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## CHINA 2022

Severe Covid-19 restrictions in some cases undermined the right to health and adequate food. The government continued to stifle criticism of its policies and actions and discussion of topics considered sensitive through increasingly pervasive online censorship. Government critics, human rights defenders, pro-democracy activists and religious leaders and practitioners were among those subjected to arbitrary arrest and detention. Systematic repression of ethnic minorities in Xinjiang and Tibet continued. Authorities attempted to prevent the publication of an OHCHR report documenting potential crimes against humanity and other international crimes in Xinjiang. Women continued to endure sexual violence and harassment and other

violations of their rights. The Hong Kong government continued its crackdown against the pro-democracy movement. Journalists, broadcasters and book publishers were among those prosecuted and imprisoned under the National Security Law and other repressive legislation, while civil society organizations both in Hong Kong and abroad faced criminal charges or harassment for legitimate activities. Despite some positive policy commitments, including to increased use of renewables, China's CO2 reduction targets were rated as "highly insufficient" and coal production increased.

## Background

The government maintained its "zero-Covid policy" for most of the year involving widespread lockdowns and mandatory quarantine. Localized protests against the harsh restrictions intensified from mid-November. Demonstrations spread to at least 20 cities following an apartment block fire in Urumqi, the capital of Xinjiang Uyghur Autonomous Region (Xinjiang), on 24 November in which at least 10 people died. The authorities denied that locked doors had prevented residents from escaping but announced the easing of Covid-19 restrictions following this incident.

In May, the then UN High Commissioner for Human Rights, Michelle Bachelet, conducted a six-day mission to China that included two days in Xinjiang. In June, 42 UN independent human rights experts called on the Chinese government to grant unhindered access to UN special procedures and mechanisms to assess allegations of serious human rights violations in the country, especially in Xinjiang, Tibet and Hong Kong. In August, the government ratified ILO Conventions 29 on forced labour and 105 on the abolition of forced labour.

In October, President Xi Jinping's third term as General Secretary of the Chinese Communist Party (CCP) was announced at the Party's 20th National Congress, raising fears that the human rights situation would continue to deteriorate following a decade of escalating repression under his leadership. China hosted the Winter Olympic Games in February.

## Right to health

There were reports of food shortages and delayed or denied access to emergency healthcare in areas under lockdown. An unknown number of people died after being refused hospital admission. Conditions in quarantine facilities, where those who tested positive for Covid-19 were detained, were often poor and unhygienic. In some cases, children were separated from their parents in quarantine.

On 7 December, the central government announced significant easing of restrictions and on 26 December said that most elements of the “zero-Covid policy” would be substantially dismantled from 8 January 2023. Covid-19 infections and deaths subsequently rose and there were reports from multiple cities of hospitals under extreme pressure and of acute shortages of medications.

## **Freedom of expression and assembly**

Online censorship grew more pervasive and sophisticated as a tool to stifle criticism of the government, intensifying around high-profile events and anniversaries.

The authorities failed to deliver on assurances made as hosts of the Winter Olympic Games to guarantee media freedom before and during the Games and ensure opportunities for peaceful protest. Prior to the Games, they warned athletes against “any behaviour or speeches” that violated “Chinese laws and regulations”. High-profile dissidents were censored and had their movements restricted. Journalists accredited to the Games reported repeated government interference in coverage of preparations for the event and in interviews with athletes and local people both in and outside Olympic venues.

Authorities intensified their efforts to prevent criticism of lockdown measures on social media, including appeals for help by those under lockdown and allegations of human rights violations in quarantine facilities. Authorities manipulated the Covid-19 health status phone app that was required to enter public buildings and shops and use public transport or travel, to unduly restrict freedom of movement and peaceful assembly. In Henan province during demonstrations against the freezing of deposits by local banks in June, there were widespread reports of the app suddenly communicating a red-code alert requiring users to quarantine for 14 days. Five local officials subsequently received administrative sanctions for manipulating the app.

