

ARTICLE 19

China: Shadow periodic report for UNESCO treaty on cultural expression

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Submission

Shadow quadrennial periodic report on measures to protect and promote the diversity of cultural expressions in the People's Republic of China

ARTICLE 19 is an international non-governmental human rights organisation defending the right to freedom of expression and information worldwide. ARTICLE 19 was established in 1986 and has observer status with ECOSOC.

This Shadow Report analyses the measures taken by the People's Republic of China (China) to protect and promote the diversity of cultural expressions within their territory and at the international level since its ratification of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (the Convention) on 30 January 2007.

ARTICLE 19 welcomes the Convention's recognition of the fundamental role of civil society in protecting and promoting diversity in cultural expressions and its assertion that states parties should encourage civil society to actively participate in furthering its objectives. It is in this context that ARTICLE 19 makes this submission to contribute to the protection and promotion of diversity of cultural expressions.

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Executive Summary

1. As a party to the Convention, China has committed to implement the Convention through domestic laws and policies. The state authorities of China should therefore take positive steps to: first, generate an environment that encourages the production and accessibility of diverse cultural expressions; second, ensure access to diverse national and foreign cultural products; and third, protect and promote cultural expressions at risk of extinction.
2. Despite these obligations, China has failed to create an environment conducive for diverse cultural expressions. The constitutional and legal framework, including legislation concerning the media, contain a number of provisions that undermine the state's obligations relating to the protection and promotion of diversity of cultural expressions, and the right to freedom of artistic expression more broadly. Furthermore, China fails to allow access to foreign cultural expressions by restricting the import of audio-visual products as well as blocking and filtering the internet.
3. Moreover, China does not protect cultural expressions at risk in its territory. It actually further endangers them by implementing a policy of cultural homogeneity. Notably, the cultural expressions of the Tibetan, Uyghur and Inner Mongolian minorities are at risk due to these policies which involve restricting the use of local languages, interfering with religious practices and affecting the ancestral ways of life of nomadic communities.

The Convention

4. The Convention, which was adopted in October 2005 in Paris, has since been ratified or acceded to by 121 states. According to the Convention, cultural diversity refers to the different ways in which cultures express themselves. The cultural heritage of humanity is expressed and enriched through diverse cultural expressions. These include both old and new artistic creation, production, dissemination and enjoyment, regardless of the media used. The Convention seeks to protect and promote this variety of expression, which is a fundamental part of the cultural heritage of humankind. Cultural diversity, which includes artistic and linguistic expressions, as well as traditional knowledge, deserves special protection by the international community.
5. In ARTICLE 19's opinion, the Convention should be seen within the context of the broader framework of the international protection of human rights, particularly the right to freedom of expression, under the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and many other international and regional human rights instruments. The nineteenth articles of the UDHR and the ICCPR both protect freedom of expression, including freedom of cultural expression. Article 19 of the ICCPR specifically identifies art amongst the forms of expression protected by the right to freedom of expression. Moreover, Article 1 of the International Covenant of Economic, Social and Political Rights (ICESR) enshrines the freedom of all peoples to pursue their cultural development.
6. ARTICLE 19 notes, however, that the Convention spells out obligations for the states in a more specific and elaborate way than the aforementioned treaties which are of a more general nature. The Convention recognises that freedom of expression and other human rights are crucial for cultural diversity; in other words, cultural diversity can only flourish if human rights, including freedom of expression, are respected and protected. Therefore, states cannot invoke and rely upon the provisions of the Convention to limit the scope of human rights under international law.
7. The Convention recognises the crucial role that civil society plays in promoting and protecting diversity of cultural expression. Article 11 indicates that States parties: *"acknowledge the fundamental role of civil society in protecting and promoting the diversity of cultural expressions. Parties shall encourage the active participation of civil society in their efforts to achieve the objectives of this Convention"*. States parties are also obliged to *"reinforce partnerships with and among civil society, non-governmental organisations and the private sector in fostering and promoting the diversity of cultural expressions"* under Article 12(c). Such partnerships should concern all measures adopted to implement the Convention, the preparation of the report of such measures and the discussion of its content.

