



“ON MY CAMPUS, I AM AFRAID”

CHINA’S TARGETING OF OVERSEAS STUDENTS STIFLES
RIGHTS

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Cover photo: Demonstrators protest in front of the Chinese Embassy in solidarity with protesters in China on December 3, 2022 in Berlin, Germany. Protests occurred in cities across China over the country's intense Covid lockdowns. A common feature included protesters holding up blank sheets of A4 paper to symbolize China's heavy-handed enforcement against free speech. @Omer Messinger/Getty Images



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1. EXECUTIVE SUMMARY

“You are being watched, and though we are on the other side of the planet, we can still reach you.”

“Rowan” – a Chinese student studying overseas, interviewed by Amnesty International in 2023

“Rowan” (a pseudonym), one of an estimated 900,000 Chinese students studying abroad, quickly learned the consequences of being perceived by China’s government as a dissident. Within hours of attending a commemoration of China’s 1989 crackdown on mass protests in Beijing’s Tiananmen Square, she heard from her father in China, who had been contacted by security officials and told to “educate his daughter who is studying overseas not to attend any events that may harm China’s reputation in the world.” Rowan had not used her name or posted online about her involvement in the protest, so she was shocked at the speed with which Chinese officials had identified her as a participant, located her father, and used him to warn her against any further dissent. Over a year later, Rowan attended a vigil near a Chinese diplomatic mission in her city. Again, within hours she received a message from her father about her involvement in “activities” overseas. Rowan told Amnesty International that the message was clear: “You are being watched, and though we are on the other side of the planet, we can still reach you.”

For Rowan and many other Chinese international students like her with family members back home or plans to return to China in the future, the decision to exercise their rights to freedom of expression, association and peaceful assembly while studying overseas is fraught with the fear of drawing repercussions from authorities in China. This fear has a profound “chilling effect” on student participation in academic life and work, compelling students to censor themselves in academic discussions, avoid perceived “sensitive” topics – as viewed by Chinese authorities – in their studies, and decline careers in academia. The fear of being reported to Chinese or Hong Kong authorities also curbs students’ willingness to discuss certain issues even in social settings or online, or attend some public events, or join certain clubs on campus.

This report seeks to broaden awareness of the impacts of government repression on Chinese international students studying on university campuses across Western Europe and North America. It is based on new research by Amnesty International conducted between June 2023 and April 2024 on the ability of international students from China to freely exercise their human rights on university campuses overseas. In-depth interviews were conducted with 32 Chinese students who studied at universities in eight Western Europe and North America countries between 2018 and 2023.

The failure to meaningfully address the fears of international students and the resulting chilling effect on university campuses risks the perpetuation of a system in which the ability of some students to exercise their rights is more secure than others. It also deprives impacted individuals – as well as researchers and teachers in host countries – of the opportunity to receive and benefit from the free thoughts, ideas and opinions of their colleagues, impeding academic exchanges and undermining the principle of academic freedom on campuses across affected regions.

TRANSNATIONAL REPRESSION

“Transnational repression is a feeling, an atmosphere created by the Chinese government. They can’t monitor everything and everyone, so their process is to create this stressful environment to prevent people from joining movements, from participating in events.”

“Oliver” – a recent undergraduate student and political activist in North America, interviewed by Amnesty International in 2023

China is one of the most significant origin countries for international students studying abroad. As the Chinese government has recognised, international academic exchanges contribute to China’s economic and social development, providing opportunities to share and broaden scientific, political and cultural knowledge and ideas. For many Chinese students, travelling abroad offers the opportunity to flourish free from the restrictions placed on political and academic discourse at home. For some, it is also the first step towards a lifetime of engagement with a global academic community. However, many international students from China are living and studying with the constant fear of being targeted under China and Hong Kong’s national security and intelligence laws and regulations, or otherwise being subjected to surveillance, harassment or intimidation by Chinese authorities or their agents in connection with the exercise of their human rights.

Chinese authorities’ efforts to curtail academic freedom and other rights beyond China’s borders is part of a phenomenon increasingly referred to as “transnational repression”, which in this report refers to Chinese authorities’ actions to silence, control or deter dissent and criticism by overseas Chinese students and others, in violation of their human rights.

In recent years, many of these overseas students have taken part in public criticism of the Chinese government, including through international solidarity activities with the anniversary of the 1989 Tiananmen crackdown, 2019 pro-democracy protests in Hong Kong, and the 2022 “Sitong Bridge” and “White Paper” protests in mainland China. Their participation has drawn the attention of – and often repercussions from – Chinese authorities, such as the harassment and intimidation of the students’ family members based in China, as well as state surveillance of student activities overseas and censorship of their online expression.

CLIMATE OF FEAR

“When I first came to the United States, I felt free to participate in activities...but now I feel unsafe...I constantly worry about my parents being harassed by police.”

“Ethan” – a graduate student in North America, interviewed by Amnesty International in 2023

Amnesty International found that a general awareness among overseas students of Chinese authorities’ involvement in transnational repression has engendered a “climate of fear” on university campuses across Western Europe and North America, negatively impacting upon students’ human rights and creating a “chilling effect” that limits their participation in academic and social life.

Virtually all students interviewed said they self-censored to some degree in their expression, both online and offline, and in their activities – in some cases extensively – fearing repercussions from Chinese authorities. “Charlotte”, for example, an undergraduate student in North America, said: “I’ve done my best to avoid taking political classes where I know there will be other Chinese students, because I know that I probably wouldn’t be able to control myself and would probably say something that would get me in trouble.” Similarly, “William”, a student in Europe, said that he soon found out that if he spoke too much about politics “it would bring many difficulties to my daily life.” These fears have also curbed some students’ willingness to attend certain public events overseas, such as human rights-related protests, vigils and rallies, or to join political or activism-related groups or clubs – on or off campus.

A third of students interviewed said the climate of fear made them change the focus of their studies. Students who might otherwise have considered pursuing advanced research or academic careers in the study of human rights or politics have ended up forgoing these options due to the fear of unwanted repercussions or the anticipation of significant hurdles imposed by Chinese authorities, choosing instead to explore other issues or to leave academia entirely. “Logan”, who recently graduated from a university in Europe, told Amnesty International that he was worried about coming to the attention of the Hong Kong authorities: “If I didn’t have these kinds of concerns, I would really want to publish my thesis, so that others would be aware of these issues. But I’m worried, so I chose not to.”

The uncertainty of not knowing exactly what expressions, activities or associations might draw unwanted attention from Chinese authorities caused additional mental and emotional anxiety for students already navigating the challenging immigration, financial and social aspects of international study. Over half of the students interviewed said they suffered mental health issues linked to their fears, ranging from stress and trauma to paranoia and depression, in one case leading to hospitalization.

This uncertainty also contributes to deep mistrust within overseas Chinese student communities. Nearly half of the students interviewed said they were afraid that other students might report their comments to Chinese authorities, either by mistake or intentionally because they were “nationalists” or were compelled to do so by Chinese authorities. This leads many students to isolate themselves from their peers and has caused others to avoid association with outspoken individuals, compounding a sense of loneliness during their studies. “Michael”, a student in North America, said that after the local Chinese community learned about his involvement in political protests, he was ostracized, removed from online chat groups and kicked out of a community hobby club. Several students told Amnesty International that they had cut all contact with their loved ones back home to protect them from being targeted by the Chinese authorities, leaving them even more isolated and alone.

Students who have completed or are about to complete their studies are additionally stressed by their precarious status as temporary residents of their host country. Nearly half of those interviewed said they were afraid of returning home. “Hannah” said she feared returning to Hong Kong as she “doesn’t know what will happen”, but added that “I can’t escape this migrant situation”. Six of the students said they saw no option but to apply for political asylum as they thought they would face persecution for their political stances if they returned to China. Five others said they were considering pursuing long-term immigration in the host country.

SOURCES OF FEAR

The students interviewed described various forms of coercion, threats, surveillance and harassment to which they or their families in China had been subjected. Students spoke about experiences that occurred before they left China for their studies abroad, during their overseas studies and after finishing their courses, when they were facing the prospect of returning home to China.

Although few interviewees could provide conclusive evidence of the involvement of Chinese authorities or their agents in incidents of physical surveillance or harassment overseas, their testimonies demonstrate a pattern of near-identical observations — like the age, appearance and behaviour of the individuals involved, the types of activities and comments that drew surveillance and harassment, and the events that followed — across many countries, locations and settings. This pattern, taken with publicly documented cases of illegal surveillance and the prosecution of other Chinese nationals for exercising their rights while studying abroad, provides a strong foundation for the students’ belief that Chinese authorities will resort to transnational repression against overseas students to suppress their involvement in political and human rights-supporting activities and expression.

In some cases though, the direct involvement of Chinese authorities is clear. Ten of the students interviewed said that Chinese officials targeted their families to prevent the students criticizing the Chinese government or its policies while they were overseas. William said his mother had been summoned and told, “Don’t let him do things that are bad for our country”. “Luna” a student in Europe, said: “Police call my parents quite often to harass them and don’t allow them to travel abroad easily.”

The impact of China’s laws and practices, in particular the explicit intention to extraterritorially apply repressive laws, has clearly led students to curtail the exercise of their rights while abroad. Several students said that, while abroad, they believed they were under surveillance by Chinese authorities or their agents. Fourteen claimed they had been suspiciously photographed or recorded at events. The speed with which Chinese authorities were able to identify Rowan’s attendance at overseas events and find her father in China supports the reasonableness of students’ belief that the Chinese state is indeed conducting physical surveillance on them during their overseas studies.

Chinese authorities’ ability to monitor the activities of China’s overseas students and to target them with transnational repression is also enabled, at least in part, by the Chinese state’s extensive censorship and digital surveillance capabilities. Nearly one-third of students interviewed by Amnesty International experienced censorship on Chinese social media platforms to a similar degree as in mainland China, despite being located overseas.

For international students from mainland China, whose family members reside behind China’s “Great Firewall”, the use of these state-approved Chinese social media and messaging apps, such as WeChat, often constitutes the only method of staying in touch with loved ones, but also puts them at greater risk of surveillance and censorship by exposing their communications to authorities. Amnesty International found that Chinese authorities have actively monitored the online activity of overseas students and diaspora community members, in particular on these Chinese social media platforms. As an example of the intrusiveness of this monitoring, “Henry” told Amnesty that his parents

were shown transcripts of Henry's WeChat chats with family members by police in China, who were harassing Henry's family to have him cease his activities abroad.

RESPONSE OF UNIVERSITIES

Most students interviewed said they felt that both governments and universities in their host countries were unaware of their fears about transnational repression or were unwilling to respond to their concerns.

The report reviews information provided by 24 leading universities in Western Europe and North America in response to questions submitted by Amnesty International that sought to better understand how universities can meet their responsibilities to students in the context of transnational repression. While the information provided demonstrates that some institutions have recognized and taken actions that might respond to the concerns of these students, many of those actions appear to be failing to achieve their intended effect.

Some higher education institutions have committed resources to supporting students' rights in general, such as by explicitly recognizing human rights and academic freedom on campus in their policies and guidelines, by prohibiting bullying and harassment by students, or by providing teachers guidance on how to handle classroom disruptions or discussions on complex issues. Others have in place systems of accountability and mechanisms of due diligence to facilitate reporting of incidents of harassment, or human rights-respecting policies for cooperation agreements or exchanges with foreign governments, state-owned enterprises or universities.

When contrasted against the experiences of international students interviewed for this report, however, many of these resources are poorly suited to responding to the specific context of students impacted by transnational repression. Six students believed their universities were afraid to make statements deemed critical of the Chinese government, lest they jeopardize financial relationships with Chinese state entities. Others felt that university support to international students was not always provided fairly, equitably and without discrimination. They cited mental health services that fall short of addressing the linguistic, cultural or geopolitical barriers faced by many international students and expressions of support from university administrators to students in respect of some geopolitical events, but not others.

Under international law, China bears the primary responsibility for the activities its authorities conduct or direct their agents to undertake against students overseas and for the "chilling effect" created by those acts, and the country's authorities are obligated to cease and refrain from such activities. Host states also have an obligation to take steps to protect international students under their jurisdiction whose rights are threatened or violated by the transnational acts of other states, and to ensure that universities protect and promote the rights of their communities.

Unlike states, universities themselves do not automatically have binding rights obligations under international law. They do, however, have a responsibility to ensure that human rights are respected and promoted in their operations, including in the provision of services for all enrolled students.

Recognizing that transnational repression and the resulting chilling effect on the exercise of rights by affected individuals is a complex issue, the findings detailed in this report indicate that universities and governments in host states can take additional, concrete actions to meet their duties to international students. Amnesty International has worked with affected international students and reviewed existing literature from a range of non-governmental organizations, other civil society actors and subject matter experts on transnational repression to develop recommendations for states and non-state actors. These recommendations are directed towards Chinese authorities as representatives of the state owing an obligation to cease engagement in activities which threaten the rights of overseas Chinese nationals, as well as towards governments and universities in host states based on their respective obligations and/or responsibilities to protect, uphold and enable the rights of international students within their jurisdictions.

KEY RECOMMENDATIONS

TO GOVERNMENTS OF CHINA AND HONG KONG

- Respect, protect and fulfil the rights to freedom of expression, association and peaceful assembly, and halt acts that directly or indirectly violate these rights in China and overseas.

- Cease all transnational repressive activities that violate the rights of students, researchers or academics overseas, including surveillance, harassment, intimidation and threats, and the practice of harassing, intimidating or detaining China-based family members of international students in relation to the student's activities abroad.
- Remove restrictions on freedom of expression, including on the Internet, that are not in accordance with international law and standards, and do not impose unlawful restrictions on freedom of expression abroad through Chinese technology companies.
- Revise all national security laws to bring them in line with international human rights law and standards, including by eliminating any unlawful extraterritorial application of these laws.

TO HOST STATE GOVERNMENTS AND THE EUROPEAN UNION

- Ensure all government agencies have a full and effective understanding of transnational repression as a threat to human rights.
- Educate staff of specific frontline agencies that might encounter survivors of transnational repression or their families.
- Establish a trauma-informed reporting mechanism for rightsholders to report incidents of transnational repression, in consultation with survivors, affected communities, and civil society and academic experts.
- Issue public statements acknowledging and denouncing incidents of transnational repression when they occur and affirming support for survivors.

TO UNIVERSITIES IN HOST STATES

- Adopt policies and procedural guidelines that provide effective support for academic freedom and human rights, including in response to transnational repression.
- Design and implement systems of accountability and due diligence to independently monitor and identify threats to students and staff from third parties.
- Put in place mechanisms to ensure the protection of students and staff against harassment, intimidation and coercion and that enable them to exercise their rights without interference by third parties.
- Ensure support is provided to students fairly, equitably and without discrimination.

2. METHODOLOGY

This report is the product of desk and field research conducted by Amnesty International between June 2023 and April 2024 on “transnational repression” of international students from China (including Hong Kong and Macau) studying overseas in eight countries in Europe and North America: Belgium, Canada, France, Germany, the Netherlands, Switzerland, the UK and the USA (the “research countries”).

The efforts of Chinese authorities to curtail academic freedom beyond its borders are part of a phenomenon that is increasingly referred to as transnational repression by governments and non-governmental organizations (NGOs). While the phenomenon has been described in varying ways, for the purposes of this report, transnational repression refers to government actions to silence, control or deter dissent and criticism by human rights defenders, journalists, academics, opposition activists and others, especially from that country, who live in another country, in violation of their human rights.

Amnesty International has previously reported on human rights violations that amount to transnational repression in other parts of the world, including acts committed or suspected to have been committed by the governments of Azerbaijan,¹ Belarus,² China,³ Egypt,⁴ Eritrea,⁵ Iran,⁶ Laos,⁷ Russia,⁸ Rwanda,⁹ Saudi Arabia,¹⁰ Syria,¹¹ Tajikistan,¹²

¹ Amnesty International, “Georgia/Azerbaijan: Exiled Azerbaijani journalist at risk of torture after cross-border abduction”, 30 May 2017, <https://www.amnesty.org/en/latest/news/2017/05/georgia-azerbaijan-exiled-azerbaijani-journalist-at-risk-of-torture-2/>; Amnesty International, “Massive data leak reveals Israeli NSO Group’s spyware used to target activists, journalists, and political leaders globally”, 19 July 2021, <https://www.amnesty.org/en/latest/press-release/2021/07/the-pegasus-project/>

² Amnesty International, *Belarus: Journalist facing torture after abduction: Raman Pratasevich* (Index: EUR 49/4191/2021), 25 May 2021, <https://www.amnesty.org/en/documents/eur49/4191/2021/en/>

³ Canadian Coalition on Human Rights in China & Amnesty International Canada, *Harassment & Intimidation of Individuals in Canada Working on China-Related Human Rights Concerns*, March 2020, <https://www.amnesty.ca/sites/amnesty/files/Canadian%20Coalition%20on%20Human%20Rights%20in%20China%20-%20Harassment%20Report%20Update%20-%20Final%20Version.pdf>

⁴ Amnesty International, “Egypt: Human Rights Group and its Director Threatened and Smeared”, 26 February 2024, <https://www.amnesty.org/en/latest/news/2024/02/egypt-human-rights-group-and-its-director-threatened-and-smeared/>; Amnesty International, *Egypt: Activist arbitrarily deprived of nationality, made stateless* (Index: MDE 12/3770/2021), 5 March 2021, <https://www.amnesty.org/en/documents/mde12/3770/2021/en/>

⁵ Amnesty International, *Eritrea: Repression without borders: Threats to human rights defenders abroad* (Index: AFR 64/0542/2019), 27 June 2019, <https://www.amnesty.org/en/documents/afr64/0542/2019/en/>

⁶ Amnesty International, *Iran: German-Iranian forcibly disappeared: Jamshid Sharmahd* (Index: MDE 13/5318/2022), 10 March 2022, <https://www.amnesty.org/en/documents/mde13/5318/2022/en/>; Amnesty International, “Iran: Execution of journalist Rouhollah Zam a ‘deadly blow’ to freedom of expression”, 12 December 2020, <https://www.amnesty.org/en/latest/press-release/2020/12/iran-execution-of-journalist-rouhollah-zam-a-deadly-blow-to-freedom-of-expression/>

⁷ Amnesty International, *Thailand/Laos: Investigate the Killing of Lao Refugee and Put an End to Transnational Repression of Human Rights Defenders* (Index: ASA 26/6830/2023), 26 May 2023, <https://www.amnesty.org/en/documents/asa26/6830/2023/en/>

⁸ Amnesty International, *Russian Federation: Joint open letter to President Putin on mass abductions in Chechnya* (Index: EUR 46/5152/2022), 7 January 2022, <https://www.amnesty.org/en/documents/eur46/5152/2022/en/>

⁹ Amnesty International, “Pegasus Project: Rwandan authorities chose thousands of activists, journalists and politicians to target with NSO spyware”, 19 July 2019, <https://www.amnesty.org/en/latest/news/2021/07/rwandan-authorities-chose-thousands-of-activists-journalists-and-politicians-to-target-with-ns0-spyware-2/>

¹⁰ Amnesty International, “Saudi Arabia: Latest findings reinforce need for accountability over Khashoggi killing”, 4 March 2021, <https://www.amnesty.org/en/latest/press-release/2021/03/saudi-arabia-latest-findings-reinforce-need-for-accountability-over-khashoggi-killing/>; Amnesty International, “Massive data leak reveals Israeli NSO Group’s spyware used to target activists, journalists, and political leaders globally”, 19 July 2021, <https://www.amnesty.org/en/latest/press-release/2021/07/the-pegasus-project/>

¹¹ Amnesty International, *Syria: The long reach of the Mukhabaraat: Violence and harassment against Syrians abroad and their relatives back home* (Index: MDE 24/057/2011), 3 October 2011, <https://www.amnesty.org/en/documents/MDE24/057/2011/en/>

¹² Amnesty International, “Tajikistani dissenters at grave risk after an opposition leader shot dead in Turkey”, 6 March 2015, <https://www.amnesty.org/en/latest/news/2015/03/tajikistan-opposition-leader-shot-dead-in-turkey/>

Thailand,¹³ Türkiye,¹⁴ Uzbekistan¹⁵ and Vietnam,¹⁶ amongst others. It has also previously reported on Chinese authorities' targeting of Uyghurs, Kazakhs and other predominantly Muslim ethnic groups,¹⁷ Hongkongers,¹⁸ and Chinese human rights defenders.¹⁹

For this report, between October and December 2023, Amnesty International researchers interviewed 32 international students from China, of whom 19 were from mainland China, 12 from Hong Kong, and one from Macau.²⁰ Amnesty International was unable to interview international students from the regions of Tibet or Xinjiang Autonomous Uyghur Region ("Xinjiang"). Researchers travelled to Belgium, France, Germany, the Netherlands, Switzerland, the UK and the USA to conduct in-person interviews with 14 people, with the remainder interviewed using encrypted calling platforms. Amnesty International interviewed 17 men, 14 women and one non-binary person, who were aged between 18 and 38, with a median age of 24. Of the interviewees, 24 were current students and eight were recent graduates; 22 had been or were enrolled in post-graduate studies and 10 had been or were enrolled in undergraduate programmes. Researchers conducted interviews in English, with minor interpretation from Chinese as needed. Amnesty International followed up with interviewees in March and April 2024 with additional questions.

Amnesty International informed all interviewees about the nature and purpose of the research and how the information they provided would be used. Oral consent was obtained from each interviewee before the interview. No incentives were provided in exchange for their accounts. Due to security concerns, pseudonyms or no names at all have been used to conceal the identities of the interviewees. Some context, such as dates and locations, has also been omitted to prevent individuals from being identified. English, rather than Chinese, names were used for pseudonyms as many students used such names in interviews.

In January and February 2024, Amnesty International wrote to 55 universities²¹ in the eight research countries summarizing its preliminary findings and inviting them to provide information on existing resources (policies, practices and services) related to their duties to respect the rights of students against interference by third parties. A copy of the letter sent to universities and the full list of universities to which Amnesty International wrote and which ones replied are contained in Annexes 1 and 2. The universities were selected based on the size of international student population, their domestic ranking,²² and any publicly reported engagement with issues related to transnational repression. Universities were not selected because of any connection with students or recent graduates interviewed by Amnesty International for this report, and Amnesty International is not alleging any specific wrongdoing by any of the universities contacted.

Amnesty International received 24 substantive responses. Notably, institutions in Europe (20 responses from 34 letters sent) were much more responsive than North American institutions (four responses from 21 letters). Two universities,

¹³ Amnesty International, "Cambodia: Investigate whereabouts of missing Thai dissident", 5 June 2020,

<https://www.amnesty.org/en/latest/news/2020/06/cambodia-investigate-whereabouts-missing-thai-dissident/>

¹⁴ Amnesty International, "Moldova: Seven people deported to Turkey despite major human rights concerns", 6 September 2018,

<https://www.amnesty.org/en/latest/press-release/2018/09/moldova-seven-people-deported-to-turkey-despite-major-human-rights-concerns/>

¹⁵ Amnesty International, "Uzbekistan: Fast-track to torture: Abductions and forcible returns from Russia to Uzbekistan (Index: EUR 62/3740/2016)", 21 April 2016, <https://www.amnesty.org/en/documents/eur62/3740/2016/en/>

¹⁶ Amnesty International, "Thailand: Authorities must investigate abduction of Vietnamese journalist", 21 June 2019,

<https://www.amnesty.org/en/latest/news/2019/06/thailand-authorities-investigate-abduction-vietnamese-journalist-2/>

¹⁷ Amnesty International, "China: Nowhere feels safe – Uyghurs Tell Of China-Led Intimidation Campaign Abroad", 21 February 2020,

<https://www.amnesty.org/en/latest/research/2020/02/china-uyghurs-abroad-living-in-fear/>; Amnesty International, *Morocco and Western Sahara: Ethnic Uyghur at risk of extradition to China: Idris Hasan (official name Yidiresi Aishan)* (Index: MDE 29/5262/2022), 2 March 2022,

<https://www.amnesty.org/en/documents/mde29/5262/2022/en/>

¹⁸ Amnesty International, "Hong Kong: Absurd cash bounties on overseas activists designed to sow fear worldwide", 14 December 2023,

<https://www.amnesty.org/en/latest/news/2023/12/hong-kong-absurd-cash-bounties-on-overseas-activists-designed-to-sow-fear-worldwide/>; Amnesty International, "Hong Kong's national security law: 10 things you need to know", 17 July 2020, <https://www.amnesty.org/en/latest/news/2020/07/hong-kong-national-security-law-10-things-you-need-to-know/>

¹⁹ Amnesty International, "China: Authorities must confirm whereabouts of Swedish bookseller", 24 October 2017,

<https://www.amnesty.org/en/latest/news/2017/10/china-authorities-whereabouts-of-swedish-bookseller/>; Amnesty International, "China: Bookseller handed outrageous 10-year sentence must be released", 25 February 2020, <https://www.amnesty.org/en/latest/news/2020/02/china-bookseller-handed-outrageous-10-year-sentence-must-be-released/>; Amnesty International, *China: Human rights lawyer extradited and detained: Lu Siwei* (Index: ASA 17/7358/2023), 27 October 2023, <https://www.amnesty.org/en/documents/asa17/7358/2023/en/>

²⁰ The People's Republic of China includes two special administrative regions of Hong Kong and Macau, and residents of those jurisdictions have separate travel documents to individuals from mainland China.

²¹ While terminology varies by country, for the purposes of this report Amnesty International uses "universities" to refer to a range of institutions of higher/tertiary education, including colleges, schools and academies, as appropriate. These institutions represent a variety of funding and governance models, including privately funded, publicly funded and institutions with mixed private-public funding, as well as various degrees of home state oversight.

²² University rankings were determined by cross-referencing multiple higher education ranking sources in January 2024, including: Times Higher Education, <https://www.timeshighereducation.com/student/best-universities/best-universities-uk>; Study.eu, <https://www.study.eu/>; EduRank, <https://edurank.org/>; Center for World University Rankings, <https://cwur.org/>; Campus France, <https://www.campusfrance.org/en/qs-ranking-2023-with-32-french-institutions-ranked-france-keeps-its-rank>; US News, <https://www.usnews.com/best-colleges/rankings/national-universities>; and Maclean's Magazine, <https://education.macleans.ca/feature/canadas-best-universities-by-reputation-rankings-2024/>.

one from North America and one from Europe, replied but declined to respond regarding their policies or practices, in one case indicating that they were not aware of any relevant incidents on their campuses.²³ 29 did not reply.

Amnesty International also reviewed relevant literature – including research from human rights organizations and academics, reports from non-governmental and intergovernmental organizations, and media reporting – related to incidents of harassment, surveillance, threats and coercion experienced by Chinese and Hong Kong international students from 2018 to December 2023.

Amnesty International wrote to the governments of China and Hong Kong SAR, and Chinese companies Tencent (operator of WeChat/Weixin) and Xiaohongshu laying out the report’s findings and conclusions. The Hong Kong SAR government told Amnesty International in an emailed statement that the chilling effect was “totally unfounded and misconceived” because “Hong Kong residents continue to enjoy all fundamental rights and freedoms” and that law enforcement measures targeting acts “in or outside the territory” must observe the principle of rule of law.²⁴

Amnesty International would like to thank the many individuals who agreed to share their stories for this report, despite the risk of doing so, and for entrusting us to tell their story of the extent to which Chinese authorities have sought to silence them abroad.

²³ Email communication with Media Relations Department at University of Zurich, 26 January 2024.

²⁴ Email communication from Hong Kong SAR Security Bureau to Amnesty International, 26 April 2024.

3. BACKGROUND

“It’s not as though you are in a free world and you can say anything you want... It’s not so simple.”

