

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	707
Land:	Kina
Kilde:	Amnesty International
Titel:	Peoples Republic of China: Human rights situation at new low. Submission to the 45th session of the UPR Working Group, January-February 2024
Udgivet:	17. juli 2023
Optaget på baggrundsmaterialet:	6. november 2023

PEOPLE'S REPUBLIC OF CHINA: HUMAN RIGHTS SITUATION AT NEW LOW

AMNESTY INTERNATIONAL:
SUBMISSION TO THE 45TH SESSION OF THE UPR WORKING GROUP,
JANUARY-FEBRUARY 2024

SUMMARY

This submission was prepared for the Universal Periodic Review (UPR) of the People's Republic of China (China) in January-February 2024. In it, Amnesty International evaluates the implementation of recommendations made to China in its previous UPR, including in relation to the use of the death penalty, ethnic minorities, discrimination and ratification of international treaties.

It also assesses the national human rights framework with regard to the ratification of the International Covenant on Civil and Political Rights (ICCPR), cooperation with the UN human rights mechanisms, crimes against humanity in the Xinjiang Uyghur Autonomous Region (Xinjiang) and the use of national security and sedition charges in the Hong Kong Special Administrative Region (Hong Kong).

With regard to the human rights situation on the ground, Amnesty International raises concern about human rights defenders, freedom of expression, arbitrary detention, torture and other ill-treatment and unfair trial, and extraterritorial obligations. It ends with a set of recommendations to China which, if implemented, would contribute to improving the human rights situation.

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FOLLOW UP TO THE PREVIOUS REVIEW

1. In its third UPR in 2018, the government of China received 346 recommendations from 137 states, of which it supported 284.¹ While the Chinese authorities have made progress on some of the supported recommendations, they have failed to make progress on others, and on others have even regressed.

The death penalty

2. China did not support any recommendations regarding the use of the death penalty. The government continues to classify statistics for executions and death sentences as “state secrets”, but thousands of people are believed to have been executed each year since the last review.² The death penalty remains applicable for 46 offences, including non-lethal offences that do not meet the threshold of “most serious crimes” under international law and standards. Since July 2021, court documents, including death penalty sentences, have been selectively removed from an online database run by the Supreme People’s Court. This further undermines the few steps undertaken in recent years towards improving transparency.³

Discrimination

3. Despite supporting, and reporting on the implementation of, recommendations related to legislating against and combating discrimination based on sexual orientation and gender identity,⁴ China still lacks a comprehensive anti-discrimination law that protects people with different sexual orientations and gender identities.
4. Large-scale censorship during the review period shut down numerous online lesbian, gay, bisexual, transgender and intersex (LGBTI) groups and social media accounts and has undermined LGBTI activism both online and offline.
5. Despite China’s support for a recommendation to prevent discrimination against transgender people,⁵ there continues to be a serious lack of information for transgender people on how to access gender-affirming treatment, as well as stringent eligibility criteria for gender-affirming surgeries. Transgender people face widespread stigma and discrimination from society, in particular family members. These barriers mean that they have resorted to high-risk behaviours such as self-medication and some have attempted to perform surgery on themselves. Doctors often require transgender people to have familial consent before accessing non-surgical gender-affirming treatments.⁶

Ratifications of international treaties

6. China signed the ICCPR in 1998 and has supported recommendations on “considering” ratification. However, China only noted recommendations on ratification and has demonstrated no significant progress or willingness towards taking that step in practice.⁷
7. Regrettably, China has not supported recommendations in the previous reviews to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.⁸ Ratification of this important treaty would be an important first step in demonstrating the government’s commitment to ensuring that no one is subjected to this crime in China.

Cooperation with the UN human rights mechanisms

8. In all previous reviews, China has supported recommendations to step up cooperation with UN human rights mechanisms but has not improved cooperation with the UN Special Procedures.⁹ To date, the government has yet to provide the “full and unfettered” access requested for the UN or facilitate independent investigation of crimes under international law and other human rights violations in the country, including Xinjiang.¹⁰

THE NATIONAL HUMAN RIGHTS FRAMEWORK

National security and sedition charges in Hong Kong

9. On 30 June 2020, the National People's Congress Standing Committee (NPCSC) issued legislation directly adding the National Security Law (NSL) to Annex III of the Hong Kong Basic Law and announcing that the law would be directly promulgated by the Hong Kong government without any formal, meaningful public or other local consultation.
10. Since 2020, authorities have rapidly expanded the national security legal regime, further extending the application of the overly broad definition of "endangering national security" to disproportionately restrict human rights in the city and overseas. The NSL seriously threatens fair trial rights by granting law enforcement extensive investigatory powers, undermining the presumption of innocence of suspects, weakening safeguards in existing laws and depriving local courts of the power to review the compatibility of the NSL with human rights safeguards in international and local laws.¹¹ The UN Human Rights Committee has recommended an immediate suspension and subsequent repeal of the National Security Law.¹²
11. Hong Kong authorities used vague national security and sedition charges – including but not limited to the NSL – to effectively remove all political opposition, undermine long established means of scrutinizing, critiquing, and trying to influence government actions, and criminalize various kinds of expression, association and advocacy. Journalists, lawyers, and human rights defenders have been arrested and imprisoned because of their peaceful activism.¹³ Human rights activist Chow Hang-tung and two other leaders of the now disbanded Hong Kong Alliance in Support of Patriotic Democratic Movements of China were charged with "inciting subversion".¹⁴ Police used the Tiananmen commemoration vigil and other peaceful activism as evidence of the three "endangering national security".¹⁵

THE HUMAN RIGHTS SITUATION ON THE GROUND

Human rights defenders (HRDs)