State Parties' Obligations: An Overview

8. States parties, including China, are obliged to implement through their domestic laws and policies a range of obligations contained in the Convention. Broadly speaking, States parties are obliged to take steps to create an environment that protects and promotes the diversity of cultural expressions within their territories (Article 6 (1)). Such steps may include: regulatory measures; measures that provide opportunities for cultural activities, goods and services; measures to provide domestic independent cultural industries and activities; measures aimed at encouraging non-profit and other organisations to promote free exchange and circulation of ideas (Article 6(2)). States parties' obligations to take measures to promote cultural expressions encompass a number of key elements. States should:
- a. Encourage individuals and social groups to create, produce, disseminate and access their *own* cultural expressions (Article 7 (1)(a))
 - b. Encourage individuals and social groups to access diverse cultural expressions from their own countries, but also from other countries (Article 7(1)(b))
 - c. Recognise the important contribution of artists, cultural communities and organisations that support their work (Article 7(2))
 - d. Take into account the special needs of women and persons belonging to minorities and indigenous peoples (Article 7(1)(a))
 - e. Take all appropriate measures to protect and preserve cultural expressions on their territory which are at risk of extinction, under serious threat, or otherwise in need of urgent safeguarding (Article 8(1))
 - f. Report to the Intergovernmental Committee all measures taken to meet situations where cultural expressions on their territories are at such risk (Article 8(2))
 - g. Encourage and promote understanding of the importance of the protection and promotion of the diversity of cultural expressions, through educational and greater public awareness programmes (Article 10(a)), as well as international and regional cooperation (Article 10(b))
 - h. Endeavour to strengthen international cooperation for the conditions conducive to the promotion of the diversity of cultural expressions, including through dialogue amongst States parties and by encouraging the active participation of civil society (Article 12).
9. ARTICLE 19 notes that while the Convention does not oblige states to protect and preserve cultural expressions which are at risk of extinction as such, States parties are clearly allowed to do this and are required to report to the Intergovernmental Committee on measures to meet the "exigencies" of such situations (Article 8(2) and (3)). Moreover, the failure to take measures to preserve cultural expressions at risk would go against the first objective of the Convention, which is to protect and promote the diversity of cultural expressions. The preservation of cultural expressions at risk is also embedded in the principle of equal dignity of and respect for all cultures which includes the cultures of minorities and indigenous peoples. In this sense, it has to be noted that the Operational Guidelines approved by the Conference of Parties establish that States parties should ensure that any measures taken to protect cultural

expressions at risk do not hinder the principles of the Convention or are inconsistent with its spirit.¹

10. ARTICLE 19 also emphasises that States parties should, in order to protect and promote diversity of cultural expressions, encourage the active participation of civil society. The participation of relevant organisations, especially those representing and advocating on behalf of minorities and women, should be sought in the preparation, implementation and evaluation of any measures adopted. The educational and cooperation programmes should include the input of civil society organisations and they should be a crucial actor in the preparation of the report to the Intergovernmental Committee. Furthermore, they should be allowed to participate in the reporting process and to submit recommendations to the Intergovernmental Committee regarding the fulfilment by State parties of the obligations accepted under the Convention.
11. Although the Convention is premised upon the principle of sovereignty of States and recognises the right of states to formulate and implement their cultural policies in light of their own particular circumstances and needs, any measures adopted should be consistent with the provisions of the Convention. In this sense, arguments based on the principle of state sovereignty and the Convention's own flexibility in terms of the types of measures that may be adopted by states to implement their obligations cannot be used to justify a failure to implement the Convention and the undermining of its objectives, principles and spirit. In other words, States parties should refrain from adopting any policies that hinder cultural diversity. Furthermore, any policies and measures taken by States parties in this field should be consistent with the Convention but also the Charter of the United Nations, the principles of international law and universally recognised human rights instruments (Article 5(1)). Moreover, the Convention stresses that cultural diversity can only be protected '*if human rights such as freedom of expression, information and communication ... are guaranteed*' (Article 2(1)). Therefore, the laws and policies adopted by State parties, including China, to promote and protect diversity of cultural expression should be consistent with the Convention and comply with universally recognised human rights standards.
12. The next sections of the report address the situation in China regarding the promotion of an environment encouraging the creation, dissemination, distribution and access to cultural expressions; and the protection of cultural expressions at risk.

¹ "Articles 7, 8 and 17 of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, Operational Guidelines, Measures to Promote and Protect Cultural Expressions", approved by the Conference of Parties at its second session (June 2009).