“William”, a postgraduate student in Europe, speaking to Amnesty International about the challenges faced by Chinese students²⁵

Over the last two decades, China has become one of the world’s most significant origin countries for international students, and experiences like Rowan’s (see Chapter 1) are becoming increasingly common. With an estimated 900,000 Chinese nationals studying in other countries,²⁶ observers in top global study destinations have noticed that China’s domestic monitoring and censorship practices follow its students across international borders.²⁷ Despite officially recognizing international academic exchanges as “a driving force for the country’s economic and social development,”²⁸ Chinese authorities have sought to curtail the academic freedom of its nationals studying abroad, including by monitoring and taking steps to silence their expression on and off campuses. They expect international students to “behave” and are willing to expend great effort to limit rights to freedom of expression overseas for those whose opinions, expression or activities are deemed to lack sufficient “love for the motherland.”²⁹

China’s most recent efforts to silence its student diaspora have come as high-profile demonstrations of political dissent have inspired greater levels of criticism of the government at home and abroad. Students are well aware of the “sensitive” issues or events that might bring them to the attention of the Chinese authorities if they comment on them or join events commemorating them. These include:

- **1989 Tiananmen Square student-led protests**, when hundreds – possibly thousands – of people were killed around Beijing’s Tiananmen Square on 4 June 1989 when Chinese troops opened fire on students and workers peacefully protesting. The anniversary of the crackdown is commemorated annually by activists abroad and, until 2020, in Hong Kong; individuals in mainland China regularly face censorship, arrest, and imprisonment for activities to remember those killed.
- **2019 pro-democracy protests in Hong Kong**. In March 2019, the Hong Kong government proposed a bill that would allow extraditions to mainland China. Record numbers of people protested, including up to 2 million people in June and August and police responded with tear gas, rubber bullets and water cannons. Slogans, flags, and

²⁵ Interview with “William”.

²⁶ CCTV News, “启德教育发布《中国留学市场 2022 年盘点与 2023 年展望》报告” [Education International Cooperation Group releases the report China’s Study Abroad Market Inventory in 2022 and Outlook for 2023], 12 May 2023, https://edu.cnr.cn/gc/20230512/t20230512_526249284.shtml

²⁷ Eurasianet, “Free speech risky as China keeps close tabs on its overseas students”, 29 September 2021, <https://eurasianet.org/free-speech-risky-as-china-keeps-close-tabs-on-its-overseas-students>; ProPublica, “Even on U.S. Campuses, China Cracks Down on Students Who Speak Out”, 30 November 2021, <https://www.propublica.org/article/even-on-us-campuses-china-cracks-down-on-students-who-speak-out>; The Guardian, “Threats, fear and surveillance: how Beijing targets students in the UK who criticise regime”, 25 March 2024, <https://www.theguardian.com/global-development/2024/mar/25/china-students-uk-beijing-transnational-repression-surveillance>

²⁸ China, Ministry of Education, “The Overall Situation of Studying Abroad”, 16 September 2009, http://en.moe.gov.cn/cooperation_exchanges/201506/t20150626_191376.html

²⁹ See, for example, a clause in the contracts of government-funded China Scholarship Council that stipulates recipients must “拥护中国共产党的领导和中国特色社会主义制度，热爱祖国、品德良好、遵纪守法，具有服务国家、服务社会、服务人民的责任感和端正的世界观、人生观、价值观” [Support the leadership of the Chinese Communist Party, and the socialist system with Chinese characteristics, love the motherland, have good moral character, abide by laws and regulations, have a sense of responsibility to serve the country, serve society, and serve the people, and have a correct world outlook, outlook on life, and values]. Chinese Scholarship Council, “2023 年国家留学基金资助出国留学人员选派简章” [2023 Brochure by the China Scholarship Council on the Selection of Subsidized Students Studying Abroad], 24 April 2023, <https://www.csc.edu.cn/article/2613>.

songs from the protests have been criminalized under a national security law enacted in Hong Kong in 2020 in response to the protests with further restrictions introduced in a new law in 2024.

- **2022 Sitong Bridge protest.** On October 13, a man hung two banners from Sitong Bridge in Beijing and burned tyres in protest against the Chinese Communist Party's (CCP's) general secretary, human rights violations and censorship, among other issues. The man was disappeared, but the slogans used on the banners became prominent expressions of dissent.
- **2022 White Paper protests.** The protests – so-named for the blank sheets of paper held by protesters to symbolize systemic censorship by the Chinese government – erupted in November 2022 after a fire in Urumqi killed at least 10 people who were reportedly prevented from escaping a building due to strict Covid-19 controls. The protests triggered a large number of solidarity movements around the world, including among overseas Chinese students.

As authorities in China have cracked down on such protests at home, they have also sought to prevent solidarity movements from taking root, increasingly applying their surveillance and censorship capabilities to monitor, deter and punish protesters and activists overseas. The acts of transnational repression, such as the contact with Rowan's father by Chinese officials, is just one of the tools used by the Chinese state to repress its critics, dissidents and members of its diaspora.

As reports by Amnesty International and other groups illustrate, transnational repression by Chinese authorities is not new, and Chinese authorities are not alone in seeking to silence dissent and criticism beyond their country's borders. Over the last decade, human rights groups and other NGOs have documented the Chinese government's intensifying efforts to expand the extraterritorial application of its domestic restrictions on human rights, including to overseas members of ethnic and religious minorities. A series of global studies by Freedom House indicated that the Chinese government "conducts the most sophisticated, global, and comprehensive campaign of transnational repression in the world",³⁰ noting that, between 2014-2023, it was responsible for 30% of all incidents of "physical transnational repression" that the organization had documented.³¹

Similarly, the Uyghur Human Rights Project has extensively documented the threats facing Uyghurs and other predominantly Muslim ethnic groups overseas.³² The Tibetan Centre for Human Rights & Democracy conducted an in-depth study on the issue with Tibetans abroad,³³ and the Canadian Coalition on Human Rights in China and Alliance Canada Hong Kong both documented the targeting of diaspora communities from China in Canada.³⁴ The Citizen Lab at the University of Toronto has researched the threat of digital transnational repression,³⁵ and the Taiwan-based DoubleThink Lab, which interviewed 29 Hongkongers, Chinese activists, Tibetans and Uyghurs, has reported on many similar themes around digital threats.³⁶

However, research regarding the Chinese government's transnational repression in the university and academic context has been relatively limited. Among the few notable exceptions are a report by Human Rights Watch documenting the targeting of Chinese international students in Australia issued in 2021,³⁷ a report by Freedom House on transnational repression and universities in the USA published in February 2024,³⁸ and media reporting on a growing number of individual incidents.³⁹ Amnesty International's report is the most wide-ranging documentation to date of the Chinese government's transnational repression at foreign universities.

³⁰ Freedom House, *Special Report 2021: China - Transnational Repression Origin Country Case Study*, 2021, <https://freedomhouse.org/report/transnational-repression/china>.

³¹ Freedom House, *Still Not Safe: Transnational Repression in 2022*, April 2023, https://freedomhouse.org/sites/default/files/2023-04/FH_TransnationalRepression2023_0.pdf, p. 2.

³² Uyghur Human Rights Project, "Transnational Repression Resources", <https://uhrp.org/transnational-repression/> (accessed 14 February 2024).

³³ Tibetan Centre for Human Rights & Democracy (TCHRD), "Chinese Transnational Repression of Tibetan Diaspora Communities", 6 February 2024, <https://tchrd.org/wp-content/uploads/2024/02/Chinese-Transnational-Repression-of-Tibetan-Diaspora-Communities.pdf>.

³⁴ Canadian Coalition on Human Rights in China, "Harassment & Intimidation of Individuals in Canada Working on China-Related Human Rights Concerns", March 2020, <https://www.amnesty.ca/sites/amnesty/files/Canadian%20Coalition%20on%20Human%20Rights%20in%20China%20-%20Harassment%20Report%20Update%20-%20Final%20Version.pdf>; Alliance Canada Hong Kong, "In Plain Sight: Beijing's unrestricted network of foreign influence in Canada", May 2021, https://alliancecanadahk.com/wp-content/uploads/2022/06/ACHK_InPlainSight.pdf.

³⁵ Citizen Lab, "Digital Transnational Repression", 9 March 2022, <https://munkschool.utoronto.ca/news/new-citizen-lab-report-digital-transnational-repression>.

³⁶ Doublethink Lab, "Silenced Voices, Hidden Struggles: PRC Transnational Repression on Overseas Human Rights Activists – Summary version", 31 May 2023, <https://doublethinklab.medium.com/silenced-voices-hidden-struggles-prc-transnational-repression-on-overseas-human-right-activists-8f34aece7ae6>.

³⁷ Human Rights Watch, "They Don't Understand the Fear We Have: How China's Long Reach of Repression Undermines Academic Freedom at Australia's Universities", 30 June 2021, <https://www.hrw.org/report/2021/06/30/they-dont-understand-fear-we-have/how-chinas-long-reach-repression-undermines>.

³⁸ Freedom House, "Addressing Transnational Repression on Campuses in the United States", January 2024, https://freedomhouse.org/sites/default/files/2024-02/TNR_UniversityReport_2024F.pdf.

³⁹ See, for example, RFA, "Independent Students Slam China-Backed Intimidation on Overseas Campuses", 15 February 2019, <https://www.rfa.org/english/news/china/campuses-02152019094958.html>; ProPublica, "Even on U.S. Campuses, China Cracks Down on Students Who Speak Out", 30 November 2021, <https://www.propublica.org/article/even-on-us-campuses-china-cracks-down-on-students-who-speak-out>.

4. CLIMATE OF FEAR

“When I first came to the United States, I felt free to participate in activities organized by Chinese students... but now I feel unsafe to participate in their activities and events... I constantly worry about my parents being harassed by police.”

“Ethan” – a graduate student in the USA

A climate of fear and uncertainty pervades the academic and social lives of many Chinese students during their studies at universities overseas. Amnesty International’s research revealed a widespread perception among interviewees that engaging in certain acts or expression – especially of opinions, individually or with others, related to political or “sensitive” topics,⁴⁰ as understood by Chinese authorities – risks inviting unwanted repercussions from Chinese state authorities or others whose opinions are aligned with those of the state.

Through its discussions with students, Amnesty International found that the fear of repercussions has created an expansive “chilling effect” on overseas students’ expression, associations and activities both on and off university campuses. This chilling effect persists irrespective of a student’s personal experiences with transnational repression, leading to widespread, proactive self-censorship that also impacts on students’ willingness to explore a variety of academic ideas in their studies. Students described refraining from discussing political or “sensitive” issues inside and outside of the classroom, declining to pursue or publish research on these issues, and avoiding participation in student groups and on- and off-campus events to avoid attracting unwanted attention from the Chinese government.

Students’ apprehensions were informed by a pattern of near-identical incidents experienced by themselves and their peers, including incidents of harassment, physical surveillance and stalking, and verbal threats. While it is often difficult for students individually to attribute these incidents to state agents, their suspicion of state involvement is grounded in publicly documented revelations of the Chinese government’s involvement in such activities targeting overseas students just like them.

In one such publicly reported case, Hong Kong activist Frances Hui described the harassment she suffered while a student in Boston in the USA in 2019 where she was involved in organizing solidarity protests with the Hong Kong pro-democracy movement. She said that a federal grand jury indicted one of several individuals involved in photographing and counterprotesting against herself and others on charges of “acting as an agent of a foreign government without providing notification to the US Attorney General” and “conspiracy to act as an agent of a foreign government” –

⁴⁰ Examples of “sensitive” political issues discussed with interviewees included the 2022 “White Paper” protests in China, pro-democracy protests in Hong Kong, Xi Jinping’s appointment to a third term as President, and criticism of China’s role in certain global issues such as Russia’s 2022 invasion of Ukraine.

including in relation to the harassment of pro-democracy protesters in 2019.⁴¹ The defendant, a US citizen, is still awaiting trial.⁴²

The district court indictment detailed how the alleged perpetrator had sent information, names, photographs and videos of pro-democracy protesters to officials at the Chinese Consulate in New York, including during two events that Frances Hui said she had co-organized.⁴³ It also detailed how the defendant had organized a counter-protest with overseas students with pro-government views on 18 August 2019, including communicating with a visiting professor from China at an unnamed Boston university, and then shared descriptions of these activities with consulate officials in a “2019 Work Summary” he had completed. Such revelations, as well as high-profile cases of the prosecution of returned students in Hong Kong SAR or China for exercising their rights while studying abroad,⁴⁴ support the reasonableness of students’ apprehensions and play a powerful role in creating a climate of fear on campuses.

To understand the impact of this atmosphere, Amnesty International researchers asked all 32 interviewees to discuss their willingness to exercise their human rights and freedoms in a variety of contexts common to the overseas student experience, including in their academic and social lives in their host countries. They also discussed with students how their fear of being targeted by the Chinese government affected their mental health while studying abroad.

4.1 ACADEMIC LIFE

Of the 32 students or recent graduates who met Amnesty International, 22 said the fear of the Chinese government’s repressive efforts had limited or negatively influenced their participation in academic life while studying overseas. As captured in the testimonies throughout this chapter, this fear led students to adopt self-censoring strategies, including when taking part in discussions with other students and professors, when selecting topics to research or study, and when considering possible future careers in academia.⁴⁵

4.1.1 SELF-CENSORSHIP IN ACADEMIC DISCUSSIONS

A majority of the students described limiting their participation in the classroom, both in-person and virtually, due to the perceived risk that their comments and opinions might be reported to Chinese state authorities or would lead to conflict with “pro-government” classmates.⁴⁶ Strategies included “sticking to facts” and avoiding voicing personal opinions on political or “sensitive topics” related to China, or staying silent in classroom settings altogether.⁴⁷

“Charlotte”, an undergraduate student in North America, said: “I’ve done my best to avoid taking political classes where I know there will be other Chinese students, because I know that I probably wouldn’t be able to control myself and would probably say something that would get me in trouble.”⁴⁸

For some students who had expected to be able to participate more freely in political discussions during their overseas studies, this atmosphere of repression came as a surprise and was a source of frustration. This was the case for William, who said: “On my campus, I am afraid to talk about politics. [After arriving overseas] I found out that if I [speak] too much about politics, it would bring many difficulties to my daily life.”⁴⁹

These “difficulties” were not limited to reactions to political comments by fellow students from China. William said that a fellow researcher at his university – who was not Chinese – cut ties with William after learning of his involvement in the White Paper protests because the researcher feared the association might impair her access to research opportunities in China.⁵⁰ Another student told Amnesty International that a Chinese studies professor at their university declined to sign a statement calling on universities to speak out for detained White Paper protesters in order to protect their ongoing application for a visa to visit and lead a study abroad programme in China.⁵¹

⁴¹ Frances Hui, X post (formerly Twitter), “I just learned that one of the PRC agents behind the counterprotest of a rally I led in Boston in Aug2019 was finally arrested & indicted by federal grand jury tdy”, 9 May 2023, https://twitter.com/frances_hui/status/1656085981403967488.

⁴² United States, Department of Justice, Office of Public Affairs, “Massachusetts Man Indicted for Acting as an Illegal Agent of the People’s Republic of China”, 15 May 2023, <https://www.iustice.gov/opa/pr/massachusetts-man-indicted-acting-illegal-agent-people-s-republic-china>.

⁴³ United States District Court, *USA vs Litang Liang*, Case 1:23-cr-10130-IT, 4 May 2023, <https://www.documentcloud.org/documents/23808248-china-complaint>.

⁴⁴ See, for example, Japan Times, “H.K. student gets two-month sentence for ‘seditious’ posts from Japan”, 3 November 2023, <https://www.japantimes.co.jp/news/2023/11/03/asia-pacific/crime-legal/hong-kong-student-sedition-charge/>.

⁴⁵ Interviews with 22 students. See Human Rights Watch, “They Don’t Understand the Fear We Have” (previously cited), p. 56.

⁴⁶ Interviews with 22 students.

⁴⁷ Interviews with 11 students.

⁴⁸ Interview with “Charlotte”.

⁴⁹ Interview with “William”.

⁵⁰ Interview with “William”.

⁵¹ Interview with a student in North America.

These experiences demonstrate that students of all backgrounds are potentially being deprived of fair discussion of a full range of views and perspectives with researchers and professors at their university. At least some researchers and professors are self-censoring to protect their access to China, potentially as a result of well-documented instances of the Chinese government denying visas or blacklisting individuals based on their research topic or political stance.⁵²

Some students reported being more willing to engage in free discussion in smaller classes and where they were well-acquainted with their fellow students. Nearly half of the students interviewed indicated that they were more comfortable speaking openly in classes where students or professors from China were not present.⁵³ “Sophie”, a student in the Netherlands, shared her concern that some students from China might have a government background or might report her comments to Chinese state authorities. She explained: “If I can’t control who is listening, I have to be careful.”⁵⁴ Similarly, Charlotte said that she felt compelled to avoid discussing “sensitive” topics in classes with students from China present, explaining that, “If I know that there’s going to be another student from mainland China, I would probably only talk about topics like ‘MeToo’ or sexual violence that are less politically sensitive. But if no one from mainland China that I know of is attending, I would probably talk about those [more sensitive topics].”⁵⁵

Six students expressed concern that even work submitted directly to their professor or university officials could ultimately be discovered by Chinese authorities. Students told Amnesty International that they were afraid of adding a list of their work to their academic résumé, conducting online research for academic assignments, presenting a graduate thesis to their supervisors through insecure online platforms, submitting their work for a research grant or writing contest, or putting their name on any written assignment or paper, where these related to topics that might be considered “sensitive”.⁵⁶

Nearly half of the students interviewed said they feared that other students might report their comments to authorities⁵⁷ – whether intentionally, inadvertently or as compelled to by the Chinese government.⁵⁸ Four worried that their political opinions might also prompt “nationalist” or “pro-government” students in the class to confront or alienate them.⁵⁹ In still other cases, students explained that the reflex to avoid discussion of certain topics originated in their experiences in China.⁶⁰

Several students complained that staff and teachers at their overseas universities were often slow to appreciate the challenges that international students from China faced when deciding whether to discuss “sensitive” or political topics openly in the classroom. “Alexandra”, a student in North America, said she was challenged by her professor after she and another Chinese international student had stayed silent during a class discussion on China. She described her frustration with the experience: “[My professor] didn’t understand why we kept silent... [she] didn’t realize how deep this fear is for us and how uncomfortable we are expressing ourselves in front of other Chinese students... not just because of the disagreement, but because of the deeper fear. I realized she really doesn’t understand, but I am Chinese and this is how it is.”⁶¹

As Alexandra’s testimony demonstrates, teachers without personal experience with, or a nuanced understanding of, Chinese state practices, including transnational repression, may expect international students to participate with the same degree of candour as their local classmates. Instructors may even grade students on this type of class participation, which could potentially penalize self-censoring students (though none of the interviewees spoke of a direct impact on grades due to their reduced participation). These expectations by professors of student participation overlook the genuine and well-founded fears of students facing risks of state-directed retaliation for comments made in the classroom and may expose students and their family members to additional risks. As Alexandra explained, “[t]he school should understand that they do have students who are under surveillance. It’s a privilege to just be able to say what you want and get away with it. This is unfortunately the status quo and it’s not the students’ fault they can’t say certain things.”⁶²

⁵² Sheena Chestnut Greitens and Rory Truex, “Repressive Experiences among China Scholars: New Evidence from Survey Data”, 27 May 2019, *The China Quarterly*, Volume 242, <https://www.cambridge.org/core/journals/china-quarterly/article/repressive-experiences-among-china-scholars-new-evidence-from-survey-data/C1CB08324457ED90199C274CDC153127>, p. 350.

⁵³ Interviews with 15 students.

⁵⁴ Interview with “Sophie”.

⁵⁵ Interview with “Charlotte”.

⁵⁶ Interview with six students.

⁵⁷ Interview with nine students.

⁵⁸ Interview with a student in Germany.

⁵⁹ Interviews with four students.

⁶⁰ As described during an interview with a student in the USA.

⁶¹ Interview with “Alexandra”.

⁶² Interview with “Alexandra”.

4.1.2 INFLUENCE ON RESEARCH AND CAREER DECISIONS

In addition to curtailing the free expression and academic engagement of international students from China during their studies overseas, the fear of repercussions from the Chinese government appears to be shaping students' willingness to study certain topics altogether. Eleven students interviewed said their fears led them to change the focus of their academic study, research or writing.⁶³ Students also expressed the concern that studying political or human rights issues related to China might, in addition to possibly drawing retaliation from state authorities, prove practically challenging as they anticipated a lack of access to official information in China. Six students said they encountered a reticence among potential interviewees and other China scholars living outside China to speak about issues that might be perceived by the Chinese government as "sensitive".⁶⁴

Describing their decision to change the focus of their studies, one student highlighted the perceived risk to their safety. "Tess", a postgraduate student in Europe, said she dropped her original research topic about Hong Kong activism, perceiving it to be "problematic". When Tess told her friend, who worked for the Chinese government, that she was looking for a topic, she recalled that her friend advised, "I hope you pick a safer topic so I don't see you at work".⁶⁵

Alexandra described how the fear of being publicly identified prevented her from pursuing certain issues. "There were times when I wanted to do certain research, but I felt I can't, for example researching social media and the impact of censorship. If I do an honours thesis then I have to do a public lecture and I can't do that... things I want to do. If I want to do research with [my university], to apply for a research grant, I would have to present publicly."⁶⁶

Beyond these challenges, the repressive atmosphere faced by students interviewed by Amnesty International also impacted their willingness to pursue careers in academia. Seven students told Amnesty that the perceived need to stay away from "sensitive" research topics to avoid repercussions had significantly limited their academic careers. Among other things, students noted that their concerns had caused them to decide against conducting advanced academic research, publishing their academic writings, and pursuing post-graduate work opportunities in academia.⁶⁷

One of these students, "Logan", who recently graduated from studies in Europe and was working outside of the academic sector, noted that his fear of being identified by Hong Kong authorities had undermined his ability to pursue an academic career, as he felt unable to conduct research or participate in academic conferences safely. He said, "If I didn't have these kinds of concerns, I would really want to publish my thesis, so that others would be aware of these issues. But I'm worried, so I chose not to."⁶⁸ "Lily", a student in Europe who is exploring recent political movements in Hong Kong in her studies, similarly noted that she felt unable to publicly advertise for research subjects, or post her study interests on her university profile, due to her fear of coming under scrutiny by Hong Kong authorities.⁶⁹

"Hannah", who like Logan recently graduated and left academia, had similar concerns, describing how the risk of attending human rights conferences or publishing human rights-related articles under her name led to difficulties in building an academic résumé – a step fundamental to launching a career in academia. Ultimately, she decided to work in the non-profit sector to avoid these risks. "When I decided not to work [in academia], it was a relief, as I wouldn't need to struggle with whether or not to put my name on my work," she explained. "When I went to work at [a non-profit] instead, I don't have to put my name on anything that is released."⁷⁰

4.2 SOCIAL LIFE

4.2.1 SELF-CENSORSHIP IN SOCIAL INTERACTIONS

Nearly all the students interviewed by Amnesty International reported engaging in at least some degree of self-censorship in their interactions with other students and new acquaintances in their host countries,⁷¹ for reasons ranging from a concern that the conversation might become confrontational to the fear that their opinions or comments might make their way back to state authorities in China.⁷²

⁶³ Interviews with 11 students.

⁶⁴ Interviews with six students.

⁶⁵ Interview with "Tess".

⁶⁶ Interview with "Alexandra".

⁶⁷ Interviews with seven students.

⁶⁸ Interview with "Logan".

⁶⁹ Interview with "Lily".

⁷⁰ Interview with "Hannah".

⁷¹ Interviews with 31 students.

⁷² Interviews with 15 students.

Of particular concern is the impact on social interactions between international students from China. Fear of official repercussions for comments made while studying overseas has significantly degraded trust among Chinese international students even in informal settings and outside the classroom. Students self-censor when in the presence of other students from China to avoid the possibility of having their statements recorded or otherwise reported to state authorities in China.

As many students interviewed readily observed, the vast majority of international students from China and Hong Kong SAR are likely not involved in reporting their peers' comments in this way; however, most students remained concerned about this possibility, or that the Chinese authorities may coerce students to disclose information about others.⁷³ The attitude of most students in this regard was captured by "Sam", a former postgraduate student in Europe, who admitted to refraining from political discussions with other Chinese nationals despite wanting to engage with them: "I feel really sorry for Chinese students... [It's] not that I don't want to talk to them, but I don't know who is genuine and who is trying to get something out of me."⁷⁴ Another student said, "Now [after the introduction of the NSL], I am very cautious talking with students from Hong Kong and China, unless I really know the person."⁷⁵

The complex nature of this issue was also explained by "Gabriel", a student from Hong Kong studying in North America, who noted that the mistrust in the Chinese and Hong Kong diaspora communities is not necessarily tied to direct interventions by Chinese state authorities.⁷⁶ He noted, "[people] think of transnational repression as state-led, but actually a lot of it is instilled in people from [authoritarian regimes] and they bring it abroad, even if they have no interactions with the state. They have this sense of being monitored even if they're not... it creates this sense amongst mainland Chinese students.... It's harder for Chinese students, they are a close-knit community... it's fear, not just state harassment."⁷⁷

Beyond self-censoring and isolation in their interactions with other students overseas, 18 interviewees described regularly engaging in some degree of self-censorship in conversations with family members or close friends back home in China while abroad.⁷⁸ In many cases, students cited their fear of online surveillance by Chinese authorities on the platforms they used to communicate with family and friends,⁷⁹ with six students expressing concern that such conversations would put their China-based contacts in jeopardy.⁸⁰ Fewer students self-censored with family or close friends compared to with the wider student body, as some students explained that they were more comfortable speaking about sensitive issues with those with whom they were already familiar, and whose opinions on similar issues were known to them. As one student said, "It's like my life is being torn into two parts; I am performing two roles at the same time."⁸¹ According to "Claire", a recent graduate in Europe, her concern that her phone conversations with family members in Hong Kong might be overheard by her family's neighbours or others in the vicinity was such that she avoided talking to her family about political topics over the phone at all, and would only discuss such issues in-person, outdoors and out-of-earshot of others. She explained: "I don't talk about [political issues] because I don't want any possibility of getting in trouble."⁸²

In a few instances, students also avoided certain political or sensitive topics out of concern that differences in strongly held opinions among their family members might lead to rifts in their relationships.⁸³ In one extreme example, a student told Amnesty International researchers that his father had threatened to report him to Chinese authorities if he discovered that his son had participated in protests or "said anything bad about China" while overseas.⁸⁴

4.2.2 SOCIAL ISOLATION AND LONELINESS

Amnesty International's research revealed that overseas students from China found that the fears they experienced were often poorly understood by peers in their new homes. William explained, "It's always difficult for the majority of society to understand the real situation of the minority; they take it for granted that you can say anything you want – 'free speech' – but it's never the case."⁸⁵ Hannah described her inability to communicate freely with others in her

⁷³ Interviews with 21 students.

⁷⁴ Interview with "Sam".

⁷⁵ Interview with one student.

⁷⁶ For more on how government surveillance and repression indirectly leads to social and community mistrust and suspicion, see, for example, Clíodhna Pierce, "Examining the Impact of Government Surveillance on Communities in East Germany and Northern Ireland in the 1970s and 1980s", 1 December 2019, *International Journal of Social Sciences and Interdisciplinary Studies*, Volume 4, Issue 2, <https://dergipark.org.tr/en/download/article-file/1174743>, p. 41.

⁷⁷ Interview with "Gabriel".

⁷⁸ Interviews with 18 students.

⁷⁹ Interviews with 14 students.

⁸⁰ Interviews with six students.

⁸¹ Interview with a student.

⁸² Interview with "Claire".

⁸³ Interviews with two students.

⁸⁴ Interview with a student in Europe.

