

Joint Statement

Respect Freedoms of Expression, Press and Assembly in China
Stop violent crackdown and arrests of peaceful protesters

(Paris, 2022-12-07) We, the undersigned, call on the Chinese government to strictly abide by its obligations under the Chinese Constitution and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as its commitment as a signatory to the International Covenant on Civil and Political Rights, and respect peoples' basic rights to privacy, freedom of expression, press, association and peaceful assembly. The Chinese government should cease abusing the criminal code to detain peaceful protesters, harassing those who defend protesters' rights, and immediately halt, investigate and prosecute any use of violence or extrajudicial measures by authorities against those who exercise their basic human rights and freedoms.

Over the past week, peaceful rallies and protests triggered by mourning the victims of the fatal fire in Urumqi have spread in a number of cities in China. People took to the streets to express their frustration with the severe lockdowns measures brought about by the zero-COVID policy. Some held white sheets of paper, expressed their discontent with the government or appealed for their human rights and fundamental freedoms. This set of protests is an example of people standing up to the repressive rule of an authoritarian regime.

Although some local governments have announced relaxed quarantine measures in an attempt to calm the protests, we understand that the Chinese authorities are at the same time cracking down on protesters across the country, and that some of those arrested have gone missing and are feared to have been forcibly disappeared. It has also come to our attention that the authorities are interfering with the protesters' right to legal representation. Some lawyers have been warned by local authorities not to take up the cases, some others have had incoming calls to their mobile phones suddenly cut. Police have also stopped citizens on the street, inspected their electronic devices, and forced them to delete certain applications, content, and photos related to the protests on their phones. Given the lack of credible and transparent official information, we are extremely concerned about the possible magnitude and seriousness of the situation. We urge the international community to continue to monitor the situation and to condemn the ongoing rights abuses associated with the crackdown.

We would like to point out in particular that Article 35 of the People's Republic of China Constitution guarantees citizens the freedom of "speech, press, assembly, association, procession, and demonstration,"; Article 40 protects citizens' right to protection of and non-interference with their privacy of correspondence; and Article 41 stipulates that citizens have the right to criticize any state agency or staff and to make recommendations. China's Criminal Procedure Law also guarantees the basic rights for suspects and defendants in the criminal process, including but not limited to the right to timely notification of family members, the rights to be represented and seen by lawyers, and the right to fair trial. The UN Convention against Torture, which China ratified in 1988, forbids all forms of torture and ill treatment. Article 19 and 21 of the International Covenant on Civil and Political Rights furthermore enshrine the rights to freedom of expression and peaceful assembly.

In this regard, we call on the Chinese government to immediately:

1. Respect the rights to privacy and to freedoms of peaceful assembly and expression enshrined in the Constitution and international human rights law, and ensure all police responses are in line with international standards, including the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;
2. Stop pursuing persons involved in peaceful protests, and ensure that anyone subject to violations of their rights can seek effective remedy;
3. Stop surveilling, harassing, mistreating, searching and arbitrarily arresting journalists and press freedom defenders for independently reporting on the protests;
4. Publish the number of persons detained for taking part in peaceful protests; provide details of their alleged crimes;
5. Ensure that the family members of all those deprived of liberty are notified of their whereabouts and the charges made against them;
6. Ensure the physical and psychological safety and wellbeing of all those currently deprived of liberty on grounds related to the recent protests, and guarantee their rights, including to meet with a lawyer of their own choice; and
7. Stop interfering with, harassing and intimidating lawyers and legal professionals, human rights defenders, and others who openly express concern about the protesters or who defend the right to peaceful protest.

Co-signatories (in alphabetical order)

1. Amnesty International
2. Article 19
3. Asia Citizen Future Association
4. Beijing Spring
5. Campaign For Uyghurs
6. China Change
7. China Political Prisoner Concern
8. ChinaAid
9. Chinese Human Rights Defenders
10. Christian Solidarity Worldwide (CSW)
11. Citizen Power Initiatives for China
12. Concern Group for Prisoners of Conscience in China
13. Cosmopolitan Culture Action Taichung
14. Democratic China
15. Dialogue China
16. Dr. Chen Wen-chen Memorial Foundation
17. Freedom House
18. Front Line Defenders

19. Human Rights Network for Tibet and Taiwan
20. Human Rights Now
21. Human Rights Watch
22. Humanitarian China
23. Hong Kong Democracy Council
24. Hong Kong Watch
25. Independent Chinese PEN Center
26. International Association of People's Lawyers
27. International Service for Human Rights
28. International Tibet Network Secretariat
29. Judicial Reform Foundation
30. MinZhuZhongGuo
31. New School for Democracy Association
32. Reporters Without Borders
33. Safeguard Defenders
34. Students for a Free Tibet
35. Taiwan Alliance to End the Death Penalty
36. Taiwan Association for Human Rights
37. Taiwan Association for Truth and Reconciliation
38. Taiwan Forever Association
39. Taiwan Labour Front
40. Taiwan Lily
41. Taiwan Support China Human Rights Lawyers Network
42. The Rights Practice
43. The Taiwan United Nations Alliance
44. The 29 Principles
45. Tibetan Centre for Human Rights and Democracy
46. Tibet Justice Center
47. Uyghur American Association
48. Uyghur Human Rights Project
49. World Uyghur Congress

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