Promotion of an environment that encourages the creation, dissemination, distribution and access to domestic and foreign cultural expressions

13. As indicated above, under the Convention, China is obliged to endeavour to create an environment that encourages individuals and social groups to freely create, produce, disseminate and distribute their own cultural expressions, as well as to have open access to diverse national and foreign cultural expressions. China has failed to create such an open and free environment. ARTICLE 19 highlights some of the shortfalls in China's approach to the protection and promotion of diversity of cultural expressions.
14. First, the Constitution of the People's Republic of China itself is not conducive to the protection and promotion of cultural diversity. On the one hand, it does recognise the importance of cultural expression. Article 47 states that the citizens *'of the People's Republic of China have the freedom to engage in scientific research, literary and artistic creation and other cultural pursuits. The state encourages and assists creative endeavours conducive to the interests of the people made by citizens engaged in education, science, technology, literature, art and other cultural work'*.² Article 22 also expresses that the State promotes the development of literature and art. On the other hand, the encouragement and assistance provided by the State is restricted to creative endeavours *'conducive to the interests of the people'* (Article 47), a term which is defined by the State itself. In a similar vein, the promotion of the development of literature and art is limited to those that *'serve the people and socialism'* (Article 22). The restrictions of state support and encouragement therefore go directly against the Convention's principle of equal dignity of and respect for all cultures.
15. Second, China's legislation concerning cultural diversity creates an environment which undermines cultural diversity, rather than protects and promotes it. Most notably, the relevant regulatory framework – namely, the Regulations on Protection of Traditional Arts and Crafts, the Regulations on the Administration of Newspaper Publishing, the Regulations on the Administration of Periodical Publishing and the Regulations on the Administration of Audiovisual Products – fail to meet the standards contained in the Convention.
16. The Regulations on Protection of Traditional Arts and Crafts, promulgated in 1997, establish a framework for the protection and promotion of traditional arts and crafts which have existed for over a century, are marked by a long history, exquisite skills, have been passed from generation to generation, have a complete technical process, have been made of natural materials, have a

² "Constitution of the People's Republic of China", Adopted on December 4, 1982, available at: <http://english.people.com.cn/constitution/constitution.html>

distinct national style and local features and are renowned both at home and abroad.³ The regulations potentially provide a useful tool for the protection of traditional forms of cultural expressions, which can be threatened by industrialisation and are protected by the Convention (Article 10(c)). Despite its advantages however, these regulations need to be implemented in a way that it includes traditional arts and crafts of ethnic minorities in its protective framework. A narrow interpretation of the regulations can limit their protection to only mainstream or majority Chinese culture, or at least, the cultural expressions that are acceptable to the State.

17. The Regulations on the Administration of Audiovisual Products, promulgated in 2002 (the Audiovisual Regulations), regulate the publication, manufacturing, reproduction, importing, wholesale, retail and leasing of audio-visual material. Although the Regulations purportedly aim at enriching the cultural life of the people (Article 1)⁴, they include many provisions that undermine cultural diversity. They also violate freedom of expression and information in various ways. First, they state that people engaged in audio-visual activities should adhere to the orientation of *servicing* the people and socialism. Secondly, they prohibit audio-visual contents including, inter alia: those that endanger the unity of the nation, sovereignty or territorial integrity; those that propagate cults or “superstition”; those that incite national hatred or discrimination, undermine the solidarity of nationalities, or infringe upon national customs and habits; and those that endanger public ethics or folk cultural traditions. Thirdly, they establish a license system applicable to the publication, manufacture, reproduction, import, wholesale, retail and leasing of audiovisual products and prohibit engaging in those activities without permission.
18. Such provisions of the Audiovisual Regulations go against the letter and spirit of the Convention. They endorse a particular cultural and political standpoint that hampers the creation, production and dissemination of diverse cultural products. Moreover, they forbid a range of contents that can affect cultural expressions, especially of ethnic and religious minorities. Finally, they restrict the dissemination of cultural products by applying a licensing system.
19. ARTICLE 19 notes that the Audiovisual Regulations also limit the possibility of accessing international cultural goods. The importers of audio-visual products are subjected to a registration process and are required to report the contents of the material to the government, which then decides if they are allowed to be imported into China. This process in which the government may decide on the basis of the product’s content risks the possibility of accessing a diverse range of cultural expressions from around the world.
20. The Regulations on the Administration of Newspaper Publications and the Regulations on the Administration of Periodical Publications, which were both promulgated in 2005, regulate printed press in China through, amongst other means, a licensing system, content restrictions

³ “Regulations on Protection of Traditional Arts and Crafts” (Promulgated by Decree No. 217 of the State Council of the People’s Republic of China on May 20, 1997), available at: http://www1.chinaculture.org/library/2003-09/24/content_42169.htm

⁴ “Regulations on the Administration of Audiovisual Products” (No 341 Order of the State Council of the People’s Republic of China. The Regulations on the Administration of Audiovisual Products, which were adopted at the 50th Executive Meeting of the State Council on December 12, 2001, are hereby promulgated, and shall come into force on February 1, 2002), available at: http://www1.chinaculture.org/library/2003-09/24/content_26904.htm

and defamation provisions.⁵ As indicated by ARTICLE 19's previous work on China, these laws violate international law and best practices regarding freedom of expression.⁶ These laws mean that the press is unable to play its role in promoting cultural diversity.

