns and suppression. Human rights defenders in mainland China engage in activities in defending human rights under extraordinarily risky conditions, and because of what they have done, HRDs have been thrown into jail, some of them have lost their lives."

The Risks Human Rights Defenders Face

This section summarizes the major risks human rights defenders have been subjected to while working to bring about change in China.

During 2022, Chinese human rights defenders continued to face persecution as they refused to give up and continued to carry out their human rights work, which led to some of the small victories listed above. We collected a list of typical risks or types of punishment often used against HRDs by state authorities mentioned in the 25 questionnaire responses:

- Harassment, threats to self and family.
- Beatings.
- Detention.
- Denial of adequate medical care while in state custody.
- Surveillance and monitoring.

- Being followed.
- Cancellation of lawyers' license to practice; being investigated by the ministry of justice or police.
- Warnings.
- Summoned to "tea", unofficial talks, by the police.
- Threats by the police that they will "talk to" leaders at one's place of employment, implying that police may put pressure on employers to punish or fire HRDs.
- The risk of being put on a blacklist; being prevented from leaving the country or having one's freedom of movement curtailed.
- Arrest and sentencing at a secret trial.
- Torture.
- Disappearance.
- Forced to be in constant contact with the police.
- Eviction from a home; being forced to move [to a different city or province].
- Having authorities put pressure on others in one's social community to divide the group or to smear you.

Some notable cases of human rights defenders being subjected to the risks outlined above in 2022 included:

Xu Qin: Detained and Paralyzed in Detention

[Xu Qin \(徐秦\)](#) is a human rights researcher and activist who was the former general secretary "Human Rights Watch in China" (HRWIC), which she helped found along with long-time democracy activist [Qin Yongmin \(秦永敏\)](#). Xu Qin was also a member of a human rights organization known as the "Rose Team". Xu Qin spoke out and petitioned after Qin Yongmin was detained, and Qin's wife [Zhao Suli](#) was disappeared for three years.

On November 5, 2021, Xu Qin was [suddenly taken away](#) from her home by police. Before being detained, Xu had just undergone heart bypass surgery, and she was suffering from the aftereffects of a stroke and high blood pressure.

Her condition worsened while in detention. On July 27, 2022, Xu Qin's family [revealed](#) that her lawyer visited her at the detention center and he learned that on June 27, 2022 Xu had become paralyzed.

Xu Qin [went on trial](#) on November 7, 2022, on the charge of "inciting subversion of state power."

At the trial, Xu requested that the prosecution recuse itself on the grounds that she was tortured into giving evidence, was subjected to sleep deprivation, getting just four hours of sleep per night, including deliberate noisemaking, but the judge denied her request. The [evidence](#) the prosecution used against her was related to her human rights activism and views expressed on the internet.

Since the trial occurred, no verdict has been announced. Xu remains detained at the Yangzhou Detention Center in Jiangsu Province.

Li Yuhan: Detained Lawyer in Urgent Need of Medical Treatment

Human rights lawyer [Li Yuhuan](#), who represented fellow lawyer Wang Yu in the crackdown on lawyers in 2015 ["the 709 Crackdown"], has now spent nearly five years in pre-trial detention.

Although Li was tried on October 20, 2021, for “picking quarrels and provoking trouble” and “fraud,” a verdict has still not been issued. The case has been delayed for so long because she refuses to plead guilty.

[Her lawyer](#) revealed in September 2022 that the 65-year-old lawyer’s health is deteriorating. She suffers from seven known conditions: irregular heartbeat, heart disease, hyperthyroidism, inflammation of the stomach, head trauma from concussions (from beatings inflicted by police in the course of her defense work), and hypoxemia (low levels of oxygen in the blood), and cerebral infarction (stroke).

Her lawyer has said that authorities at the Shenyang City Number 1 Detention Center are subjecting her to other indignities, including limiting her food, not giving her hot water for showering, and serving her vegetables on a pan upon which other detainees have urinated.