In September, in the lead-up to the CCP National Congress, the authority responsible for regulating cyberspace in China launched a three-month purge of internet “rumours and fake news”, calling for tech companies to redouble monitoring, tracing, bans and suspensions against account holders. New attempts to block censorship circumvention tools such as Virtual Private Networks (VPN) were also reported.

On 13 October, police arrested Peng Lifa after he unfurled banners on a bridge in the capital, Beijing, during the CCP National Congress criticizing the government’s

“zero-Covid” policy and calling President Xi a dictator. Images of the protest went viral internationally but all footage and keywords were removed from Chinese social media platforms. There were reports that authorities had arrested some people for reposting images of the protest.

Large numbers of people were detained for participating in peaceful protests against Covid-19 restrictions following the fatal apartment fire in Urumqi in November. It was unclear how many remained in detention at the end of the year. Videos circulated online showed police beating protesters during arrests.

All discussion and commemoration of the victims of the suppression of the 1989 pro-democracy protests remained banned. On the eve of the 4 June anniversary of the military crackdown on protesters in Tiananmen Square, a well-known influencer’s livestream was taken down, apparently because it featured an ice cream sculpture resembling a tank.

## Human rights defenders

Authorities continued to imprison human rights defenders, including citizen journalists and human rights lawyers. Those detained were held in harsh conditions and subjected to torture and other ill-treatment.

On 1 March, human rights lawyer Yu Wensheng was released after completing a four-year prison sentence for “subverting state power” apparently for criticizing the president. Yu Wensheng said he was pepper-sprayed, forced to sit on a metal chair until he partially lost consciousness and denied adequate food during his pretrial detention.<sup>1</sup>

In January, citizen journalist Zhang Zhan, who was sentenced to four years’ imprisonment in 2020 for “picking quarrels and provoking trouble” after reporting on the Covid-19 outbreak, ended her hunger strike to stop the authorities from further force-feeding. It was unclear if Zhang Zhan, whose health had deteriorated during her hunger strike, was permitted access to appropriate medical care.<sup>2</sup>

In April, there were reports of serious deterioration in the health of Huang Qi, the imprisoned founder and director of the Sichuan-based human rights website “64 Tianwang”. Huang Qi, who was serving a 12-year prison sentence for his human rights reporting, reportedly did not have access to adequate medical care and was denied access to a bank account where friends and family had deposited money for

him to purchase medical and other supplies. He had been refused all contact with his family since 2020.<sup>3</sup>

Many lawyers remained in prison or under strict surveillance. They included legal scholar Xu Zhiyong and human rights lawyer Ding Jiaxi, who were tried in secret in June after being indicted for “subversion of state power” in October 2021. The two men were prominent members of the New Citizens’ Movement, a network of activists set up to promote government transparency and expose corruption. Neither had access to lawyers in the months prior to their trials.<sup>4</sup>

In April, the UN Working Group on Arbitrary Detention called on the Chinese authorities to immediately release labour activist Wang Jianbing. He was detained in Guangzhou in September 2021, along with #MeToo activist Sophia Huang Xueqin, and charged with “inciting subversion of state power” in connection with their participation in private gatherings in Wang Jianbing’s house to discuss shrinking civil society space.<sup>5</sup> Both were held in incommunicado detention and subjected to ill-treatment following their arrest.

## **Freedom of religion and belief**

Harassment and imprisonment of individuals for practising their religion or beliefs continued. 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 2022.

## **Ethnic Autonomous Regions**

Systematic repression of ethnic minorities in Xinjiang and Tibet continued under the guise of “anti-separatism”, “anti-extremism” and “counterterrorism”. Access to both regions was highly restricted, making human rights documentation and reporting virtually impossible. Pervasive surveillance prevented those living there from sharing information about human rights violations.

### **Xinjiang**

The government continued to implement far-reaching policies that severely restricted the freedoms of Uyghurs, Kazakhs and those from other predominantly Muslim ethnic minority groups in Xinjiang, which threatened to erase their religious and cultural identities.