21. The legal and regulatory framework concerning cultural expression in various ways violates Article 19 of the ICCPR because a number of the provisions do not meet the three-part test provided by international law for permissible restrictions on freedom of expression: restrictions must be (1) provided by law, (2) serve a legitimate aim and (3) be necessary and proportionate to protect that aim. For instance, the description of forbidden contents is vague and overbroad while the adherence to socialism does not constitute a legitimate end under international human rights law. The regulations also negate the broader objectives of the Convention as they violate the fundamental freedoms that are necessary to promote and protect the diversity of cultural expressions.
22. Third, in terms of its policies and practices, ARTICLE 19 emphasises that China is obliged to endeavour to create an environment that encourages individuals and social groups to have access to diverse cultural expressions from other countries of the world. Yet the practice of the state authorities demonstrates that China regularly restricts the ability of foreign artists to perform in its territory. For instance, rock band Oasis was banned from touring China in 2009 due to them playing in a Free Tibet concert twelve years previously. The last album - *Chinese Democracy* – of rock band Guns 'N' Roses was banned from importation to China in 2010 because it was critical of the Chinese government. Access to the album's website was also blocked. In 2011, musician Bob Dylan was unable to play his best-known songs, including 'The times they are a-changing' and 'Blowing in the wind' during an April tour after the Chinese government required a pre-approved list of intended songs from the icon of the counterculture movement.
23. China also applies a tight control on the internet with an extensive structure which blocks websites and filters content. This state surveillance apparatus, known as "The Great Firewall of China", is reported to employ more than 30,000 people who control, block and filter the internet. In 2011, the government created a new unified agency to monitor the internet, named the State Internet Information Office. China's regulation of the internet – which has been well demonstrated through the reports of numerous NGOs, including ARTICLE 19, Human Rights Watch and Freedom House⁷ - constitutes illegitimate censorship which violates international law and international best practices. Restrictions prevent individuals and groups

⁵ "Regulations on the Administration of Newspaper Publication", available at: <http://english.mofcom.gov.cn/aarticle/policyrelease/domesticpolicy/200511/20051100893912.html>

"Regulations on the Administration of Periodical Publication, available at: <http://english.mofcom.gov.cn/aarticle/policyrelease/domesticpolicy/200511/20051100914998.html>

⁶ See ARTICLE 19, *The Mechanics of Censorship: A Report on the Regulations for the Print Media in the People's Republic of China*, September 2007 <http://www.article19.org/data/files/pdfs/analysis/china-the-mechanics-of-censorship.pdf>

⁷ See ARTICLE 19, *Asia Pacific: Freedom of Expression and Law in 2011* <http://www.article19.org/resources.php/resource/3026/en/asia-pacific-free-expression-and-law-in-2011>; Human Rights Watch, *World Report 2012: Events of 2011* <http://www.hrw.org/world-report-2012/world-report-2012-china>; Freedom House, *Freedom in the World 2012*, <http://www.freedomhouse.org/report/freedom-world/2012/china-0>

from enjoying the diverse cultural expressions from around the world which are available on the internet. The internet is a unique vehicle for cultural expressions which also enables international interaction and cooperation and is, therefore, a crucial element to fulfil the objectives of the Convention. In 2011, music by the pop stars Lady Gaga, Beyonce and Take That were among 100 songs placed on an internet blacklist accused of harming national cultural security.