Li’s [son](#) has called for her release on medical parole in light of her serious health conditions, but the authorities have repeatedly denied such requests.

Xu Zhiyong and Ding Jiayi: No News of Sentencing After Secret Trial

[Xu Zhiyong](#) and [Ding Jiayi](#) went on trial in secret on June 22 and June 24, and there has been no further news about their sentencing. Both Xu and Ding said that they were tortured while in detention, although their efforts to exclude “evidence” obtained unlawfully – through torture – has not been allowed by the court.

Ding’s lawyer [visited him](#) in August 2022 and Ding [thanked](#) his wife, Luo Shengchun, and many friends for the support they’ve given him. In another visit in September, the lawyer [also read](#) to Ding over 45 letters Luo had written him. In addition, after a visit in February 2023, Ding [expressed solidarity](#) with the “Blank Paper” movement protestors.

However, there has been no news related to Xu Zhiyong’s condition in detention. Both Xu and Ding’s lawyers were forced to sign a [document pledging secrecy](#) about their clients’ cases, and the lack of information could be related to this threatening environment for the lawyers.

Chang Weiping: Detained Lawyer, Victim of Torture

[Chang Weiping went on trial](#) on July 26 in Feng County Court, in Shaanxi province, and authorities took dramatic measures to prevent Chang Weiping’s wife, Chen Zijuan, from attending. However, almost eight months later, there is still no news about whether the court has issued a verdict. Authorities have also [prevented](#) Chang’s lawyer from visiting him, allegedly without legal basis, but rather [simply due to the](#) “specialness” of his case.

Chang, who represented many persecuted human rights defenders, especially those defending the rights of workers, women, LGBTQI groups, and members of officially banned religious groups, was detained in October 2020 after he made a YouTube video describing how police tortured him while in detention earlier in 2020. Authorities subjected Chang to further torture for his actions in documenting and exposing torture in China’s detention system.

Huang Xueqin and Wang Jianbing: Mistreated in Detention

September 19 [marked one year](#) since labor activist [Wang Jianbing](#) and journalist [Huang Xueqin](#) were taken away by police. Sources indicate that in mid-August 2022 their cases were [transferred](#) to the Guangzhou City Intermediate People’s Court, where they’ll be tried on charges of “inciting subversion of state power.”

Huang Xueqin’s family-appointed lawyer was dismissed, and she has been forced to use a government-approved lawyer — a common practice to facilitate sham trials. Wang Jianbing has been able to see his lawyer, but authorities have prevented the lawyer from sharing case details with the public.

Earlier in the year, the UN Working Group on Arbitrary Detention [issued an opinion](#) that found Wang’s detention to be “arbitrary” and they urged the government to ensure his “immediate unconditional release.”

In mid-February 2023, [it emerged](#) that Huang Xueqin’s health was deteriorating in detention. She had lost 5kg (11 pounds) and had not had her period for five months. Huang developed an endocrine imbalance and was experiencing low blood pressure and low blood sugar. She had apparently been subjected to prolonged interrogations while sleep deprived in an effort by authorities to pressure her to confess.

Huang Qi: Unfairly Sentenced and Experiencing Deteriorating Health

Huang Qi, a citizen journalist who ran a grassroots group *64 Tianwang*, which was dedicated to publicizing human rights abuses, was sentenced in 2019 to 12 years in prison on the charge of “intentionally leaking state secrets” and “illegally providing state secrets to foreign entities.” He is suffering from kidney disease, hydrocephalus (accumulation of fluid in the brain), heart disease, emphysema, and effects of pneumonia in prison. His mother, who is in her 80s and in ailing health, is also [being denied](#) the right to visit him and is under tight state surveillance.

Gao Zhisheng: Victim of Enforced Disappearance for 5 Years

[Gao Zhisheng](#), a former human rights lawyer, has remained in a state of enforced disappearance since August 13, 2017. His wife Geng He has [continued to advocate](#) for at a minimum, simply being provided proof that her husband is alive. During 2022, Geng revealed that Gao’s sister and brother-in-law had committed suicide due to the depression and pressure associated with Gao’s disappearance.