⁸⁵ Interview with "William".

country of study, while at the same time feeling cut-off from friends and family at home. She said, “[e]ven [in this country], I don’t feel like I belong. I feel like I am in the middle. I don’t have the social support network I had in Hong Kong. No one can understand the fear I have like they could in Hong Kong. When I came [overseas] at first it was very hard, I was very lonely... as a migrant, I don’t feel like I am supported.”⁸⁶ These and similar feelings of isolation and loneliness while studying overseas were raised by 13 of the students interviewed, with some stating that they felt unable to discuss their concerns or experiences with anyone at home or in their host country.⁸⁷

Some students told Amnesty International that it was their public involvement in political activities that led to their isolation from other international students and local diaspora communities. “Jack”, a recent graduate in Europe, felt he was isolated by other Chinese international students in his country of study after making public comments about the political situation in China.⁸⁸ “Michael”, a student in North America, noted that he had been ostracized by members of the Chinese diaspora in his city after the community learned of his involvement in political protests. He said he was removed from online community chat groups and even kicked out of a diaspora hobby club, due to club administrators’ fears that any association with perceived “dissidents” would cause trouble for the group.⁸⁹

For students who have already experienced harassment by Chinese authorities, such efforts by other diaspora members to avoid “trouble by association” can exacerbate the harms of transnational repression by isolating its targets from their communities. “When your family has been harassed by the Chinese government you feel so lonely,” “Jordan” told Amnesty International. “You can’t talk to your friends, you can’t tell them about [your involvement in] protests about politics – it will just make you paranoid. It’s hard for me to trust my old friends.”⁹⁰ He added that he also found it necessary to isolate himself from other international Chinese students in order to maintain his involvement in political activities while overseas, noting: “You can [make political comments] if you quit the student circle and don’t keep in touch with them... It’s hard to make that step, and I did so, I changed my entire social life circles after [my involvement in] some protests.”⁹¹

Some students reported proactively cutting off contact with loved ones to protect them from being targeted by the Chinese authorities. Eight students said that their experience with, or fear of experiencing, repercussions from Chinese state authorities in retaliation for their involvement in political activism had resulted in the complete loss of or intentional severing of contact with close friends or family members.⁹² As Rowan explained, “[c]utting ties is the worst scenario, but also the best way to protect the people that the regime is using to pressure you... Cutting ties with your family is not a legal measure [of protection], but it can be effective as the security apparatus cannot use them to put pressure on you.”⁹³

4.3 ON- AND OFF-CAMPUS GROUPS AND EVENTS

Most students interviewed by Amnesty International reported a fear of possible repercussions from the Chinese authorities related to their participation in student groups or attendance at on- or off-campus public events in their host countries that might be perceived as political or otherwise “sensitive”, such as annual Tiananmen vigils on 4 June and solidarity protests related to the White Paper protests or the Hong Kong pro-democracy movement.⁹⁴

Four students said their concerns also led them to limit their participation in student groups and on-campus events.⁹⁵ Some pointed out that they were unable to host events on campus due to university rules requiring them to form an official student club first, which would have required them to publicly list the identity of the club founders or members, thereby potentially exposing them to unwanted attention from the Chinese government.⁹⁶ One student in the USA described the rules at their university, which ultimately prevented them from establishing a student group – even by “hiding” the group behind an innocuous name such as a cooking club – because they could not be anonymous. “You need to list five names to start a club, which will be [publicly posted] and you can go through the [university] listserv to find out who is involved. You just cannot do it anonymously.”⁹⁷

For students involved in associations off campus, particularly those touching on political and human rights activism, the fear of transnational repression can lead to the groups dissolving or losing members. As one student in Europe

⁸⁶ Interview with “Hannah”

⁸⁷ Interviews with 13 students.

⁸⁸ Interview with “Jack”.

⁸⁹ Interview with “Michael”.

⁹⁰ Interview with “Jordan”.

⁹¹ Interview with “Jordan”.

⁹² Interviews with eight students.

⁹³ Interview with “Rowan”.

⁹⁴ Interviews with 25 students.

⁹⁵ Interviews with four students.

⁹⁶ Interviews with three students.

⁹⁷ Interview with a student in the USA.

described, “After the White Paper movement, we built a small community online of 20 or 30 people who had taken part in protests in various cities... [then] one of them shares information about being harassed by police, and it scares the others – they cut their activities with the group and connections with their friends. People become suspicious of each other and wonder why they were discovered by police, worry that other group members are spying on each other.”⁹⁸

As a result of their awareness of the Chinese government’s possible surveillance of on- or off-campus events that might touch on “sensitive” topics, whether by overseas state officials, their agents or through digital monitoring, many students stated that they would take precautions at such events. This included wearing masks, hats and sunglasses and changing their clothes before and after attendance, or they would only attend “low-profile” events and not speak publicly about their attendance in order to mitigate the risk that Chinese authorities would discover their participation.⁹⁹

Half a dozen of those interviewed stated that they would not attend events about political, social or human rights issues at all due to their concerns.¹⁰⁰ Claire was one of those who decided not to get involved in such events while overseas, despite a desire to be more politically engaged: “It’s better not to attend these events at all,” she said, “because there are Chinese nationalists everywhere, and under the [Hong Kong] National Security Law anyone can report your details to the [national security agencies] and they will open a file on you, and you will never know if they are tracking you.”¹⁰¹ Similarly, Tess said that, while she wanted to join a protest while studying overseas, she was afraid of being caught on camera: “I’ve always chosen to be really safe and only follow [protests] online, but not participate offline. I’m more worried it would impact my family if I’m photographed at a rally... I know they can identify you if you are not really safe.”¹⁰²

4.4 FINANCIAL AND HOUSING INSECURITY

Some of the repressive tactics used by the Chinese authorities have impacted the financial or living situation of students interviewed by Amnesty International. Three of the students reported being cut off from funding by their parents under pressure from the authorities.¹⁰³ Others remarked about their dependence on their parents for financial support and the difficulties they would face if they were cut off under pressure by police.¹⁰⁴ Two recent graduates discussed challenges with finding employment during and immediately after their studies due to the fear of government repercussions.¹⁰⁵

One student said Chinese national security police instructed their parents to cut them off financially and police also threatened other in-laws with trouble if they sent money.¹⁰⁶ As a result of the loss of funding, the student had to find work to support their university and living costs, something more difficult for international students who often have restrictions on employment during their studies as a condition of their student visas.

While not covered by interviews conducted for this report, Amnesty International is aware of reports that the financial security of Uyghur students abroad has also been impacted by Chinese state repression targeting China-based family members. Uyghur students in the USA, whose parents were detained in camps as a part of the Chinese government’s campaign of mass arbitrary detention targeting Muslim minorities in Xinjiang, were cut off from financial support from their parents. They have struggled to pay tuition fees and support themselves, according to incidents recorded by the Uyghur Human Rights Project dating back to 2017.¹⁰⁷

The living situations of Chinese international students have also come under threat due to the climate of fear created by transnational repression. A student in Europe told Amnesty International they were evicted from their rented apartment by their landlord, a Chinese national, after a media interview about the student’s involvement in White Paper protests in China was published.¹⁰⁸ The student did not know if the landlord had been directly contacted by the Chinese embassy, or independently decided that it was “too dangerous to have [them]” as a tenant.

Beyond the impact on finances and housing, two interviewees also told Amnesty International that they were unable to find stable employment with some local Chinese-owned businesses because they had engaged in expression or

⁹⁸ Interview with a student in Europe.

⁹⁹ Interviews with 15 students.

¹⁰⁰ Interviews with six students.

¹⁰¹ Interview with “Claire”.

¹⁰² Interview with “Tess”.

¹⁰³ Interviews with three students.

¹⁰⁴ Interview with a student in Europe.

¹⁰⁵ Interviews with two graduate students in Europe.

¹⁰⁶ Interview with an undergraduate student in North America.

¹⁰⁷ Uyghur Human Rights Project, “Repression Across Borders: The CCP’s Illegal Harassment and Coercion of Uyghur Americans”, August 2019, https://docs.uhrp.org/pdf/UHRP_RepressionAcrossBorders.pdf, p. 28.

¹⁰⁸ Interview with a student in Europe.

activities around issues deemed sensitive by the Chinese government. The two students believed this difficulty arose from the employers' fear of repercussions from the Chinese government or "pro-government" opinions.

One of these students, "Harper", who graduated in 2023 in the UK, said that they could no longer find jobs at Chinese restaurants or Chinese companies because of their participation in protests overseas and that, in the restaurant industry, "employers will read about prospective employees on WeChat."¹⁰⁹ Another interviewee, also a recent graduate in the UK, was working in a bubble tea shop after graduation. He was instructed by his employer, the owner of the shop, not to post anything political on social media while at work using the shop's Wi-Fi. The employer feared that Chinese officials would trace the messages to the shop and harass the owner.¹¹⁰ As explained by these students, the inability to find part-time work with Chinese-owned businesses has an especially detrimental impact on them, as they believed their Chinese language abilities are one of their key marketable skills.

4.5 IMPACT ON MENTAL HEALTH

The significant mental and emotional strain of living in constant fear of potential surveillance and repressive targeting from the Chinese government while studying overseas – and by the social isolation and loneliness caused by that fear – was underscored by many of the students who spoke with Amnesty International. In their interviews, 17 students reported a varying degree of negative mental health impacts associated with their experience dealing with transnational repression or the fear of repressive actions. Reported impacts ranged from stress, anxiety and fear to trauma, paranoia and severe depression, in one case leading to hospitalization.¹¹¹ "It's a huge mental pressure on me," said "Leon", an undergraduate student in Europe. "For the first time, I had a mental breakdown. I called an ambulance... I spent three days in the psychological station at my university clinic."¹¹²

Several students also reported that the perceived need to regularly assess their day-to-day activities for risk of exposing themselves to surveillance or other repercussions from the Chinese authorities was a source of constant mental strain.¹¹³ Students described facing anxiety related to a wide range of decisions, from which route to take to campus,¹¹⁴ to who to meet,¹¹⁵ to whether or not to join an online dating app.¹¹⁶ Alexandra described facing similar concerns during her day-to-day life. As she explained, "[i]t has affected the way I do things, like staying anonymous, wear[ing] a mask, avoid[ing] people I know are involved in the CSSA [Chinese Students and Scholars Association] ... avoid[ing] certain topics when I meet new Chinese students... Extra precautions that wouldn't be in place if my government wasn't doing what they are doing."¹¹⁷

Other responses by students highlighted the impact of the uncertainty over whether or not they were being actively monitored by the Chinese authorities, and when or whether they or their families might suffer repercussions for their actions. "It's the uncertainty," said Rowan, "there are so many things they can do to us and our family members... You don't know what the next step will be, and the people doing this to you are on the other side of the planet and can reach you."¹¹⁸ "Liam", a postgraduate student in Europe, said that before doing anything that he thought might be considered "sensitive" by Chinese authorities, "I would ask myself these questions in my mind: Is this safe? Should I do that?... [s]hould I meet this person? What can I do to avoid trouble?"¹¹⁹

The mental strain of dealing with the constant threat of government repression is compounded by the lack of social support available to students during their overseas studies. While many other international students may be able to speak virtually with friends and family members back home about their challenges, 13 interviewees told Amnesty International that their concern of facing repercussions from the Chinese government for speaking about "sensitive" issues prevented them from confiding in friends or family members about the mental or emotional impacts of transnational repression.¹²⁰

While most of the students interviewed were aware of the existence and availability of mental health support at their universities and felt comfortable seeking this out if needed, some who did so reported unsatisfactory experiences. They raised issues such as limited support in English (in European countries), let alone Mandarin or Cantonese, and a lack of staff knowledge of, or ability to contextualize, the geopolitical or security-related aspects of their challenges.

¹⁰⁹ Interview with "Harper".

¹¹⁰ Interview with a student in the UK.

¹¹¹ Interviews with 17 students.

¹¹² Interview with "Leon".

¹¹³ Interviews with 12 students.

¹¹⁴ Interview with a student in North America.

¹¹⁵ Interview with a student in Europe.

¹¹⁶ Interview with a student in Europe.

¹¹⁷ Interview with "Alexandra". "CSSA" are Chinese Students and Scholars Associations (see below, section 5.10).

¹¹⁸ Interview with "Rowan".

¹¹⁹ Interview with "Liam".

¹²⁰ Interviews with 13 students.

One recent graduate in Europe, who tried to access their university's psychological resources while a student, was told that they should seek out a private counsellor because the university's provider did not understand their situation. Unfortunately, like many students, the student in question told Amnesty International that the costs of private counselling were prohibitive.¹²¹ Another student in Europe described trying to discuss their experiences and worries around transnational repression with staff of their university's mental health clinic, but walked away feeling that, "they didn't quite understand it and [were] not very useful. Essentially, they said to 'get over it,' though not in those words."¹²² One student in North America noted, "Mental health and international students is a largely ignored aspect of mental health [on campuses], which is already bad."¹²³

¹²¹ Interview with a student in Europe.

¹²² Interview with a student in Europe.

¹²³ Interview with a student in North America.

5. SOURCES OF FEAR

“Police call my parents quite often to harass them... and [officials] indirectly pressure family members to encourage me to be silent and stop my involvement in political activities.”

“Luna” – a student in Europe

China’s international students experience various types of coercion, threats and harassment while studying overseas, according to the students interviewed by Amnesty International. Along with a general awareness of the prosecution of other overseas nationals in similar situations by Chinese authorities, these experiences contribute to the fear under which students live and study. The testimonies documented in this chapter – including the experiences of students before they left China, while living and studying in their host countries and at the end of their studies – support the reasonableness of students’ belief that they must either remain silent and hyper vigilant about who they associate with or what they participate in or risk facing serious consequences from Chinese authorities for exercising their rights while overseas. Even if one were to challenge the reasonableness of this belief, the chilling effect stemming from this belief is clearly real and demonstrable in fact, as laid out in the previous chapter.

Some of the experiences described in this chapter meet Amnesty International’s definition of transnational repression (see Chapter 7), such as the Chinese government’s harassment and intimidation of the students’ family members based in China, as well as state surveillance of student activities overseas and censorship of their online expression. In relation to other experiences, the ability of students to individually attribute a specific incident to state actors is more limited. However, the recurring patterns and near-identical formulations, warnings and tactics observed in the students’ testimonies – which align with other, publicly documented cases of transnational repression by the Chinese government – indicate the likely involvement of the Chinese state in at least some of the incidents described. Moreover, regardless of the actor involved in a given incident, for many students the difficulty of proving or excluding the involvement of Chinese authorities creates a constant sense of “second-guessing” their interactions with others, exacerbating their fears and fuelling self-censorship and isolation.

5.1 EXTRATERRITORIAL LAWS AND PRACTICE

Amnesty International has documented how national security legislation in China and Hong Kong SAR has been used in both jurisdictions to crack down on freedom of expression, especially that deemed critical of the government.¹²⁴ These laws underpin the fears of students abroad that their free expression or other legitimate activities will lead to government repercussions, due to the laws’ claimed extraterritorial effect or how the laws have been implemented.

¹²⁴ Amnesty International, *Hong Kong: In the name of national security* (Index: ASA 17/4197/2021), 29 June 2021, <https://www.amnesty.org/en/documents/asa17/4197/2021/en/>; Amnesty International, “The State of the World’s Human Rights: China 2022”, <https://www.amnesty.org/en/location/asia-and-the-pacific/east-asia/china/report-china/> (accessed on 15 March 2024).

National security is vaguely and over-broadly defined in both jurisdictions and therefore may well be construed to cover much of the criticism of the government in which students have been involved.

Many of the interviewees said that pro-Chinese government students who harassed them in relation to their critical views of the government often used the threat of “reporting” their expression or activities to Chinese police (see 5.9). None of the students interviewed by Amnesty International for this report provided direct experience of being solicited for information by Chinese officials during their studies. However, both the Chinese and Hong Kong authorities have established hotlines or financial rewards for the public to report tips about possible violations of national security.¹²⁵ Hong Kong’s Security Bureau stated in March 2024 that it had received more than 700,000 “pieces of information” reported to the hotline since it was established, underscoring students’ fears that their expression and activities can easily be reported to authorities.¹²⁶ Students explained to Amnesty International how the incentives to report on one another contribute to an environment among Chinese and Hong Kong international students on campuses overseas in which free expression is “chilled” by the fear of having one’s comments reported to state authorities in China.

5.1.1 MAINLAND CHINA’S NATIONAL SECURITY LAWS

Since China’s top leader Xi Jinping came to power in 2012, mainland China’s national security framework has undergone revisions and several new laws dramatically expand what may be considered an act that “endangers national security”. This includes the National Security Law (2015),¹²⁷ from which Hong Kong’s Article 23 law takes its definition of national security (see below); the Foreign NGO Management Law (2017);¹²⁸ the Cybersecurity Law (2017);¹²⁹ the National Intelligence Law (2017);¹³⁰ the Counter-Terrorism Law (2018);¹³¹ the Counter Espionage Law (2023);¹³² and the law on state secrets (2024).¹³³ The Criminal Law, which covers national security offences, was also amended in 2015 to introduce several offences related to terrorism.¹³⁴ Ethnic minority regions have also introduced regulations derived from these laws that have been used to target ethnic groups under the guise of national security, such as the Xinjiang Uyghur Autonomous Region Regulation on De-extremification (2018)¹³⁵ and Regulations on Counter-espionage Security Precautions in Tibet (2021).¹³⁶ Amnesty International has previously analysed and reported on how the provisions in these national security laws often are in violation of international human rights laws

¹²⁵ China, Ministry of State Security, “国家安全部开通互联网举报受理平台” [Ministry of State Security reporting platform], <https://www.12339.gov.cn/report/guide> (accessed 2 March 2024); Hong Kong, National Security Department of the Hong Kong Police Force, “Official Launch of National Security Department Reporting Hotline”, 5 November 2020, https://www.police.gov.hk/ppp_en/04_crime_matters/nsdrh.html.

¹²⁶ Hong Kong Free Press, “Team set up to rebut ‘slanders’ of new security law here to stay, Hong Kong says, citing ongoing ‘misinformation’”, 17 April 2024, <https://hongkongfp.com/2024/04/17/team-set-up-to-rebut-slanders-of-new-security-law-here-to-stay-hong-kong-says-citing-ongoing-misinformation/>.

¹²⁷ China, National Security Law of the People’s Republic of China [中华人民共和国国家安全法], 1 July 2015, https://www.gov.cn/zhengce/2015-07/01/content_2893902.htm.

¹²⁸ China, Law of the People’s Republic of China on the Administration of Activities of Overseas Nongovernmental Organizations in the Mainland of China [中华人民共和国境外非政府组织境内活动管理法], 1 January 2017, https://gaj.beijing.gov.cn/zhuanti/ngo/bszn/202003/t20200320_1722573.html.

¹²⁹ China, Cybersecurity Law of the People’s Republic of China [中华人民共和国网络安全法], 1 June 2017, https://www.gov.cn/xinwen/2016-11/07/content_5129723.htm.

¹³⁰ China, National Intelligence Law of the People’s Republic of China [中华人民共和国国家情报法], 28 June 2017, http://www.npc.gov.cn/zgrdw/npc/xinwen/2017-06/27/content_2024529.htm.

¹³¹ China, Counter-Terrorism Law of the People’s Republic of China [中华人民共和国反恐怖主义法], 12 June 2018, http://www.npc.gov.cn/zgrdw/npc/xinwen/2018-06/12/content_2055871.htm.

¹³² China, Counter Espionage Law of the People’s Republic of China [中华人民共和国反间谍法], 1 July 2023, https://www.gov.cn/yaowen/2023-04/27/content_5753385.htm.

¹³³ China, Guarding of State Secrets Law of the People’s Republic of China [中华人民共和国保守国家秘密法], 1988, amended 1 May 2024, http://www.npc.gov.cn/npc/c2/c30834/202402/t20240227_434859.html.

¹³⁴ China, Criminal Law of the People’s Republic of China [中华人民共和国刑法], 1 March 2024 (amended), http://en.npc.gov.cn.cdurl.cn/2020-12/26/c_921604.htm, Part 2, Chapter 1 (for translation of the 2015 amendments, see: [https://www.chinalawtranslate.com/en/People%27s-Republic-of-China-Criminal-Law-\(amended-2015\)](https://www.chinalawtranslate.com/en/People%27s-Republic-of-China-Criminal-Law-(amended-2015))).

¹³⁵ Baidu, “Xinjiang Uyghur Autonomous Region Regulation on De-extremification” [新疆维吾尔自治区去极端化条例], 1 April 2017, <https://baike.baidu.com/item/%E6%96%B0%E7%96%86%E7%BB%B4%E5%90%BE%E5%B0%94%E8%87%AA%E6%B2%BB%E5%8C%BA%E5%8E%BB%E6%9E%81%E7%AB%AF%E5%8C%96%E6%9D%A1%E4%BE%8B/20600268>.

¹³⁶ China Tibet News, “Tibet Autonomous Region Regulations on Counter-espionage Security Precautions” [西藏自治区反间谍安全防范条例], 1 January 2021, <http://epaper.chinatibetnews.com/xzrb/202012/04/77d025da-e289-4b10-9d54-a831dab49aa1.pdf>.

and standards.¹³⁷ China's expansive view of national security includes targeting human rights lawyers and their children,¹³⁸ activists and their family members,¹³⁹ and writers,¹⁴⁰ among others.

In this environment, Chinese authorities have also expanded their targeting of Chinese individuals overseas accused of corruption and economic crimes. Since 2014, through the national police "Operation Fox Hunt", which was later folded into a broader effort known as "Operation Skynet", Chinese police have "captured"¹⁴¹ hundreds of individuals every year and returned them to China.¹⁴² New or amended laws target individuals abroad accused of specific crimes. The Criminal Procedure Law was amended in 2018 to create a provision for criminal trials of people in their absence in national security, terrorism, corruption and bribery cases.¹⁴³ The National Supervision Law (2018) created a new supervisory organ for public officials with a provision to "carry out overseas pursuit" of officials who have left mainland China.¹⁴⁴ Tactics used under these legal provisions have included threats against family members in China; coercion by police or officials abroad to make individuals return to China; and the abuse of formal legal mechanisms such as Interpol Red Notices and extradition requests.¹⁴⁵

While interviewees from mainland China did not cite specific laws in a similar manner as Hong Kong students, they did reference their fear of mainland national security police, empowered through these laws and practices. Students from the mainland have spent most of their lives living under intense surveillance and a wider set of repressive laws, while students from Hong Kong are experiencing the rapid removal of rights previously enjoyed only a few years earlier. One student said that the last time they returned to China they could not stand the atmosphere: "My parents tried to make me watch propaganda tutorials from the CCP [Chinese Communist Party], thinking it would 'help'."¹⁴⁶

5.1.2 HONG KONG'S NATIONAL SECURITY LAWS

Hong Kong's National Security Law (NSL), introduced by China's top legislature in 2020, proscribes crimes of "secession", "subversion", "terrorism" and "collusion with foreign forces". The United Nations Human Rights Committee in 2022 called on China to repeal the NSL because of its overly broad interpretation and arbitrary application, and the lack of clarity on its extraterritorial scope.¹⁴⁷

¹³⁷ Amnesty International, *China: Open letter: Amnesty International comments on the draft revision of the "Measures for Implementing the Law on the Guarding of State Secrets"* (Index: ASA 17/016/2012), 15 June 2012, <https://www.amnesty.org/en/documents/asa17/016/2012/en/>; Amnesty International, *China's 2013 Criminal Procedure Law: In line with international standards?* (Index: ASA 17/021/2013), 15 July 2013, <https://www.amnesty.org/en/documents/asa17/021/2013/en/>; Amnesty International, *China: Submission to the NPC Standing Committee's Legislative Affairs Commission on the second draft Foreign Non-Governmental Organizations Management Law* (Index: ASA 17/1776/2015), 2 June 2015, <https://www.amnesty.org/en/documents/asa17/1776/2015/en/>; Amnesty International, "China: Draconian anti-terror law an assault on human rights", 4 March 2015, <https://www.amnesty.org/en/latest/news/2015/03/china-draconian-anti-terror-law/>; Amnesty International, "China: Scrap draconian new national security law", 1 July 2015, <https://www.amnesty.org/en/latest/news/2015/07/china-scrap-draconian-new-national-security-law/>; Amnesty International, *China: Submission to the NPC Standing Committee's Legislative Affairs Commission on the Draft "Cyber Security Law"* (Index: ASA 17/2206/2015), 5 August 2015, <https://www.amnesty.org/en/documents/asa17/2206/2015/en/>; Amnesty International, *China: Submission on the Draft "National Intelligence Law"* (Index: ASA 17/6412/2017), 5 June 2017, <https://www.amnesty.org/en/documents/asa17/6412/2017/en/>; Amnesty International, "Like We Were Enemies In A War": China's Mass Internment, Torture and Persecution Of Muslims In Xinjiang", 5 June 2021, https://xinjiang.amnesty.org/wp-content/uploads/2021/06/ASA_17_4137-2021_Full_report_ENG.pdf.

¹³⁸ Amnesty International, "China's Crackdown On Human Rights Lawyers", 7 July 2016, <https://www.amnesty.org/en/latest/campaigns/2016/07/one-year-since-chinas-crackdown-on-human-rights-lawyers/>; New York Times, "China Blocks Son of Human Rights Lawyer From Leaving Country", 14 November 2017, <https://www.nytimes.com/2017/11/14/world/asia/china-bao-zhuoxuan-wang-yu.html>.

¹³⁹ Amnesty International, "China: Activist Li Qiaochu unjustly convicted 'for speaking out about torture'", 5 February 2024, <https://www.amnesty.org/en/latest/news/2024/02/china-activist-li-qiaochu-unjustly-convicted-for-speaking-out-about-torture/>.

¹⁴⁰ Amnesty International, "Demand Chinese authorities quash Yang Hengjun's death sentence", <https://action.amnesty.org.au/act-now/demand-chinese-authorities-release-yang-hengjun>.

¹⁴¹ *zhuahuo* 抓获.

¹⁴² Xinhua, "坚持有逃必追、一追到底 上半年全国共追回外逃人员 582 人 追赃 19.32 亿元" [In the first half of the year, a total of 582 fugitives were recovered across the country, and 1.932 billion yuan in stolen goods were recovered.], 21 July 2023, http://www.news.cn/2023-07/21/c_1129760677.htm; Xinhua, "公安部部署开展'猎狐 2023'专项行动" [The Ministry of Public Security deploys the "Fox Hunting 2023" special operation], 27 April 2023, http://www.news.cn/2023-04/27/c_1129574403.htm; Xinhua, "China launches 'Sky Net 2017' to hunt down corrupt suspects abroad", 8 March 2021, http://www.xinhuanet.com/english/2017-03/08/c_136113421.htm; China Daily, "Fox Hunt nabs its prey abroad", 18 November 2014, https://www.chinadaily.com.cn/cndy/2014-11/18/content_18931635.htm.

¹⁴³ China, Criminal Procedure Law of the People's Republic of China [《中华人民共和国刑事诉讼法》], 26 October 2018 (amended), http://www.npc.gov.cn/zgrdw/npc/xinwen/2018-11/05/content_2065631.htm, Articles 75 and 291 (amendments to the Criminal Procedure in 2012 introduced the provision of "residential surveillance at a designated location," which permits police to hold individuals suspected of national security crimes incommunicado for six months).

¹⁴⁴ China, Supervision Law of the People's Republic of China [《中华人民共和国监察法》], 20 March 2018, https://www.gov.cn/xinwen/2018-03/26/content_5277463.htm, Article 52(1).

¹⁴⁵ Safeguard Defenders, "Involuntary Returns – report exposes long-arm policing overseas", 18 January 2022, <https://safeguarddefenders.com/sites/default/files/pdf/INvoluntary%20Returns.pdf>, pp. 59-61.

¹⁴⁶ Interview with a student in North America.

¹⁴⁷ United Nations Human Rights Committee (UNHRC), "Concluding observations on the fourth periodic report of Hong Kong, China", 11 November 2022, CCPR/C/CHN-HKG/CO/4, 2022, pp. 3-4.

From the NSL's inception, the law has undermined academic freedom inside Hong Kong.¹⁴⁸ Dozens of scholars and academics around the world also warned that the law was an “assault on academic freedom” globally and would “encourage[er] critics of the Chinese party-state to self-censor.”¹⁴⁹ These concerns were corroborated by Amnesty International's research, which found that the NSL serves to intimidate international students and researchers abroad, hampering their willingness to explore a wide range of political or rights-related issues in their academic work and in conversations with fellow scholars and friends.¹⁵⁰

The uncertainty created by the ambiguous terms of the NSL has contributed significantly to the extent and depth of this self-censorship. As Claire explained: “Anyone can report you under the NSL for any reason and complicate your life. It doesn't matter what you've done or said – even if [someone] is upset with you for another reason. So you have to be careful in every aspect of your life.”¹⁵¹

Hannah, a recent graduate who was in the middle of her overseas studies when the NSL was enacted, explained how the fear of running afoul of the law while studying affected her life: “The NSL really changed my life decisions. It affects every aspect of my daily life. Who I'm talking to, what apps can I use, should I use a dating app, where can I travel, who I can work for – everything... The impact is not just one impact, it's like a chain.”¹⁵²

While the students interviewed had not personally experienced prosecution under the NSL, many interviewees described the chilling effect of the law on their free expression. One high-profile case was cited by nearly half of students from Hong Kong in their interviews with Amnesty International as an example of their fears of the national security environment in Hong Kong since the NSL was enacted.¹⁵³ In November 2023, a Hong Kong permanent resident was sentenced to two months in prison for “sedition” for social media posts she made while studying at a university in Japan; she had initially been arrested under the NSL for “inciting secession” in April when returning to Hong Kong to renew her identification card.¹⁵⁴

In addition, in the aftermath of enacting the NSL, the Hong Kong government revived the use of colonial-era sedition provisions against individuals who exercise freedom of expression, and such provisions were incorporated into a new security law known as Article 23 and given extraterritorial effect.