During their visit to the region in May, the UN High Commissioner for Human Rights and her team were not permitted to visit detainees or their families and were accompanied by state officials at all times. Having failed to acknowledge the serious human rights violations in the country during the mission, in August OHCHR released a long-awaited report reinforcing previous findings by Amnesty International and others that the extent of arbitrary and discriminatory detention of Uyghurs and others in Xinjiang may constitute international crimes, in particular crimes against humanity. It also documented allegations of torture or other ill-treatment, incidents of sexual and gender-based violence, forced labour and enforced disappearances, among other grave human rights violations.

The Chinese government sought to suppress the report, including by mobilizing other governments to lobby against its publication. Despite the findings, and calls by dozens of UN independent experts for the UN Human Rights Council to convene a special session on China, on 6 October the Council voted to reject a resolution to hold a debate on Xinjiang at its next session.<sup>6</sup>

In November, the CERD Committee called on the Chinese government to immediately investigate all allegations of human rights violations and release all individuals arbitrarily deprived of their liberty in Xinjiang. Despite government claims that internment camps they called “training” or “education” centres had been closed, many thousands of men and women were still believed to be arbitrarily detained in internment camps, prisons or other facilities where political indoctrination, physical and psychological torture and other forms of ill-treatment were widely reported.

Chinese authorities continued to target Uyghurs and other Xinjiang residents who spent time overseas and continued to pressure other governments to return Uyghurs living abroad back to China.

In June, authorities informed the family of 25-year-old Uyghur student Zulyar Yasin that he would be sentenced to up to five years’ imprisonment for “separatism”. Zulyar Yasin, who had spent two years in Türkiye studying finance at Istanbul University, was detained in December 2021 and was scheduled to go on trial on 28 June, although this was postponed on two occasions due to Covid-19 lockdowns and eventually rescheduled for early 2023.<sup>7</sup>

Four Uyghurs faced deportation from Saudi Arabia to China where they were at risk of serious human rights violations. Saudi authorities detained Buheliqiemu Abula

and her 13-year-old daughter on 31 March. Buheliqiemu Abula's former husband Nuermaimaiti Ruze and religious scholar Aimidoula Waili had been detained without charge since November 2020. Aimidoula Waili was previously imprisoned in China from 2013 to 2016, and told Amnesty International he was repeatedly tortured while in detention.<sup>8</sup>

Idris Hasan, a Uyghur computer designer who was arrested in Morocco in July 2021, remained in detention and at risk of forcible return to China. This was despite Interpol's cancellation of the "red notice", which formed the basis for his arrest, and appeals to the Moroccan authorities by the UN Committee against Torture and other special procedures not to extradite him.<sup>9</sup>

## Tibet

Ethnic Tibetans continued to face discrimination and restrictions on their rights to freedom of religion and belief, expression, association and peaceful assembly. Protests against Chinese government repression nevertheless continued.

In September, the Kardze Intermediate People's Court in Sichuan sentenced six Tibetan writers and activists to prison terms of between four and 14 years for "inciting separatism" and "endangering state security". Gangkye Drupa Kyab, Seynam, Gangbu Yudrum, Tsering Dolma and Samdup were detained in March or April 2021. Pema Rinchen was detained in late 2020 and held incommunicado until his trial. All six had been arbitrarily detained in the past in connection with their writings or protests against the Chinese authorities and several suffered from health complications as a result of beatings, poor detention conditions and other ill-treatment experienced at the time.

Tibetan monk Rinchen Tsultrim continued to be denied any contact with his family and access to lawyers despite repeated requests by his family to visit him since his detention in August 2019. He was sentenced to four-and-a-half years' imprisonment in November 2020 following an unfair trial.

## Death penalty

China remained the world's leading executioner, although the government continued to classify statistics for executions and death sentences as "state secrets". The death penalty remained applicable for 46 offences, including non-lethal offences



that do not meet the threshold of the “most serious crimes” under international law and standards.

## Women's rights

On 30 October, the country's top legislature adopted the amended Law on the Protection of Women's Rights and Interests. Due to take effect on 1 January 2023, the revised law includes new provisions to strengthen protection for women in the workplace including requirements on employers to eliminate gender discrimination in hiring processes and to prevent sexual harassment in the workplace.

Violence against women including sexual violence and sexual harassment remained widespread, and authorities censored public discussion around it.