12. Severe crackdowns on HRDs have continued since the last review. The authorities arrested, detained and imprisoned many HRDs for lengthy periods under unjustifiable, broadly defined and vaguely worded charges. HRDs were imprisoned for merely organizing private gatherings. Legal scholar Xu Zhiyong and human rights lawyer Ding Jiayi were sentenced to 14 and 12 years in prison respectively by a court in Shandong province in April 2023 after taking part in an informal gathering held in Xiamen, a city on China's southeast coast, in December 2019, in which they discussed the civil society situation and current affairs in China.¹⁶
13. Amnesty International has documented numerous cases since 2018 in which the Chinese authorities arbitrarily restricted the right to freedom of movement and travel of HRDs and dissidents. These restrictions include rejecting passport applications citing national security reasons, stopping individuals at airports, and banning individuals from buying train tickets. Writer and activist Guo Feixiong was barred from leaving the country to visit his critically ill wife in 2022.¹⁷ He was charged for "inciting subversion" two days after the death of his wife and subsequently sentenced to eight year's imprisonment in May 2023 for "publishing seditious articles".
14. Authorities have continued to monitor, harass and intimidate individuals after their release and restricted their freedom of movement. They also harass HRD's relatives. Pu Wenqing, mother of jailed human rights defender Huang Qi, is in her late eighties and has been subjected to strict surveillance. Authorities have prevented her from hiring lawyers and stopped her campaigning for her son's release.¹⁸

Ethnic minorities and religious groups

15. China regrettably only noted most of the recommendations on ethnic minorities in Tibet and Xinjiang.¹⁹ Ethnic Tibetans continue to face discrimination and restrictions on their rights to freedom of religion and belief, expression, association, and peaceful assembly. Religious leaders and practitioners, including those belonging to house churches, Uyghur imams, Tibetan Buddhist monks and Falun Gong members, were among those subjected to arbitrary arrest and detention during the review period.²⁰ (See paragraphs 26 below)
16. Evidence collected by Amnesty International shows that the Chinese government has committed at least the crimes against humanity of imprisonment, torture and persecution against Uyghurs, Kazakhs, and other predominantly Muslim ethnic minorities. China has intensified its campaign of mass internment, intrusive surveillance, political indoctrination and forced cultural assimilation in Xinjiang.²¹
17. Thousands of Uyghur children, whose parents were detained in Xinjiang or living overseas, were forcibly taken to “orphan camps” or boarding schools where they have reportedly not been allowed to speak in their mother tongue.²²
18. In September 2020, police in northern China’s Inner Mongolia Autonomous Region arrested at least 23 individuals for participating in, or sharing information about, peaceful protests against a “bilingual education policy” in the region.

Arbitrary detention, torture and other ill-treatment, and unfair trial

19. Often without access to family and to lawyers of their choosing, as well as effective fair trial mechanisms, many detainees, especially HRDs, were reportedly subjected to torture and other ill-treatment while in detention.²³
20. Individuals who spoke out about torture and ill-treatment in detention faced state reprisals. Feminist and labour rights activist Li Qiaochu was charged for “inciting subversion” after she spoke out about police subjecting her and Xu Zhiyong to ill-treatment during detention.²⁴ Rights lawyer Chang Weiping was sentenced to three years and six months’ imprisonment for speaking out about the torture and other ill-treatment he said he faced while in detention.²⁵
21. The authorities continue to use Residential Surveillance at a Designated Location, a measure that enables investigators to hold individuals outside the formal detention system for periods up to six months without access to legal counsel of their choice or to their families, and places suspects at risk of torture and other ill-treatment.
22. Detainees with deteriorating health are often denied or unable to access adequate medical treatment. Zhanargul Zhumatai, an ethnic Kazakh journalist and artist, was taken away from her mother’s house in Urumqi, Xinjiang, on 10 February 2023. The state security police detained her after she communicated with people abroad and spoke out for the land rights of Kazakh herding communities. Zhumatai had previously been detained in an internment camp for over two years, where she developed some heart problems reportedly due to lack of medical care.²⁶
23. Citizen journalist Zhang Zhan was sentenced to four years’ imprisonment for reporting on the Covid-19 pandemic in Wuhan. In June 2020, Zhang began a hunger strike in protest at her detention. Prior to the trial, authorities force-fed her and restrained her for days at a time to prevent her from removing a feeding tube. They also forced Zhang to wear shackles and hand restraints 24 hours a day for more than three months as punishment for her hunger strike.²⁷
24. Immigration detention ordered by administrative authorities is widely used as an immigration control measure in Hong Kong. The Immigration Ordinance is used by the government to justify the detention of “illegal immigrants” in effect indefinitely and without the ability to challenge the reasons for their detention, while their application to protect them against deportation because of a risk of refoulement (so-called non-refoulement or “torture-protection” claims) is reviewed, or pending removal if their claim was denied.²⁸ Amendments to Hong Kong’s

Immigration Ordinance in 2021 made it easier for the government to detain migrants for extended periods of time and substantially reduced domestic judicial oversight on how to determine whether the length of detention is justifiable under local standards.²⁹

Freedom of expression

25. Since 2018, the government has continued to stifle criticism of its laws, policies, and practices as well as discussion of topics considered sensitive, including through increasingly pervasive online censorship. Activists, journalists and HRDs who express critical opinions or report on topics deemed sensitive by the government, face harassment, intimidation, detention, and criminal sentences.
26. Large-scale peaceful protests against Covid-19 restrictions and censorship, referred to as the “A4 protests”, took place across China following a fatal apartment fire in Urumqi in November 2022. Large numbers of people were detained for participating. Videos circulated online showed police beating protesters during arrests.³⁰ Kamile Wayit, a Uyghur student studying in Henan, was taken away by the police on 12 December 2022. In November she had posted a video online about these protests but deleted it shortly after her father received a warning call from the police.³¹

Extraterritorial obligations

27. The China Chamber of Commerce of Metals Minerals and & Chemicals Importers & Exporters, a state sanctioned industry organization, have released two sets of guidelines calling on Chinese mining companies to observe international business and human rights standards and to conduct human rights due diligence in line with the UN Guiding Principles on Business and Human Rights.³² However, Amnesty International’s research raises serious concerns about human rights abuses linked to Chinese companies abroad. For example, labour practices of Chinese mining companies on Dinagat Island in the Philippines and the labour-hire companies through which they employ their workforces raise serious questions about the efficacy of such voluntary guidelines in tackling human rights abuses linked to the operations of Chinese mining companies.³³

RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the government of China to:

Ratification of international treaties

29. Ratify the ICCPR without further delay and, as previously recommended, ratify the Convention on the Protection of All Persons from Enforced Disappearance and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.³⁴

The death penalty

30. As previously recommended,³⁵ increase transparency on the use of the death penalty, including by publishing full national statistics on death sentences and executions, fully disaggregated by crime, region, and characteristics of the prisoners, including gender, ethnic group, and income.
31. As previously recommended,³⁶ immediately establish a moratorium on executions and commute all existing death sentences with a view to the full abolition of the death penalty in national legislation.