On 23 March 2024, the Safeguarding National Security Ordinance under Article 23 of Hong Kong's Basic Law (commonly known as the Article 23 law) came into effect.¹⁵⁵ The law expands the scope national security offences already enacted and created five new offences of “treason”, “insurrection”, “offences in connection with state secrets and espionage”, “sabotage and endangering national security” and “external interference”. Six UN special procedure mandate holders said the law “fails to conform” with Hong Kong's international human rights obligations and called on the government to repeal the extraterritorial scope of the law as it “may aggravate risks of transnational repression against human rights defenders” outside of Hong Kong.¹⁵⁶ The UN High Commissioner for Human Rights also described the Article 23 law as a “regressive step for human rights” in the territory.¹⁵⁷

Since the Article 23 law was enacted, scholars have worried about further implications for academic freedom inside Hong Kong and international academic collaboration and research.¹⁵⁸ Five students expressed fear to Amnesty International about its potential impacts on their activities while abroad in addition to the fears they already had with the 2020 NSL.¹⁵⁹ One student worried that the law went further than the NSL in the potential repercussions for academic research due to the new state secrets offences. “This may be a step by the Chinese and Hong Kong

¹⁴⁸ Amnesty International, *Hong Kong: Submission to the UN Committee on Economic, Social and Cultural Rights: 73rd Session, 13 February – 3 March 2023*, (Index Number: ASA 17/6355/2023), 17 January 2023, <https://www.amnesty.org/en/documents/asa17/6355/2023/en/>, pp. 9-10.

¹⁴⁹ The Guardian, “Academics warn of ‘chilling effect’ of Hong Kong security law”, 12 October 2020, <https://www.theguardian.com/education/2020/oct/12/academics-warn-of-chilling-effect-of-hong-kong-security-law>; British Association for Chinese Studies, “The Hong Kong National Security Law is an assault on academic freedom: Joint Statement”, https://docs.google.com/forms/d/e/1FAIpQLScLrwdgVY_M4yAqz3Co5xghHv2kSkyNarH35JZWwEJ8TN6yQ/viewform (last accessed on 11 April 2024).

¹⁵⁰ Interviews with eight students in Europe and North America.

¹⁵¹ Interview with “Claire”.

¹⁵² Interview with “Hannah”.

¹⁵³ Interviews with five students from Hong Kong.

¹⁵⁴ Hong Kong Free Press, “Hong Kong student who made ‘seditious’ online posts in Japan jailed for 2 months”, 3 November 2023, <https://hongkongfp.com/2023/11/03/hong-kong-student-who-made-seditious-online-posts-in-japan-jailed-for-2-months/>.

¹⁵⁵ Hong Kong, Safeguarding National Security Ordinance, 23 March 2024, https://www.elegislation.gov.hk/hk/A305?xid=ID_1710751040240_002; Amnesty International, “Hong Kong: Passing of Article 23 law a devastating moment for human rights”, 19 March 2024, <https://www.amnesty.org/en/latest/news/2024/03/hong-kong-passing-of-article-23-law-a-devastating-moment-for-human-rights/>; Amnesty International, *Hong Kong: Submission to the Security Bureau on Basic Law Article 23 Legislation Public Consultation Document* (Index: ASA 17/7755/2024), 27 February 2024, <https://www.amnesty.org/en/documents/asa17/7755/2024/en/>.

¹⁵⁶ United Nations, letter from six special rapporteur mandate holders to government of Hong Kong, 22 March 2024, UN Docs. OL CHN 5/2024, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28893>.

¹⁵⁷ United Nations, Office of the High Commissioner for Human Rights (OHCHR), “Rushed adoption of national security bill a regressive step for human rights in Hong Kong – UN Human Rights Chief”, 19 March 2024, <https://www.ohchr.org/en/press-releases/2024/03/rushed-adoption-national-security-bill-regressive-step-human-rights-hong>.

¹⁵⁸ University World News, “Academics adrift after Hong Kong passes new security law”, 22 March 2024, <https://www.universityworldnews.com/post.php?story=20240322131607395>.

¹⁵⁹ Interviews with five students from Hong Kong.

governments to target people who are not politically active or high profile but in academia... I personally do feel a little bit more worried as someone who is planning to work on [sociology and history] academic issues related to Hong Kong and China and would frequently go in and out of the territory.”¹⁶⁰

5.2 INSTRUCTIONS BEFORE LEAVING CHINA

Seven students interviewed by Amnesty International said they received instructions before they left China regarding how they should behave or what they should discuss during their overseas studies.¹⁶¹ While these messages did not come directly from the government, they were often passed on by institutions with close links to the state, such as their university, school or teachers. In one case, the message came via the student’s mother, who was told by her government employer, “Your daughter is going to study abroad. Keep reminding your daughter that she is Chinese, she must love the government, and that she must always remember to spread the message of President Xi [Jinping] overseas.”¹⁶²

Two students said that before they left China to study in the USA, they were told by officials at their Chinese universities to be patriotic overseas and “not do anything that harms the interests of the Chinese state.”¹⁶³ Another student said that the “[l]ocal community in my hometown asked my parents to share the information about where he is studying and what he will be studying.”¹⁶⁴ These “neighbourhood committee” were in practice government employees with substantial authority to monitor residents.¹⁶⁵

5.3 HARASSMENT OF CHINA-BASED FAMILY

Amnesty International found that the clearest and most prevalent act of transnational repression against students also relied on a non-extraterritorial tactic, namely, Chinese police threatening or harassing students’ family members in China.

Chinese officials targeted China-based family members of students to control the involvement of international students in expression or activities deemed to be critical of the Chinese government or its policies. Described variously as “proxy punishment” or “coercion-by-proxy,”¹⁶⁶ with family members treated as surrogates for the targeted individual abroad, this tactic involves acts taking place in the targeted individual’s origin country (in this case China). Arguably, this makes it a “lower-risk” approach for Chinese officials.

Amnesty International’s interviews of students revealed that this tactic was alarmingly common. Ten of the 32 students interviewed reported that their family members in China had experienced harassment in relation to the students’ activities overseas.¹⁶⁷ A further two students were aware of close associates in the same host country whose families had been harassed by Chinese authorities. The overseas geographic distribution of students affected by this tactic was broad, suggesting that monitoring of overseas students is not limited to specific destinations or universities. Students interviewed by Amnesty International studying in six different countries – Canada, France, Germany, the Netherlands, the UK and the USA – had experienced threats against family members based in mainland China.

According to the students interviewed, the China-based family members of students were targeted in connection to the students’ involvement in activities that are common on or near university campuses, such as holding or attending protests, taking part in events, putting up posters, and posting online or speaking to the media about causes they care about. While most students described interactions between Chinese local police and their China-based parents – mainly visits and calls – some also cited interactions involving national security officers or, in one case, a Communist Party official. During the interactions, authorities routinely instructed parents to intercede in their children’s overseas

¹⁶⁰ Interview with a student from Hong Kong.

¹⁶¹ Interviews with seven students.

¹⁶² Interview with a student in Europe.

¹⁶³ Interviews with two students in the USA.

¹⁶⁴ Interview with a student in Europe.

¹⁶⁵ In mainland China, “neighbourhood committees” (*shequ juweihui* 社区居委会), which already had low-level bureaucratic roles in residents’ daily lives, were granted more coercive power during the Covid-19 pandemic – enforcing lockdowns, health codes, and rules – and that power was not reallocated. ChinaFiles, “For China’s Urban Residents, the Party-State Is Closer than Ever”, 30 March 2023, <https://www.chinafile.com/reporting-opinion/notes-chinafile/chinas-urban-residents-party-state-closer-ever>.

¹⁶⁶ Dana M. Moss and others, “Going after the family: Transnational Repression and the Proxy Punishment of Middle Eastern Diasporas”, 2022, Global Networks, Volume 22, <https://doi.org/10.1111/glob.12372>, pp. 735–751; Fiona B. Adamson and Gerasimos Tsourapas, “At Home and Abroad: Coercion-By-Proxy as a Tool Of Transnational Repression”, 2020, Freedom House Special Report, <https://freedomhouse.org/report/special-report/2020/home-and-abroad-coercion-proxy-tool-transnational-repression>.

¹⁶⁷ Interviews with 10 students.

activities to persuade them to refrain from making any comments or engaging activities deemed to be critical of the Chinese government, its leaders or its policies.

In two cases detailing more serious incidents, students reported that their family members had been summoned to a police station for questioning for several hours.¹⁶⁸ While none of the interviewees had a family member experience arrest or detention, the possibility that family members would be detained in response to students' overseas activities was perceived by several as a real threat. This perception is supported by the experiences of Chinese nationals from Xinjiang, where Amnesty International has previously documented how Chinese police have targeted the family members of ethnic minorities, such as Uyghurs, Kazaks and other Muslim minorities, with detention in "re-education" camps or long prison sentences in relation to their family members' activities abroad.¹⁶⁹

The messages that police and other officials send to students through their China-based family members clearly demonstrate that the Chinese government is concerned with how students express themselves, associate with others, and organize during their studies abroad. Rowan (see Chapter 1) told Amnesty International that her father was instructed by police to "[t]ell your child to love our country and not say negative things about our country."¹⁷⁰ Similarly, William, a student in Europe, told Amnesty International that his mother was summoned to a police station and told, "don't let your son be used by foreign forces that are unfriendly to China. Don't let him do things that are bad for our country."¹⁷¹

Police also pressured or instructed students' China-based family members to cut off funding for their children to coerce them into silence in at least three cases (see 4.4).¹⁷² Michael told Amnesty International that, following his sharing of public comments and involvement in protests against the Chinese government, his parents received "lots" of phone calls from Chinese national security officers instructing them not to contact their son or provide him with any financial support.¹⁷³

Some students interviewed indicated that, in addition to the discomfort and possible stigma of being questioned by state authorities, their family members in China had been threatened by government officials with direct and specific consequences related to students' overseas activities. These include the risk that state authorities may revoke family members' passports; have them fired from their jobs; block their promotions, retirement benefits or education opportunities; or limit their physical freedom.¹⁷⁴ At the time of writing, Amnesty International has not been able to confirm whether Chinese authorities have followed through on any of these threats. However, media reports indicate such consequences have been exacted against China-based family members to control the expression or actions of individuals abroad.¹⁷⁵

"Luna", a student in Europe, said, "Police call my parents quite often to harass them and don't allow them to travel abroad easily... after I went abroad, the government couldn't directly pressure me. So [officials] began to directly and indirectly pressure family members to encourage me to be silent and stop my involvement in political activities."¹⁷⁶ She added that her father can still travel but it is "much more difficult for him than it should usually be". Similarly, Jack, another recent graduate in Europe, expressed his fear that a family member would be denied an employment opportunity as punishment for his participation in a human rights event overseas.¹⁷⁷ He said his parents relayed to him that when they were visited by police in China, the officers had already gathered the personal information of approximately 20 of his relatives, including their ages and workplace information, and whether or not they were members of the Chinese Communist Party. Police officers told Jack's parents that if Jack continued his overseas activities, the "political background check"¹⁷⁸ of his relatives would be "affected". The political background check is relevant to civil servant applications, general employment and promotions. Jack expressed his concern that the employment prospects of one of his cousins at a Chinese university would be impacted, although he was not aware of any actual impact at the time of writing.

¹⁶⁸ Interviews with two students in Europe.

¹⁶⁹ Amnesty International, "Nowhere feels safe" (previously cited); Amnesty International, "Like We Were Enemies in a War" (previously cited); Amnesty International, *China: Grave health concerns for missing Uyghur* (Index: ASA 17/2401/2020), 27 May 2020, <https://www.amnesty.org/en/documents/asa17/2401/2020/en/> <https://www.amnesty.org/en/documents/asa17/2401/2020/en/>.

¹⁷⁰ Interview with "Rowan".

¹⁷¹ Interview with "William".

¹⁷² Interviews with three students.

¹⁷³ Interview with "Michael".

¹⁷⁴ Interviews with three students.

¹⁷⁵ For example, a Canadian activist's China-based father's passport was revoked due to her activism in Canada; US-based Radio Free Asia Uyghur Service journalists' family members have been detained in China for their reporting; and a dissident's China-based parents' bank account was frozen after he attended a Tiananmen memorial in Australia, see Business Insider, "China uses threats about relatives at home to control and silence expats and exiles abroad", 30 July 2018, <https://www.businessinsider.com/china-uses-family-members-to-silence-criticism-2018-7>; New York Times, "After U.S.-Based Reporters Exposed Abuses, China Seized Their Relatives", 1 March 2018, <https://www.nytimes.com/2018/03/01/world/asia/china-xinjiang-rfa.html>; China Matters, "What should Australia do about... the influence of United Front work?", September 2020, <https://chinamatters.org.au/policy-brief/policy-brief-september-2020/>.

¹⁷⁶ Interview with "Luna".

¹⁷⁷ Interview with "Jack".

¹⁷⁸ zhengzhi shencha 政治审查.

Most of the students interviewed who had experienced family harassment were told by their family members that they had been contacted by Chinese officials. In some cases, family members asked students to stop certain overseas activities but did not mention interactions with officials, with students only later discovering the involvement of officials. Amnesty International's research revealed that Chinese officials may be instructing family members, especially the parents of students, to hide or obscure that the threats originated from the state when warning students to avoid or cease certain activities, possibly to minimize the evidence of state involvement, or to allow them to escalate to official threats at a later date. "Benjamin", a student in Europe, told Amnesty International about another overseas student whose parents had warned, "the police came and told us about [an incident involving the student] but told us not to tell you they had visited us."¹⁷⁹

Other students told Amnesty International that their parents in China had advised them to cease any involvement in political activities overseas but did not mention any contact with state authorities, even though strong circumstantial evidence pointed to their involvement. For example, Jordan, a student in the USA, reported that his parents instructed him to write a letter to them promising "to never participate in political activities in the US" again, referring to the student's YouTube channel, where he posted videos about political prisoners, and taking part in an online Tiananmen vigil.¹⁸⁰ Jordan explained, "I strongly believe they got this [request] from the Chinese government and passed it along", because he knew his parents did not have a Virtual Private Network (VPN) and would have been unable to view his online activity on blocked international social media platforms from inside China.¹⁸¹ Jordan later learned from his parents that they had indeed been visited by police officers when his father held up a written sign during a video chat that said "our talk is being monitored". Similarly, the second time Rowan's father contacted her about her involvement in an overseas protest, he obscured the fact that police had contacted him. Rowan was left to suspect the involvement of police due to the speed with which her father had become aware of her involvement in a protest thousands of miles away and had reached out with instructions to refrain from such activities.

Whether or not students are able to confirm that state authorities have visited their family members, made requests of those family members, or threatened them implicitly or explicitly, the possibility of state intervention against family members is a significant source of students' fears of repercussions for what they say or do while overseas. This fear prompted the family members of one interviewee to express concern over her WeChat posts while abroad, admonishing her: "We're still in China, can you tone down your posts for your safety and our safety?"¹⁸² Benjamin, who also feared that his family would suffer repercussions for his involvement in political activities overseas, shared with Amnesty International that, "[w]hen my parents call me, I am very anxious because I don't know whether it's because the police have found them."¹⁸³

These incidents reveal that many Chinese students' overseas activities are likely subject to some form of extraterritorial monitoring by state authorities. "James", another student in Europe, told Amnesty International that provincial-level national security officers and officials from China's United Front Work Department¹⁸⁴ visited his parents in mid-2023. The officials seemed to know that James was about to graduate and asked his parents several questions about his plans following his studies, including regarding his financial and living situation.¹⁸⁵ James had previously been a public activist while abroad until mid-2021, and the unexpected visit two years later led him to believe that he has been under surveillance since that period of his life.

These incidents align with reported incidents from some especially marginalized diaspora communities, such as Tibetans and Uyghurs, as well as reports of incidents from human rights activists living abroad. Members of these communities have for years experienced Chinese government's overseas surveillance and intimidation, including through the questioning of, and threats against, their relatives in China.¹⁸⁶ Following the issuing of arrest warrants and bounties in December 2023 for overseas Hong Kong activists, police in Hong Kong briefly detained and interrogated

¹⁷⁹ Interview with "Benjamin".

¹⁸⁰ Interview with "Jordan".

¹⁸¹ Most major international social media platforms are blocked inside China, including Facebook, Gmail, Instagram, Snapchat, Tiktok (the international version of Chinese platform Douyin), Twitch, WhatsApp, X (formerly Twitter) and YouTube.

¹⁸² Interview with a student in North America.

¹⁸³ Interview with "Benjamin".

¹⁸⁴ The United Front Work Department (UFD) is a department of the Chinese Communist Party's Central Committee, which, during a wide-ranging reorganization of governance in 2018, took over the Overseas Chinese Affairs Office of the State Council. The change was intended to "strengthen the Party's centralized and unified leadership of overseas united front work, more broadly unite and contact overseas Chinese and returned overseas Chinese and their families." See Xinhua, "中共中央印发《深化党和国家机构改革方案》" [CCP Central Committee issues Plan on deepening party and state institutional reform], 21 March 2018, https://web.archive.org/web/20180405000655/http://www.xinhuanet.com:80/politics/2018-03/21/c_1122570517.htm.

¹⁸⁵ Interview with "James".

¹⁸⁶ TCHRD, "Chinese Transnational Repression of Tibetan Diaspora Communities" (previously cited), p. 3; Natalie Hall and Bradley Jardine, "Your Family Will Suffer: How China is Hacking, Surveillance, and Intimidating Uyghurs in Liberal Democracies", 10 November 2021, <https://uhrp.org/report/your-family-will-suffer-how-china-is-hacking-surveillance-and-intimidating-uyghurs-in-liberal-democracies/#WelcomeToTheMachine:DigitalAuthoritarianismInTheUyghurRegionandBeyond>, Section VIII; Canadian Coalition on Human Rights in China, "Harassment & Intimidation of Individuals in Canada Working on China-Related Human Rights Concerns", March 2020, <https://www.amnesty.ca/sites/amnesty/files/Canadian%20Coalition%20on%20Human%20Rights%20in%20China%20-%20Harassment%20Report%20Update%20-%20Final%20Version.pdf>.

the family members of some of those activists.¹⁸⁷ This suggests that the targeting of China-based family members is a systematic tactic of the Chinese authorities' transnational repression efforts.

5.4 PHYSICAL SURVEILLANCE

Several students interviewed by Amnesty International believed that they experienced physical surveillance while studying overseas. Some said that unknown individuals had taken photos of them when they attended events in their host countries such as protests or rallies, both on and off campus. While it was often difficult for the students to identify these individuals, some contextual clues – such as the individuals' age, appearance and behaviour, the types of events being surveilled, and subsequent incidents – raised students' suspicions that their surveillants might have been state agents. As mentioned in Chapter 4, several high-profile, publicly reported incidents of surveillance of activists abroad have contributed to students' fear that suspicious individuals watching their protests or events may be acting on behalf of the Chinese state.

In all, 14 students interviewed thought that they had been suspiciously photographed or recorded at events while overseas, including in Belgium, Canada, Germany, the UK and the USA.¹⁸⁸

As detailed in Chapter 1 of this report, Rowan discovered that, within hours of her attendance at two overseas protests, her family in China had been contacted by state officials about her involvement in the event.¹⁸⁹ As she had not posted online or commented publicly about her involvement in the protest, the speed with which Chinese state authorities were able to identify her attendance and find her China-based family members supports her belief that her overseas activities were already subject to physical surveillance by the Chinese state in her host country.

In several cases, students observed unknown individuals taking photographs of participants or presenters at events both on and off campuses. One student attending a university workshop in 2019 about the Hong Kong anti-extradition law movement reported that some individuals, who they thought might be Chinese students, showed up and started taking photos of the presenter. "They kept trying to take photos, but they were stopped from doing so by other audience members," the student told Amnesty International.¹⁹⁰ A student in the UK described noticing individuals appearing to monitor several protests that she attended: "Every time, there is someone [we] don't know filming. Standing to the side, using their phones and recording. They don't say anything but stand there holding their phone. [We] don't know if it's the same people".¹⁹¹ Another student described attending several events in the UK; at every one, unknown individuals were taking photos of participants. While the student was not able to identify the individuals, the age, appearance or demeanour of the individuals stood out as unusual, leading the student to believe they might have been affiliated with the Chinese government.¹⁹²

Two students in Canada, finding themselves in a similar situation, attempted to speak to the individuals. "Of course, we can sometimes see weird people taking pictures of our events from 30m or 50m away, and they run off [when confronted]," said one student.¹⁹³ The other student recounted, "[we] always approach them and ask if they want to take part, offer them a poster to hold, and they always run away."¹⁹⁴ The students felt that these people, who were in their thirties or older and appeared to be taking photos of the event and attendees purposefully, were on a "mission" to surveil the events.

Jordan told Amnesty International that he first thought that one such observer – a man in his thirties, who was observing a protest in the USA and asking questions about it – was simply curious. "I hadn't initially thought they were from the Chinese government, but the questions they asked were so weird, like 'what are you doing' and 'who organized this', and he approached us two or three times. I saw him walking around us and taking some pictures while trying to pretend like he wasn't."¹⁹⁵

Two other students told Amnesty International that, when attending protests outside the Chinese embassy or consulate in their respective cities, they expected to be recorded by individuals or cameras from the diplomatic premises. As one student in Canada recounted, "There are three or four cameras in front of the consulate. When we protest there, of

¹⁸⁷ Amnesty International, X (formerly Twitter) post, "Since issuing HK\$1m bounties in December for five overseas activists, Hong Kong police have taken away for questioning the family members of some of those activists to intimidate them into silence. This harassment must stop. 1/4" 11 January 2024, <https://twitter.com/amnestypress/status/1745550565818405086>.

¹⁸⁸ Interviews with 14 students.

¹⁸⁹ Interview with "Rowan".

¹⁹⁰ Interview with a student in Europe.

¹⁹¹ Interview with a student in the UK.

¹⁹² Interview with a student in the UK.

¹⁹³ Interview with a student in Canada.

¹⁹⁴ Interview with a student in Canada.

¹⁹⁵ Interview with "Jordan".

course they are filming us.”¹⁹⁶ A student in Germany stated that, outside the Chinese embassy, “there’s always a window open, even on Sundays,” and as a result, they believed protests outside embassies and consulates are being monitored from within the diplomatic mission.¹⁹⁷ A second student in Germany said that, following a rally in one part of the city, they passed by the Chinese embassy, where they took an impromptu selfie. After leaving the embassy, the student noticed someone following their group to the subway station, who they suspected had come from the embassy.¹⁹⁸

Students repeatedly expressed fear that their attendance at protests may be recorded and their identities discovered by authorities, who may then intimidate or harass them or their families back home. While embassies and consulates from all countries have legitimate reasons to monitor their premises, such as ensuring the security of the building and consular staff, the use of such cameras or monitoring practices to capture what is happening in the wider surroundings of the building, or to identify protesters and pressure them into halting their activities, would constitute a violation of both the privacy and free expression rights of targeted individuals.¹⁹⁹

5.5 RELIANCE ON EXPLOITABLE APPS

Today, virtually all students rely on digital technologies to express their thoughts and opinions, to access information and to organize groups or events. For international students, however, these technologies also provide the main link to family and friends back home. For those from mainland China, whose family members live behind China’s “Great Firewall”,²⁰⁰ a small number of popular and state-approved Chinese apps often constitute the only method of staying in touch with loved ones.²⁰¹

These technologies, such as WeChat (or Weixin, as the app in China is called), pose a particular risk of surveillance and vulnerability to interception for students because of the Chinese government’s extensive surveillance and censorship of such platforms.²⁰² Government policies like the Great Firewall force Chinese students abroad to rely on exploitable apps instead of other popular platforms used globally to communicate with friends and family in China.²⁰³ Students interviewed by Amnesty International described an awareness of such surveillance – and consequently a reluctance to use such apps to freely express themselves – but many said that ceasing to use them entirely would mean being unable to communicate with their parents.

5.6 ONLINE CENSORSHIP

Chinese platforms commonly used by students, like WeChat (or Weixin), Weibo, QQ, Xiaohongshu and Douyin (the Chinese version of TikTok), regularly ban or block accounts in China on the grounds that the activities of account users violate Chinese laws and regulations, contrary to their right to freedom of expression.²⁰⁴ Interviewees repeatedly cited restrictions on WeChat, one of the most widely used social media platforms in the country and in the Chinese diaspora.²⁰⁵

Under WeChat’s terms and conditions (T&Cs), if a user registers an account with a mainland China phone number (+86) they are subject to an agreement with Tencent Weixin in China (“Weixin”), whereas users in the rest of the world

¹⁹⁶ Interview with a student in Canada.

¹⁹⁷ Interview with a student in Germany.

¹⁹⁸ Interview with a student in Germany.

¹⁹⁹ “The collection of personal information in relation to an assembly must not interfere impermissibly with privacy or other rights”, Guiding Principle Seven, 10 Principles For The Proper Management Of Assemblies, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, 15 September 2016, <https://www.ohchr.org/en/documents/tools-and-resources/checklist-10-principles-proper-management-assemblies>.

²⁰⁰ The “Great Firewall of China” is a technology used by Chinese government authorities to closely monitor the activity of Internet users within mainland China and to block access to certain sources of information, websites, and messaging and social media applications. Many websites and sources of information on human rights, including Amnesty International’s website, are blocked by the Great Firewall.

²⁰¹ Members of the Uyghur community have also told Amnesty that they are forced to rely on exploitable apps like WeChat to contact their families in China. Amnesty International, “Nowhere Feels Safe” (previously cited).

²⁰² See, for example, CitizenLab, “Politics, Rumors, and Ambiguity Tracking Censorship on WeChat’s Public Accounts Platform”, 20 July 2015, <https://citizenlab.ca/2015/07/tracking-censorship-on-wechat-public-accounts-platform/>; Amnesty International, “Pho noodles and pandas: How China’s social media users created a new language to beat government censorship on COVID-19”, 6 March 2020, <https://www.amnesty.org/en/latest/news/2020/03/china-social-media-language-government-censorship-covid/>.

²⁰³ Amnesty International, “Facebook, Microsoft, LinkedIn and others must resist China’s Orwellian vision of the internet”, 16 November 2016, <https://www.amnesty.org/en/latest/press-release/2016/11/china-cyber-security-world-internet-conference/>.

²⁰⁴ Amnesty International, “Facebook, Microsoft, LinkedIn and others must resist China’s Orwellian vision of the internet” (previously cited).

²⁰⁵ WeChat and Weixin have a combined 1.3 billion monthly active users, though the company does not break down the users by which version they use, see Tencent, “Tencent Announces 2023 Annual and Fourth Quarter Results”, 20 March 2024, <https://static.www.tencent.com/uploads/2024/03/20/fe50310bf15caab4b05dd9e8e49d316.pdf>, p. 11. For more on the Chinese diaspora’s reliance on WeChat, see, Wanning Sun and Haiqing Yu (editors), “WeChat and the Chinese Diaspora: Digital Transnationalism in the Era of China’s Rise”, 2022, <https://www.routledge.com/WeChat-and-the-Chinese-Diaspora-Digital-Transnationalism-in-the-Era-of-Chinas-Rise/Sun-Yu/p/book/9780367724306>.

are governed by the WeChat T&Cs of Tencent's two affiliated companies, based in Singapore and the Netherlands ("WeChat").²⁰⁶ Parent company Tencent stated in a written testimony to an Australian parliamentary hearing in 2020 that "WeChat is not governed by PRC [People's Republic of China] law" and stressed that WeChat and Weixin are "sister apps", not the same platform.²⁰⁷ Despite this claim, and the distinction made in the two apps' T&Cs, research by Canada-based NGO Citizen Lab in 2020 found that accounts on WeChat were subjected to the same type of surveillance as Weixin users in China, and helped train the app's political censorship system for its China platform.²⁰⁸

Amnesty International's interviews with students underscore that the Chinese government's online censorship regime continues to be implemented by the Chinese social media and messaging platforms used by students during their studies abroad. Twelve students reported incidents of online censorship – 11 on WeChat/Weixin – while abroad.²⁰⁹ These incidents included having posts and messages "shadow-banned" (also called "ghost banning" – a censorship tactic that hides the user's messages from others without alerting the user to the ban) or removed, and accounts temporarily suspended or permanently deleted. Interviewees said that the posts and messages that led to censorship of their accounts – several of which were reviewed by Amnesty International²¹⁰ – typically contained content about political or human rights issues related to China. According to the interviewees and Amnesty International's review, none constituted incitement to violence or hatred or contained content that could be lawfully restricted under international human rights law, including strict tests of necessity and proportionality.²¹¹ Instead, this content appeared to be censored on WeChat and Weixin because of its relation to issues considered "sensitive" by Chinese authorities, which would constitute a failure by Tencent to respect the rights of those students to free expression.