24. Other policies and practices which violate China's obligations under the Convention include China's treatment of artists. While the Convention requires China to endeavour to recognise the importance of artists in nurturing the diversity of cultural expressions, China's state authorities seem to restrict the space for diverse cultural expressions. The treatment of the world-renowned artist Ai Weiwei by the Chinese state is internationally notorious. Weiwei, an outspoken critic of the Chinese government, was arrested on 3 April 2011 and he was kept in detention until 22 June 2011 when he was released on bail without charges being pressed. His studio was searched and three of his colleagues were arrested. These individuals have still not been released. The detention of such a renowned artist for over three months raises concerns about his human rights, but also about the rights, in particular the freedom of expression, of others. It sends a powerful message to other artists and potential artists about the risks of criticising the government. Weiwei is not the only artist to have been subjected to restrictions. Poet and author Liao Yiwu spent four years in prison in the 1990s for writing critical poetry. In 2011 he was banned from leaving China to attend the Cologne Literary Festival. The arrest of Ai Weiwei and the treatment of Yiwu are likely to produce a chilling effect on artistic expression as well as encourage self-censorship in society, thus undermining diversity of cultural expression.

Protection of cultural expressions at risk

25. China has committed under the Convention to take measures to protect cultural expressions that could be at risk of extinction, under serious threat, or otherwise in need of urgent safeguarding. These include the cultural productions of minorities and indigenous peoples. ARTICLE 19 notes that there are 55 national minorities in China that are recognised under Article 4 of the Constitution, which establishes equality for all nationalities, prohibits discrimination against them and promotes their economic and cultural development. The Constitution also enshrines the freedom of all nationalities to use and develop their languages and to preserve their customs. However, there are certain minorities whose cultures are especially endangered in China, namely, Tibetans, Uyghurs and Inner Mongolians.
26. Tibetans: Even though Tibet is an autonomous region that China claims has experienced sustained development, there is much evidence pointing to Tibetan culture being at risk. Although China says that it is promoting bilingual education, in reality it is suppressing Tibetan language and favouring Mandarin as an integration measure. Students and teachers protested in Tibet during 2010 over plans to reduce the use and status of Tibetan language in the period 2010-2020.
27. Tibetan artists and cultural workers are also under threat. In 2009, Kunchok Tsepel Gopev, editor of the Tibetan language website *Chomei* was arrested and the website blocked. *Chomei* was an important vehicle for the preservation of Tibetan culture giving a voice to poets and artists. The website had been subject to censorship since 2005. Tibetan filmmaker Dhondup Wangchen was sentenced in 2009 to six years' imprisonment for producing a film – *Leaving Fear Behind* – which featured Tibetan's views of the Chinese government and them praising the Dalai Lama. Wangchen was arrested just after finishing the film and was allegedly tortured in prison and condemned in a trial, which did not meet international standards.
28. The encouraged settlement of the ethnic Han population in Tibet also contributes to allegations of the dilution and possible extinction of Tibetan culture. There are fears that the increasing presence of ethnic Han in Tibet will endanger the survival of Tibetan language and culture. Moreover, the Tibetan Buddhist religion is also threatened by China's policies, which undermine these cultural practices. These policies involve increasing state control over monastic institutions and a "patriotic" education that rejects the value of Buddhism and Tibetan culture.
29. Uyghurs: Uyghurs are concentrated mainly in the Xinjiang Uyghur Autonomous Region, which, as its name implies, has also been granted autonomous status. They are a Turkish ethnic group, mostly Sunni Muslim, with their own rich culture. The Chinese government has been implementing policies that undermine the cultural expressions of the Uyghurs, thus putting their culture at risk. The Chinese government is encouraging a policy of bilingual education, which actually favours instruction in Mandarin thus eroding the presence of Uyghur language. The decennial plan (2010-2020) to increase the number of Mandarin speakers in order to increase national cohesion further marginalises non-Han languages like Uyghur and undermines cultural diversity.
30. Prominent ethnic Uyghur writer Ilham Tohti was banned from attending a conference on Turkish culture in Turkey. He had his visa and travel documents approved but he was

prevented from travelling at the last minute. In 2009, Uyghur writer Gheyret Niyaz, who was an administrator of the *Uighurbiz* website created by Ilham Tohti, was arrested and later sentenced to 15 years imprisonment on the grounds of “*endangering state security*”.