Discrimination

32. Ensure that LGBTI people including transgender and gender diverse people have access, on an equal basis, to quality healthcare services across China.
33. Without further delay, implement previously supported recommendations to adopt comprehensive anti-discrimination legislation relating to sexual orientation, gender identity, gender expression and sex characteristics,

including a mandate for law enforcement and the judicial system to combat such discrimination and investigate allegations of discrimination against LGBTI people.

Ethnic minorities and religious groups

34. Without further delay and with technical assistance from the OHCHR and other relevant international organizations, set up procedures to provide information at the request of relatives or legal representatives at home or abroad on the status and whereabouts of relatives of the Uyghur community abroad who were detained by the authorities and are believed to be held in camps or prison facilities in Xinjiang.
35. Immediately allow UN human rights experts, as well as independent observers, including human rights investigators and journalists, unfettered access to the country, including to internment camps and prisons in Xinjiang and Tibet.
36. As previously recommended, immediately release all persons held in internment camps or other detention facilities – including prisons – in Xinjiang, unless there is sufficient credible and admissible evidence that they have committed an internationally recognizable offence, are transferred to recognized detention facilities, and are granted a fair trial in line with international standards.

Human rights defenders

37. Immediately stop the harassment, arbitrary detention, torture and other ill-treatment, criminal prosecution, imprisonment and enforced disappearance of those who act to defend and promote human rights.
38. Respect, protect and fulfil the rights to freedom of expression, peaceful assembly and association, including by ensuring a safe and enabling environment in which media outlets, journalists, civil society organizations and human rights defenders are effectively protected and can work safely without fear of reprisal.

Freedom of expression

39. Remove restrictions on freedom of expression and press freedom, including on the Internet, that are not in accordance with international law

Arbitrary detention, torture and other ill-treatment, and unfair trial

40. Ensure that no one is subjected to arbitrary detention, enforced disappearance, or torture or other ill-treatment, and shut down places of unlawful detention, including “vocational training”, “transformation-through-education”, “de-extremification” centres and internment camps.
41. Guarantee the rights of detainees to fair trial, including the right to be held in a recognized place of detention, prompt notification of family following arrest, and timely access to legal counsel, in line with international law and standards.
42. Cease the use of indefinite detention in the context of immigration, and establish in law limits on detention in accordance with international guidelines.
43. Protect migrants from arbitrary and indefinite detention by ensuring that detention is used for the shortest time possible to achieve a legitimate and legal aim, and anyone detained has the ability to effectively challenge the reasons and duration for their detention through judicial review.

National security

44. Implement the recommendations of the UN Human Rights Committee to take steps to repeal the Hong Kong National Security Law and sedition provisions of the Crimes Ordinance in Hong Kong.

Extraterritorial obligations

45. Amend relevant laws and regulations to require all Chinese companies to respect human rights throughout their business operations and value chains, regardless of where they operate, and require Chinese companies, and companies operating in China, to conduct robust and transparent human rights due diligence in line with the UN Guiding Principles on Business and Human Rights.
46. Ensure that strong human rights safeguards are integrated into the policies and management of all development projects, including those funded through international financial institutions.
47. Ensure comprehensive human rights safeguards and due diligence requirements are integrated into the policies and management of financial institutions of which China is an investor.

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Global report: Death sentences and executions 2022 (Index: ACT 50/6548/2023), www.amnesty.org/en/documents/act50/6548/2023/en/, p.6.

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The nightmare of Uyghur families separated by repression (Story, March 2021), www.amnesty.org/en/latest/research/2021/03/the-nightmare-of-uyghur-families-separated-by-repression/

China: Lawyer shares allegations of torture, detained: Chang Weiping (Urgent Action, 16 November 2020), amnesty.org/en/documents/asa17/3333/2020/en/

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China: Ethnic Kazakh artist at risk of torture: Zhanargul Zhumatai (Urgent Action, 20 March 2023), www.amnesty.org/en/documents/asa17/6561/2023/en/

China: Further information: Covid-19 journalist still needs medical attention: Zhang Zhan (Urgent Action, 3 March 2022), www.amnesty.org/en/documents/asa17/5298/2022/en/

