



Resisting Chinese Government Efforts to Undermine Academic Freedom Abroad

A Code of Conduct for Colleges, Universities, and Academic Institutions Worldwide

Large numbers of students, scholars, scientists, and professors from China now study or work at colleges and universities abroad. In recent years, Chinese government authorities have grown bolder in trying to shape global perceptions of China on campuses and in academic institutions outside China. These authorities have sought to influence academic discussions, monitor overseas students from China, censor scholarly inquiry, or otherwise interfere with academic freedom.

Human Rights Watch investigations found that the Chinese government attempts to restrict academic freedom beyond its borders. To counter such pressures, ensure the integrity of academic institutions, and protect the academic freedom and free expression rights of students, scholars, and administrators, particularly those who work on China or are from China, Human Rights Watch proposes the following Code of Conduct. While the impetus for and focus of the provisions that follow is pressure emanating from China, academic institutions should apply the same principles to interactions with all governments that threaten academic freedom on their campuses.

All institutions of higher education should:

1. **Speak out for academic freedom.** Publicly commit to supporting academic freedom and freedom of expression through public statements at the highest institutional levels, institutional policies, and internal guidelines. Explicitly recognize threats posed to academic freedom and freedom of expression by the Chinese government seeking to shape discussions, teaching, and scholarship on campus. Reaffirm a commitment to freedom of inquiry, enabling scholars and students to freely conduct research, and make clear that opposing direct and indirect censorship pressures or retaliation by third parties, including national and foreign governments, is integral to academic freedom.
2. **Strengthen academic freedom on campus.** Emphasize the commitments and policies in support of academic freedom in student orientation, faculty hiring, handbooks and honor codes, and public gatherings. To avoid self-censorship or retaliation for stating opinions, academic institutions should publicize a policy that classroom discussions are meant to stay on campus, and never to be reported to foreign missions.

3. **Counter threats to academic freedom.** Encourage students and faculty members to recognize that direct and indirect censorship pressures, threats, or acts of retaliation by Chinese government authorities or their agents against students or scholars for what they write or say threaten academic freedom. Develop and implement effective mechanisms, such as an ombudsperson, to whom such pressures, threats, or acts of retaliation can be privately or anonymously reported.
4. **Record incidents of Chinese government infringement of academic freedom.** Actively track instances of direct or indirect Chinese government harassment, surveillance, or threats on campuses. Where warranted, they should be reported to law enforcement. Report annually the number and nature of these kinds of incidents.
5. **Join with other academic institutions to promote research in China.** Academic institutions should work in concert, including by making public statements and complaints where appropriate, in the event of unwarranted visa denials or prolonged delays for research in China. Academic institutions should consider joint actions against Chinese government entities in response to visa denials or other obstacles to academic research.
6. **Offer flexibility for scholars and students working on China.** Ensure that a scholar's career advancement or a student's progress will not be compromised if their research has to change direction due to Chinese government restrictions on research or access to source material in China. Institutions should consider steps, such as granting the scholar or student extra time to finish their research, supporting alternative research strategies, or publishing using pseudonyms, in the face of Chinese government obstacles, harassment, or reprisals. Academic institutions should be open to alternative research strategies when funding or receiving funds for academic work that has been rejected by a Chinese entity. Funders and review boards should provide comparable flexibility.
7. **Reject Confucius Institutes.** Refrain from having Confucius Institutes on campuses, as they are fundamentally incompatible with a robust commitment to academic freedom. Confucius Institutes are extensions of the Chinese government that censor certain topics and perspectives in course materials on political grounds, and use hiring practices that take political loyalty into consideration.
8. **Monitor Chinese government-linked organizations.** Require that all campus organizations, including the Chinese Students and Scholars Association (CSSA), that receive funding or support from Chinese diplomatic missions and other Chinese government-linked entities, report such information.
9. **Promote academic freedom of students and scholars from China.** Inform students and scholars from China that they are not required to join any organizations, and help mentor and support them to ensure they can enjoy full academic freedom.

10. **Disclose all Chinese government funding.** Publicly disclose, on an annual basis, all sources and amounts of funding that come directly or indirectly from the Chinese government. Publish lists of all projects and exchanges with Chinese government counterparts.
11. **Ensure academic freedom in exchange programs and on satellite campuses.** Exchange programs and satellite campuses in China should only be undertaken after the completion of a memorandum of understanding with the Chinese counterpart that has been transparently discussed by relevant faculty members and ensures the protection of academic freedom, including control over hiring and firing, and the curriculum.
12. **Monitor impact of Chinese government interference in academic freedom.** Work with academic institutions, professional associations, and funders to systematically study and regularly publicly report on: a) areas of research that have received less attention because of fears about access; b) decline of on-campus discussions of topics deemed sensitive by the Chinese government, such as the 1989 Tiananmen Square Massacre; c) efforts by academic institutions to curtail Chinese government threats to academic freedom; and 4) strategies collectively pursued by institutions to defend and promote academic freedom.