The Role of other Stakeholders

In this section, we present findings about the support other stakeholders (NGOs, INGOs, international mechanisms, media, etc.) provided to HRDs while they worked to bring about positive changes through their rights defense work.

Many respondents noted the crucial role of **international NGOs** played:

“With the help of international NGOs, we in China can study methods that have worked abroad and attend trainings, support each other and share experiences, and we can enhance our legal knowledge and rights defense skills.”

“The training on general knowledge about international human rights provided by some international NGOs is very important. It is also important to learn practical methods such as network security. The support and guidance of some experts and scholars is also necessary.”

“International organizations have given us knowledge regarding security, values, ethics, and theoretical knowledge regarding safeguarding human rights, a strong support for our work, and they have provided us with opportunities to study abroad and recuperate (after encountering persecution), so that we can better serve activists on the ground. The international media has made use of our first-hand case reports and has disseminated our rights defense information.”

Other respondents noted the role of **international human rights mechanisms**:

“In my own case, having experienced human rights violations after I was released from prison, I received continuous attention from different UN agencies and a number of special rapporteurs, who have taken several actions.”

“With family members and lawyers together we can use legal means and the internet to publicize instances of unlawful behavior. We can also use international human rights mechanisms.”

Other respondents mentioned the positive role of **popularizing knowledge of international law**:

“We have been successful in defending the rights of women whose rights were infringed upon by their employer. We have taught rural women land rights defenders about successful cases and their rights under CEDAW, and although they are not usually successful, they gain greater confidence and experience, and can mutually support each other.”

“We have searched for cases from other regions, to study and understand, and have popularized knowledge from the newly revised Law on the Protection of Women’s Rights and Interests and CEDAW – which is an important method in helping people gain new perspectives.”

During 2022, the UN human rights mechanisms voiced serious concerns about China’s human rights record:

- In June 2022, the UN Human Rights Committee reviewed Hong Kong’s compliance with the International Covenant on Civil and Political Rights (“the Covenant”). The Committee issued its [concluding observations](#) on July 27, and the 12-page document of observations and recommendations can only be described as a damning indictment of the deterioration of freedom and rights in Hong Kong since the National Security

Law (NSL) was enacted in June 2020. The Human Rights Committee noted the “overly broad interpretation of and arbitrary application” of the law, which has been used to arrest over 200 people. It found that certain provisions of the NSL “substantially undermine the independence of judiciary and restrict the rights to access to justice and to fair trial.” The Committee found that the way the law has been applied had unduly restricted a wide array of human rights guaranteed by the Covenant. It noted that people were at risk of reprisals if they engaged with the UN. Most importantly, it recommended that the government take “concrete steps” to “repeal the NSL, and in the interim, cease applying the law.”

- In August 2022, the UN Office of the High Commissioner of Human Rights (OHCHR) issued its assessment of the human rights situation in the Xinjiang Uyghur Autonomous Region (XUAR). Importantly, the report concluded that “crimes against humanity” may be happening in the region. It also found that despite being called “vocational” centers, the Chinese government did not provide OHCHR with any curriculum of supposedly vocational learning at the “vocational education and training centers” (para. 50); torture (paragraphs 75, 78), forced medication (para. 72), sexual violence (para. 73), and a lack of medical care (para. 74) were experienced by victims in re-education camps. Alongside the re-education camp system, criminal sentencing also increased significantly (para. 58); freedom of religion has been severely curtailed (paras. 80-93), and “standard tenets of Islamic religion and practice” were often targeted under the broad definitions of “extremism” (para. 84). Satellite imagery showed destruction of mosques (para. 85) and religious sites (para. 86). There were violations of reproductive rights. The OHCHR spoke to women who had alleged that they were forced to undergo IUD insertions and forced to have abortions by authorities under China’s family planning policies, and the women risked imprisonment if they refused to comply (para. 111). The report also noted the problem of family separation caused by enforced disappearances (paras. 130-135).
- In September, the UN Committee on the Rights of Persons with Disabilities (CRPD) released its concluding observations regarding China’s implementation of the Convention on the Rights of Persons with Disabilities. The Committee highlighted that [it was](#), “...disturbed by reports of reprisals against civil society organizations in Mainland China and Hong Kong for their advocacy work on disability rights, particularly in relation to their cooperation with the United Nations. It requested that China take all necessary measures to ensure that people with disabilities can exercise their right to freedom of expression and opinion, including in their collaboration with the UN.”
- In November, the [UN Committee on the Elimination of Racial Discrimination](#) (CERD) called on the PRC to immediately investigate all allegations of human rights violations in the XUAR, including those of torture, ill-treatment, sexual violence, forced labour, enforced disappearances and deaths in custody.”