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ANNEX 2

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Theme: A12 Acceptance of international norms			
28.219 Continue advancing administrative and judicial reforms in preparation for the ratification of the International Covenant on Civil and Political Rights (Greece); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented. See paragraph 7.
28.4 Continue working towards ratification of the International Covenant on Civil and Political Rights by the earliest possible date (New Zealand); Accelerate the ratification of the International Covenant on Civil and Political Rights (Uruguay) (Mali); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 7.
28.9 Continue its actions and initiatives aiming at the ratification of the International Covenant on Civil and Political Rights (Benin); Take meaningful steps towards ratification of the International Covenant on Civil and Political Rights (Estonia); Further advance the preparation for the ratification of the International Covenant on Civil and Political Rights (Georgia); As previously recommended, continue national reforms with an aim to ratify the International Covenant on Civil and Political Rights (Latvia); Continue taking steps towards an early ratification of the International Covenant on Civil and Political Rights (Malta); Continue taking steps in preparation for the ratification of the	Supported	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 7.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
International Covenant on Civil and Political Rights (Namibia); Source of position: A/HRC/40/6/Add.1 - Para. 2			
Theme: A23 Follow-up to treaty bodies			
28.183 Respect, protect and fulfil the right to freedom of thought, conscience and religion, in accordance with general comment 22 of the Human Rights Committee (New Zealand); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A23 Follow-up to treaty bodies D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 15.
Theme: A24 Cooperation with special procedures			
28.41 Strengthen cooperation with the Office of the United Nations High Commissioner for Human Rights and the special procedures (Luxembourg); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A24 Cooperation with special procedures A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented See paragraph 8.
28.24 Respond positively to the invitation addressed to it by the Special Rapporteur on freedom of religion or belief (Poland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A24 Cooperation with special procedures D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 9.
Theme: A41 Constitutional and legislative framework			
28.90 Adopt legislation within one year prohibiting discrimination on grounds of sexual orientation and	Supported	A41 Constitutional and legislative framework B31 Equality & non-discrimination	Not yet implemented. See paragraph 4.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
gender identity in all public and private sectors and provide for positive duties on the part of government to promote equality on these grounds (Netherlands); Source of position: A/HRC/40/6/Add.1 - Para. 2		Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	
28.86 Adopt measures, including public policies or laws, which ensure the enjoyment of the right of every person not to be discriminated against in any way, including their sexual orientation, religion or ethnic origin (Mexico); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A41 Constitutional and legislative framework B31 Equality & non-discrimination D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not yet implemented. See paragraph 4-6.
28.87 Strengthen national legislation and public policies to combat discrimination, including on sexual orientation and gender identity grounds (Chile); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A41 Constitutional and legislative framework B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not yet implemented. See paragraph 4.
28.152 Ensure that any legal provision to protect national security is clearly and strictly defined in its security laws, in conformity with international human rights law and standards (Belgium); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A41 Constitutional and legislative framework B8 Human rights & counter-terrorism S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 9, 10, 11, 13
28.216 Guarantee the protection of lawyers against any form of harassment, violence or attempts to impede or interfere with the defence of their clients, in accordance with national law (Finland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A41 Constitutional and legislative framework D31 Liberty and security - general H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - human rights defenders	Not yet implemented. See paragraph 27.
28.326 Further strengthen the protection of the rights of ethnic minority groups, in accordance with	Supported	A41 Constitutional and legislative framework G1 Members of minorities	Not yet implemented.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
China's Constitution and international human rights commitments (Greece); Source of position: A/HRC/40/6/Add.1 - Para. 2		S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	See paragraphs 15-18.
28.56 Keep improving its legal system for the protection of human rights and effectively improve judicial guarantees for human rights (Nigeria); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 15-18.
28.57 Review its national and regional security legislation to bring it into conformity with international human rights law and standards and ensure that provisions are clearly and strictly defined (Austria); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 10-11.
28.85 Adopt comprehensive legislation against all types of discrimination that promotes the protection of persons from marginalized and disadvantaged groups and the exercise of their civil and political rights, as well as their economic and social rights (Honduras); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 4.
Theme: A61 Cooperation with civil society			
28.339 Enable all members of civil society to freely engage with international human rights mechanisms without fear of intimidation and reprisals (Estonia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	A61 Cooperation with civil society S16 SDG 16 - peace, justice and strong institutions S17 SDG 17 - partnerships Affected persons: - general	Not yet implemented. See paragraphs 12,13,14, 27.
Theme: B31 Equality & non-discrimination			
28.83 Ensure the full enjoyment of human rights for women, girls and individuals of all sexual orientations and gender identities by implementing the anti-domestic violence law and clearly defining its coverage (Sweden);	Supported	B31 Equality & non-discrimination D29 Domestic violence F11 Advancement of women S05 SDG 5 - gender equality and women's empowerment Affected persons:	Partially implemented See paragraphs 4-6.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Source of position: A/HRC/40/6/Add.1 - Para. 2		- women - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	
28.327 Prevent and combat all forms of discrimination and violence, especially against ethnic and religious minorities (Italy); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	B31 Equality & non-discrimination D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15-18.
28.88 Prohibit all forms of discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons (France); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not yet implemented. See paragraphs 4-6.
28.89 Take the necessary measures to offer adequate and effective protection against all forms of discrimination, including that based on sexual orientation (Argentina); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not yet implemented. See paragraphs 4-6.
Theme: B6 Business & Human Rights			
28.133 Take further measures on business and human rights in line with its international obligations and ensure that companies operating in high-risk or conflict areas conduct human rights due diligence in line with the Guiding Principles on Business and Human Rights (State of Palestine); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	B6 Business & Human Rights S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 27.
Theme: B71 Human rights and the environment			
28.320 Respect all the human rights of the Tibetan people and other minorities, including the importance of an environment that is safe, clean, healthy and sustainable, which is essential for	Supported	B71 Human rights and the environment E41 Right to health - General S16 SDG 16 - peace, justice and strong institutions Affected persons:	Not yet implemented. See paragraph 15.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
the enjoyment of many of these rights (Switzerland); Source of position: A/HRC/40/6/Add.1 - Para. 2		- minorities/ racial, ethnic, linguistic, religious or descent-based groups	
Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment			
28.170 Strengthen measures preventing torture and ill-treatment (Australia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - persons deprived of their liberty	Not yet implemented. See paragraphs 16, 19, 20, 21
Theme: D26 Conditions of detention			
28.171 Respect the rights of all detainees under the relevant human rights instruments and the Vienna Convention on the Law of Treaties, including due process (Sweden); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D26 Conditions of detention D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty	Not yet implemented. See paragraphs 16, 19, 20, 21, 22, 23, 24
Theme: D42 Freedom of thought, conscience and religion			
28.195 Respect the rights to freedom of religion or belief, opinion and expression, peaceful assembly and culture, including for Tibetans, Uighurs and other minorities (Germany); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D42 Freedom of thought, conscience and religion D43 Freedom of opinion and expression D44 Right to peaceful assembly S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15, 16, 17, 18, 26, 27
28.322 Fully respect the rights of ethnic minorities, freedom of religion and expressions of cultural identity (Croatia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D42 Freedom of thought, conscience and religion D43 Freedom of opinion and expression E7 Cultural rights G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15, 16, 17, 18

