

Mandates of the Special Rapporteur on minority issues; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the right to development; the Special Rapporteur on the right to education; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context and the Special Rapporteur on freedom of religion or belief

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16 April 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on minority issues; Special Rapporteur in the field of cultural rights; Special Rapporteur on the right to development; Special Rapporteur on the right to education; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context and Special Rapporteur on freedom of religion or belief, pursuant to Human Rights Council resolutions 52/5, 55/5, 60/7, 53/7, 52/9, 59/4, 52/10 and 58/5.

In this connection, we would like to bring to the attention of your Excellency's Government some observations concerning the new Law on Promoting Ethnic Unity and Progress (Law)¹, which was adopted on 12 March 2026 and will come into force on 1 July 2026. We share our observations and comments on the Law with a view to engaging constructively with your Excellency's Government to ensure that the effective implementation of this legislation is in line with international human rights standards.

Background

The Law appears to form part of a broader evolution in the legal and policy framework governing ethnic minority affairs in the People's Republic of China. China's system of ethnic governance has been based on the framework established under the 1982 Constitution of the People's Republic of China, in particular article 4², and the Law of the People's Republic of China on Regional National Autonomy adopted on 31 May 1984 and amended on 28 February 2001³. This framework has recognized the system of regional ethnic autonomy and guarantees that all ethnic groups have the "freedom to use and develop their own spoken and written languages"⁴ and the freedom "to preserve or reform their own traditions and customs"⁵. It further provides that "organs of self-government of national autonomous areas ... guarantee the freedom of

¹ The text of the Law on Promoting Ethnic Unity and Progress is available here: <https://www.news.cn/politics/20260313/748e7a2db7764d82b4259c9e1256082e/c.html>, while an unofficial English translation is available here: <https://www.chinalawtranslate.com/en/ethnic-unity-and-progress-law/>

² Article 4 of the Constitution of the People's Republic of China, 1982, is available here: https://english.www.gov.cn/archive/lawsregulations/201911/20/content_WS5ed8856ec6d0b3f0e9499913.html

³ The Law of the People's Republic of China on Regional National Autonomy is available here: https://english.court.gov.cn/2016-04/14/c_761445.htm

⁴ Article 4 of the Constitution

⁵ Article 4 of the Constitution

the nationalities in these areas to use and develop their own spoken and written languages”⁶, and that “schools (classes and grades) and other institutions of education where most of the students come from minority nationalities shall, whenever possible, use textbooks in their own languages and use their languages as the media of instruction”⁷.

We note that, since the early 2010s, a policy discourse commonly referred to as “second generation ethnic policy” appears to have been progressively advanced, placing greater emphasis on fostering a unified national identity over accommodating ethnic differences, and on “forging a strong sense of community for the Chinese nation” (铸牢中华民族共同体意识). This approach was formally endorsed by the Chinese leadership during the Central Conference on Ethnic Affairs held in 2014⁸ and has since been increasingly reflected in national policies and legislative initiatives. We note that the newly adopted Law seeks to give this approach statutory form at the national level.

Law on Promoting Ethnic Unity and Progress

Against the backdrop of the December 2025 revision of the Law on the Standard Spoken and Written Chinese Language⁹—which, among other changes, deleted a prior provision that had allowed exceptions to the use of Mandarin as the medium of instruction in school—the Law on Promoting Ethnic Unity and Progress introduces a nationwide legislative framework aimed at promoting ethnic unity and strengthening a shared national identity. We note that its enactment was called for in the 2024 Chinese Communist Party Third Plenum Decision and that the full Politburo reportedly discussed the draft in August 2025. The bill was submitted to the Standing Committee of the National People’s Congress on 8 September 2025 and underwent public consultations between 12 September and 11 October 2025, and again between 27 December 2025 and 25 January 2026. The Standing Committee of the National People’s Congress decided to refer the bill to the full National People’s Congress as a basic statute on ethnic affairs. The Law was adopted on 12 March 2026 at the 4th Session of the 14th National People’s Congress.

