



Permanent Mission
of the Federal Republic of Germany
to the Office of the United Nations and
to the other International Organizations
Geneva

United Nations Human Rights Council

31st Session of the UPR Working Group

Geneva, 6 November 2018

Germany's questions and recommendations to

The People's Republic of China

Mr. President,

We welcome China's stated commitment to international cooperation in the UN Human Rights Council and recognize China's progress in the fight against poverty. Germany recommends to:

- End all unlawful detention including unconstitutional mass detention of Uyghurs and other Muslims in Xinjiang, and residential surveillance at a designated location;
- Respect the rights to freedom of religion and belief, opinion and expression, peaceful assembly and culture – also for Tibetans, Uyghurs and other minorities;
- Guarantee fair trials: allow all defendants unhindered access to chosen lawyers, prompt notification of families and transparent legal procedures;
- Allow independent observers – including Special Procedures, – unhindered access to all regions.

I thank you, Mr. President.

Questions submitted in advance:

- Germany welcomes China's plans to amend criminal procedure law. From this process, what progress can be expected towards guaranteeing the right of detainees to a fair trial, including the right to be held in a recognized place of detention, prompt notification of family after arrest, and timely access to a legal counsel chosen by the detainee?
- Is China planning to further reduce the number of crimes carrying the death penalty and consider a moratorium?
- Will China commit to receiving UN Special Procedures and allow them unhindered access, including to areas home to Muslim ethnicities like the Uyghurs, Kazakhs and Kyrgyz as well as Tibetans to investigate allegations of mass detention, and severe restrictions of the rights to freedom of religion and belief, opinion and expression, peaceful assembly, association, movement, culture, and a fair trial?
- Will China implement the recommendations of the Committee on the Elimination of Racial Discrimination of 30 August 2018 and release all individuals who have not been lawfully charged, tried and convicted for a criminal offence from its extra-legal detention facilities in Xinjiang?
- How does China react to allegations of organ-harvesting in prisons and detention facilities? Can China provide data on annual numbers of organ transplantations and legal sources of organ donations in order to dispel these allegations?
- Does China abide by the principle of non-refoulement, including in cases of North-Korean refugees in China?
- How do the interpretations of the Hong Kong laws by the NPCSC ensure that freedom of press and opinion are upheld in consistence with the provisions under the Basic Law and the HKSAR Bill of Rights?