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
28.186 Take the necessary measures to allow all citizens to enjoy the free exercise of religion or belief and to ensure that ethnic minorities can freely practise their religion and exercise their culture (Austria); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D42 Freedom of thought, conscience and religion G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 15
28.185 Ensure full implementation of its international human rights obligations regarding freedom of religion or belief (Poland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 15
28.194 Guarantee freedom of religion or belief, including in Tibet and in Xinjiang (France); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 15
Theme: D43 Freedom of opinion and expression			
28.205 Guarantee freedom of expression, assembly and association including in Hong Kong, and remove obstacles to freedom of information on the Internet, in particular for human rights defenders (France); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - human rights defenders	Not yet implemented. See paragraph 27
28.337 Take the necessary measures to guarantee that human rights defenders can exercise their freedom of expression and peaceful association (Belgium); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression D45 Freedom of association H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. See paragraphs 12-14
28.338 Guarantee the full exercise of the freedoms of association and expression of human rights defenders and minorities, in	Supported	D43 Freedom of opinion and expression D45 Freedom of association H1 Human rights defenders	Not yet implemented. See paragraphs 15, 25, 26, 27

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
accordance with international human rights law (Costa Rica); Source of position: A/HRC/40/6/Add.1 - Para. 2		S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	
28.206 Consider further measures to ensure a safe environment for journalists and other civil society actors to carry out their work (Greece); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media - human rights defenders	Not yet implemented. See paragraphs 5, 23, 27
28.207 Guarantee freedom of opinion and expression, enhancing efforts to create an environment in which journalists, human rights defenders and NGOs can freely operate in accordance with international standards (Italy); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - human rights defenders	Not yet implemented. See paragraphs 5, 15, 25, 26, 27
28.340 Take immediate action to allow human rights defenders and lawyers to exercise their right to freedom of expression and opinion without threats, harassment or repercussions (Ireland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. See paragraphs 15, 25, 26, 27
28.199 Expedite the reforms necessary for freedom of expression to be fully protected in law and practice (Australia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 5, 15, 25, 26, 27
28.200 Respect, protect and ensure the freedom of expression of all citizens (Norway); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 5, 15, 25, 26, 27
28.201 Remove restrictions on freedom of expression and press freedom, including on the Internet, that are not in accordance with international law (Sweden); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 5, 15, 25, 26, 27

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
28.204 Enable unrestricted use of the Internet by all members of society by ensuring cybersecurity and the safe flow of information without violating freedom of expression (Estonia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 5, 25, 26
Theme: D51 Administration of justice & fair trial			
28.214 Continue to implement initiatives for a comprehensive and far-reaching reform of the judicial system with a view to strengthening judicial guarantees in the field of human rights (Democratic Republic of the Congo); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented. See paragraphs 10, 11, 21, 24, 27
28.218 Guarantee fair trials; allow all defendants unhindered access to their chosen lawyers, prompt notification of their families and transparent legal procedures (Germany); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented. See paragraphs 10, 11, 21, 24, 27
28.221 Continue to promote openness of the judicial system and fully use the four major platforms for the openness of the approval process, trial procedure, judgment documents and information on the execution of judgments (Kyrgyzstan); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - judges, lawyers and prosecutors	Partially implemented See paragraph 2
28.343 Uphold the rights, freedoms and rule of law embodied in the one country, two systems framework for Hong Kong (Australia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 10
Theme: G1 Members of minorities			
28.324 Further ensure the advancement of the human rights of minority groups (Afghanistan);	Supported	G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons:	Not yet implemented. See paragraphs 15-18

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Source of position: A/HRC/40/6/Add.1 - Para. 2		- minorities/ racial, ethnic, linguistic, religious or descent-based groups	
Theme: H1 Human rights defenders			
28.334 Create and maintain a safe and enabling environment for all human rights defenders (Norway); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. See paragraphs 12, 13, 14, 15, 27
28.335 Apply public policies to protect human rights defenders in line with international standards (Spain); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. See paragraphs 12, 13, 14, 15, 27
28.341 Adopt the necessary measures to provide a safe environment for those who work on the protection and promotion of human rights, including human rights defenders and journalists, and investigate and punish all acts of violence against them (Argentina); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media - human rights defenders	Not yet implemented. See paragraphs 12, 13, 14, 15, 27
28.342 Ensure that human rights defenders can conduct their work without being subjected to harassment, intimidation or any kind of reprisals (Liechtenstein); Source of position: A/HRC/40/6/Add.1 - Para. 2	Supported	H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. See paragraphs 12, 13, 14, 15, 27
Theme: A12 Acceptance of international norms			
28.11 Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Colombia); Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Costa Rica); Take meaningful steps towards ratification of the Second Optional Protocol to the	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 7.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
International Covenant on Civil and Political Rights (Estonia); Source of position: A/HRC/40/6/Add.1 - Para. 2			
28.5 Ratify the International Covenant on Civil and Political Rights (Costa Rica) (El Salvador) (Iceland) (Kenya) (Liechtenstein) (Mexico) (Montenegro) (Poland) (Portugal) (Ukraine) (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 7.
28.6 Ratify the International Covenant on Civil and Political Rights and implement these obligations across China (Canada); Ratify and implement the International Covenant on Civil and Political Rights and ensure that its protections are extended to all minorities (Hungary); Ratify and implement the International Covenant on Civil and Political Rights (Luxembourg); Continue its efforts to improve human rights institutions, and in particular to ratify the International Covenant on Civil and Political Rights (Republic of Korea); Ratify early the International Covenant on Civil and Political Rights (Japan); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 7.
28.10 Before the next universal periodic review cycle, set a clear timeline for ratification of the International Covenant on Civil and Political Rights (Czechia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 7.
28.2 Adhere to all human rights instruments to which it is not yet a party, in particular the Second Optional Protocol to the International Covenant on Civil and	Noted	A12 Acceptance of international norms D23 Death penalty D25 Prohibition of torture and cruel, inhuman or degrading treatment	Not yet implemented. See paragraph 7.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Political Rights, aiming at the abolition of the death penalty, and accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras); Source of position: A/HRC/40/6/Add.1 - Para. 2		G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - migrants	
28.7 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Ukraine); Ratify early the International Convention for the Protection of All Persons from Enforced Disappearance (Japan); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A12 Acceptance of international norms D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions Affected persons: - disappeared persons	Not yet implemented. See paragraph 8.
28.8 Sign the International Convention for the Protection of All Persons from Enforced Disappearance (France); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A12 Acceptance of international norms D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions Affected persons: - disappeared persons	Not yet implemented. See paragraph 8.
Theme: A23 Follow-up to treaty bodies			
28.22 Implement the recommendations of the Committee on the Elimination of Racial Discrimination on Xinjiang and allow the United Nations unrestricted access to monitor the implementation (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A23 Follow-up to treaty bodies A24 Cooperation with special procedures A28 Cooperation with other international mechanisms and institutions B32 Racial discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15-17
28.23 Implement all of the recommendations of the Committee on the Elimination of Racial Discrimination of August 2018 regarding Xinjiang, particularly on putting an end to mass internments in camps, and invite the Office of	Noted	A23 Follow-up to treaty bodies A28 Cooperation with other international mechanisms and institutions B32 Racial discrimination D33 Arbitrary arrest and detention	Not yet implemented. See paragraphs 15-17

