



HUMAN
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“They Don’t Understand the Fear We Have”

How China’s Long Reach of Repression Undermines
Academic Freedom at Australia’s Universities

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Glossary

ASIO	Australian Security Intelligence Organisation
CSSA	Chinese Students and Scholars Association, the main student body in Australia for Chinese students, which has formal links with the Chinese embassy and consulates, including funding support and organizing pro-Communist Party political gatherings
CCP	Chinese Communist Party
Doxing	Publishing personally identifiable information about an individual without their consent, sometimes with intent to provide access to them offline, exposing them to harassment, abuse, and possibly danger
Hong Konger	A person from Hong Kong
Lennon Wall	Artistic expressions of support created by Hong Kong pro-democracy demonstrators that feature sticky notes covered in protest slogans and messages of support, forming large colorful pop-up mosaics
PRC student	A student from mainland People’s Republic of Chin
The Group of Eight	An alliance of Australia’s leading research-intensive universities. It includes the Australian National University, Monash University, the University of Adelaide, the University of Melbourne, the University of New South Wales, the University of Sydney, the University of Queensland, the University of Western Australia
Universities Australia	An industry representative body for universities in Australia that attempts to advance higher education through voluntary, cooperative, and coordinated action
WeChat	A Chinese-language multi-purpose messaging, social media, and mobile payment app developed by the Chinese company Tencent. It became the world's largest standalone mobile app in 2018 and currently has more than 1 billion monthly active users

Summary

I have to censor myself. This is the reality. I come to Australia and still I'm not free.

—Lei Chen (pseudonym), student from mainland China describing his experience studying in an Australian university, September 25, 2020

You have to choose your words very carefully. I look at my university and see the place is absolutely hooked on Chinese foreign student money.

—Academic “T” (pseudonym), November 12, 2020

In 2020, nearly 160,000 students from China were enrolled in Australian universities. Despite the Chinese government in Beijing being thousands of kilometers away, many Chinese pro-democracy students in Australia say they alter their behavior and self-censor to avoid threats and harassment from fellow classmates and being “reported on” by them to authorities back home.

Students and academics from or working on China told Human Rights Watch that this atmosphere of fear has worsened in recent years, with free speech and academic freedom increasingly under threat. The Chinese government has grown bolder in trying to shape global perceptions of the country on foreign university campuses, influence academic discussions, monitor students from China, censor scholarly inquiry, or otherwise interfere with academic freedom.

Before the Covid-19 pandemic, approximately 40 percent of all onshore international students in Australia came from China, with Chinese students making up roughly 10 percent of all students attending Australian universities. Even with borders closed due to the pandemic, international education remains one of Australia's top exports as universities put courses online and some international students remain in the country.

This research builds on Human Rights Watch's 2019 research into the Chinese government's efforts to undermine academic freedom globally, which included a 12-point Code of Conduct for colleges and universities to adopt to respond to Chinese

government threats to the academic freedom of students, scholars, and educational institutions.

Surveillance, Harassment, and Threats

The Chinese government maintains surveillance of Chinese mainland and Hong Kong students in Australian universities. Human Rights Watch verified three cases of students whose family in China were visited or were requested to meet with police regarding the student's activities in Australia. While this number is low (though other cases may not have been reported to Human Rights Watch), the fact this occurs at all is enough to keep thousands of other students on edge and fearful.

Current threats to and limitations on academic freedom at Australian universities stem from China-related pressures and documented cases of harassment, intimidation, and censorship of students and academics from China, and faculty members who criticize the government or express support for democracy movements. These corrosive dynamics set in motion considerable self-censorship.

Students said the fear of fellow students reporting on them to the Chinese consulate or embassy and the potential impact on loved ones in China led to stress, anxiety, and affected their daily activities. Fear that what they did in Australia could result in Chinese authorities punishing or interrogating their parents back home weighed heavily on the minds of every pro-democracy student interviewed. It was a constant concern that had to be evaluated before decisions were made of what to say, what they could attend, and even with whom they were friends.

Pro-democracy students from mainland China and Hong Kong experience direct harassment and intimidation from Chinese classmates—including threats of physical violence, being reported on to Chinese authorities back home, being doxed online, or threatened with doxing. These acts occurred in various environments, including online, in-person, and on and off campus.

Students were targeted for harassment and intimidation after being identified by their classmates as criticizing the Chinese Communist Party, expressing support for democracy in China or Hong Kong, or if they attended a protest in support of Hong Kong democracy.

This abusive behavior of intimidating or “reporting on” classmates does not represent most Chinese students in Australia, the majority of whom do not get involved in political disputes or choose to express their views peacefully. Instead, it is carried out by a small but highly motivated and vocal minority who have the potential to influence many others.