Weixin's T&Cs state that users must not "publish, transmit, disseminate, or store content" that violates Chinese laws and regulations. They include 24 categories of prohibitions, many of which are so broad and vague that they could be used to justify removal of virtually any kind of expression at the company's discretion.²¹² WeChat, on the other hand, has a different set of "community guidelines" that are less broad than the T&Cs of Weixin. However, Tencent, the parent company of both platforms, discloses that some of WeChat's services are operated by Weixin and governed by Weixin's T&Cs.²¹³ Regardless of a company's terms and conditions or the laws and regulations applicable in the company's or its users' jurisdiction, all companies have a responsibility to respect human rights, including to "[s]eek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services", as outlined in the United Nations Guiding Principles on Business and Human Rights.²¹⁴

The manner with which Tencent communicates the distinction between WeChat's and Weixin's T&Cs to users appears to be misleading. While WeChat's help centre mentions the difference between WeChat and Weixin, it emphasizes that they are interoperable services.²¹⁵ Meanwhile, another claim on the help centre stresses that messages are safe from access by "unauthorized third parties" without mentioning that, because some services are governed by Weixin's T&Cs and subject to Chinese laws and regulations, state actors in China may be authorized to access data.²¹⁶ As WeChat users may mistakenly believe that their data is not accessible to authorities in China, those users are exposed unknowingly to state censorship or surveillance laws and regulations that may infringe upon their rights. According to research by the think tank Ranking Digital Rights, which analyses and compares the most popular tech companies' policies and practices on privacy and free expression, WeChat/Weixin's parent company Tencent ranked in joint last

²⁰⁶ Weixin, "腾讯微信软件许可及服务协议" [Agreement on Software License and Service of Tencent Weixin], undated, https://weixin.qq.com/agreement?lang=zh_CN; WeChat – Terms of Service, 20 February 2024 (last modified), https://www.wechat.com/en/service_terms.html.

²⁰⁷ Parliament of Australia, Select Committee on Foreign Interference through Social Media, WeChat International Pte Ltd, "Submission 30", 30 September 2020, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Foreign_Interference_through_Social_Media/ForeignInterference/Submissions.

²⁰⁸ CitizenLab, "We Chat, They Watch How International Users Unwittingly Build up WeChat's Chinese Censorship Apparatus", 7 May 2020, <https://citizenlab.ca/2020/05/we-chat-they-watch/>.

²⁰⁹ Interviews with 12 students.

²¹⁰ Amnesty International researchers reviewed screenshots of the posts in question and messages, where available, and otherwise reviewed the reasons provided by the social media platforms for the action against students' accounts.

²¹¹ See UN General Assembly, "International Covenant on Civil and Political Rights" (ICCPR), 16 December 1966, United Nations Treaty Series, vol. 999, p. 171, Article 19.

²¹² For example, content is prohibited if it: (2) "endangers national security, divulge state secrets, subvert state power and undermine national unity" ... (4) "Distort, vilify, blaspheme, or deny the deeds and spirit of heroes and martyrs, insult, slander, or otherwise infringe on the names, portraits, reputations, and honors of heroes and martyrs" ... (21) "incites illegal assembly, association, procession, demonstrations and gatherings disrupting the social order" ... (22) "carry out any activity in the name of any illegal civil organization". Agreement on Software License and Service of Tencent Weixin (previously cited), 8.1.2.1.

²¹³ WeChat's community guidelines prohibit content related to 10 categories: "Fraud or Scams", "Nudity or Sexual Content", "Hateful, Spam or Other Inappropriate Behaviour", "Violent Content", "Account Integrity" (such as impersonations), "Intellectual Property Infringement", "Minor Safety", "Terrorism, Violent Extremism and Other Criminal Behaviour", "Personal Data Violation" and "Other Inappropriate Content".

²¹⁴ UN Guiding Principles on Business and Human Rights, Implementing the United Nations "Protect, Respect and Remedy" Framework (UN Guiding Principles), 21 March 2011, A/HRC/17/31, Principle 13(b).

²¹⁵ WeChat Help Center, "What is the difference between a WeChat user and a Weixin user?", <https://help.wechat.com/cgi-bin/micromsg-bin/oshelpcenter?opcode=2&lang=en&plat=ios&pid=1007101&id=210817umrvy62108173enzy&Channel=helpcenter>.

²¹⁶ WeChat Help Center, "How secure are my chat messages and conversations on WeChat? Can unauthorized third-parties access or read my messages?" https://help.wechat.com/cgi-bin/micromsg-bin/oshelpcenter?t=help_center/topic_detail&opcode=2&pid=1003400&id=1208117b2mai1410243yyqfz&lang=en&plat=ios&Channel=helpcenter.

place over concerns of government censorship and privacy of users,²¹⁷ and has also not been transparent about government censorship requests.²¹⁸

Amnesty International's interviews with overseas students revealed that they experienced a degree of censorship on WeChat accounts while abroad that was commensurate with the restrictions imposed on Weixin accounts in China. For example, a student in Germany had their German phone number-registered WeChat account temporarily suspended after posting information about a White Paper protest – even though the protest was in Germany.²¹⁹ Another student said they tried to send a happy birthday message to the Dalai Lama on their US phone number-registered WeChat account, but the post appeared to be shadow-banned and some of their contacts could not view it.²²⁰

Two students in the UK also reported censorship of their UK-registered WeChat accounts, such as posts being shadow-banned, including posts on topics specifically considered undesirable by the Chinese government, such as those related to jailed Hong Kong activist Joshua Wong, the Hong Kong protest slogan “Liberate Hong Kong, revolution of our times”, and the “chained woman” case of human trafficking in China.²²¹ Amnesty International was unable to verify whether or not the shadow-banned posts were only restricted for viewing by users in China who are subject to Weixin's T&Cs. In some instances, overseas censorship is also the result of the actions of China-based individuals. One student told Amnesty International that a China-based friend had reported their WeChat account to Chinese authorities, resulting in temporary or partial suspensions of their account while they were abroad.²²²

While students' reports of digital censorship mainly involved WeChat, Chinese laws and regulations on online content also impacted students' use of other Chinese apps. A US-based student told Amnesty International that they had registered a Xiaohongshu²²³ account while in the USA to teach people Sanskrit, but that the platform permanently banned the account on the grounds that it “violated community guidelines” according to a notice from the company that was reviewed by Amnesty International.²²⁴ The student said that, when they had initially been banned, the reason given was that they had been “spreading religious extremism and luring people to join a religion.”

The censorship that students reported experiencing on Chinese social media platforms while abroad, irrespective of the T&Cs of the apps, reinforced to students that they were subject to China's censorship laws and practices wherever in the world they were located. This sense of an inability to escape the repressive practices of their home government was described by students as contributing to their fear of the Chinese government's ability to monitor and retaliate against what they did or said while abroad.

5.7 MONITORING OF ONLINE ACTIVITY ABROAD

The testimonies of students interviewed suggest that some of the Chinese government's surveillance of students overseas is also achieved through digital monitoring. Six students, living in Belgium, the Netherlands, the UK and the USA, told Amnesty International that they had strong evidence to believe that Chinese state surveillance targeted their online activities, which in some cases may have prompted officials to visit their China-based family members.²²⁵ One of these, “Henry”, whose parents were harassed by police in China in an effort to censor his overseas activities, reported that police had shown his father messages sent between Henry and his mother and sister, indicating that the police were monitoring and accessing his or his family members' private messages on WeChat/Weixin.²²⁶

During Amnesty International's research, students from mainland China and Hong Kong shared concerns about experiencing online surveillance by Chinese state authorities when using international social media platforms, such as X (formerly Twitter), Facebook and Instagram. Especially after events like the 2022 White Paper protests in China, students noted that Chinese police appeared to be seeking to uncover who was taking part in protests and behind protest-linked accounts, and to intimidate them into silence.²²⁷ Media reported in early 2023 that unknown individual(s) suspected of having state-links impersonated journalists to try and approach activists behind a protest-

²¹⁷ Ranking Digital Rights, “Scorecard: Tencent Holdings Ltd”, 2022 Big Tech Scorecard, <https://rankingdigitalrights.org/bts22/companies/Tencent>.

²¹⁸ Ranking Digital Rights, “Scorecard: Tencent Holdings Ltd” (previously cited).

²¹⁹ Interview with a student in Germany.

²²⁰ Interview with a student in North America.

²²¹ Interviews with two students in the UK. The “chained woman” case refers to a woman shown in a January 2022 online video in poor mental and physical conditions chained in an outhouse in Xuzhou, Jiangsu Province. The video went viral and sparked a public outcry in China as a case of suspected human trafficking. Amnesty International, China Submission to the UN Committee on Economic, Social and Cultural Rights 73rd Session, 13 February–3 March 2023 (INDEX: ASA 17/6357/2023), <https://www.amnesty.org/es/wp-content/uploads/2023/01/ASA1763572023ENGLISH.pdf>, <https://www.amnesty.org/es/wp-content/uploads/2023/01/ASA1763572023ENGLISH.pdf>, p. 9.

²²² Interview with a student in the USA.

²²³ A social media and e-commerce platform similar to Instagram.

²²⁴ Interview with a student in the USA.

²²⁵ Interviews with six students.

²²⁶ Interview with “Henry”.

²²⁷ Interviews with two students.

linked social media account.²²⁸ Police have also been reported as seeking to ascertain the followers of uncensored accounts; two commentators abroad with over a million followers, respectively, said in February 2024 they were aware that Chinese police were interrogating people in China who followed them on X.²²⁹

Another student's perspective, based on their and their friend's experiences, was that "[a]fter the [White Paper] movement died down, [Chinese authorities] have tried to hunt down the people who did activism overseas."²³⁰ Concerns over Chinese officials accessing the social media accounts of students overseas to identify former protesters were echoed by Benjamin, whose friend had been interrogated by Chinese police when returning to China in 2023 after the White Paper protests. According to Benjamin, during the interrogation, police officials presented his friend with a list of members of a group on the Telegram encrypted instant messaging platform who were discussing protests and asked him to identify individual members. Hearing this news, Benjamin feared that Chinese police might be able to identify his own participation in such online conversations and decided to leave many groups and cut connections with many friends.²³¹

The Chinese state has been linked to surveillance of international social media apps to intimidate students and diaspora communities abroad, including publicly reported accounts of students in Canada and the USA who were threatened or arrested upon return to China for their posts on X while overseas.²³² Some of these platforms have publicly responded to Chinese state-linked efforts to target overseas communities, such as Facebook, which took down the account of a hacker group targeting Uyghurs with malware on its platform.²³³ Media reporting has also revealed evidence that Chinese state agencies have spent large sums purchasing software to monitor international social media platforms, and that domestic users of some of these apps have been arrested for their comments on them, indicating that the Chinese authorities have invested significant resources into surveillance of such platforms, presumably with the intent to repress the expression of their users.²³⁴

Four students interviewed by Amnesty International reported that the online presence of groups they were associated with in their host countries had been targeted by what they believed were cyberattacks linked to the Chinese state.²³⁵ While Amnesty International was not able to verify if the attacks were indeed conducted by Chinese authorities, the students' suspicion of state involvement contributed to undermining their willingness to express themselves online.

5.8 HARASSMENT IN THE HOST COUNTRY

Several of the Chinese and Hong Kong international students interviewed for this report have been politically active during their studies overseas, such as by organizing or attending protests, putting up posters or attending other events that might be deemed "sensitive" by the Chinese government both on and off campus. Students reported facing harassment at such activities, sometimes from fellow students with pro-government views, but also by unknown individuals. While there is some evidence of government coordination and direction of individuals harassing and attacking Chinese and Hong Kong protesters overseas, none of the following incidents documented by Amnesty International include concrete evidence of state involvement. However, as demonstrated by the case of Frances Hui, referenced in Chapter 4, proving such links to the state can be difficult and require authorities, including law enforcement agencies, to spend considerable time and resources.

Some Chinese international students hold genuine pro-government views and may make statements, join organizations or counter-protest on their own out of a strong sense of support for their country's government, system and policies. Where these individuals are not receiving direction from, and are not under control of, the state, they cannot and should not be treated as state agents. Their rights to freedom of expression and opinion, association, and peaceful assembly must be respected, while at the same time they must respect the rights of those with differing opinions.

²²⁸ Reuters, "Reuters reporters' online accounts faked to approach China activists", 28 February 2023, <https://www.reuters.com/business/media-telecom/reuters-reporters-online-accounts-faked-approach-china-activists-2023-02-28/>.

²²⁹ Associated Press, "Two Chinese bloggers in exile warn that police are interrogating their followers", 26 February 2024, <https://apnews.com/article/china-police-interrogate-censorship-twitter-users-f09537e94d7ff4254d57848818e91fef>.

²³⁰ Interview with a student in North America.

²³¹ Interview with "Benjamin".

²³² Toronto Star, "A Chinese student in Canada had two followers on Twitter. He still didn't escape Beijing's threats over online activity", 18 September 2021, https://www.thestar.com/news/canada/a-chinese-student-in-canada-had-two-followers-on-twitter-he-still-didn-t-escape/article_6800d3f1-38e6-5c6f-a551-ea4d9f500997.html; Axios, "University of Minnesota student jailed in China over tweets", 22 January 2020, <https://www.axios.com/2020/01/23/china-arrests-university-minnesota-twitter>.

²³³ Meta, "Taking Action Against Hackers in China", 24 March 2021, <https://about.fb.com/news/2021/03/taking-action-against-hackers-in-china/>.

²³⁴ Washington Post, "China harvests masses of data on Western targets, documents show", 31 December 2021, https://www.washingtonpost.com/national-security/china-harvests-masses-of-data-on-western-targets-documents-show/2021/12/31/3981ce9c-538e-11ec-8927-c396fa861a71_story.html; New York Times, "Twitter Users in China Face Detention and Threats in New Beijing Crackdown", 10 January 2019, <https://www.nytimes.com/2019/01/10/business/china-twitter-censorship-online.html>.

²³⁵ Interviews with four students.

In addition to the six students who said they directly experienced harassment in their host country while studying overseas,²³⁶ a further five had witnessed verbal, physical or other intimidatory acts against other students to try and prevent them from exercising their rights to free expression, association and peaceful assembly.²³⁷ In one such incident, a student told Amnesty International that a German friend who helped to organize protests in support of the Hong Kong movement was followed home from an event by an unknown individual who knocked on their door “all night”.²³⁸ As a result of the incident, the student told Amnesty International, their friend stopped assisting with organizing protests.

Several other students interviewed described other incidents of harassment during protest activities. One student in Germany described an incident in which two Chinese students that he recognized attended a student-organized rally off campus in November 2022 to commemorate the victims of the Urumqi fire that sparked the White Paper protests. The counter-protesters waved a Chinese flag, held up a sign that said, “No colour revolution,” and shouted, “Everyone here is a traitor of the nation.”²³⁹ A physical confrontation later occurred when a woman student protester tried to grab the Chinese flag and was “crushed” against a wall by one of the male counter-protesters. She reported the incident to the police and provided video footage of the counter-protesters’ actions; police declined to prosecute the case, advising the student that the disruption of their protest was only “temporary.”

Another student, who took part in off-campus pro-Hong Kong events in the UK, said that a group of Chinese individuals called the police to one of their protests in 2022, following which the UK police asked the protest organizers to stop playing recordings of the “831 Incident”, an event on 31 August 2019 during which Hong Kong police attacked protesters at the Prince Edward MTR (underground) train station in Hong Kong.²⁴⁰

Students shared during interviews that they were aware of other incidents that involved students or were publicly reported. In one recent case in the USA, a federal court in Boston sentenced a Chinese international student to nine months in prison for “cyberstalking” and “interstate transmissions of threatening communication” for sending harassing messages to an activist alumnus of his university who had been putting up posters during the White Paper movement, including claiming to have reported her to a Chinese police tip hotline. He will be deported at the end of his sentence.²⁴¹ In a brazen incident in the UK, in October 2022, diplomats at China’s consulate in Manchester, including then-consul-general Zheng Xiyuan, were filmed dragging a protester inside the consulate’s grounds and assaulting him.²⁴² Six diplomats later left the UK after the British government requested China waive their diplomatic immunity. Another incident cited involved a video of a Chinese student ripping down an anti-Xi Jinping poster on the campus of Wageningen University in the Netherlands and claiming it was done with support of the administrators. The university denounced the video and described it as “fake news” and expressed concern the video “fosters a sense of insecurity” for students.²⁴³ Students also cited prominent clashes between pro-Hong Kong protesters and pro-government counter-protesters in 2019 in Germany and the UK that were reported in the media.²⁴⁴ In one of these incidents, a Chinese student who held up a sign in support of Hong Kong protesters was secretly photographed at Edinburgh airport the next day and targeted with death threats on Chinese social media platform Weibo.²⁴⁵ These high-profile incidents contribute to the fear that students can be easily identified or targeted for their expression or activities abroad – from posting comments online or putting up posters on campus – that criticize the Chinese government.

5.9 THREATS OF BEING REPORTED

Several interviewees described receiving verbal threats or warnings from their peers, including, in some cases, a threat to report them to Chinese police. Twelve interviewees described receiving such messages, either in person or online, and a further two reported incidents where a student they identified as pro-government tried to obtain the name(s) of

²³⁶ Interviews with six students.

²³⁷ Interviews with five students.

²³⁸ Interview with a student in Germany.

²³⁹ Interview with a student in Germany.

²⁴⁰ Interview with a student in the UK. See also a Facebook post by Hong Kong Free Press, “The ‘831’ Prince Edward MTR incident proves Hong Kong urgently needs Access to Information Reform”, 22 September 2019, <https://hongkongfp.com/2019/09/22/831-prince-edward-mtr-incident-proves-hong-kong-urgently-needs-access-information-reform/>.

²⁴¹ Reuters, “Chinese student gets US prison term for threatening pro-democracy activist”, 24 April 2024, <https://www.reuters.com/world/chinese-student-gets-us-prison-term-threatening-pro-democracy-activist-2024-04-24/>.

²⁴² BBC, “China diplomats leave UK over Manchester protester attack”, 14 December 2022, <https://www.bbc.com/news/uk-63972640>.

²⁴³ WUR Resource, “WUR takes fake news about removal of Chinese protest posters seriously”, 21 October 2022, <https://www.resource-online.nl/index.php/2022/10/21/wur-takes-fake-news-about-removal-of-chinese-protest-posters-seriously/?lang=en>.

²⁴⁴ See, for example, BBC, “Hong Kong protests: Sheffield university students clash”, 3 October 2019, <https://www.bbc.com/news/uk-england-south-yorkshire-49914304>; Süddeutsche Zeitung, “Warum Hongkonger in Hamburg Angst vor dem Protestieren haben” [Why Hongkongers in Hamburg are afraid of protesting], 30 August 2019, <https://www.sueddeutsche.de/politik/hongkong-hamburg-protest-1.4580538>.

²⁴⁵ The Times, “Hong Kong crisis: Beat Edinburgh University student to death, Chinese citizens told”, 26 November 2019, <https://www.thetimes.co.uk/article/students-receive-death-threats-over-hong-kong-protest-d8qjicsdv>.

individuals they believed held “anti-government” opinions.²⁴⁶ In one of these cases, the pro-government student asked their tutor to disclose the names of other students who raised China-related human rights issues in class, such as the treatment of ethnic and religious minorities in Xinjiang.²⁴⁷ After consulting with the course organizer, the tutor declined to provide the pro-government student with the names, indicating it would be a violation of university privacy guidelines.

Five of these interviewees reported receiving such threats from their fellow students on campus. One student in the Netherlands told Amnesty International that fellow international Chinese classmates had repeatedly threatened to report her to the Chinese government for her opinions, with one incident occurring during a class.²⁴⁸ According to the student, one classmate told her, “You should have more respect for your home country, and if you don’t show respect there will be consequences.” The student said that she then spoke with her professor about the incident, who then addressed the group in the following class and warned them against reporting externally any comments made in class; the harassment then stopped. In another case, a student was accused by her classmate of supporting Hong Kong independence because she introduced herself in an off-campus event as being “from Hong Kong” as opposed to “from China”.²⁴⁹

In an incident in the USA, an interviewee said their classmates warned them against taking a class with a certain professor because they were deemed “anti-China” and told her, “You don’t want to attend that class because the professor is talking about stuff that’s bad for our government.”²⁵⁰ Another US-based student, “Ethan”, told Amnesty International that he was photographed by another student on campus while putting up anti-government posters during the White Paper movement. He said the student then asked: “What organization are you from?” Ethan interpreted this as an accusation that he was funded or supported by an “anti-China” organization.²⁵¹ Two other students told Amnesty International that they were warned by fellow students from China not to talk about or share information about the Hong Kong protests that began in 2019.²⁵²

In addition to these in-person experiences, some of the interviewees reported that they had been warned about their expression or positions on China-related issues by fellow students online in group chats. A recent graduate in Europe said he had started to be bullied and harassed online by classmates after giving a speech at their department’s end-of-year celebration in 2023, with posts accusing him of being a “spy” or being a Falun Gong believer.²⁵³ Another student in Germany told Amnesty International that he was called a “traitor of the nation” by Chinese classmates after posting in a WhatsApp group in late 2022 about an upcoming event about Hong Kong.²⁵⁴ Two students separately told Amnesty International that they had been in WeChat and Instagram groups where they saw posts by fellow students trying to “find” or “report” individuals putting up posters or attending events that were critical of the Chinese government, or even to “scare off” or “sabotage” event attendees.²⁵⁵

5.10 CHINESE STUDENTS AND SCHOLARS ASSOCIATIONS

Many overseas universities host local chapters of the Chinese Students and Scholars Associations (CSSAs).²⁵⁶ Some researchers describe CSSAs as the “primary platform” for operations on overseas students of the United Front Work Department of the CCP’s Central Committee.²⁵⁷ The role of CSSAs on campuses has been a source of controversy. Some students have maintained that CSSAs are benign social and cultural groups for international students far from home, while other students have called for investigations into perceived links between the groups and the Chinese state.²⁵⁸

²⁴⁶ Interviews with 12 students.

²⁴⁷ Interview with a student in Europe.

²⁴⁸ Interview with a student in the Netherlands.

²⁴⁹ Interview with a student in Europe.

²⁵⁰ Interview with a student in the USA.

²⁵¹ Interview with “Ethan”.

²⁵² Interviews with two students in Europe.

²⁵³ Interview with a student in Europe. The spiritual movement Falun Gong was banned in China for being a “threat to social and political stability” after its practitioners held a peaceful sit-in on Tiananmen Square in July 1999. In response, the government established a dedicated office, the “610 Office”, to oversee the crackdown on the Falun Gong and other “heretical cults”. As a result, tens of thousands of Falun Gong practitioners have been arbitrarily detained and, often through the use of torture and other ill-treatment, made to renounce their spiritual beliefs.

²⁵⁴ Interview with a recent graduate in Europe.

²⁵⁵ Interviews with two students.

²⁵⁶ *zhongguo xuesheng xuezhe lianhehui* 中国学生学者联合会.

²⁵⁷ Alex Joske, “The party speaks for you: Foreign interference and the Chinese Communist Party’s united front system”, Australian Strategic Policy Institute, 9 June 2020, <https://www.aspi.org.au/report/party-speaks-you>. In relation to the United Front Work Department, see section 5.3 above, footnote 184.

²⁵⁸ See, for example, an opinion article in the New York Times by a former Chinese international undergraduate student at the University of Iowa, and an opinion article by a then-second year student at the University of Chicago student paper calling for an investigation into the CSSA on campus after it led a boycott against a talk by a Hong Kong activist: New York Times, “The World’s Lamest Trojan Horse”, 20 June 2019,

It is often difficult to confirm direct links, through funding or direction, between individual CSSA groups at universities and Chinese state officials. In many cases, CSSAs operate as regular student groups on campuses around the world. Some interviewees described CSSAs on their campuses as hosting orientations, forums for second-hand furniture or housing, and holding extracurricular activities, sports competitions, music events and other student events.²⁵⁹

Amnesty International spoke with a former student who had been involved with the local CSSA at their university in the UK in 2017-8. She said, “during [my early] university years, I was not able to speak freely and lived in the normal Chinese bubble, not speaking about politics.”²⁶⁰ She joined the CSSA to “make friends” and was mainly involved in trying to find Chinese businesses to be commercial sponsors for cultural events but was also aware that the group might have links to the embassy. The local CSSA and another nationalistic student organization became more political in 2019 after the start of protests in Hong Kong. “In 2019, many Chinese students began to wake up,” she told Amnesty International.

Unlike for most other student associations, the suspected relationship between CSSAs and Chinese state officials was a source of unease for many of the students interviewed by Amnesty International. Some high-profile incidents involving CSSAs,²⁶¹ or awareness of meetings between CSSAs and local embassies or consulates,²⁶² lent enough evidence of a relationship with the Chinese government for some students to state they would avoid the organizations, even if they had not had negative personal interactions with them.

Five students interviewed described politically charged interactions with local CSSAs at their universities that illustrate the blurred line between being directed by the Chinese government, on the one hand, and acting or seeking to act on behalf of the Chinese government’s interests on the other.²⁶³ One student described how members of the local CSSA posted in a student WeChat group chat about “hunting down” overseas Chinese students who had put up posters that were critical of the human rights situation in China because the “embassy really want[s] to know this [who is putting up posters]”.²⁶⁴

A student in Canada reported being told by a member of the local CSSA that “pretty much all of the [overseas] rallies against Hong Kong democracy in 2019-20 were organized by the CSSA” and were attended by local Chinese diplomats.²⁶⁵ An interviewee in the UK described how their university’s new student orientation for Chinese overseas students was co-run by the local CSSA, who said they advocate for the “one China” policy (the Chinese government’s policy regarding the status of Taiwan) during the meeting.²⁶⁶

5.11 PRECARIOUS STATUS IN HOST COUNTRY

Several students told Amnesty International that the experiences described in this chapter were exacerbated by their precarious status as temporary residents in their country of study, with many facing return to China or Hong Kong at the end of their studies and most reliant on financial support from family members in China in order to live and study abroad.

Fourteen students stated that they were afraid of returning to China or Hong Kong, or that they believed it would be unsafe for them to do so.²⁶⁷ There have been incidents of students returning from abroad and prosecuted for their expression, including the Hong Kong student who studied in Japan cited earlier and a mainland Chinese student who

<https://www.nytimes.com/2019/06/20/opinion/chinese-student-associations.html>; The Chicago Maroon, “Investigate the CSSA”, 19 August 2021, <https://chicagomaroon.com/28601/viewpoints/column/investigate-cssa/>.

²⁵⁹ Interviews with four students.

²⁶⁰ Interview with a former student in the UK.

²⁶¹ Globe and Mail, “McMaster student union strips Chinese club’s status amid allegations group is tool of Chinese government”, 26 November 2019, <https://www.theglobeandmail.com/politics/article-mcmaster-student-union-strips-chinese-clubs-status-amid-allegations/>; Foreign Policy, “China’s Long Arm Reaches Into American Campuses”, 7 March 2018, <https://foreignpolicy.com/2018/03/07/chinas-long-arm-reaches-into-american-campuses-chinese-students-scholars-association-university-communist-party/>.