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
the United Nations High Commissioner for Human Rights and special procedure experts (France); Source of position: A/HRC/40/6/Add.1 - Para. 2		S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	
28.21 Implement the recommendations in the latest concluding observations on China from the Committee on the Elimination of Racial Discrimination, including by responding to concerns about the detention of individuals who have not been lawfully charged, tried and convicted of a criminal offence (New Zealand); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A23 Follow-up to treaty bodies B32 Racial discrimination D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	Not yet implemented. See paragraphs 15-17
Theme: A24 Cooperation with special procedures			
28.35 Close all “re-education centres” in Uighur areas and facilitate the visits by the United Nations High Commissioner for Human Rights and the special procedures in Xinjiang (Switzerland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures A28 Cooperation with other international mechanisms and institutions D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	Partially implemented See paragraphs 15-17
28.42 Cooperate with and provide access to relevant United Nations bodies to help ensure that its policies in Xinjiang, particularly regarding the so-called “vocational education and training centres”, are in line with international human rights standards (Netherlands); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures A28 Cooperation with other international mechanisms and institutions D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15-17

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
		- persons deprived of their liberty	
28.32 Ensure full transparency on the situation for religious minorities in Xinjiang, including by allowing United Nations-mandated observers unrestricted access to places of internment in the region (Norway); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures A28 Cooperation with other international mechanisms and institutions D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15-17
28.34 Grant the United Nations High Commissioner for Human Rights and the special procedures access to all regions of China (Austria); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 9
28.325 Protect and promote all human rights, especially the rights of ethnic and religious minorities, including the Xinjiang Uighurs. Discontinue all the Government's policies and activities, such as ethnic profiling, that are not in compliance with China's international human rights obligations, and allow the Special Rapporteur on freedom of religion or belief to visit the Xinjiang Autonomous Region (Finland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures D42 Freedom of thought, conscience and religion G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15-18
28.25 Strengthen cooperation with the Human Rights Council special procedures, including by receiving the visits requested so far (Ukraine); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 9
28.26 Cooperate with and allow unimpeded access to international	Noted	A24 Cooperation with special procedures	Not yet implemented.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
monitors, such as the relevant special procedures, to investigate alleged related rights violations (Croatia); Source of position: A/HRC/40/6/Add.1 - Para. 2		S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	See paragraph 9
28.27 Facilitate full access to Xinjiang and Tibet for all relevant United Nations special procedures (Denmark); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
28.28 Allow independent observers, including special procedures, unhindered access to all regions (Germany); Allow independent observers unfettered access to all parts of China's territory (Hungary); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 9
28.29 As previously recommended, respond positively to pending visit requests by the special procedure mandate holders of the Human Rights Council and consider the extension of a standing invitation to all special procedure mandate holders (Latvia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A24 Cooperation with special procedures S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 9
Theme: A28 Cooperation with other international mechanisms and institutions			
28.40 Grant access to the Office of the United Nations High Commissioner for Human Rights to all regions of the country including the Xinjiang Uighur Autonomous Region (Ireland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A28 Cooperation with other international mechanisms and institutions D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	Not yet implemented.
28.317 Cease restrictions on the freedom of movement of Uighurs and Tibetans and allow the media	Noted	A28 Cooperation with other international mechanisms and institutions	Not yet implemented. See paragraphs 15-18

