International PEN welcomes the opportunity provided by the Office of the High Commissioner on Human Rights to comment on the situation in the People’s Republic of China, about which it has serious concerns. This document provides a general comment on the current situation of writers and print journalists, and case samples of occasions where individuals have had their fundamental rights to freedom of expression severely restricted.

General comment

International PEN expresses its extreme concern regarding the Chinese government’s position towards Article 19 of the International Covenant on Civil and Political Rights, to which it is a signatory, and its failure to abide by pledges it made to the international community to expand press freedom and improve the climate for human rights and freedom of expression in China in this Olympic year. What we have witnessed instead has been a grinding and relentless campaign to jail or silence prominent dissident voices, and new, especially brazen efforts to restrict or control domestic and international press coverage.

In any year, these findings would be bleak. Against the backdrop of the explicit commitments that China made to the world to win the privilege of hosting the Olympic Games, they are especially discouraging. International PEN has long been concerned about the number of long-term detainees in China, and this has not reduced. The Chinese government has intensified its suppression of dissent in recent months, and International PEN is alarmed at the number of reports of dissidents suffering wide-ranging forms of harassment, including brief detentions, periods of house arrest, travel restrictions, loss of work, denial of access to information and communications, heavy surveillance and censorship.

Restricting media reporting and movement of journalists

When bidding for the 2008 Olympics, the Chinese government made a specific promise to open up the country to free media reporting, stating “there will be no restrictions on media reporting and movement of journalists up to and including the Olympic Games.” The unrest in Tibet, however, has revealed just the opposite: a
government intent on controlling media access to important stories and on restricting
the access its own people have to domestic and international media coverage.

During the crackdown on protests in Tibetan areas that began in March 2008,
government-instigated interruptions in telephone and Internet service in the Tibetan
capital of Lhasa and other Tibetan areas significantly hindered the flow of first-hand
reports and other information as violence spread and the number of deaths rose.

Since March, small numbers of journalists have been allowed into Tibetan areas on
three government-orchestrated visits, always chaperoned and closely monitored by
Chinese officials. Many foreign journalists who attempted on their own to enter the
Tibetan Autonomous Region and neighbouring areas in Sichuan, Qinghai, Yunnan
and Gansu Provinces were detained and turned away. Meanwhile, satellite broadcasts
focusing on events in Tibet have been jammed in Beijing and other Chinese cities,
and entire news outlets have been shut down, leaving China’s citizens without access
to the full story about monumental political and human rights issues in their own
country.

**Internet censorship and other troublesome laws**

Of the writers currently imprisoned in China, many are being held for writings they
posted on the Internet or disseminated electronically. There have been reports that
many web sites have been shut down recently, including a site for the Tiananmen
Mothers—an organization of family members of those killed or imprisoned during the
1989 crackdown—and Uighur Online, a site aimed at promoting understanding
between Han Chinese and ethnic Uighurs.

Three laws are routinely misused to detain and imprison writers in China: 1) subversion; 2) revealing state secrets; and 3) “splittism” or separatism. The “splittism”
charge is used most often against Tibetans and Uighurs. Long term imprisonment
remains unchanged as does the depravation of political rights even after sentences of
incarceration.

Dissident writers and journalists who are not in prison face serious restrictions on
their movements and on their ability to speak and publish freely. Internet censorship
and other laws remain in force and continue to be used specifically to deny the
universally-guaranteed right to freedom of expression.

**Final comment**

International PEN considers that the People’s Republic of China falls well short of its
commitments under the International Convention on Civil and Political Rights,
Article 19, in continuing to restrict the right to freedom of expression. It requests that
the Universal Period Review of China’s adherence to the human rights instruments to
which it is committed takes into consideration these concerns and requests the
Chinese authorities to:

a) release all those detained in denial of their right to freedom of expression, and
to end further arrests and trials of others solely for the legitimate practice of
this right;
b) end harassment and to remove other obstacles placed in the way of others writing with views that challenge those held by the those in authority;
c) discontinue the practice of shutting down and blocking internet sites and thus denying access to the full variety of news and information on issues relating to the civil and political rights to which every citizen is entitled.