



RESOLUTION ON THE PEOPLE'S REPUBLIC OF CHINA

PEN International has for many years expressed concern about serious and sweeping restrictions on freedom of expression in China, including through resolutions adopted at its annual Congresses, most recently at its 81st World Congress in October 2015.

Despite some welcome releases since then, suppression of the right to freedom of expression in China remains an ongoing and critical concern. Recent crackdowns have taken place not only in Beijing, but in numerous inland and coastal provinces, the Autonomous Regions of Tibet, Xinjiang, and Inner Mongolia, and in the Hong Kong Special Administrative Region.

In 2015, PEN documented over 40 cases of writers held solely for their peaceful exercise of their right to freedom of expression, one of the highest numbers in the world. Many are held under vague national security provisions of the Criminal Law. At least nine members of the Independent Chinese PEN Center (ICPC) are currently imprisoned or detained, including Nobel Peace Laureate Liu Xiaobo, former President of ICPC who remains in prison as a result of exercising his right to free expression, while more than 80 members have suffered various forms of harassment and travel restrictions, reflecting increasing persecution of the Centre.

Increasingly, free expression is suppressed not only in mainland China but in Hong Kong. Over the past year, five Hong Kong booksellers known for selling books banned on the mainland—Gui Minhai, Cheung Ji-Ping, Lam Wing-kee, Lee Bo, and Liu Por—disappeared from Hong Kong and Thailand under mysterious circumstances. All except Gui Minhai were subsequently released amid fears of forced 'confessions'.

The 2016 Law on the Management of Foreign Non-Governmental Organisations' (NGO) Activities Within Mainland China constrains the work of foreign NGOs—including groups dedicated to literary advancement, journalism, or protection of free expression. Other recent laws which may constrain free expression include an overly restrictive December 2015 Counter-Terrorism Law.

PEN also remains deeply concerned over the continuing censorship of the Internet throughout the country, including the harassment of online writers and journalists, and imprisonment for the publication of critical reports and commentaries. A draft Cyber-Security Law looks set to further restrict freedom of expression online.

The Assembly of Delegates of PEN International, meeting at its 82nd World Congress in Ourense, Galicia (Spain), 26th September to 2nd October 2016, calls on the government of the People's Republic of China to:

- Stop the harassment and persecution of ICPC members, and lift all restrictions on their freedom to exit and enter mainland China, particularly to attend PEN International conferences and to return home;
- Cease its efforts to censor cyberspace and to immediately release all internet writers jailed for peacefully expressing their opinions;
- Release all prisoners in the Tibet Autonomous Region and Xinjiang Uyghur Autonomous Region in violation of their right to freedom of expression, including Tibetan writers and journalists **Kunchok Tsepel Gopey Tsang, Paljor Norbu, Gangkye Drubpa Kyab, Gartse Jigme** and **Shokjang**; Uyghur writers **Nijat Azat, Gheyret Niyaz, Memetjan Abdulla, Gulmira Imin (f)** and **Ilham Tohti**;

- Clarify the circumstances of the disappearances of the five Hong Kong booksellers **Gui Minhai, Cheung Ji-Ping, Lam Wing-kee, Lee Bo, and Liu Por**, and release **Gui Minhai**.
- Release all other imprisoned publishers from Hong Kong, including **Yao Wentian** and **Wang Jianming**;
- Release all of other imprisoned writers and journalists in China, including **Liu Xiaobo, Yang Tongyan, Zhu Yufu, Lü Gengsong, Chen Shuqing, Qin Yongmin, Hu Shigen, Lu Jianhua, Qi Chonghuai, Liu Xianbin, Guo Quan, Li Tie, Chen Wei, Chen Xi, Jin Andi, Li Bifeng, Xu Zhiyong, Yang Maodong, Zhao Haitong, Xu Zhiqiang, Su Changlan (f), Zhang Haitao** and **DONG Rubin**;
- Ratify the International Covenant on Civil and Political Rights, which was signed by the People's Republic of China in October 1998;
- Reform or amend the Counter-Terrorism Law to ensure that legitimate free expression is not labelled as 'terrorism';
- Ensure that the final Cyber Security Law guarantees and upholds free expression online, and that provisions restricting internet use—or defining appropriate internet use—are narrowly tailored to prevent their being used as a tool for censorship;
- Undertake a complete and meaningful reform of the Chinese legal system in accordance with international standards and its own Constitution to guarantee fair trials with full rights of defence and appeal, the legal practices of attorneys, and a prison system that ensures the health and safety of inmates; particularly to cease the practice of using national security, economic and public order charges to repress writers, internet dissidents, human rights defenders and lawyers, and in the practice of using televised confessions, which contravene an individual's right to a fair trial.

Additionally, PEN calls upon the Hong Kong government to launch an independent investigation into the circumstances of the disappearances of the five Hong Kong Booksellers.