We would like to draw attention to risks that the Law on Promoting Ethnic Unity and Progress could entrench a uniform approach to ethnic relations across all regions of China, thereby potentially amplifying restrictions on minority rights. In this context, the Law, in its national application, could transform temporary or experimental regional measures into binding nationwide obligations, which could have serious implications for the linguistic, cultural, and religious autonomy of ethnic communities, including Tibetans, Uyghurs, and Mongols.

While we recognize the importance of promoting social cohesion and national unity, we wish to draw attention to the risk that the adopted Law may adversely affect the ability of ethnic minority communities to preserve and develop their linguistic,

⁶ Article 10 of the Law of the People’s Republic of China on Regional National Autonomy

⁷ Article 37 of the Law of the People’s Republic of China on Regional National Autonomy

⁸ Excerpts from speeches at the Central Conference on Ethnic Affairs are available here:

<https://www.neac.gov.cn/seac/c103372/202201/1156516.shtml>

⁹ Law on the Standard Spoken and Written Chinese Language is available here:

<https://npcobserver.com/legislation/law-on-the-standard-spoken-and-written-chinese-language/>

cultural, and religious and belief identities, particularly in regions where the system of regional ethnic autonomy is formally established and constitutionally protected.

Though the Law states in article 1 that it is drafted on the basis of the Constitution in order to promote ethnic unity and progress, we observe that a number of its provisions may contradict the Constitution, in particular its article 4, which guarantees all ethnic groups “the freedom to use and develop their own spoken and written languages”. While we acknowledge that certain provisions of the Law contain promising commitments, including article 5, which promotes all citizens’ equality before the law and prohibits discrimination against or oppression of any ethnicity, we observe that several other provisions raise questions regarding their compatibility with international human rights standards, as detailed below.

Freedom of Expression

We observe that the Law could unduly restrict the right to **freedom of expression**. Article 10 limits engagement on issues related to ethnic unity and progress by prohibiting perceived “foreign forces” from interfering, and it suggests that human rights cannot be invoked to challenge China’s efforts in this regard. We observe a risk that any human rights-based analysis of the Law could be negatively framed and mischaracterized as foreign interference.

In addition, article 6 prohibits any acts that “undermine ethnic unity and create ethnic division”; without defining its scope, this provision is ambiguous and could invite broad interpretation and potential misuse. Without clear parameters, the provision can be applied inconsistently or arbitrarily, leaving individuals uncertain about what conduct is actually prohibited and vulnerable to selective enforcement.

Article 14 requires citizens to “respect the history of the formation and development of the Chinese people” and prohibits their “insult, belittlement, or desecration.” We note that this provision could be applied to penalize scholarly work documenting historical discrimination against ethnic minorities; laws that penalize the expression of opinions about historical facts are incompatible with the right to freedom of opinion and expression.

Similarly, article 20 prohibits parents or guardians of minors from sharing ideas that are “not conducive to improving ethnic unity and progress”; the ambiguity of the provision leaves its application open to interpretation and potential misuse. In the absence of a clear definition, the provision could risk being applied to penalize parents belonging to a minority for solely educating their children about their own minority culture, language, or religion.

In addition, article 31 gives network operators the responsibility—which is criminalized if not carried out according to article 61¹⁰—to manage information published by users and the responsibility to report any information deemed to

¹⁰ Article 61 states: “Where network operators violate the provisions of this Law by failing to perform their management responsibilities, the relevant competent departments such as for cybersecurity and informatization, telecommunications, public security, national security, press and publication, radio and television, are order corrections in accordance with their duties; and where corrections are refused or the circumstances are serious, punishments are to be given in accordance with law.”

undermine ethnic unity to authorities. Again, the provision is broad, appears to lack safeguards, and there is a risk that it could be misused to, for example, censor minorities' cultural expression.

Minority Language Education

We observe that the Law could restrict **minority language education**. Article 15 requires the State to “fully promote the spread of the nation’s common language and script,” while “[s]chools and other educational institutions are to use the nation’s common language and script as the basic language and script for education and teaching.” This provision appears to contradict the rights set forth in article 37 of the Law of the People’s Republic of China on Regional National Autonomy, which provides for the use of textbooks in minority languages in schools and that such languages can be used as a medium of instruction. The requirement in the newly adopted Law that minority languages be subordinate to Mandarin “in position, order, and so forth” in public settings reinforces linguistic hierarchy. Additionally, we observe a risk that the prohibition on any organization or individual “obstructing” citizens from learning Mandarin could be turned against educators, parents, or advocates who prioritize minority language instruction.