31. China exercises a tight control over religious practices in Xinjiang. It has identified 23 different kinds of illegal religious practices - which include for example letting students pray and private religious instruction. For instance, in 2009 seven students were arrested in Urumchi for participating in a religious gathering.
32. Inner Mongolians: Ethnic Mongolians are mainly located in an autonomous region, the Inner Mongolian Autonomous Region, and comprise of several groups united by their use of the Mongolian language. Many Inner Mongolians live a nomadic life style, herding animals, so the survival of their culture relies on their particular lifestyle. However, China has prohibited Inner Mongolians to graze their livestock in their ancestral pastures, allegedly to halt desertification of the region. At the same time, the Chinese government has initiated large-scale mining projects, which are transforming the landscape of Inner Mongolia and limiting the land available for livestock grazing. Further, nomadic Inner Mongolians are forcefully relocated to cities, which also erodes their cultural practices. The limits on livestock herding and the resettlement programme have spurred protests that led to the detention of many activists. The settlement of Han Chinese in the region is also altering the cultural balance and is a cause for concern about the survival of Inner Mongolian culture.
33. Inner Mongolian artists and intellectuals are also at risk for advocating for the preservation of their culture. Hada, a prominent intellectual, writer and activist for the protection of Mongol cultural heritage has been in prison since 1995. He founded a bookstore of Mongol books and then in 1992 the Southern Mongolian Democratic Alliance. After his arrest, ten other intellectuals were arrested and the bookstore closed by the authorities. Since the Inner Mongolian culture is intricately tied to their ancestral nomadic way of life, any measure - economic or social - that threatens that unique lifestyle also puts their rich culture at risk. The preservation of Inner Mongolian culture in China calls for special protection of grazing lands and nomadic herding practices.
34. The situations of these different cultural minorities - located in different corners of the vast Chinese territory - share many similarities. The Chinese government is implementing a policy of linguistic and cultural unity that goes against the principles of the Convention. Moreover, not only do China's policies fail to foster cultural diversity, but they are also pushing minority cultures to the brink of extinction. Instead of protecting cultural expressions at risk, the Chinese government is putting them in danger. In order to fulfil its legal obligations under the Convention, China needs to allow cultural diversity to flourish by refraining from marginalising non-Han languages, imposing illegitimate restrictions on religious practices and endangering culturally diverse lifestyles.

Recommendations

35. In order to meet its legal obligations under the Convention, China should implement measures that create an environment that encourages individuals and social groups to create, produce, disseminate and distribute their own art and cultural expressions as well as to have access to diverse domestic and foreign cultural expressions. The China should also recognise the important role of artists as vehicles of cultural expression and to promote the value of cultural diversity. Moreover, it should adopt policies to protect and promote cultural expressions at risk of extinction, under serious threat or otherwise in need of urgent safeguarding.
36. To this end, ARTICLE 19 calls on the Intergovernmental Committee to urge China to:
- 1) Comply with the principle of respect for human rights and fundamental freedoms by:
 - a) Ratifying the ICCPR
 - b) Ensuring compliance with international standards related to freedom of expression and information, as well as other related rights such as freedom of assembly and association, freedom of religion or belief, and the right to non-discrimination and equality
 - c) Refraining from arresting artists, cultural workers, political activists and human rights defenders.
 - 2) Create an environment conducive for diversity of cultural expression by:
 - a) Amending Articles 22 and 47 of the Constitution that restrict protection to certain creative endeavours, art and literature
 - b) Interpreting the Regulations on Protection of Traditional Arts and Crafts in a manner that protects traditional cultural expressions of minorities
 - c) Amending the Regulations on the Administration of Newspaper Publishing, the Regulations on the Administration of Periodical Publishing, and the Regulations on the Administration of Audiovisual Products so that they meet international standards on freedom of expression and freedom of information
 - d) Promoting the access of individuals to diverse cultural expressions, whether foreign or domestic expressions
 - e) Refraining from blocking or filtering the internet and adopting international best practices regarding the internet
 - f) Granting recognition and protection to all artists
 - g) Abstaining from arresting artists or cultural workers and releasing individuals currently in detention for the legitimate expression of their views through art or cultural work.
 - 3) Protect cultural expressions at risk of extinction, under serious threat or otherwise in need of urgent safeguarding by:
 - a) Basing their policies, legislation and practice on the principle that regional or minority languages are an expression of cultural wealth

- b) Undertaking to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in a language used in identical or similar form to a regional or minority language
- c) Encouraging types of expression and initiative specific to regional or minority languages and fostering the different means of access to works produced in these languages
- d) Implementing policies that encourage the use of non-Han languages
- e) Promoting efforts to educate about cultural differences and diverse cultural expressions
- f) Protecting and promoting the exercise of freedom of expression and freedom of information of all individuals, including religious minorities
- g) Establishing safeguards to prevent that the resettling of Han people in the areas with high concentration of other nationalities erodes local cultural expressions
- h) Protecting the lifestyles of nomadic peoples to ensure the survival of their unique cultures.