²⁶² See, for example, Embassy of the People’s Republic of China in the USA, “驻美使馆教育处与大华府地区 中国学生学者联谊会座谈交流” [The Education Office of the Embassy in the United States held discussions and exchanges with the Chinese Students and Scholars Association in the Greater Washington area], 18 May 2016, https://web.archive.org/web/20240115230951/http://us.china-embassy.gov.cn/sgztc/201605/t20160521_4544698.htm; China, United Front Work Department, “中国驻德国大使馆走访慰问柏林华侨华人代表,” [The Chinese Embassy in Germany visited and expressed condolences to representatives of overseas Chinese in Berlin], 7 December 2022, https://web.archive.org/web/20240115225000/https://www.zyztb.gov.cn/zyztb/2022-12/07/article_2022120710034585670.shtml; Consulate-General of the People’s Republic of China in Toronto, “驻多伦多总领馆举办留学人员庆祝国庆视频会议”, [The Consulate General in Toronto held a video conference for overseas students to celebrate National Day], 1 October 2020, https://web.archive.org/web/20240115225842/http://toronto.china-consulate.gov.cn/zxd/t202010/t20201001_6976027.htm.

²⁶³ Interviews with five students.

²⁶⁴ Interview with a student in North America.

²⁶⁵ Interview with a student in Canada.

²⁶⁶ Interview with a student in the UK.

²⁶⁷ Interviews with 14 students.

studied in the USA.²⁶⁸ Hannah explained that she fears returning to Hong Kong because she “doesn't know what will happen” to her should she return, but that her life as a non-permanent resident overseas was challenging: “I can't escape this migrant situation,” she stated, “I could go to the United Kingdom as a [British National Overseas], but it's still a migrant experience... I cannot escape from this, and it's because of the [National Security Law], as well as other elements.”²⁶⁹

Several students expressed concerns about the risks and drawbacks of seeking to remain in their host countries as refugees, such as difficulty working or pursuing careers in their field of study.²⁷⁰ Despite this, six students told Amnesty International that they saw no option after graduation other than to apply for political asylum, or face potential persecution for their political stance on return to China.²⁷¹ Five students in Europe also said that they were considering pursuing long-term immigration in their host country, but that the country's immigration laws were very difficult to navigate and were not easily accessible in English or any language other than the official language of the host country.²⁷² Six students also raised the concern that responses by their host state governments to transnational repression were, or would become, politicized, such that they would stigmatize international students from China and contribute to an unsafe situation for them in their host country.²⁷³

Twelve students said that they had reported, or would consider reporting, incidents to their host governments or local police agencies that they believed involved Chinese security officials, though some indicated they would do so only if the incident in question was “sufficiently serious” without explaining what that entailed.²⁷⁴ In contrast, only four students said that they would report incidents to their university, while 12 expressed a reluctance to do so.²⁷⁵ However, where most of the latter students cited the belief that their university would be unable or unwilling to assist with the incident, three students told Amnesty that they were not comfortable reporting incidents to their local police or host government, including in one instance because the student feared that reporting an incident might negatively impact their immigration application in their host country.²⁷⁶ (For discussion of student willingness to report incidents to universities, see section 6.1). This difference suggests that, while students interviewed by Amnesty International were more likely to believe that host state governments or local police were best placed to effectively assist in responding to an incident of transnational repression, at least some of those students were also more likely to believe that reporting an incident to their host state government could have negative repercussions.

The precarity of international students' immigration status may also hamper the host governments receiving a full picture of transnational repression affecting students at universities in their jurisdictions, as students fear the potential impact of reporting incidents on active immigration applications. Rowan said that she had not contacted local authorities when her family was harassed for her activities abroad out of concern it might jeopardize her and her family's immigration status.²⁷⁷ She said, “Because we are really concerned about our personal safety and status, it's disgraceful we can't report.”

Beyond an interest in seeing governments expand immigration pathways and improve the asylum claim process for international students fearing persecution on return to their home countries, some students interviewed by Amnesty International expressed a desire for the governments in their host countries, or the European Union (EU) depending on where they lived, to be more responsive to transnational repression, such as by:

- ensuring that members of affected diaspora can safely report incidents in the language of their choice to a host government agency with competence to compile statistics and influence government action;²⁷⁸
- effectively investigating incidents of transnational repression and prosecuting criminal incidents where appropriate;²⁷⁹
- making public statements raising awareness of the issue;
- demonstrating support for survivors of transnational repression;

²⁶⁸ Axios, “University of Minnesota student jailed in China over tweets”, 22 January 2020, <https://www.axios.com/2020/01/23/china-arrests-university-minnesota-twitter>; Hong Kong Free Press, “Hong Kong student who made ‘seditious’ online posts in Japan jailed for 2 months”, 3 November 2023, <https://hongkongfp.com/2023/11/03/hong-kong-student-who-made-seditious-online-posts-in-japan-jailed-for-2-months/>.

²⁶⁹ Interview with “Hannah”.

²⁷⁰ Interviews with seven students.

²⁷¹ Interviews with six students.

²⁷² Interviews with five students in Europe.

²⁷³ Interviews with six students in Belgium, Canada, Germany, Netherlands, Switzerland, and USA.

²⁷⁴ Interviews with twelve students.

²⁷⁵ Interviews with 16 students.

²⁷⁶ Interviews with three students.

²⁷⁷ Interview with “Rowan”.

²⁷⁸ Interviews with eight students.

²⁷⁹ Interviews with three students.

- clearly denouncing incidents when they occur;²⁸⁰ and
- providing financial assistance for students who have been cut-off from family funding due to their activism.²⁸¹

While some of these desires are specific to the student experience, they echo similar calls from other diaspora communities and survivors of transnational repression for host country governments to take action in consultation with members of those communities and civil society experts.²⁸²

²⁸⁰ Interviews with four students.

²⁸¹ Interviews with two students.

²⁸² See, for example, Amnesty International, "China: Uyghurs living abroad tell of campaign of intimidation", 21 February 2020, <https://www.amnesty.org/en/latest/news/2020/02/china-uyghurs-living-abroad-tell-of-campaign-of-intimidation/>; Al Jazeera, "Dissidents urge Western action as China targets critics overseas", 25 April 2023, <https://www.aljazeera.com/news/2023/4/25/dissidents-urge-western-action-as-china-targets-critics-overseas>; Toronto Star, "Chinese interference in Canada? Chinese Canadians say they reported it for years – and were ignored", 6 March 2023, https://www.thestar.com/politics/federal/chinese-interference-in-canada-chinese-canadians-say-they-reported-it-for-years-and-were-ignored/article_0061014b-0bc6-5551-afe9-c155eac8b297.html; International Service for Human Rights, "Young Uyghur, Tibetan and Hong Konger defenders share their priorities with the UN's human rights bodies in Geneva", 4 October 2023, <https://ishr.ch/latest-updates/young-uyghur-tibetan-and-hong-konger-defenders-share-their-priorities-with-the-uns-human-rights-bodies-in-geneva/>.

6. RESPONSE OF UNIVERSITIES

“My professor] didn’t understand why we kept silent... [she] didn’t realize how deep this fear is for us and how uncomfortable we are expressing ourselves in front of other Chinese students...”

“Alexandra”, a Chinese student in North America

Universities have a responsibility to establish systems of due diligence to monitor and identify threats to students and staff from third parties, including by providing means for students to safely report suspected acts of transnational repression. However, in Amnesty International’s interviews, students repeatedly expressed doubt that universities understood or cared about their plight. Amnesty International’s outreach to universities (see Chapter 2) suggests some have recognized and taken action in response to the types of experiences students had with transnational repression, but these responses may not be achieving their intended impact on student well-being and rights.

This report focuses on the experience of Chinese students, but it is important to note that Amnesty International has reported on many other governments that have targeted the diaspora and nationals abroad for exercising their human rights. Indeed, some of the academic institutions contacted by Amnesty International recognized that students from different countries were impacted by transnational repression, such as KU Leuven in Belgium, which wrote “we know that these [Chinese and Hongkongers] are not the only students who can face threats.”²⁸³

The responsibilities of universities to their students and staff in the context of transnational repression are multifaceted and comprise both immediate actions as well as rights-centred policies and practices that should guide university operations on an ongoing basis (see Chapter 7). Those responsibilities, which are grounded in the unique role played by universities in both the lives of students and in society at large, include taking positive steps across all aspects of university interactions with students, staff and third parties to protect and uphold the rights of students and staff against interference in a way that is both effective and does not introduce new challenges to those rights.

The policies, resources, services and statements highlighted by universities in their responses to Amnesty International’s outreach are outlined below.

²⁸³ Email communication with Head of Media Relations and Policy Communications and Spokesperson at KU Leuven, 21 January 2024.

6.1 POLICIES AND GUIDELINES

In respect of the responsibility of universities to adopt policies and procedural guidelines that provide effective support for academic freedom and human rights, Amnesty International asked universities to share their human rights policies and codes of conduct, including disclosure of information by students about fellow students to third parties and government actors. Several universities affirmed their support for human rights and shared their general policies on human rights and academic freedom.²⁸⁴ Of the respondents, only Purdue University in the USA had introduced regulations specific to the fears raised by the students interviewed by Amnesty International about transnational repression. Alluding to the potential connection to foreign state actors – Purdue’s regulations prohibit students from “acting in concert with or at the direction of another to injure, oppress, threaten or intimidate any person in the free exercise of their rights.”²⁸⁵

Some students raised concern that instructors struggled to facilitate constructive and respectful classroom discourse when “sensitive” or political topics became points of conflict between the interviewees and nationalistic students. Two students said they kept silent in classrooms out of fear of nationalistic students vocally challenging any discussion on sensitive topics.²⁸⁶ Some universities provided information about general policies for staff on how to handle classroom disruptions or discussions on complex issues.²⁸⁷ The German university RWTH Aachen University told Amnesty International they had an obligation to provide information for their employees “that draws attention to the specific problems relating to China, Hong Kong, Taiwan... extraterritorial influence and attempts at intimidation, etc. and to raise awareness of how to deal with them.”²⁸⁸ One measure by the University of British Columbia in Canada during the Covid-19 pandemic references the concerns around transnational repression without necessarily providing protection for students’ rights. According to a media report, administrators in 2020 requested that its professors include a warning on online courses that “might cover topics that are censored or considered illegal by non-Canadian governments”, citing topics like human rights and gender or sexuality, and advising international students to “exercise caution” when considering registering for the course.²⁸⁹ One law professor at UBC cited in the report said they would not change the content of their lectures but would ensure students comments stayed within the online classrooms. It is unclear if such a policy is still in place.

Among the universities that responded to Amnesty International’s letters, many outlined general policies prohibiting harassment, bullying, threats and other conduct of concern that was described by students and recent graduates during Amnesty International’s interviews. However, 12 of the interviewees indicated they were unlikely to report any such incident related to transnational repression to their university, either because they believed the university would be unable to assist them with the incident, they did not believe that appropriate or secure reporting mechanisms existed, or they were unsure of where or to whom to report it.²⁹⁰ Notably, three of these students indicated that they would nonetheless report an incident to their professor, as they had greater confidence in their professors’ willingness and ability to provide effective assistance.²⁹¹ In contrast, only four students said that they would likely report an incident to their universities directly.²⁹²

These responses from students suggest a lack of student awareness of university policies or procedures related to harassment, bullying or threats, as well as a belief among some students that universities are either disinterested in supporting them, or that university action in cases of transnational repression would be ineffective. While students did not mention the inaccessibility of codes of conduct, universities may consider different methods to ensure that existing policies are easily accessible and understood by their intended audience. This could be through easy-to-read webpages or developing one-page specific brochures to introduce the main rules of conduct that apply to different groups, such as students, guest researchers and PhD candidates.

²⁸⁴ See, for example, Universität Hamburg, Code of Academic Freedom, <https://www.uni-hamburg.de/en/uuh/profil/leitbild/kodex-wissenschaftsfreiheit.html>; UC Berkeley, Free Speech FAQ, <https://www.berkeley.edu/free-speech/faq/>; Boston University, Academic Freedom, 18 April 2007, <https://www.bu.edu/handbook/ethics/academic-freedom/>; Purdue University, Commitment to Freedom of Expression, <https://www.purdue.edu/home/free-speech/>; University of British Columbia, Academic Freedom, <https://vancouver.calendar.ubc.ca/campus-wide-policies-and-regulations/academic-freedom>.

²⁸⁵ Purdue University, Regulations Governing Student Conduct, Disciplinary Proceedings, and Appeals, B – Student Conduct; 2 - Conduct Subject to Disciplinary Sanctions, <https://catalog.purdue.edu/content.php?catoid=16&navoid=19689#regulations-governing-%20student-conduct-disciplinary-proceedings-and-appeals>.

²⁸⁶ Interviews with two students.

²⁸⁷ Purdue University, “Managing Classroom Behavior and Expectations”, https://www.purdue.edu/odos/osrr/resources/documents/managing_classroom_behavior.html; University College London, Inclusive dialogue in education: a tutor’s guide to facilitating constructive discourse, 1 November 2023, <https://www.ucl.ac.uk/teaching-learning/publications/2023/nov/inclusive-dialogue-education-tutors-guide-facilitating-constructive-discourse#Resources>.

²⁸⁸ Email communication with representative of the International Office of RWTH Aachen University, 22 January 2024.

²⁸⁹ The Yee, “UBC Warns International Students about Online Course Dangers”, 4 September 2020, <https://theyee.ca/News/2020/09/04/UBC-Warns-International-Students-Online-Course-Dangers/>.

²⁹⁰ Interviews with 12 students.

²⁹¹ Interviews with three students.

²⁹² Interviews with four students.

Some universities who responded to Amnesty International only provided information that referenced harassment in the context of sexual harassment, or defined transgressive behaviour in a narrow manner that does not encompass behaviour such as surveillance, harassment, intimidation or threatening to report an individual to a government over their expression or activities protected by their human rights.²⁹³ These narrow definitions and lack of information may reflect the experience of some students interviewed by Amnesty International who had trouble finding relevant advice and support about their concerns related to the type of harassment they experienced.

6.2 SYSTEMS OF ACCOUNTABILITY AND DUE DILIGENCE

With regard to university responsibilities to design and implement systems of accountability and due diligence to monitor and identify threats to students and staff from third parties, Amnesty International asked universities to share information on any mechanisms or processes by which students could report incidents of transnational repression, as well as any processes for reviewing institutional agreements with third parties that might impact student rights or academic freedoms.

On reporting mechanisms, several students interviewed felt unsure where to turn if they needed help. One said, “I feel comfortable to report [incidents of transnational repression] but don’t have the channel, and don’t know which department.”²⁹⁴ Another student, who had used a reporting mechanism at their university to report incidents of cyber bullying, told Amnesty International that they wished the mechanism had been more clearly advertised.²⁹⁵ Nearly every institution that responded to Amnesty International shared information about different mechanisms that exist to report inappropriate or threatening behaviour, harassment and intimidation, though none mentioned reporting mechanisms that explicitly mentioned transnational repressive activities, such as surveillance, family harassment or threats, or threats from fellow students to report their peers to foreign authorities. This mismatch underscores that students need further guidance from universities on how the types of experiences they are facing can and should be reported to administrators.

Some mechanisms, like those shared by UK universities University College London²⁹⁶ and Kings College London,²⁹⁷ allow for anonymous reporting and explain its benefits and limitations. Kings College London clarified to students that anonymous reporting “means we might not be able to help you directly but can help the whole King’s community by showing trends and informing prevention work across the university.” Such anonymous options to report incidents, while they are not perfect solutions, were recommended by many of the students to whom Amnesty International spoke, due to these students’ concerns that the Chinese government might become aware that they had submitted a report.

In the Netherlands, a partly government-funded portal called SafeScience (WetenschapVeilig) provides a reporting mechanism and support for scientific researchers subjected to threats, intimidation and harassment related to their research, and is advertised by universities that responded to Amnesty International.²⁹⁸ However, its focus on scientists means that it is only applicable to a narrow group of individuals on campus.

Three students raised concerns about internal university reporting mechanisms being “hijacked” by pro-government students to report their human rights activities,²⁹⁹ including those claiming that any criticism of the Chinese government is “discriminatory”. Such “hijacking” has been seen in some instances in the eight research countries, such as in 2022 in the USA, when the president of George Washington University (GWU) initially said he was “personally offended” by posters put up by pro-democracy students after the GWU CSSA had called them racially discriminatory.³⁰⁰ He later changed his approach after being educated on the posters, which had been produced by a prominent artist about human rights abuses in China.³⁰¹

With respect to university agreements with third parties that might impact student rights or academic freedoms, six students told Amnesty International that they believed their universities were possibly trying to avoid jeopardizing

²⁹³ See, for example, VUB, “What is Transgressive Behaviour?”, <https://www.vub.be/en/services-vub-campus-in-etterbeek-and-jette/health-and-safety-vub/safety-vub-campus/transgressive-behaviour-vub/what-is-transgressive-behaviour>; University of Geneva, “Code of Ethics and Professional Conduct”, <https://www.unige.ch/ethique/application/files/1915/7548/0988/CharteEthique-105x210-2019-Web-EN.pdf>.

²⁹⁴ Interview with a student in North America.

²⁹⁵ Interview with a student in Europe.

²⁹⁶ UCL, “Report & Support”, <https://report-support.ucl.ac.uk/>.

²⁹⁷ Kings College London, “Report + Support: Report Anonymously”, <https://reportandsupport.kcl.ac.uk/report/anonymous>.

²⁹⁸ University of Groningen, “Threats”, 3 August 2022, <https://www.rug.nl/news/2022/08/threats-bedreigingen>; See also SafeScience, <https://www.wetenschapveilig.nl/en>.

²⁹⁹ Interviews with three students.

³⁰⁰ Zach Blackburn and Abby Kennedy, “Removal of posters criticizing Chinese government gains national attention”, The GW Hatchet, 10 February 2022, <https://gwhatchet.com/2022/02/10/removal-of-posters-criticizing-chinese-government-gains-national-attention/>.

³⁰¹ Office of the President of GWU, “Message Regarding Posters Displayed on Campus”, 8 February 2022, <https://president.gwu.edu/message-regarding-posters-displayed-campus>. Amnesty International reviewed the posters and confirmed they do not contain racially discriminatory content.

financial relationships with Chinese state entities or the revenue received from Chinese international students that may be lost if the Chinese government “blacklisted” the university for making statements deemed critical of the government or its policies.³⁰² While investigating any such potential financial relationships and pressures was largely outside of the scope of this research, these comments by students demonstrate a rationale for assumptions many hold that their concerns will go unheeded by university administrators. Amnesty International recognizes the importance of international exchanges between students and scholars from different countries, among other reasons because of the value of exchanging cultural, scientific and other information and ideas regardless of frontiers, but financial agreements that might have an impact on student rights or academic freedoms – especially those involving foreign state entities – should be transparently disclosed to facilitate scrutiny of such relationships.

Some high-profile publicly reported cases may have contributed to the students’ belief that funding arrangements with Chinese state entities had led to compromises in academic freedom. In February 2020, German lawmakers criticized Freie Universität Berlin (FU Berlin) for signing a contract with a sub-department of China’s Ministry of Education to fund a professorship to train Chinese teachers. The contract included terms stipulating that the contract could be cancelled if FU Berlin violated “local or Chinese laws” during programme implementation.³⁰³ The university responded that under the contract, it could decide to comply or not, though also mentioned that it is the university’s only professorship that is funded by a foreign state.³⁰⁴ The FU Berlin student union published the full contract in March 2020 following a freedom of information request, and stated that they continued to find aspects of it “problematic.”³⁰⁵ In an interview in January 2021, the president of the university stated that FU Berlin had “renegotiated the clauses that were causing concern”.³⁰⁶

The University of Groningen in the Netherlands had a similar contract with the same Chinese sub-department to fund a teaching position for Chinese language and culture, but did not renew the agreement in March 2021 after media reported that the contract stipulated that the person in the position was contractually bound not “damage the image of China”.³⁰⁷ Another university in the Netherlands, Vrije Universiteit Amsterdam, closed its Cross Cultural Human Rights Centre in July 2022 following an investigation conducted in response to a media report that it had received hundreds of thousands of euros in funding from a Chinese university and downplayed human rights violations in Xinjiang.³⁰⁸ The university concluded there was “insufficient openness and transparency regarding the way in which the centre was financed”.³⁰⁹

Amnesty International asked universities to share any transparency policies or practices regarding the disclosure of financial or other relationships with foreign government entities. Only two universities replied to this specific request, though some provided details on human rights policies or other procedures around international cooperation agreements. Université de Genève in Switzerland shared a webpage where it publishes third-party funding from private sources such as foundations, individuals or companies, though not governments.³¹⁰ The University of Edinburgh in the UK advised that major prospective sources of income undergo a due diligence process to ensure that the sources and purposes of income are ethically acceptable.³¹¹

Additionally, four universities shared general information about human rights policies for international cooperation.³¹² For example, Ghent University in Belgium provided information about a 2017 human rights policy that requires all new

³⁰² Interviews with six students.

³⁰³ Times Higher Education, “Chinese Contract With German University Criticized”, 6 February 2020, <https://www.insidehighered.com/news/2020/02/07/questions-raised-about-chinese-contract-german-university>; “Agreement Between Confucius Institute Headquarters and Freie Universität Berlin for the Establishment of Major in Teaching Chinese”, signed 2017 and 2018, <https://astafu.de/sites/default/files/2020-02/hanban.pdf>.

³⁰⁴ Freie Universität Berlin, “Thema: Stiftungsprofessur und Kooperation mit Hanban” [Topic: Endowed Professorship and Cooperation with Hanban], <https://www.fu-berlin.de/presse/informationen/fup/faq/china/01.html> (accessed 11 April 2024).

³⁰⁵ AStA FU, “AStA FU veröffentlicht Kooperationsvertrag zwischen Hanban und FU Berlin” [AStA FU publishes cooperation agreement between Hanban and FU Berlin], 2 March 2020, <https://astafu.de/hanbanvertrag>.

³⁰⁶ campus.leben, “Academic freedom is non-negotiable”, 7 January 2021, <https://www.fu-berlin.de/en/featured-stories/campus/2021/210107-wissenschaftskooperationen-interview/index.html>.

³⁰⁷ Dutch News, “Groningen University says no to more Chinese money for lecturer post”, 26 March 2021, <https://www.dutchnews.nl/2021/03/groningen-university-says-no-to-more-chinese-money-for-lecturer-post/>.

³⁰⁸ Guardian, “Dutch university gives up Chinese funding due to impartiality concerns”, 25 January 2022, <https://www.theguardian.com/world/2022/jan/25/dutch-university-gives-up-chinese-funding-due-to-impartiality-concerns>; VU University, “VU closes human rights centre after external investigation”, 11 July 2022, <https://vu.nl/en/news/2022/vu-closes-human-rights-centre-after-external-investigation>; VU, “English translation of conclusions, findings and recommendations of the Stolker Committee”, <https://assets.vu.nl/d8b6f1f5-816c-005b-1dc1-e363dd7ce9a5/07622f3e-ab8d-4106-87dc-ca7cc9650159/3.%20Summary%20of%20findings%20-%20conclusions%20and%20recommendations%20-%20onderzoeksrapport%20Stolker%20%28ENG%29.pdf>.

³⁰⁹ VU University, “VU closes human rights centre after external investigation”, 11 July 2022, <https://vu.nl/en/news/2022/vu-closes-human-rights-centre-after-external-investigation>.

³¹⁰ University of Geneva, Development Unit, “Transparency List”, <https://www.unige.ch/cellulededeveloppement/la-levée-de-fonds-lunige> (accessed 11 April 2024).

³¹¹ Letter from University of Edinburgh to Amnesty International, 5 February 2024.

³¹² KU Leuven, “Human Rights Assessment” <https://www.kuleuven.be/global/humanrights/assessment/index> (accessed 11 April 2024); VUB, “Ethics Committees, Data Protection, and International Collaboration Policy”, <https://www.vub.be/en/our-research/policy-and-structure/ethics-committees-data-protection-office> (accessed 11 April 2024); Email communication with Universität Hamburg Presidential Press Secretary, 25 January 2024; Universität

or renewed cooperation agreements to contain a human rights clause and an assessment of the potential for planned activities to contribute to human rights violations, or for the research to be misused to commit violations at a later stage.³¹³ While Ghent University lists several countries or situations of concern in connection to this policy, including Belarus, Egypt, Iran, Israel/Palestine, Russia and Türkiye, and warns staff “to exercise particular caution when working with institutions” from those regions, China and Hong Kong are not on the list. Separately, Ghent University set up a “China platform” in 2006 to act as a “strategic and administrative support body” to “actively encourage academic collaboration”.³¹⁴

Another area of cooperation involves the state-run China Scholarship Council (CSC) scholarships. A large number of Chinese students, particularly at the graduate level, are CSC scholarship holders and many universities advertise agreements with CSC to provide PhD places at their institution.³¹⁵ Amnesty International found that 25 of the 55 universities contacted in this report have agreements with CSC.³¹⁶ Ghent University said that, as of 2022, 80% of the approximately 700 Chinese doctoral students that attend Ghent University are on such scholarships.³¹⁷ Kings College London offers 100 CSC scholarships annually.³¹⁸

CSC scholarships have come under increased scrutiny in Europe, with some schemes cancelled or calls arising for them to be cancelled,³¹⁹ due to stipulations in the recipients’ contracts that require recipients to support the Chinese Communist Party.³²⁰ Some CSC recipients have responded by stating such requirements are only “symbolic”.³²¹ However, under CSC’s rules for recipients, their contracts state they must not “engage in behaviour that is detrimental to national interests and national image while studying abroad” and are required to return to China within three months of the end of the study period.³²² Breach of contract means having to pay back the full cost of the scholarship plus a possible additional 30% penalty, or 130% of the cost of their studies.³²³ Amnesty spoke with a former student who had received a CSC scholarship for a PhD in London but decided not to return to China after graduating and paid back approximately £42,000 (US\$52,000/€49,000). This included the stipend for three years and plane tickets from China to Europe plus the loss of a deposit of approximately £4,500 (US\$5,500/€5,200); the cost of the tuition was covered by the UK university and thus not included in the repayment.³²⁴ Such costs can be prohibitive for some students; one student in France interviewed by Amnesty International said a friend of theirs on a CSC scholarship did not want to return to China but could not afford to repay the scholarship and any penalty.³²⁵

CSC recipients are also required to provide study reports to local consulates and embassies every three months, so the students are known to local diplomatic staff.³²⁶ Amnesty International spoke to one student that had to provide such reports, which they said were “template [like]” and “seemingly formal” progress reports; they stopped providing these reports and told Amnesty that “nothing happened” as a result.³²⁷ Still, these requirements – in particular the requirement not to “engage in behaviour that is detrimental to national interests and national image” – exert pressure

Hamburg, “Guidelines for secure international cooperation”, <https://www.kus.uni-hamburg.de/en/themen/internationales/sicher-kooperieren/leitlinien.html> (accessed 11 April 2024).

³¹³ Ghent University, “Human Rights Policy, 2017”, <https://www.ugent.be/en/ghentuniv/mission/human-rights> (accessed 11 April 2024).

³¹⁴ Ghent University, “Academic partnership that builds bridges: 15 years of China Platform”, 16 February 2022, <https://www.durfdenken.be/en/about-ghent-university/academic-partnership-builds-bridges-15-years-china-platform>.

³¹⁵ While there are not comprehensive statistics on the number of students holding such scholarships across the eight research countries, one study by Georgetown University in the USA in 2020 estimated that 7% of Chinese students studying in the USA held such scholarships: Ryan Fedasiuk, “The China Scholarship Council: An Overview”, July 2020, Center for Security and Emerging Technology, University of Georgetown, <https://cset.georgetown.edu/publication/the-china-scholarship-council-an-overview/>, p. 2.

³¹⁶ Amnesty International conducted an online search on 11 April 2024 and found that 25 out of 55 had agreements with the CSC to provide CSC-funded graduate programmes at their institution, primarily in the UK (8 out of 10 universities), Canada (6 out of 7) and Belgium (4 out of 5). For the rest of the research countries, the breakdown was: Netherlands (3 out of 5), USA (2 out of 14), France (1 out of 4), Germany (1 out of 4), and Switzerland (0 out of 5).

³¹⁷ Ghent University, “Academic partnership that builds bridges: 15 years of China Platform”, 16 February 2022, <https://www.durfdenken.be/en/about-ghent-university/academic-partnership-builds-bridges-15-years-china-platform>.