Right to Fully Take Part in Cultural Life

We observe a risk that the Law could impede **the right to take part fully in cultural life**. The framework of State-guided “creative transformation and innovative development” set out in article 13 appears to centralize interpretive authority over what constitutes acceptable cultural expression, which could constrain the practical exercise of cultural autonomy, contradicting article 38 of the Law of the People’s Republic of China on Regional National Autonomy, which grants organs of self-government of national autonomous areas the power to “independently develop” cultural undertakings “unique to the nationalities.” Furthermore, article 40 promotes the “change of conventions” and “new trends for improving civilization” in areas such as daily interactions, weddings, and funerals. This provision could be invoked to suppress or alter minority cultural practices, traditions, and customs that are central to the identity of ethnic communities.

Right to Adequate Housing

We observe a risk that the law could impede the **right to adequate housing**, particularly through the implications of articles 22 and 23, which mandate governments at the county level and above to advance the establishment of “embedded community environments” (互嵌式社区环境) in which people of all ethnic groups are to “live and learn together, build and share together, and work and play together,” and to integrate these requirements into urban planning, population management, housing policy, and social services. While promoting harmonious coexistence among ethnic groups is a legitimate aim, these provisions do not include any requirements for meaningful consultation with affected populations to avoid forced assimilation or movement. The right to adequate housing includes the right to choose one’s place of residence and location and to maintain cultural adequacy. In the absence of safeguards, the law could provide a statutory basis for policies that could target minority communities through

forced assimilation or resettlement for demographic restructuring, with implications for the cultural and linguistic integrity of those communities.

Right to Development

We observe a risk that the Law could undermine **the right to development**, which requires development to be people-centred, holistic, participatory, equitable, non-discriminatory and grounded in self-determination. The articles under Chapter IV Promoting Common Prosperity and Development solely focus on serving the State priorities, not on the human right to economic, social, political and cultural development. For example, article 32 emphasizes “integrating into the national development strategy,” “accelerating high-speed development,” and “collective affluence,” but does not guarantee active, free and meaningful participation of communities in shaping that development. At the same time, article 33 requires that all economic and social policy plans must support “forging a strong sense of the community of the Chinese people,” “preserving national unity,” and “opposing separatism.” This appears to conflict with the right to development’s requirement of non-discrimination, self-determination, and people-centered participation.

Freedom of Religion and Belief

We observe a risk that the Law could restrict the **right to freedom of religion and belief**. Article 46 requires religion and belief groups, religious schools and religious activity sites to “persist in the direction of Sinicization of [China’s] religions” while guiding “religions to adapt to socialist society”. It would appear to undermine freedom of religion or belief as it conditions religion or belief practice on State-mandated ideological alignment, while interfering with the autonomy of religious doctrine, the independence of religious and belief institutions, and the right of individuals and communities to manifest their beliefs free from State coercion. The Law also appears to contradict article 11 of the Law of the People’s Republic of China on Regional National Autonomy in which the State shall “protect normal religious activities.”

Freedom of Assembly and Association

We observe a risk that the Law could impede the **rights to freedom of assembly and of association**. Article 53 prohibits organizations and individuals from intentionally causing or escalating conflicts or disrupting public order for reasons such as ethnic identity, customs, or religious beliefs. Given that the article does not define what it means to “cause” or “escalate” a conflict, it is possible that any collective action—cultural events, community organizing, advocacy, protests, meetings, festivals, or religious gatherings—could be treated as a threat to public order. This vagueness could enable arbitrary enforcement, allowing the restriction of freedom of assembly or association whenever it is connected to expressions of ethnic or cultural identity that are not favoured. The article could also create a chilling effect in the sense that minority communities may refrain from exercising their rights to assemble or form associations out of fear that their activities will be deemed unlawful or provocative.