Authorities quickly censored discussions about, and banned social media sites from sharing footage of an incident in June that was caught on CCTV of a group of men physically assaulting several women in a restaurant in Tangshan, Hebei province. Twenty-eight people were sentenced to prison terms for their role in the attack. Mao Huibin, a journalist who posted the footage and an article about the incident, was arrested in July and faced up to five years in prison for “picking quarrels and provoking trouble”.

In August, Haidian District People's Court dismissed an appeal by Zhou Xiaoxuan against a court ruling rejecting her request for an apology and damages against a well-known state TV host, Zhu Jun, for groping and forcibly kissing her when she was an intern at the TV station in 2014. Zhou Xiaoxuan's public stance against sexual harassment resulted in her being the target of online bullying and state censorship.

In January, a video showing a woman in poor mental and physical health chained in an outhouse in Xuzhou in Jiangsu province went viral, sparking public outrage in China. At least four activists were arrested for investigating and publicizing the case and for supporting the woman who they suspected was a victim of human trafficking, but which local authorities initially denied. One, Wu Yi, was known to have been tried in secret for “picking quarrels and provoking trouble” but details of her sentence and whereabouts were unknown. According to media reports in February, 17 local officials had been punished or were being investigated in relation to the case. In March, the Ministry of Public Security announced a one-year campaign to investigate trafficking of women and children.

## **LGBTI people's rights**

Both off- and online LGBTI activism was severely restricted. Dozens of social media accounts of LGBTI groups remained closed due to pervasive censorship. The authorities also censored TV programmes and films, removing LGBTI-related content.

In July, Tsinghua University in Beijing issued official warning letters to two students for “distributing unauthorized promotional materials” after they were tracked by surveillance cameras leaving rainbow flags on the campus. In November, the Beijing Municipal Education Commission endorsed the university’s action against the students. Authorities censored online discussions of the incident.

## **Failure to tackle climate crisis**

Under its NDC submitted in 2021, China committed to reduce CO2 emission intensity by over 65% before 2030 from 2005 levels, to reach peak carbon emissions by 2030 and achieve carbon neutrality “before 2060”. In November, China’s targets, policies and actions were given a rating of “highly insufficient” by the Climate Action Tracker, a consortium providing global scientific analysis, because they were not consistent with limiting warming to the 1.5°C temperature limit.

In March, the government published a new policy document on the Belt and Road Initiative (BRI), an infrastructure project covering 72 countries. The document reaffirmed that no new coal power plants would be built under the BRI and that it would “proceed with caution” on coal power projects already underway.

New domestic renewable targets were issued in 2022 which aimed to increase electricity generation from renewable sources by approximately 35% by 2025 from 2020 levels. However, domestic production of coal increased despite commitments to control coal consumption until 2025 and start to gradually phase it down thereafter.

## **Hong Kong Special Administrative Region**

The Hong Kong authorities continued their crackdown against pro-democracy activists, journalists, human rights defenders and others. The 2020 National Security Law (NSL) and other repressive laws were widely used to target people exercising their rights to freedom of expression, peaceful assembly and association. The UN Human Rights Committee urged the Hong Kong government to repeal the

NSL and sedition provisions of the Crime Ordinance, and in the meantime to refrain from applying them.

In July, John Lee, former Hong Kong security chief who oversaw the police crackdown on the 2019 protests and the implementation of the NSL, took over as Chief Executive of Hong Kong, having been selected by the central government in Beijing as the sole candidate in the May elections.

## **Freedom of expression and assembly**

At least 11 people were sentenced to terms of imprisonment during the year under colonial-era sedition laws for exercising their right to peaceful expression.

In September, five speech therapists were sentenced to 19 months' imprisonment each after being found guilty of sedition for publishing children's books depicting the government's crackdown on 2019 pro-democracy protests and other issues.<sup>10</sup>

In October, radio show host and public affairs commentator Edmund Wan (known as Giggs) was sentenced to 32 months in prison for "sedition" and "money laundering" for criticizing the government and raising funds for school fees for young Hong Kong activists who had fled to Taiwan after the 2019 protests. Giggs, who was detained for 19 months prior to his conviction, was released on 18 November but was required to hand over fundraising proceeds to the government.