³¹⁸ Kings College London, “King’s-China Scholarship Council PhD Scholarship programme (K-CSC)”, <https://www.kcl.ac.uk/study-legacy/funding/kings-china-scholarship-council-phd-scholarship-programme-k-csc> (accessed 11 April 2024).

³¹⁹ University World News, “German university ends ties with China scholarship scheme”, 20 July 2023, <https://www.universityworldnews.com/post.php?story=20230720113914406>; Erasmus University Rotterdam Magazine, “Critics demand end to controversial Chinese scholarship programme”, 25 August 2022, <https://www.erasmusmagazine.nl/en/2022/08/25/critics-demand-end-to-controversial-chinese-scholarship-programme/>.

³²⁰ CSC, “拥护中国共产党的领导和中国特色社会主义制度，热爱祖国、品德良好、遵纪守法，具有服务国家、服务社会、服务人民的责任感和端正的世界观、人生观、价值观” [Support the leadership of the Chinese Communist Party, and the socialist system with Chinese characteristics, love the motherland, have good moral character, abide by laws and regulations, have a sense of responsibility to serve the country, serve society, and serve the people, and have a correct world outlook, outlook on life, and values], CSC, “2023 年国家留学基金资助出国留学人员选派简章” [2023 Brochure by the China Scholarship Council on the Selection of Subsidized Students Studying Abroad], 24 April 2023, <https://www.csc.edu.cn/article/2613>

³²¹ Erasmus University Rotterdam Magazine, “Requirement to be loyal to the Chinese Communist Party is only symbolic”, 6 October 2022, <https://www.erasmusmagazine.nl/en/2022/10/06/requirement-to-be-loyal-to-the-chinese-communist-party-is-only-symbolic/>.

³²² CSC, “出国留学人员须知” [Instructions for those studying abroad], 2016, https://www.csc.edu.cn/attached/file/20160129/20160129143226_1296.pdf, Section 9.51.1(1).

³²³ CSC, “Instructions for those studying abroad” (previously cited), Section 9.51.1(11).

³²⁴ Interview with former student, April 2024. Amnesty reviewed the individual’s CSC contract and repayment information for breaking the contract.

³²⁵ Interview with a graduate student in France.

³²⁶ CSC, “Instructions for those studying abroad” (previously cited), Section 7.42.

³²⁷ Interview with former student, April 2024.

on some recipients to not engage in expression or activities that would be seen by Chinese authorities as criticizing the Chinese government while abroad.

While Amnesty International welcomes measures like scholarships that ensure students are not prevented from higher education opportunities based on the financial cost, universities that partner with CSC have a responsibility to ensure that the scholarship contracts do not unduly restrict the recipient's right to academic freedom, freedom of expression and other human rights.

6.3 MECHANISMS TO PROTECT STUDENTS AND STAFF

With respect to university responsibilities to put in place mechanisms to protect students and staff against harassment, intimidation and coercion, and enable them to exercise their rights without interference by third parties, Amnesty International asked universities to provide information on policies or practices intended to safeguard students and staff. Of the responses received, only two universities shared policies and practices that would address specific experiences that interviewees had, or feared, involving third parties such as a foreign state.

Purdue University shared a statement issued by the then-president of the university in December 2021 and said it is now recognized as official university policy. It references a reported incident of harassment of a Chinese international student by other students, and Chinese national security police harassing and threatening his China-based family.³²⁸ The statement reads, "Any student found to have reported another student to any foreign entity for exercising their freedom of speech or belief will be subject to significant sanction."³²⁹ The statement highlighted an issue raised by some interviewees, which is the fear of reporting such incidents. "We regret that we were unaware at the time of these events and had to learn of them from national sources. That reflects the atmosphere of intimidation that we have discovered surrounds this specific sort of speech," the statement said.³³⁰

Purdue University told Amnesty International that this policy was raised in remarks in August 2023 to incoming international undergraduate and graduate students, along with guidance on which office to contact with questions.³³¹ The adoption by universities of such policies explicitly prohibiting the "threat of reporting" was supported by interviewees when asked by Amnesty International, and several interviewees added that these prohibitions should be effectively communicated to all students to ensure widespread awareness and confidence in the process.³³²

FU Berlin shared an excerpt from an internal policy on "Protective measures against surveillance on campus" that reads: "In the event that representatives of another country repeatedly attempt to exert their influence on our university and violate the academic freedom of its members, the Executive Board will intervene, after having carried out a thorough examination, and contact the respective embassy."³³³ The university did not disclose if the mechanism had been used. Amnesty International does not know when the policy was adopted, but FU Berlin stated that the policy document was created following the university's adoption of a strategy in September 2020 on "Internationalization and Academic Freedom."³³⁴ It was the only example of a policy that acknowledges as a real threat that students may be under surveillance by the local Chinese diplomatic mission.

FU Berlin also shared that it had set up a China advisory council that examines "sensitive cooperation" issues with partner Chinese universities and "serves as a platform for professors to express concerns when students are victims of intimidation, harassment and surveillance and to discuss adequate measures to protect them."³³⁵ No information was provided on whether or not any action had been taken by the council, or if students were aware of such mechanisms.

³²⁸ See ProPublica, "Even on U.S. Campuses, China Cracks Down on Students Who Speak Out", 30 November 2021, <https://www.propublica.org/article/even-on-us-campuses-china-cracks-down-on-students-who-speak-out>

³²⁹ Purdue University, Office of the President, "President Daniels' message regarding harassment of Chinese student", 15 December 2021, <https://www.purdue.edu/president/mitch-daniels/messages/campus-community/2021/President%20Daniels%20message%20regarding%20harassment%20of%20Chinese%20student.php>.

³³⁰ Purdue University, "President Daniels' message regarding harassment of Chinese student" (previously cited).

³³¹ "Everyone should understand that seeking to deny these freedoms to others, including by threatening them or suggesting that they might get in trouble back home if they exercise those rights here on campus, is unacceptable conduct at Purdue. Now that you're all Boilermakers, we hope you will appreciate Purdue's Commitment to Freedom of Expression and have plenty of opportunities to express your own views while you're here. Questions concerning this topic can be directed to the Office of the Dean of Students or the Office of Student Rights and Responsibilities." Emailed letter from Purdue University to Amnesty International, 24 January 2024 [received 31 January 2024].

³³² Interviews with seven students.

³³³ The policy continues with: "The vice president responsible for international affairs has the duty of arbitrating with the respective embassy after obtaining prior approval from the Executive Board. University members are encouraged to report cases of this nature to Division IV (= Division for International Affairs) as soon as they arise." Emailed letter from Executive Vice President of Freie Universität Berlin, Prof. Blechinger-Talcott to Amnesty International, dated 11 January 2024 (received 23 January 2024).

³³⁴ Freie Universität Berlin, Strategy Paper by the Executive Board, "Internationalization and Academic Freedom Freie Universität's Principles of International Cooperation", September 2020, <https://www.fu-berlin.de/en/international/profile/university-culture-and-global-commitment/Strategy-Paper-Internationalization-and-Academic-Freedom.pdf>.

³³⁵ Emailed letter from Executive Vice President of Freie Universität Berlin, Prof. Blechinger-Talcott to Amnesty International, dated 11 January 2024 (received 23 January 2024).

6.4 PROVISION OF FAIR, EQUITABLE AND NON-DISCRIMINATORY SUPPORT

With respect to the responsibility of universities to ensure that any support provided to students in the context of transnational repression is done fairly, equitably and without discrimination, Amnesty International asked universities to provide information on mental health and well-being services and resources available to international students. As mentioned in Chapter 4.5, the mental health and well-being of students have been significantly impacted by the climate of fear that they face, and many have not found adequate support from their universities. Like generalized reporting mechanisms, nearly every institution that provided information to Amnesty International said they have some type of mental health support for students. However, issues of accessibility, scope and preparedness of the university services are important considerations to ensure that the services provided effectively meet the needs of the student body.

Only two universities shared information about mechanisms for emergency cost of living funding.³³⁶ The importance of such mechanisms was noted by several students interviewed by Amnesty International, indicating that emergency funding would be particularly helpful for those whose parents cut them off financially following pressure from Chinese state authorities.

The absence, or unevenness, of support offered by universities in reaction to the situation in the students' home countries is an additional problem. Amnesty International also asked universities for information on any public comments provided by universities related to global events that might specially affect international students. Eight students interviewed said they had received official university statements or communications about the armed conflicts in Ukraine and more recently Gaza, but had not received communications related to political events in China, such as the 2022 White Paper protests in mainland China or the 2019 pro-democracy protests in Hong Kong.³³⁷ The students perceived these discrepancies as evidence that universities respond to some geopolitical issues or regions more than others, but were not aware of the reasons why. They wondered if it was due to inequitable decision-making about which students might be affected by geopolitical issues.

Three universities shared holistic policies they had adopted to approach geopolitical conflicts that affect the student body population with similar standards,³³⁸ though in the case of the University of Sheffield in the UK, the procedure is limited to an outbreak of military hostilities, a major natural disaster or a major act of terrorism in a student's home country.³³⁹

In contrast to communications they had or had not received at their institution, some students spoke approvingly to Amnesty International of statements made by Goldsmiths University of London in the UK and the University of Chicago in the USA during the White Paper protests about alumni who had been detained in China.³⁴⁰ Université Libre de Bruxelles (ULB) in Belgium has issued solidarity statements touching on China and academic freedom issues, including in 2021 in support of researchers sanctioned by the Chinese government, and in 2018 in support of Uyghur academia facing repression in China.³⁴¹ Many students told Amnesty International that they wished they had received communications that acknowledged the stress and anxiety experienced by students and been provided with guidance on mental health support and university reporting mechanisms in respect of significant events in China and Hong Kong SAR. In all cases, students' concerns about being unheard indicated that clear and transparent policies regarding when and how to issue comments on global issues affecting students would be supported by many.

Several of the issues raised by interviewees and covered in this chapter are addressed by a model code of conduct proposed by a group of academics in 2022 in the UK.³⁴² The model code of conduct looks at the context of increased transnational cooperation, which is defined as including foreign campuses, gifts/donations, research, teaching, student

³³⁶ UBC, Student Services, "Support for Unanticipated Circumstances", <https://students.ubc.ca/support-unanticipated-circumstances>; Manchester University, Student Support, "Cost of Living Support Fund", <https://www.studentsupport.manchester.ac.uk/finances/funding-opportunities/all/living-cost-support-fund/>.

³³⁷ Interviews with eight students.

³³⁸ Erasmus University Rotterdam, "Protocol: 'Students and staff from acute crisis areas'", 15 May 2023, <https://www.eur.nl/en/media/2023-06-protocol-students-and-staff-acute-crisis-areas-v-202305-1>; Emailed letter from Executive Vice President of Freie Universität Berlin, Prof. Blechinger-Talcott to Amnesty International, dated 11 January 2024 (received 23 January 2024).

³³⁹ Email from University of Sheffield to Amnesty International dated 7 February 2024.

³⁴⁰ Goldsmiths University of London, "Responding to reports of the detention of a former student", 31 January 2023; University of Chicago, Center for East Asian Studies, "Statement on recent blank paper protests in China", <https://www.gold.ac.uk/news/china-support/>.

³⁴¹ ULB, "Motion of support for researcher colleagues facing sanctions from Beijing", 22 April 2021, <https://www.ulb.be/en/motion-of-support-for-researcher-colleagues-facing-sanctions-from-beijing>; ULB, "Universitaires ouighours en Chine: l'ULB exprime sa solidarité vis-à-vis des collègues victimes de répression" [Uighur academics in China: the ULB expresses its solidarity with colleagues victims of repression], 2018, <https://www.ulb.be/fr/actions-solidaires/universitaires-ouighours-en-chine-l-ulb-exprime-sa-solidarite-vis-a-vis-des-colleagues-victimes-de-repression>.

³⁴² The authors are members of the Academic Freedom and Internationalisation Working Group. The Working Group includes academics, civil society and the All-Party Parliamentary Human Rights Group, which includes members of the UK parliament.

exchanges and other areas,³⁴³ and proposes general responsibilities and best practices for universities to adopt. These include confidential and independent reporting mechanisms internally in the university and to “ensur[e] appropriate action is taken... on the basis of such reports, with a guarantee that there will be no retaliatory action against those reporting concerns or making complaints” and “designating an individual with internal institutional responsibility for the protection of academic freedom and the academic community.”³⁴⁴

³⁴³ John Heathershaw and others, “Model code of conduct: protection of academic freedom and the academic community in the context of the internationalisation of the UK HE sector”, 25 November 2022, *International Journal of Human Rights*, Volume 26, Issue 10, <https://www.tandfonline.com/doi/full/10.1080/13642987.2022.2148977>, p. 1,859.

³⁴⁴ “Model code of conduct” (previously cited), p. 1,861.

7. LEGAL FRAMEWORK

7.1 TRANSNATIONAL REPRESSION

For the purposes of this report, transnational repression refers to government actions to silence, control or deter dissent and criticism by human rights defenders, journalists, academics, opposition activists and others, especially from that country, who live in another country, in violation of their human rights.

On a general level, acts of transnational repression span a wide spectrum and may involve one or more rights-violating acts directed against targeted individuals or groups, including extrajudicial executions, physical or verbal assault, unlawful transfers between states, abductions, arrest warrant abuse, digital threats and censorship, harassment and intimidation (including of family members in the home country), denial of consular services, and unlawful surveillance.

Specific manifestations of transnational repression that have been documented by Amnesty International in the present context include the harassment and intimidation by police of students' China-based family members and censorship of students' online content, as well as possible physical surveillance and harassment of students and the threat of prosecution at home for the legitimate exercise of the students' human rights upon return. These and other elements described in this report in combination have generated a marked and demonstrable "chilling effect" on the students' right to freedom of expression, association, and peaceful assembly and other human rights. Determining whether each of these acts is attributable to state actors, except for acts that occurred inside China with a clear connection to police, poses complex evidentiary questions, many of which students were individually unable to answer. However, Amnesty International considers the near-identical nature of the allegations raised across broad geographical and national boundaries by a diverse range of students, as well as the similarity of information available from publicly documented cases, as supporting the reasonable belief of interviewees that the Chinese and Hong Kong governments or agents acting on their behalf have engaged in a pattern of transnational repression against overseas students, in particular in respect of the latter's involvement in political and human rights-supporting activities during their studies.

7.2 RELEVANT RIGHTS AND VIOLATIONS

Under international human rights law and standards, international students are entitled to the same suite of basic rights as any other person, regardless of where they happen to be studying, and both their home and host states are obligated to respect, protect and fulfil those rights. When a state actor engages in activities aimed at repressing the ability of its nationals studying abroad to discuss, study, comment upon or write about certain topics, it potentially infringes upon a number of these rights, including those protected under the United Nations (UN) Declaration of Human Rights (UDHR) and encapsulated in the UN International Covenant on Civil and Political Rights (ICCPR) and the UN International Covenant on Economic, Social and Cultural Rights (ICESCR).

This report covers individuals and incidents in eight research countries, each of those host jurisdictions has ratified the ICCPR and ICESCR (except for the USA, which has not ratified the ICESCR), thereby recognizing the existence of these obligations under international law. The home state discussed in this report, China, has ratified the ICESCR, but only signed the ICCPR in 1998, as well repeatedly stated its intention to ratify the treaty, putting it under an obligation

not to do anything to defeat the treaty's object and purpose.³⁴⁵ China also accepted that both the ICCPR and ICESCR, which had been ratified by the UK and extended to Hong Kong in 1976, would remain in force and binding on the local authorities. In addition, many rights in these instruments are customary international law, due to the Covenants' wide ratifications and endorsement by states over a long period of time, meaning they are binding on all states whether or not they have ratified relevant treaties.³⁴⁶

As a wide range of rights may be infringed upon by activities that would fall under the umbrella of transnational repression, including the right of individuals to enjoy, among others:

- freedom from arbitrary arrest, detention or exile;³⁴⁷
- freedom from arbitrary interference with privacy, family, correspondence and attacks upon reputation;³⁴⁸
- freedom to seek and enjoy asylum from persecution in other countries;³⁴⁹
- freedom of thought, conscience and religion or belief;³⁵⁰
- freedom of opinion and expression, including to seek, receive and impart information and ideas through any media, regardless of frontiers;³⁵¹
- freedom of peaceful assembly³⁵² and association;³⁵³
- the right to education;³⁵⁴
- the right to take part in cultural life;³⁵⁵ and
- the right to scientific advancements.³⁵⁶

In the context of international academia, which is underpinned by the ability of individuals to travel to other countries and to exchange information and ideas without undue constraint, respect for these rights is especially important. While this principle of “academic freedom” is not found in any one specific international human rights framework, both the UN Committee on Economic, Social and Cultural Rights (CESCR) and the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (Special Rapporteur on freedom of expression) have recognized the close relationship between this principle and international human rights.

In its 1999 General Comment on Article 13 of the ICESCR, the CESCR noted that the right to education “must be accompanied by the academic freedom of students and staff, which includes the liberty of individuals to pursue, develop, and transmit knowledge and ideas without discrimination or fear of repression by the state or any other actor, and comprises a duty to respect the academic freedom of others, to ensure the fair discussion of contrary views, and to treat all without discrimination on any prohibited grounds.”³⁵⁷ The CESCR also explicitly recognized that students in higher education, including at universities, are particularly susceptible to “political and other pressures which undermine academic freedom.”³⁵⁸

Similarly, in a 2020 report on academic freedom and the freedom of opinion and expression, the Special Rapporteur on freedom of expression outlined a smaller bundle of political and civil rights that, in their view, reside at the centre of the right to academic freedom, including the rights to peaceful assembly and association, privacy and thought, and conscience and religious belief, as well as the rights to education and scientific advancements.³⁵⁹

³⁴⁵ United Nations, “Vienna Convention on the Law of Treaties”, 23 May 1969, Article 18, https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf.

³⁴⁶ For the ICCPR, see UN Human Rights Committee, General Comment 24 (52) on issues relating to reservations, 11 November 1994, UN Doc CCPR/C/21/Rev.1/Add.6, para. 8; for the ICESCR see, for example, Eleanor Kinney, “The International Human Right to Health”, 9 January 2002, *Indiana Law Review*, Vol. 34, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=296394, p. 1464.

³⁴⁷ UN General Assembly, Universal Declaration of Human Rights (UDHR), 10 December 1948, 217 A(III), Article 9.

³⁴⁸ UDHR, Article 12.

³⁴⁹ UDHR, Article 14(1-2).

³⁵⁰ UDHR, Article 18; UN General Assembly, International Covenant on Civil and Political Rights (ICCPR), 16 December 1966, United Nations Treaty Series, Vol. 999, p. 171, Article 18.

³⁵¹ UDHR, Article 19; ICCPR, Article 19.

³⁵² ICCPR, Article 21.

³⁵³ ICCPR, Article 22.

³⁵⁴ UN General Assembly, International Covenant on Economic, Social and Cultural Rights (ICESCR), 16 December 1966, United Nations Treaty Series, Vol. 993, p. 3, Article 13.

³⁵⁵ ICESCR, Article 15.

³⁵⁶ ICESCR, Article 15.

³⁵⁷ Committee on Economic, Social and Cultural Rights (CESCR), General Comment 13: The Right to Education (Article 13 of the Covenant), 8 December 1999, UN Doc E/C.12/1999/10, paras. 38-39.

³⁵⁸ CESCR, General Comment 13 (previously cited), paras. 38-39.

³⁵⁹ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, “Report on academic freedom and the freedom of opinion and expression”, 28 July 2020, UN Doc A/75/261, para. 5.

The repressive tactics employed by Chinese authorities to silence and coerce international students from China, as detailed directly in this report or credibly feared by the interviewees, threaten to violate a range of the rights enjoyed by overseas students, including to freedom of expression, association and peaceful assembly. These tactics also infringe upon the principle of academic freedom, in particular by threatening to deprive students, researchers and teachers at universities of the ability to pursue, transmit and develop knowledge and ideas without discrimination or fear of repression. Similarly, the Chinese and Hong Kong governments' enactment of national security laws and regulations prohibiting the exercise of a range of human rights by Chinese nationals³⁶⁰ – and the practice of seeking to apply those laws to the extraterritorial conduct of nationals – has contributed to the chilling effect described by students and has negatively impacted upon students' enjoyment of their rights.

Students at universities across the research countries described being subjected to harassment, intimidation, surveillance and censorship by state and non-state actors, both directly and through family members and friends, in connection to their involvement in political discussions, peaceful protests and public commentaries while abroad. Students also cited an awareness of the Chinese and Hong Kong governments' practice of seeking to apply domestic national security laws to the extraterritorial conduct of Chinese nationals – including students – as a significant limitation on their ability to enjoy their human rights while overseas. Nearly all these students also described living and studying in a climate of fear engendered by these governments' tactics and the reasonable apprehension of becoming a target. This atmosphere has circumscribed the ability of students to participate in the classroom and undertake research, to access teaching, research and information resources without censorship, to interact with their peers, and to participate in higher education free from interference.

The impact of the climate of fear on students is often referred to as a “chilling effect”, a phenomenon whereby people are deterred from exercising their human rights. It includes situations where people who have yet to experience any action taken against them nonetheless fear being targeted and therefore refrain from, for example, expressing opinions that may be legal. This leads to self-censorship out of fear of reprisals and to avoid placing oneself at risk, including with respect to the risks posed by unlawful surveillance. In such cases, for example, the mere threat of surveillance of all kinds stifles people's free expression or association, offline or online.³⁶¹

The Human Rights Committee has stated that the use of surveillance technologies and recording devices and the collection of information and data by authorities can also have a chilling effect on the exercise of the right to peaceful assembly and infringe on the right to privacy and other rights of participants and bystanders.³⁶² The presence of recording cameras at assemblies can have a chilling effect on the exercise of the right to peaceful assembly, as they may dissuade people from participating in demonstrations. Other examples of “chilling” measures are laws containing blanket prohibitions or overly broad provisions based on vague and ambiguous concepts, the threat of harsh charges that are not commensurate with any internationally recognizable offence, or extrajudicial forms of accusations or practices that shape the environment for the exercise of human rights. Any chilling effect is compounded if multiple laws and known policies and practices work in cumulation, and if there is a history of unwarranted criminalization of government criticism, physical attacks, and other targeting and violations of the rights of human rights defenders and the governments' opponents – as is the case for China.

China bears the primary responsibility for the activities its authorities conduct or direct their agents to conduct against students overseas and for the “chilling effect” created by those acts. Students also described being caught “in the middle” between the Chinese authorities and their host countries, with few real resources or mechanisms available to protect them from the impacts of transnational repression. While international legal standards require that states refrain from activities that violate the rights of individuals beyond their borders, they also entail obligations for host states and responsibilities for universities to take steps to protect those international students under their jurisdiction whose rights are threatened or violated by the transnational acts of other states.

In international law, a state is responsible for acts, including those carried out abroad, that can be attributed to that state. According to the principles of state responsibility,³⁶³ this is the case for the conduct of any state organ and of persons or entities empowered by the law of that state to exercise elements of governmental authority, even if they exceed their authority or contravene instructions, or if the persons are in fact acting on the instructions of, under the direction or control of, or exercising elements of, governmental authority of that state.³⁶⁴

States can and must be held to account for violations of human rights resulting from their acts and omissions that occur beyond their borders. Amnesty International believes that international human rights obligations apply

³⁶⁰ In particular, the National Security Law (2015), the Hong Kong National Security Law (2020), and the Safeguarding National Security Ordinance under Article 23 of the Basic Law (2024) (all previously cited).

³⁶¹ See UN High Commissioner for Human Rights, “The Right to Privacy in the Digital Age”, 30 June 2014, A/HRC/27/37 (UNHCHR Privacy in the Digital Age), para. 20.

³⁶² UN Human Rights Committee, “General Comment 37 on the right of peaceful assembly (article 21)”, 17 September 2020, UN Doc CCPR/C/GC/37, paras. 10, 61, 94.

³⁶³ See UN General Assembly, Resolution 56/83, “Responsibility of States for internationally wrongful acts”, January 2002, UN doc. A/RES/56/83, Annex.

³⁶⁴ UN General Assembly, Resolution 56/83, “Responsibility of States for internationally wrongful acts”, Articles 4, 5, 7, 8, 9.

extraterritorially when the state has power or effective control over an individual's enjoyment of the right in question. Extraterritorial human rights obligations refer to the responsibility of states for acts and omissions of the state, within or beyond its territory, that have effects on the enjoyment of human rights outside that state's territory. Therefore, the organization holds that, for example, state communications surveillance programmes and measures can constitute an interference with the rights to privacy and freedom of expression, regardless of where the surveillance occurs or the location of the individuals concerned.³⁶⁵

In a similar vein, the Human Rights Committee has said that a state continues to have the obligation to respect and ensure the right to life of all persons over whose enjoyment of that right it exercises power or effective control, including persons located outside any territory effectively controlled by the state but whose rights are still affected by the state's activities.³⁶⁶ With regard to economic, social and cultural rights, a state has the obligation to "desist from acts and omissions that create a real risk of nullifying or impairing the enjoyment of economic, social and cultural rights extraterritorially", including by "[taking] necessary measures to ensure that non-State actors which they are in a position to regulate... such as private individuals and organizations" do not contribute to that risk; respective violations "occur when a State pursues, by action or omission, a policy or practice which deliberately contravenes or ignores obligations of the Covenant".³⁶⁷

7.3 OBLIGATIONS OF ACTING AND HOST STATES

The primary responsibility for the surveillance, harassment, intimidation and coercion detailed in this report lies with those alleged to have committed and directed these acts. Consequently, as the acting state, China must end its involvement and that of its agents and all relevant authorities in such practices. The Chinese and Hong Kong governments must also repeal and cease applying and enacting national security laws that allow authorities to crack down on the exercise of human rights by Chinese nationals, both domestically and as applied extraterritorially.

In addition, China's duty to respect and protect human rights means it has an obligation to regulate activities of corporations under its jurisdiction with a view that these businesses must respect human rights, abuses by them must be prevented, and in case they occur effective reparations ensured. Where a state can control or influence the conduct of corporations under its jurisdiction, these obligations also extend to corporate activities that occur outside of its territory. These obligations therefore require the Chinese government to take measures to prevent companies registered or headquartered in China – such as WeChat/Weixin operator Tencent – from causing or contributing to human rights abuses within their global operations, including through the unlawful censorship of the expression of overseas users on those companies' online platforms.³⁶⁸

However, the governments of host states in which rights-abusing or violating acts have occurred or where they have an impact also have a duty to respect, protect and fulfil the human rights of all individuals within their territory and subject to their jurisdiction, including ensuring and proactively promoting accountability for the violations and abuses committed by alleged perpetrators. The Special Rapporteur on freedom of expression has explained that the principle of academic freedom therefore entails that states do more than just protect individual human rights, and are under "a positive obligation to create a general enabling environment for seeking, receiving and imparting information and ideas."³⁶⁹

This means that host states must ensure that individuals under their jurisdiction, including international students, are not being threatened, intimidated, harassed or assaulted for exercising their human rights. In the context of students enrolled at universities within a state's territory, it also means that states must have in place adequate and effective systems for ensuring that the rights of students are adequately safeguarded during their studies at universities, including through mechanisms of accountability, codes of conduct, and assurances that universities themselves protect and promote the rights of students and researchers.³⁷⁰ These systems must themselves take into account the

³⁶⁵ See Amnesty International, "General Assembly Resolution 68/167: Submission to Office of the High Commissioner for Human Rights on Surveillance and the Extraterritorial Application of Human Rights" (Index: ACT 30/003/2014), 1 April 2014.

³⁶⁶ UNHRC, "General Comment 36, 'Article 6: right to life'", 3 September 2019, UN Doc CCPR/C/GC/36, para. 63.

³⁶⁷ Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights, Principles 11, 13, 24. The Maastricht principles were articulated and adopted by a group of experts on international law in 2012; https://www.fidh.org/IMG/pdf/maastricht-eto-principles-uk_web.pdf.