Principle of Legality

We observe that the Law does not appear to uphold **the principle of legality**, which requires that any criminal offense or penalty must be clearly defined, not vague, and foreseeable in its application, so that people understand from the law exactly what conduct is prohibited. Vague, ambiguous laws, on the other hand, allow for arbitrary enforcement. The Law's text does not provide a definition of what undermines ethnic unity and progress, giving authorities wide discretionary power to determine which activities undermine ethnic unity and progress. This could, for instance, include any peaceful expression, cultural advocacy, academic analysis, artistic expression, or critique of the Law or other policy concerning ethnic unity. For example, article 54 provides that the People's procuratorate may initiate public interest litigation when a person violates the Law by undermining ethnic unity and progress, yet the Law remains unclear as to what conduct and activities this constitutes; there is no legal definition, measurable criteria, or limiting language. It also gives citizens the right to make complaints or reports about "conduct undermining ethnic unity and progress", which could allow for false or politically motivated accusations, community-level surveillance, and pressure to conform to society expectations. Similarly, article 58 criminalizes any organization or individual who violates the Law and undermines ethnic unity and progress, without providing any clear definitions as to what constitutes a violation exactly and what punishment it would entail.

Transnational Repression

We observe a risk that the Law may incite **transnational repression**. Article 63 states that organizations and individuals outside of mainland China can be pursued for "legal responsibility in accordance with law" for any acts that "undermine ethnic unity and progress or create ethnic division". Again, as acts that "undermine ethnic unity and progress or create ethnic division" are not clearly defined, the Law could position any external criticism or minority advocacy as hostile acts against the State.

International Legal Framework

As discussed above, we observe that the newly adopted Law risks restricting the freedom of expression, the right to take part in cultural life, freedom of religion and belief, the rights of persons belonging to various communities, particularly children, to use their own language and conduct their own cultural practices, the right of all persons to quality education and training that fully respect their cultural identity, academic and artistic freedoms, the right to development (economic, social, political and cultural development), the right to adequate housing, and the right to freedom of assembly and association, as protected under international human rights treaties.

In particular, we observe that the Law on Promoting Ethnic Unity and Progress risk imposing limitations on a range of human rights in ways that would run counter to China's obligations under international human rights law, including the [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#), ratified by China on 27 March 2001, the [Convention on the Rights of the Child \(CRC\)](#), ratified by China on 2 March 1992; and the [International Covenant on Civil and Political Rights \(ICCPR\)](#),

signed by China on 5 October 1998¹¹.

In particular, we refer to China's obligations under the following provisions of international human rights treaties and the clarifications provided by the human rights treaty bodies:

- article 2(2) of the ICESCR, which requires States to ensure the enjoyment of Covenant rights without discrimination;
- general comment No. 20 of the Committee on Economic, Social and Cultural Rights, which reiterates that non-discrimination and equality are fundamental components of international human rights law and essential to the exercise and enjoyment of economic, social and cultural rights;
- articles 13 and 15 of the ICESCR, which guarantees the right of everyone to education and to take part in cultural life, respectively;
- general comment No. 13 of the Committee on Economic, Social and Cultural Rights, which reiterates the need for States to take positive measures to ensure that education is culturally appropriate for minorities;
- article 27 of the ICCPR, which states that minority groups have the right to enjoy their culture, practice their religion, and use their own language;
- article 30 of the CRC, which guarantees that children belonging to ethnic, religious or linguistic minorities shall not be denied the right to use their own language or to practise their religion;
- article 14 of the CRC and article 18 of the ICCPR, which recognizes the freedom of thought, conscience and religion for everyone;
- article 29(1)(c) of the CRC, which provides that education shall respect the child's cultural identity, language and values;
- article 19 of the ICCPR and articles 12 and 13 of the CRC, which protect the freedom of expression;
- article 11(a) of the ICESCR, which protects the right to an adequate standard of living, including adequate housing;
- general comment No 4. of the Committee on Economic, Social and Cultural Rights, which indicates that "adequate housing" includes cultural adequacy and location; and

¹¹ According to article 18(a) of the [Vienna Convention on the Law of Treaties \(VCLT\)](#), a State is "obliged to refrain from acts which would defeat the object and purpose of a treaty when it has signed the treaty or has exchanged instruments constituting the treaty subject to ratification, acceptance or approval, until it shall have made its intention clear not to become a party to the treaty."