Political activists, journalists, human rights defenders and others charged under the NSL were held for prolonged pretrial detention. As of 31 October, at least 230 people had been arrested under the NSL since its enactment in 2020.

The space for peaceful protest remained highly restricted and those who participated in demonstrations or encouraged others to do so risked prosecution. In January, Chow Hang-tung was convicted of "inciting others to take part in an unauthorized assembly" and sentenced to 15 months' imprisonment after publishing a social media post in 2021 encouraging people to commemorate the 1989 Tiananmen Square crackdown. In December, Chow Hang-tung won her appeal against that conviction, but remained in prison awaiting trial on similar charges under the NSL for which she faced up to 10 years' imprisonment.

## **Freedom of association**

Authorities continued to criminalize or otherwise prevent legitimate civil society activities. Repressive legislation, including the NSL and Societies Ordinance, which gave excessive powers to the police to refuse, cancel the registration of or prohibit a society, were used with chilling effects on civil society organizations. More than 100 civil society organizations had been forced to disband or relocate since the enactment of the NSL in July 2020.

Restrictions were imposed on smaller, more informal groups. In June, police reportedly delivered letters to at least five representatives of small civil society groups, including informal Facebook groups and religious networks, warning them to register or risk violating the Societies Ordinance.

Five former trustees of the 612 Humanitarian Relief Support Fund, set up to assist participants in the 2019 protests with legal fees and other costs but which closed in 2021, were arrested in May, as well as the former secretary in November, for “colluding with foreign forces” under the NSL. They faced up to 10 years’ imprisonment. In December, all six were found guilty of failing to register the fund under the Societies Ordinance and fined between HKD 2,500 and 4,000 each (approximately USD 321-513).

Attacks on groups operating outside Hong Kong also expanded. In March, the National Security Police sent a letter to the Chief Executive of a UK-based organization, Hong Kong Watch, accusing the group of “jeopardizing national security” by “lobbying foreign countries to impose sanctions” and engaging in “other hostile activities”. The group was accused of violating Article 29 of the NSL which criminalizes “collusion with foreign forces” and asserts extraterritorial jurisdiction. Police also blocked Hong Kong Watch’s website in Hong Kong.

Civil society organizations exercised self-censorship in order to be able to operate and raise funds. Local payment and crowdfunding platforms suspended the fundraising accounts of two groups. One of the platforms told a group that it had taken this action because of the “excessive risks involved” in hosting the account. In a separate case, three activists who had sued the Hong Kong police for ill-treatment during a land rights protest in 2014 reported that their account on an international crowdfunding platform had been removed because it was considered too high risk for the company.

## **LGBTI people’s rights**

The Hong Kong government made no progress towards drafting a gender-recognition law despite having established an inter-departmental working group on gender recognition in 2014 and carrying out a consultation in 2017.

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1. [“China: Lawyer Yu Wensheng must be granted true freedom after unjust imprisonment”, 28 February](#)
2. [“China: Covid-19 journalist still needs medical attention: Zhang Zhan”, 3 March](#)
3. [“China: No access to family and proper medical care: Huang Qi”, 29 April](#)
4. [“China: Unfair trials of prominent activists an attack of freedom of association”, 21 June](#)
5. [“China: Activists charged with subversion: Sophia Huang Xueqin and Wang Jianbing”, 19 May](#)
6. [“China: Xinjiang vote failure betrays core mission of UN Human Rights Council”, 6 October](#)
7. [“China: Uyghur student facing trial highlights government push to jail Muslims”, 27 June](#)
8. [“Saudi Arabia: Uyghur teenage girl and mother detained: Buheliqiemu Abula, Nuermaimaiti Ruze, Aimidoula Waili”, 6 April](#)
9. [“Morocco and Western Sahara: Ethnic Uyghur at risk of extradition to China: Idris Hasan”, 2 March](#)
10. [“Hong Kong: Conviction of children’s book publishers an absurd example of unrelenting repression”, 7 September](#)

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