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
and United Nations and foreign officials access to Xinjiang and Tibet (Australia); Source of position: A/HRC/40/6/Add.1 - Para. 2		D41 Freedom of movement S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - media	
Theme: A41 Constitutional and legislative framework			
28.165 Continue reviewing national legislation to reduce the number of crimes punishable by the death penalty, and encourage a public debate on its abolition (Chile); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A41 Constitutional and legislative framework D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.203 Repeal or amend laws and practices, such as censorship, which prevent the right to freedom of expression and free access to information (Czechia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	A41 Constitutional and legislative framework D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 15, 16, 17, 18, 26, 27
Theme: B8 Human rights & counter-terrorism			
28.150 Amend the definition of subversion to remove all exercise of an individual's human rights and fundamental freedoms from its scope (United States of America); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	B8 Human rights & counter-terrorism S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraphs 10, 11, 12, 13
Theme: D23 Death penalty			
28.164 Take steps to establish a moratorium on the death penalty, while guaranteeing that those who may be subjected to this penalty are entitled to adequate legal representation and to a fair trial (Brazil); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.158 Work towards the abolition of the death penalty, and publish execution data (Australia); Increase transparency regarding the death penalty by publishing statistics on the total number of executions and	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
establish as soon as possible a moratorium on the death penalty as a first step towards its abolition (Slovenia); Source of position: A/HRC/40/6/Add.1 - Para. 2			
28.159 Reduce the offences punishable by the death penalty and provide official figures regarding death sentences and executions, and consider introducing a moratorium on the death penalty (Italy); Consider further limitations on the use of the death penalty with a view to imposing a de facto moratorium on its use, aiming at its total abolition (Rwanda); Further reduce the number of capital crimes (Cyprus); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.160 Continue to reform towards abolition of the death penalty (New Zealand); Take steps towards abolishing the death penalty (Norway); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.161 Completely abolish the death penalty, and adopt an immediate de facto moratorium (Portugal); Establish a moratorium on the death penalty, as a step towards abolition (Spain); Establish a moratorium on executions (Iceland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.162 Consider establishing a moratorium on capital punishment with a view to its total abolition (Luxembourg); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.163 Restrict the use of the death penalty to crimes that meet the threshold of "most serious	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
crimes" under international law (Belgium); Source of position: A/HRC/40/6/Add.1 - Para. 2			
28.166 Abolish the death penalty and as soon as possible, publish statistics concerning the numbers of executions and guarantee the right to a defence (France); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.167 Consider establishing a moratorium on the use of the death penalty, and examine the possibility of abolishing the death penalty from its legal system (Argentina); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.168 Establish a moratorium on the use of the death penalty with a view to its complete abolition and commute all existing death sentences (Liechtenstein); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
28.169 Continue identifying more crimes for which the death penalty should be abolished (Namibia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. See paragraph 2
Theme: D26 Conditions of detention			
28.175 Cease the arbitrary detention of Uighurs and other Muslim groups in Xinjiang (Australia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D26 Conditions of detention D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	Not yet implemented. See paragraphs 16, 17
28.177 Abolish all forms of arbitrary detention, including internment camps in Xinjiang, and immediately release the hundreds of thousands, possibly millions, of	Noted	D26 Conditions of detention D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons:	Not yet implemented. See paragraphs 16, 17, 22

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
individuals detained in these camps (United States of America); Source of position: A/HRC/40/6/Add.1 - Para. 2		- minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	
28.336 Cease the harassment and extraterritorial abduction of human rights defenders and their family members, cease house arrest and travel restrictions for people based on their rights defence work, and release those imprisoned for such work, including Tashi Wangchuk, Ilham Tohti, Huang Qi and Wang Quanzhang (United States of America); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D26 Conditions of detention D8 Rights related to marriage & family H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	Not yet implemented. See paragraphs 12, 13, 14, 19
Theme: D33 Arbitrary arrest and detention			
28.191 Ensure freedom of religion or belief and end the detention, harassment and so-called re-education of ethnic minorities, including in Xinjiang (Czechia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D33 Arbitrary arrest and detention D42 Freedom of thought, conscience and religion G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15, 16, 17
28.181 End the arbitrary detention of those who defend and promote human rights (Iceland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D33 Arbitrary arrest and detention H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - human rights defenders	Not yet implemented. See paragraphs 12, 13, 14
28.178 Halt the practice of detaining ethno-religious minorities who have not been lawfully convicted for a criminal offence in re-education camps and release those currently detained under such circumstances (Belgium); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	Not yet implemented. See paragraphs 15, 16, 17

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
28.180 End all unlawful detention, including the unconstitutional mass detention of Uighurs and other Muslims in Xinjiang, and residential surveillance at a designated location (Germany); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons deprived of their liberty	Not yet implemented. See paragraphs 15, 16, 17, 21
Theme: D42 Freedom of thought, conscience and religion			
28.319 Take urgent steps to respect the rights of persons belonging to ethnic minorities, including the rights to peaceful assembly and to manifest religion and culture, in particular in Xinjiang and Tibet (Sweden); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D42 Freedom of thought, conscience and religion D44 Right to peaceful assembly G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraphs 15, 16, 17, 18
28.189 Cease interference in the selection and education of religious leaders, such as Tibetan Buddhist lamas (United States of America); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 15
28.190 End prosecution and persecution on the basis of religion or belief, including for Muslims, Christians, Tibetan Buddhists and Falun Gong (Canada); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented. See paragraph 15
Theme: D51 Administration of justice & fair trial			
28.213 Guarantee fair trials, an independent judiciary and access to legal counsel, release all human rights defenders, including lawyers, and refrain from persecuting those who exercise their rights or defend others (Czechia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	D51 Administration of justice & fair trial H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - human rights defenders	Not yet implemented. See paragraphs 12- 14; 19- 23
Theme: H1 Human rights defenders			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
28.176 Put an end to the practice of "residential surveillance at a designated location", specifically with regard to human rights defenders and lawyers (Switzerland); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. See paragraph 21
28.333 Release detained human rights defenders (Australia); Source of position: A/HRC/40/6/Add.1 - Para. 2	Noted	H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. See paragraphs 12-14

¹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1.

² Amnesty International, *Global report: Death sentences and executions 2022* (Index: ACT 50/6548/2023), www.amnesty.org/en/documents/act50/6548/2023/en/, p.6.

³ Provisions of the Supreme People's Court on the Publication of Judgments on the Internet by the People's Courts (2016 Revision); Amnesty International, *Death sentences and executions 2021* (Index: ACT 50/5418/2022), p. 28, www.amnesty.org/en/documents/act50/5418/2022/en/,

⁴ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum, UN Doc. A/HRC/40/6/Add.1., para 2, recommendations 28.87, 28.88, 28.89, 28.90 (Chile, France, Argentina, Netherlands).

⁵ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1. para 2, recommendation 28.88 (France).

⁶ Amnesty International, *"I need my parents' consent to be myself": Barriers to gender-affirming treatments for Transgender people in China* (Index: ASA 17/0269/2019), www.amnesty.org/en/documents/asa17/0269/2019/en/

⁷ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1., para 2, recommendations 28.7-8 (Japan, France).