- articles 21 and 22 of the ICCPR and article 15 of the CRC, which protect the freedom of assembly and association.

We further recall the provisions of the [1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#), in particular article 1, which affirms that States shall protect the existence and the national, ethnic, cultural, religious and linguistic identity of minorities within their territories and encourage conditions for the promotion of that identity. We also recall article 2 of the Declaration, which provides that persons belonging to minorities have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or discrimination. In addition, article 4(2) provides that States should take measures to create favourable conditions enabling persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

Additionally, we recall the provisions of the [1981 Declaration on the elimination of intolerance and of discrimination based on religion or belief](#), which emphasizes, in article 2, that “intolerance and discrimination based on religion or belief” means any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.”

We also recall that in accordance with the [2001 UNESCO Universal Declaration on Cultural Diversity](#), all persons have the right to express themselves and to create and disseminate their work in the language of their choice, and particularly in their mother tongue; all persons are entitled to quality education and training that fully respect their cultural identity; and all persons have the right to participate in the cultural life of their choice and conduct their own cultural practices, subject to respect for human rights and fundamental freedoms (art. 5).

We also recall the provisions of the [1986 Declaration on the Right to Development](#), in particular article 1, which establishes participation as a core component of the right to development: “every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.” We also recall article 2 of the Declaration, which provides that development is people-centered: the “human person is the central subject of development and should be the active participant and beneficiary of development.” Furthermore, article 2(3) provides that “States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development”.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned observations.
2. Please clarify how the Law complies with the obligations of your Excellency's Government under the ICESCR, the CRC, and the ICCPR, to safeguard specifically the rights of all persons, including children, to take part in cultural life; their right to education that respects cultural identity and language; their right to freedom of thought, conscience and religion, without discrimination; their right to development; their freedom of expression; their right to adequate housing, and their freedom of assembly and association.
3. Please clarify what conduct might constitute "undermining ethnic unity and progress" and "creating ethnic division" under the Law, and specify the criteria that authorities will apply to prevent specific acts—including peaceful expression, cultural advocacy, academic inquiry, artistic expression and religious practice—from falling within the scope of these prohibitions.
4. Please clarify what ideas are considered "not conducive to improving ethnic unity and progress" that parents and guardians may not share with minors under article 20 of the Law, and indicate what enforcement mechanisms apply. In particular, please clarify which safeguards will be applied to prevent parents belonging to an ethnic community who educate their children in their minority language, culture, or religious traditions from being subject to sanctions under this provision.
5. Please explain how articles 15 and 16 of the Law are reconciled with article 4 of the Constitution of the People's Republic of China, which guarantees all ethnic groups the freedom to use and develop their own spoken and written languages, and with article 37 of the Law on Regional Ethnic Autonomy, which provides for the use of minority languages as a medium of instruction in schools.
6. Please explain how the requirement in article 46 for religious groups, religious schools, and religious activity sites to "persist in the direction of Sinicization" is compatible with the freedom of religion or belief, and what safeguards are in place to prevent this provision from being used to alter religious doctrine, restrict religious education, or interfere with the internal affairs of religious communities.
7. Please provide information about the procedural aspects of the Law's adoption, including whether any consultations with civil society and other stakeholders were held, whether minorities had an opportunity for active, meaningful and effective participation, and whether further amendments or meaningful consultations are still possible.
8. Please provide further information on how the diverse histories, languages, cultural heritage and cultural traditions of ethnic communities, including Tibetan, Mongol, and Uyghur communities, will be integrated,

preserved and valued within educational curricula and public cultural initiatives, following the implementation of the Law in question.

We stand ready to provide your Excellency's Government with any technical advice it may require in ensuring that its legislation is fully compliant with international human rights standards.

This communication, as a comment on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

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