³⁶⁸ See, for example, UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment 24 on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities, 2017 (UN Doc. E/C.12/GC/24), para. 30. This builds on extensive previous commentary and concluding observations in relation to states' extraterritorial obligations in the context of business activities, including: General Comment 14: The right to the highest attainable standard of health, 2000 (UN Doc. E/C.12/2000/4), para. 39; General Comment 15 on the right to water, 2002 (UN Doc. E/C.12/2002/11), para. 33; General Comment 19 on the right to social security, 2008 (UN Doc. E/C.12/GC/19), para. 54; Statement on the obligations of States Parties regarding the corporate sector and economic, social and cultural rights, 2011 (UN Doc. E/C.12/2011/1), para. 5; and CESCR, Concluding Observations on Germany, 2011 (UN Doc. E/C.12/DEU/CO/5), paras 10-11.

³⁶⁹ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion (previously cited), para. 9.

³⁷⁰ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion (previously cited), para. 12.

chilling effect engendered by transnational repression that threatens the rights of students, researchers and staff, and include mechanisms for safeguarding and enabling the enjoyment of rights by affected individuals.

Beyond ensuring that the human rights of international students under their jurisdiction are protected and upheld, and that they benefit from a safe and enabling environment for exercising their rights, states also have a duty to promptly, effectively and thoroughly investigate suspected violations of those rights with independence, impartiality and transparency, to prevent and end potentially unlawful infringements of those rights. This duty includes prosecuting those that may amount to criminal acts, in accordance with relevant international law and standards, and providing access to an effective remedy and reparation to redress any violations or abuses of human rights under their jurisdiction.

In the case of the particular vulnerabilities of some international students to the impacts of transnational repression – not least because of their often precarious financial and immigration status – states may need to take additional and proactive steps to ensure that survivors’ rights are protected and violations of those rights are addressed in a manner that does not further compound the difficulties faced by those students or their families.

7.4 RESPONSIBILITIES OF UNIVERSITIES

While the obligation to respect, protect and fulfil these rights is primarily owed to individuals by states, international human rights law and standards recognize that universities – whether as state actors (that is, publicly run colleges and universities) or private actors – play a key role in protecting and promoting the human rights of members of their communities.³⁷¹

Unlike state authorities themselves, universities across the board do not automatically have directly binding rights obligations under international law, as this may depend on the specific nature of their constitution. However, both the UN Educational, Scientific and Cultural Organization (UNESCO) and the Special Rapporteur on freedom of expression have outlined a range of responsibilities that universities and higher education institutions owe to their staff and students, drawn from international law and statements of intergovernmental bodies. Among other things, both the UNESCO and the Special Rapporteur on freedom of expression have stipulated in respective recommendations that universities and all higher education institutions should:

- provide “effective support for academic freedom and fundamental human rights” to students and staff;³⁷²
- ensure that students are treated fairly and without discrimination;³⁷³
- adopt policies and procedures to ensure equitable treatment of students and to eliminate sexual and racial harassment;³⁷⁴
- ensure that higher education personnel are not impeded in their work in the classroom or in their research capacity by violence, intimidation or harassment;³⁷⁵
- ensure access, without censorship, to modern teaching, research and information resources, including providing information required by students for scholarship or research;³⁷⁶
- design and implement appropriate systems of accountability, including quality assurance mechanisms, to achieve these goals;³⁷⁷ and
- ensure that members of academic communities have protection against coercion by third parties, whether the state or groups in society, which requires, in particular, institutions to stand up for members of their communities who face attack or restriction owing to the exercise of their academic freedom.³⁷⁸

As recognized by the Special Rapporteur on freedom of expression, “Institutions of higher education... play extraordinary roles in human society as ‘engines of knowledge production, discovery, innovation, skills development,

³⁷¹ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (previously cited), para. 12.

³⁷² UN Educational, Scientific and Cultural Organization (UNESCO), Recommendation Concerning the Status of Higher-Education Teaching Personnel, 11 November 1997, Part V, para. 22 (c).

³⁷³ UNESCO (previously cited), Part V, para. 22 (f).

³⁷⁴ UNESCO (previously cited), Part V, para. 22 (g).

³⁷⁵ UNESCO (previously cited), Part V, para. 22 (h).

³⁷⁶ UNESCO (previously cited), Part V, para. 22 (o).

³⁷⁷ UNESCO (previously cited), Part V, para. 24.

³⁷⁸ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (previously cited), para. 58 (b).

cultural preservation, and national progress'.³⁷⁹ States, as part of their obligation to create a general enabling environment for seeking, receiving and imparting information and ideas, should ensure that such institutions – “whether as State actors (public colleges and universities) or private ones – protect and promote the human rights of members of their communities (broadly defined).”³⁸⁰ According to the Special Rapporteur on freedom of expression, higher education institutions should themselves “... also adopt and enforce policies that ensure the protection of the free expression rights of the members of their communities, resisting official or social pressure and promising human rights compliance institutionally.”³⁸¹

The responsibilities of such institutions to respect human rights, even though they are not necessarily “businesses”, are appropriately assessed using the framework of the UN Guiding Principles on Business and Human Rights (the “UN Guiding Principles”).³⁸² As outlined in the UN Guiding Principles, the responsibility of businesses to protect human rights includes to “[s]eek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services... even if they have not contributed to those impacts.”³⁸³ This responsibility to respect human rights is independent of a state’s own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights.³⁸⁴ The application of the UN Guiding Principles to universities makes clear that such institutions, whether they are state or privately-owned, have a responsibility to ensure human rights are respected in the recruitment and provision of services for all enrolled students. This includes conducting due diligence to identify and prevent any human rights violations by foreign state actors, carrying out their own independent monitoring and investigation of any alleged rights violations, and putting in place appropriate mechanisms to enable students and staff to exercise their rights on campus and in relation to their academic activities without external interference.

Among other things, the students interviewed for this report described facing harassment, intimidation and coercion from third parties in connection to their expression and activities on campus and during their studies that have threatened their ability to participate in university life without interference. While students pointed to the tactics employed by the Chinese government and the chilling effect they engender on campuses as the primary source of interference with their enjoyment of their human rights, the students also reported that they have, in many cases, been subjected to these interferences without the ostensible support or protection of their universities. Given the unique position of universities in human society and the important role they hold as authorities standing *in loco parentis* in the lives of international students, the responsibility of universities to ensure that the rights of their enrolled students are protected and enabled against these threats is an especially important one. Among other things, to fulfil that responsibility, universities should conduct due diligence to monitor and identify threats to student and staff rights, take action to protect students and staff where threats to those rights are identified, and adopt safeguards to enable students and staff to effectively enjoy their rights by working to counteract the chilling effect engendered by transnational repression.

Moreover, as transnational repression against international students by state actors is inherently tied to those students’ national origin, the responsibility of universities to adopt policies and procedures specifically capable of protecting international students corresponds to those students’ rights to fair and equitable treatment and non-discrimination. As universities take steps to fulfil their responsibilities to students in the context of transnational repression, they should therefore ensure that the specific needs and situations of international students are taken into account. To treat students equitably specifically means not to treat all international students the same, but to take into account their specific circumstances and needs.

As recommendations by the Special Rapporteur on freedom of expression and UNESCO, as well as the UN Guiding Principles, make clear, the steps that universities should take in this context are multifaceted and exist along the entire spectrum of institutional interactions with students, staff and third parties. They comprise both immediate actions as well as enduring policies and practices that guide university operations by centring their unique societal role in upholding human rights and academic freedoms.

Based on those recommendations and principles, and taking into consideration the nature of the threats to rights and academic freedoms outlined in the foregoing chapters, Amnesty International has recommendations outlined in Chapter 8, alongside those directed at respective governments, that universities in host states should take to meet their responsibilities to students and staff in the context of transnational repression.

³⁷⁹ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (previously cited), pp. 6-7.

³⁸⁰ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (previously cited), p. 7.

³⁸¹ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (previously cited), p. 7.

³⁸² There is a growing understanding that the UN Guiding Principles are an appropriate standard for assessing the human rights responsibilities of organizations that are not “businesses”. For example, see Domenico Carolei, Nadia Bernaz, “Accountability for Human Rights: Applying Business and Human Rights Instruments to Non-Governmental Organizations”, November 2021, *Journal of Human Rights Practice*, Volume 13, Issue 3, <https://doi.org/10.1093/jhuman/huab042>, pp. 507-528.

³⁸³ UN Guiding Principles on Business and Human Rights, Implementing the United Nations “Protect, Respect and Remedy” Framework (UN Guiding Principles), 21 March 2011, A/HRC/17/31, Principle 13(b).

³⁸⁴ UN Guiding Principles (previously cited), Principle 11 including Commentary.

8. CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

Many Chinese international students attending universities across Western Europe and North America are living in a climate of fear, in which they feel compelled to self-censor and curtail their social and academic activities and relationships or else risk repercussions from the Chinese state. This atmosphere is the result of the Chinese government's efforts to ensure that the country's overseas students remain silent and disengaged on political issues that are perceived by the government as sensitive. These efforts include direct interference with students' lives, such as the censorship, intimidation and harassment of students and their families, as well as the enactment of explicitly extraterritorial repressive laws and the publicly documented prosecution of other individuals for their activism or dissent while abroad.

While students interviewed by Amnesty International often struggled to individually attribute incidents of harassment, intimidation, surveillance or coercion to Chinese state actors, their well-founded belief that the Chinese government is involved in such repressive acts in connection with the expression and associations of students and other diaspora members abroad has resulted in a broad-ranging chilling effect on overseas campuses, preventing students from exercising their rights to freedom of expression, association and peaceful assembly among other rights, and undermining the principle of academic freedom. Students said this chilling effect had led them to self-censor both in and outside of the classroom, and to avoid studying, researching or even discussing topics that they believed might draw the attention of Chinese authorities. Amnesty International also heard from students that even some non-Chinese researchers and professors were unwilling to discuss "sensitive" topics with students or be seen associating with politically active students, out of a fear that doing so might compromise their ability to access Chinese officials and conduct research in China.

As a result of the climate of fear on university campuses, many Chinese international students experience profound loneliness and isolation, exacerbating the difficulties they face in relation to securing study visas, paying for living expenses and tuition, and navigating a new cultural and linguistic environment. These difficulties are compounded for students who have become involved in political expression or activism while overseas. They live with daily uncertainty, as they struggle to know whether, or when, the Chinese government may become aware of their actions, resulting in potentially severe consequences for themselves or their family and friends in China.

Amnesty International's research indicates that the Chinese government is violating its obligations to respect the human rights of international students by engaging in transnational repression. It also suggests that host states and universities can and should do more to protect, respect and enable the rights of students in their jurisdictions. Most students interviewed by Amnesty International felt that their host states and universities either were unaware of their concerns related to transnational repression, or were unwilling to respond to students' concerns. Recognizing that transnational repression and the resulting chilling effect on the exercise of rights is a complex issue, responses will necessarily vary depending on the states and affected individuals and groups involved. Nevertheless, respective Chinese state actions, and the consequent fears of Chinese students, are real and need to have full attention paid to them.

This report sets out steps that governments and universities in host states can take to acknowledge the impact of transnational repression on students and members of diaspora communities, listen to the concerns of those affected, and commit to working with those individuals to develop responsible and effective responses.

To that end, Amnesty International has reviewed existing literature from a range of NGOs, other civil society actors and experts on transnational repression, and has worked with affected Chinese and Hong Kong international students to develop recommendations for states and non-state actors. These recommendations are directed towards the central Chinese government and the government of Hong Kong as the authorities obliged to cease transnational repression that threatens the rights of their overseas nationals, as well as towards governments and universities in host state countries based on their respective obligations and/or responsibilities to protect, respect, uphold and enable the rights of international students within their jurisdictions.

RECOMMENDATIONS

TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

- Respect, protect and fulfil the rights to freedom of expression, association and peaceful assembly, and halt acts that directly or indirectly seek to violate these rights in China and overseas.
- Cease all transnational repressive activities that violate the rights of students, researchers or academics overseas, including surveillance, harassment, intimidation and threats, and the practice of harassing, intimidating or detaining China-based family members of international students in relation to the student's activities abroad.
- Remove restrictions on freedom of expression, including on the Internet, that are not in accordance with international law and standards, and do not impose unlawful restrictions on freedom of expression abroad through Chinese technology companies.
- Revise all national security laws to bring them in line with international human rights law and standards, including the National Security Law, the National Intelligence Law, the Counter-espionage Law, the Foreign NGO Management Law, and the Cybersecurity Law, as well as the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, including by eliminating any unlawful extraterritorial application of these laws.
- Ensure that public messaging by state officials does not incite, promote or defend non-state actors engaging in activities that abuse the rights of students overseas, such as physical assaults, harassment or threats to anti-government protesters.

TO THE GOVERNMENT OF HONG KONG

- Cease all transnational repressive activities that violate the rights of students, researchers or academics overseas, including any surveillance, harassment, intimidation and threats.
- Cease applying the National Security Law until it is repealed, repeal the Safeguarding National Security Ordinance under Article 23 of the Basic Law, and ensure any new legislation under Article 23 complies with international human rights law and standards.

TO HOST GOVERNMENTS AND THE EUROPEAN UNION

- Ensure all government agencies have a full and effective understanding of transnational repression as a threat to human rights. Ensure government policies are implemented coherently and uniformly, and educate staff of specific frontline agencies that might encounter survivors of transnational repression or their families.
- Ensure that alleged incidents of transnational repression are effectively investigated by the appropriate authorities, and that related criminal acts are prosecuted where appropriate.
- Issue public statements acknowledging and denouncing incidents of transnational repression when they occur and affirming support for survivors, generally and in the university setting, raising individual cases where possible in consultation with survivors and their families.

- Establish a trauma-informed reporting mechanism for rightsholders to report incidents of transnational repression, in consultation with survivors, affected communities, and civil society and academic experts, with a view to systematically documenting alleged acts and publishing anonymized statistics and summaries of reporting. Ensure that this mechanism allows rightsholders to report incidents in a language of their choice, confidentially, and that personal identifying information provided by rightsholders is protected with appropriate safeguards.
- Ensure that government programmes and services are accessible in multiple languages, particularly visa processes and programmes, policing and statements related to transnational repression or specific threats to international students.
- Facilitate the safe reporting of acts of transnational repression by visa applicants and asylum seekers, ensuring it does not negatively affect pending visa or asylum applications (including by publishing clear guidance to this effect in relevant languages). Simplify applications of home country-based family members of transnational repression survivors.
- Allow for extensions to student visas for a reasonable duration, as a protection measure. Consider additional extensions or other forms of protection or residence allowing students opportunities to safely and freely pursue studies and related work where they are at risk of persecution in the home country as a result of, among other things, their academic activities while abroad.
- Ensure that responses in all cases centre the rights of impacted individuals, are not overtly politicized and do not contribute to the stigmatization of impacted individuals or communities.
- Proactively develop policies aligning EU and national responses to the human rights impacts of transnational repression, including on academic freedom and the rights to freedom of expression, peaceful assembly and association, and adapt existing policies and practices, such as by incorporating specific guidance on transnational repression in the EU visa handbook or for people to people exchanges.
- Defend the principle of academic freedom by creating an enabling environment for seeking, receiving and imparting information and ideas, including by proactively ensuring universities fulfil their responsibilities to protect and promote the human rights of their communities.

TO UNIVERSITIES IN HOST STATES

- Adopt policies and procedural guidelines that provide effective support for academic freedom and human rights, including:
 - If not already established, enact policies and codes of conduct related to transnational repression, and ensure they are accessible and easy to understand for students.
 - Establish an internal institutional focal point on transnational repression to oversee the implementation of policies and to receive reports or provide further guidance.
 - Issue public statements, with consent, if a student or scholar from the institution is threatened or harassed in violation of the right to academic freedom. Adopt an impartial process for issuing statements of solidarity and support during global events that affect a sizeable number of students, including guidance about resources available to affected students.
- Design and implement systems of accountability and due diligence to independently monitor and identify threats to students and staff from third parties, including:
 - Establish a confidential reporting mechanism for transnational repression, providing students and staff with the option to report incidents anonymously, ensuring students and staff are aware of the existence and purpose of the mechanism, and reporting, on an annual or more frequent periodic basis, statistics and anonymized summaries of reports.
 - Conduct human rights due diligence reviews in line with international standards to ensure that university operations and services do not create a risk to student or staff enjoyment of rights, including reviews of policies regarding student participation in academic activities and any cooperation, exchanges or other agreements with foreign governments, state-owned enterprises or universities.
 - Transparently report funding received from all foreign governments, state-owned entities or universities; ensure when soliciting or receiving funds from foreign state-linked institutions that sufficient safeguards are built into contracts to protect academic freedom in advance of entering into agreements; and

require all student associations to publicly report any funding and in-kind support received from foreign state entities and diplomatic missions.

- Create or actively participate in existing informal groups with other universities in-country or regionally to share information on, and coordinate responses to, violations of academic freedom, including transnational repression.
- Put in place mechanisms to ensure the protection of students and staff against harassment, intimidation and coercion, enabling them to exercise their rights without interference by third parties, including:
 - If not already established, enact, and ensure students are sufficiently informed of, policies prohibiting threats against other students or staff; and ensure administrators, professors and other university staff are educated on such policies and can effectively enforce them if an incident occurs.
 - Speak out on issues related to student welfare or human rights irrespective of funding relationships. When establishing exchange programmes or overseas campuses, ensure similar policies are agreed in contracts or memorandums of understanding affirming the right to freedom of expression and academic freedom.
 - Ensure that students can set up societies and hold events on campus without undue risk that their private information (including legal or presumed names) are publicly accessible.
 - Ensure reasonable accommodations for students with concerns about external retaliation, including related to transnational repression, for their academic work, classroom participation, or on-campus expression or activities, such as by permitting students to submit academic work without attaching their names where such systems do not already exist, ensuring the use of secure and, where feasible, encrypted platforms for online lectures, prohibiting recording of lectures and classroom discussions by students without university permission, ensuring students are made aware when lectures or classroom discussions will be recorded, securely storing students' personal identifying information and academic work, and considering other measures to enable students to participate in academic life safely on a case-by-case basis.
 - Create travel policies for students and scholars who have concerns about returning to their home country, and establish a clear protocol and focal point for students and scholars to report incidents to the university (such as police questioning, detentions and exit bans).
 - Ensure IT support is available for students who believe they may be at risk of digital surveillance, including by providing free virtual private networks.
 - If not already provided, establish emergency financial assistance opportunities for students whose sources of funding are compromised as a result of the exercise of their rights or participation in academic activities, including as a consequence of transnational repression.
- Ensure support is provided to students fairly, equitably and without discrimination, including:
 - Ensure that appropriate support services are provided to students at risk from transnational repression, including psychological and mental health supports. Ensure that these services take into account the needs and situations of these students, such as by providing access to specialized counsellors for international students with linguistic and other relevant experiences.
 - Ensure that the development of policies and mechanisms to protect students and staff in the context of transnational repression is done in consultation and collaboration with individuals affected by transnational repression, including by ensuring that individuals at risk of transnational repression are able to participate safely and securely in that process.

9. ANNEXES

ANNEX 1: SAMPLE LETTER SENT TO 55 UNIVERSITIES

Dear Messrs./Mesdames,

CONCERNS REGARDING FREEDOMS OF EXPRESSION, ASSEMBLY AND ASSOCIATION OF CHINESE AND HONG KONG STUDENTS IN [COUNTRY]

Amnesty International is a movement of more than 10 million people in more than 150 countries working for the respect and protection of human rights around the world. We campaign to ensure that governments uphold their obligations to respect, protect and fulfil human rights globally; and that corporations and organisations respect and support human rights wherever they operate.

Amnesty International is undertaking research in Europe and North America, including in [country], focused on the rights and freedoms of international students from China, including Hong Kong, enrolled in the tertiary education sector and making relevant recommendations to both governments and respective education institutions to that end. We are writing to solicit input from your institution to inform our understanding of the issues raised in this research and any recommendations we plan to / will make.

Our research to date, including interviews with current and former students, has revealed that many of these students have experienced a wide range of harassment, threats, intimidation and surveillance while studying abroad. These acts—which have had a serious impact on the academic and social lives of the students—as well as their well-being—are alleged to have been perpetrated by both private actors and officials and agents of the People’s Republic of China (PRC) and Hong Kong authorities, both in-person and online. Moreover, our research has documented a widespread ‘chilling effect’ on these students, forcing them to engage in self-censorship in academic and social contexts and infringing upon their academic freedoms, including their ability to exercise their rights to freedom of expression, association and peaceful assembly. A majority of the students involved in our research also reported being unaware of any resources offered by higher education institutions that may provide support and assist them in protecting their rights against such interference.

In order to protect the identities of the individuals who have reported incidents to Amnesty International, at this time we are not identifying specific incidents of interference or institutions at which these are alleged to have occurred. **Please note that Amnesty International is not, by virtue of this correspondence, stating or otherwise implying that your institution has breached any legal or other obligation owed to students or other individuals.**

As you are no doubt aware, individuals—including international students at higher education institutions—are guaranteed the right to freedom of thought and conscience,¹ opinion and expression,² peaceful assembly³ and association⁴ under the UN International Covenant on Civil and Political Rights (ICCPR) and the right to education under the International Covenant on Economic, Social and Cultural Rights (ICESCR),⁵ among other human rights. The duty to respect, protect and fulfil their human rights is owed by any state to all individuals within its territory and subject to its jurisdiction, including all persons over whose enjoyment of human rights it exercises power or effective control. According to the UN Committee on Economic, Social and Cultural Rights (CESCR), the right to education must be accompanied by the academic freedom of students and staff, which includes the liberty of individuals to pursue, develop, and transmit knowledge and ideas without discrimination or fear of repression by the state or any other actor, and comprises a duty to respect the academic freedom of others, to ensure the fair discussion of contrary views, and to treat all without discrimination on any prohibited grounds.⁶ The CESCR has also explicitly recognised that students in higher education are particularly susceptible to “political and other pressures which undermine academic freedom.”⁷

While the obligation to respect, protect and fulfil these rights is primarily owed to individuals by states, international human rights law recognises that higher education institutions – whether as State actors (public colleges and universities) or private ones – play a key role in protecting and promoting the human rights of members of their communities.⁸ In particular, both the UN Educational, Scientific and Cultural Organization (UNESCO) and the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression have stipulated in respective recommendations that higher education institutions are obligated to, among others:

- Provide effective support for academic freedom and fundamental human rights to students and staff;⁹
- Ensure that students are treated fairly and without discrimination;¹⁰
- Adopt policies and procedures to ensure equitable treatment of students and to eliminate sexual and racial harassment;¹¹
- Ensure that higher education personnel are not impeded in their work in the classroom or in their research capacity by violence, intimidation or harassment;¹²
- Ensure access, without censorship, to modern teaching, research and information resources, including providing information required by students for scholarship or research;¹³
- Design and implement appropriate systems of accountability, including quality assurance mechanisms, to achieve these goals;¹⁴ and,
- Ensure that members of academic communities have protection against coercion by third parties, whether the State or groups in society. This requires, in particular, institutions to stand up for members of their communities who face attack or restriction owing to the exercise of their academic freedom.¹⁵

We note that these responsibilities exist over and above compliance with other national laws and regulations protecting human rights in [country].¹⁶

In response to the concerns documented by Amnesty International in our research, we would like to invite your institution, given its eminent role in [country's] higher education sector, to provide us with any materials you may have relating to resources or services that your institution currently provides to safeguard the academic freedoms and associated human rights of international students from interference. Without prescribing the scope of your response, we are particularly interested in understanding your institution's position in relation to the following:

- Policies and statements with respect to your institution's recognition of its general human rights responsibilities;
- Policies and practices related to safeguarding the rights and freedoms of international students (including policies intended to protect the identities and comments of students in the academic context, policies concerning the security of participants and audience members at on-campus events, as well as policies regarding disclosure by the institution or its faculty of the personal information of students to foreign governments, whether at main campuses or overseas satellite campuses);
- Existing mechanisms or services for the reporting of harassment, intimidation, threats or surveillance by students (including in the specific context of international students and threats emanating from foreign governments);
- Any existing codes of conduct or policies related to student behaviour towards fellow students, including disclosure of information about fellow students to third parties and government actors.
- Resources and services available to students to support their well-being and mental health (including those specifically tailored to the needs of international students, such as linguistic, politically and/or culturally specific resources);
- Communications or communication policies acknowledging the impact of global events on international students and providing directions to available student supports; and,
- Transparency policies or practices regarding the disclosure of financial or other relationships with foreign government entities.

We would appreciate a response to this query by [date]. Please note that we may reflect any information we receive from you in our published materials, as appropriate (which may include verbatim quotations of your response).

Your response can be sent to me care of my colleagues at [address].

Yours sincerely,

Amnesty International

ANNEX 2: LIST OF UNIVERSITIES AMNESTY INTERNATIONAL WROTE TO ON 8 JANUARY 2024 AND REPLIES RECEIVED

NO.	INSTITUTION NAME	RESPONSE RECEIVED
1.	University College London (UK)	2 February 2024
2.	The University of Manchester (UK)	26 January 2024
3.	The University of Edinburgh (UK)	5 February 2024
4.	The University of Glasgow (UK)	
5.	King's College London (UK)	1 February 2024
6.	Goldsmiths University of London (UK)	11 February 2024
7.	University of Sheffield (UK)	8 February 2024
8.	University of Cambridge (UK)	23 January 2024
9.	Ulster University (UK)	
10.	Oxford University (UK)	
11.	Maastricht University (Netherlands)	
12.	University of Amsterdam (Netherlands)	
13.	University of Groningen (Netherlands)	19 January 2024
14.	Erasmus University Rotterdam (Netherlands)	2 February 2024
15.	Delft University of Technology (Netherlands)	22 January 2024
16.	Université Libre de Bruxelles (Belgium)	
17.	KU Leuven (Belgium)	21 January 2024
18.	Université catholique de Louvain (Belgium)	
19.	Ghent University (Belgium)	23 January 2024
20.	Vrije Universiteit Brussel (Belgium)	21 January 2024
21.	Université de Toulouse (France)	
22.	Université de Strasbourg (France)	
23.	Université de Lille (France)	
24.	Université de Lorraine (France)	
25.	Freie Universität Berlin (Germany)	23 January 2024
26.	RWTH Aachen University (Germany)	22 January 2024
27.	Humboldt University of Berlin (Germany)	27 February 2024
28.	TU Berlin (Germany)	
29.	University of Hamburg (Germany)	25 January 2024
30.	ETH Zurich (Switzerland)	23 January 2024
31.	University of Zurich (Switzerland)	26 January 2024 (declined)
32.	Ecole Polytechnique Federale de Lausanne (Switzerland)	11 January 2024
33.	Université de Genève (Switzerland)	9 January 2024
34.	University of Applied Sciences and Arts of Western Switzerland (HES-SO Geneve) (Switzerland)	
35.	New York University (USA)	

36.	Northeastern University (USA)	
37.	Columbia University (USA)	24 January 2024 (declined)
38.	Yale University (USA)	
39.	Arizona State University (Tempe) (USA) ³⁸⁵	
40.	University of Southern California (USA)	
41.	University of Illinois-Urbana Champaign (USA)	
42.	Boston University (USA)	23 January 2024
43.	Purdue University (USA)	31 January 2024
44.	University of California (Berkeley) (USA)	22 January 2024
45.	University of California (San Diego) (USA)	
46.	George Washington University (USA) ³⁸⁶	
47.	Georgetown University (USA)	
48.	University of Michigan (USA)	
49.	University of Toronto (Canada)	
50.	University of British Columbia (Canada)	22 January 2024
51.	McGill University (Canada)	
52.	University of Ottawa (Canada)	
53.	University of Alberta (Canada)	
54.	McMaster University (Canada)	
55.	University of Waterloo (Canada)	

³⁸⁵ Public records request filed on 10 January 2024.

³⁸⁶ Letter sent on 22 January 2024.

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“ON MY CAMPUS, I AM AFRAID”

CHINA’S TARGETING OF OVERSEAS STUDENTS STIFLES RIGHTS

Chinese and Hong Kong students studying abroad are living in fear of intimidation, harassment and surveillance as Chinese authorities seek to prevent them engaging with “sensitive” or political issues while overseas. This climate of fear on campuses in Europe and North America is the result of Chinese authorities’ engagement in a pattern of transnational repression against overseas students, in violation of their human rights. The chilling effect engendered by these efforts prompts broad self-censorship in academic and social settings, and many affected students experience loneliness, isolation and negative mental health impacts. Host state governments and universities can – and should – do more to protect the rights of international students against transnational repression, and to uphold the principle of academic freedom on their campuses.