Recommendations

HRDs in China who responded to the Special Rapporteur’s questionnaire made several recommendations, some of which are shared below. A few HRDs expressed skepticism because they lacked confidence that any recommended course of action could have much impact, especially, actions recommended to the Chinese government and businesses that are closely monitored and tightly controlled by the state.

And yet, many believed that changed was possible – and that the international community can play an important role. And it is important to note that the recommendations below come directly from HRDs on the frontlines of the struggle for human rights in China – and the views reflect their assessments of what works and what doesn't.

The recommendations are organized into two categories: First, recommendations of actions the international community (e.g., INGOs, UN mechanisms, governments and other inter-governmental organizations, and the media) should take to assist human rights defenders; and second, recommendations of actions that the international community should take that would press the Chinese government and businesses to provide an environment that enables human rights defenders to achieve successes.

Recommendations for actions to assist human rights defenders:

- *Pay attention to individual cases and put pressure on the Chinese Communist Party; call for the release of detained HRDs; and attempt to visit HRDs who are detained unlawfully.*
- *Publicize all of the Chinese government's behavior that violates human rights, expose human rights violations at the UN and make effective use of the human rights mechanisms.*
- *The UN Special Procedures should enhance their support and attention paid to detained Chinese rights defenders.*
- *Provide more material assistance.*
- *Provide economic assistance to the family members of HRDs and provide them with asylum if needed.*
- *Provide opportunities for research and study in secure countries.*
- *Enlarge the space for international NGOs and provide more trainings and exchange opportunities for domestic organizations.*
- *Place sanctions on organizations and individuals who violate human rights.*
- *Provide assistance in scaling the Great Firewall.*
- *Assist in solidarity and team building.*
- *Arrange for more media coverage.*
- *Try to better understand our changing situation and provide more public support.*

Recommendations for actions to encourage the Chinese government and businesses to provide an environment to enable human rights defenders to achieve successes:

- *Support more international media to enter China and report on the real situation.*
- *All businesses should avoid collaboration with the Chinese Communist Party.*

- *Urge governments and businesses to stop engaging in technical exchanges with bureaus in authoritarian governments that have violated human rights, such as improving their surveillance technology and ability to control people.*
- *Improve research on how to enable people subjected to the Great Firewall to access the unrestricted internet.*
- *Encourage state-owned enterprises (SOEs) to stop suppressing human rights defenders, and instead to support them and provide them with employment.*

Conclusion

In her [report](#), the UN Special Rapporteur on Human Rights Defenders Mary Lawlor made the observation that, “there is no magic formula for campaigning or advocacy that guarantees success, but common elements include dogged perseverance, sometimes over years or decades, solidarity and networking with others, an enduring sense of hope and the involvement of allies.”

This sentiment could undoubtedly be applied to HRDs working in China.

As this report has shown, through perseverance and determination, HRDs are often at the forefront of building a more just, democratic, and inclusive China. Their efforts have often gone underappreciated, even as many commentators abroad have simply concluded that China will remain authoritarian indefinitely.

But the dramatic events of 2022 have shown us that change is possible.

As countries that are supportive of human rights and democracy make their strategies with respect to engagement with China, they should listen attentively to the people who share the same values. They should support human rights defenders.