⁸ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1., para 2., para 2, recommendations 28.87-90 (Chile, France, Argentina, Netherlands)).

⁹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1., para 2, recommendations 28.25-28.29 (Ukraine, Croatia, Denmark, Hungary, Latvia).

¹⁰ Amnesty International, "China: Long-delayed UN report must spur accountability for crimes against humanity in Xinjiang", (News, 1 September 2022),

www.amnesty.org/en/latest/news/2022/09/china-long-delayed-un-report-must-spur-accountability-for-crimes-against-humanity-in-xinjiang/

¹¹ Amnesty International, *Hong Kong: In the name of national security* (Index: ASA 17/4197/2021),

www.amnesty.org/en/documents/asa17/4197/2021/en/

¹² UN Human Rights Committee, Concluding observations: Hong Kong Special Administrative Region, 11 November 2022, UN Doc. CCPR/C/CHN-HKG/CO/4, para. 13(a)

¹³ Amnesty International, "Hong Kong: Tiananmen vigil convictions an affront to human rights and international law", (News, 9 December 2021),

www.amnesty.org/en/latest/news/2021/12/hong-kong-tiananmen-vigil-convictions/; Amnesty International, "Hong Kong: Apple Daily raid, arrests a brazen attack on press freedom" (News, 17 June 2021), www.amnesty.org/en/latest/press-release/2021/06/hong-kong-apple-daily-raid-arrests-a-brazen-attack-on-press-freedom/; Amnesty International, "Hong Kong: Giggs sentencing highlights authorities' expanding armoury in crackdown on critics", (News, 7 October 2022), www.amnesty.org/en/latest/news/2022/10/hong-kong-giggs-sentencing/

¹⁴ Amnesty International, "Hong Kong: Apple Daily closure is dark day for press freedom", (Press Release, 23 June 2021),

www.amnesty.org/en/latest/press-release/2021/06/hong-kong-apple-daily-closure-is-press-freedom-darkest-day/

¹⁵ Amnesty International, *Hong Kong: Further information: Imprisoned June 4 vigil organizer faces further charges: Chow Hang-tung*, (Urgent Action, 3 May 2022), www.amnesty.org/en/documents/asa17/5555/2022/en/

¹⁶ Amnesty International, "China: Heavy prison sentences for human rights activists 'disgraceful'" (News, 10 April 2023),

www.amnesty.org/en/latest/news/2023/04/china-heavy-prison-sentences-for-human-rights-activists-disgraceful/

¹⁷ Amnesty International, *China: Activist on hunger strike after travel ban: Yang Maodong* (Urgent Action, 1 February 2021),

www.amnesty.org/en/documents/asa17/3599/2021/en/. Guo was charged for "inciting subversion" two days after the death of his wife and subsequently sentenced to eight year's imprisonment in May 2023 for "publishing seditious articles", see Reporters without Borders, "China: Senior political commentator sentenced to 8 years for "subversion"", <https://rsf.org/en/china-senior-political-commentator-sentenced-8-years-subversion>

¹⁸ Huang Qi is an activist imprisoned for running a website publishing reports of the human right violations investigated by citizen journalists. Amnesty International, *China: Further information: Journalist's health further deteriorated: Huang Qi* (Urgent Action, 5 December 2022),

www.amnesty.org/en/documents/asa17/6272/2022/en/

¹⁹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1., recommendations 28.27 (Denmark), 28.175- 28.180 (Australia, Switzerland, United States of America, Belgium, Canada, Germany), 28.189- 191 (United States of America, Canada, Czechia), 28.317 (Australia), 28.319 (Sweden), 28.325 (Finland).

²⁰ Amnesty International, *Tibetan monk held incommunicado for 2 years* (Urgent Action, 1 December 2021, www.amnesty.org/en/wp-content/uploads/2021/12/ASA1750652021ENGLISH.pdf)

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²⁴ Amnesty International, *China: Activist detained for reporting torture* (Urgent Action, 4 March 2021), www.amnesty.org/es/wp-content/uploads/2021/05/ASA1737842021ENGLISH.pdf

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²⁷ Amnesty International, *China: Further information: Covid-19 journalist still needs medical attention: Zhang Zhan* (Urgent Action, 3 March 2022), www.amnesty.org/en/documents/asa17/5298/2022/en/

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²⁹ Surabhi Chopra et. al., *Immigration Detention in Hong Kong: A Preliminary Analysis* (Chinese University of Hong Kong, 2022).

³⁰ Amnesty International, *Uyghur student detained for posting protest video* (Urgent Action, 4 April 2023), www.amnesty.org/en/wp-content/uploads/2023/04/ASA1766382023ENGLISH.pdf

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³³ Amnesty International, *Philippines: Undermining workers' rights: Labour rights abuses in nickel supply chains: Executive summary* (Index: ASA 35/4472/2021), www.amnesty.org/en/documents/asa35/4472/2021/en/

³⁴ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1., recommendations , 28.2 (Honduras), 28.4-11 (New Zealand, Uruguay, Mali, Costa Rica, El Salvador, Iceland, Kenya, Liechtenstein, Mexico, Montenegro, Poland, Portugal, Ukraine, United Kingdom of Great Britain and Northern Ireland, Canada, Hungary, Luxembourg, Republic of Korea, Japan, Ukraine, Japan, France, Benin, Estonia, Georgia, Latvia, Malta, Namibia, Czechia, Colombia, Costa Rica, Estonia); 28.85 (Honduras), 28.219 (Greece)

³⁵ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1., recommendations 28.158 (Slovenia), 28.166 (France).

³⁶ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: China, 15 February 2019, UN Doc. A/HRC/40/6/ and its addendum UN Doc. A/HRC/40/6/Add.1., recommendations 28.158 – 159 (Slovenia, Cyprus), 28.161-162 (Spain, Iceland, Luxembourg, 28.164 (Brazil), 28.167-28.168 (Argentina, Liechtenstein).