Many students expressed disappointment and dismay that Australian universities were not doing enough to protect them and their academic freedom. Most pro-democracy students interviewed who experienced harassment and intimidation said they did not report it to their university. Those who did not report these incidents believed that their university would not take the threat seriously, believing their university was sympathetic to nationalistic Chinese students or gave priority to maintaining their relationship with the Chinese government.

Students and social media users supportive of the Chinese government have subjected academics to harassment, intimidation, and doxing if the academics are perceived to be critical of the Chinese Communist Party or discuss “sensitive” issues such as Taiwan, Tibet, Hong Kong, or Xinjiang. Such incidents have taken place numerous times over the last few years on Australian campuses, and they continue to occur.

Interviewees attributed the recent increase in harassment and intimidation of students and academics to the deteriorating human rights situation in Hong Kong, and Australian-based students’ involvement in demonstrations and expressions of solidarity with those back home. The growing number of incidents should also be seen in the context of efforts by the Chinese government and the Party to influence and “call on” Chinese students studying abroad, with Chinese President Xi Jinping designating them as a “new focus” of United Front Work in 2015. Nearly all academics interviewed pointed to a marked increase in the level of nationalism among their students from China since President Xi came to power in 2013.

Culture of Self-Censorship

Both students from China and academics who work on China have adopted self-censorship as the most common strategy to avoid threats, harassment, and surveillance. As a result, frequent self-censorship on issues relating to China now threatens academic

freedom in Australia. A significant majority of pro-democracy Chinese and Hong Kong students interviewed said they self-censored while studying in Australia.

More than half of faculty interviewed, selected because they are from or specialize in China studies, or teach a large number of PRC students, said they practiced regular self-censorship while talking about China. University administrators censoring staff also occurred but was much less frequent, with examples of administrators asking staff not to discuss China publicly, or discouraging them from holding public China-related events or speaking to the media about sensitive China issues.

Self-censorship is common by academic staff who do not feel protected enough to discuss controversial topics around China because they feel that universities do not “have their back.” For nearly all academics interviewed, how to discuss China in the classroom had become a major issue in their professional lives.

Rising self-censorship is also related to fears of nationalistic Chinese students recording and reporting on class discussions, the now-regular university practice of recording and uploading most lectures and tutorials, and concerns of doxing online.

Fears of visas to China being rejected, for Chinese colleagues, or for family still in China also drove academics to self-censor. Nearly all academics highlighted their university’s failure to recognize this culture of self-censorship or develop any official policy to address it and support staff, even in circumstances when staff raised it with their supervisors.

Failure to Recognize Risks to Students and Staff

Teaching online during the Covid-19 pandemic has also posed new challenges for academics who suddenly had to teach units to students who had returned to mainland China. Course material designed for Australian campuses was now being accessed by students behind the “Great Firewall” of China, which posed new and difficult security risks for students and academics alike. Despite this, many academics said their university had not offered any official guidance on teaching Chinese students remotely and the security considerations.

Australian universities have also not grasped the full consequences of the extraterritorial reach of Hong Kong's new National Security Law and the potential impact it could have students studying in Australia. The law, which China's government imposed in June 2020, is Beijing's most aggressive assault on Hong Kong people's freedoms since the transfer of sovereignty in 1997. Its provisions include creating specialized secret security agencies, the denial of fair trial rights, sweeping new powers to police, increased restraints on civil society and media, and the weakening of judicial oversight.

Students and academics consistently raised concerns that Chinese students studying in Australia are able to live in an information vacuum akin to life in China. This is largely due to an overreliance on the heavily censored Chinese social media platform WeChat, which is the dominant social platform in China and often the only way to communicate with loved ones back home. The misinformation and lack of diverse views that exist in this Communist Party-controlled environment are viewed as a potential motivating factor behind the harassment and intimidation by some students of those who want to speak out or express different opinions. Embassy and consulate-linked student bodies dominate the support networks for students from China, and this poses difficulties for those who do not want to have any association with the Chinese state.

Focus on National Security, Rise in Racism

In 2017, Australia's intelligence agency, the Australian Security Intelligence Organisation (ASIO), warned of an increase in China's alleged attempts to interfere in domestic affairs, sparking a national debate around "foreign interference" and concerns around national security implications for Australia. Since then, political and media commentary has focused on many alleged examples of interference. As part of that, some media outlets have portrayed Chinese students as unthinking, untrustworthy, manipulable defenders of the Chinese Communist Party.

This depiction—simplistic, unfair, and at times racist—fails to consider the many challenges these young people face when suddenly living in a multicultural democracy after growing up in a strictly controlled state. Many of these students have only ever been exposed to an academic system in which diverse views are not encouraged. The institutions hosting them do little to protect their academic freedom, leaving them vulnerable to pressure from other students and from Chinese authorities.

Racism and discrimination faced by Asians in Australia has increased dramatically in the past year. A March 2021 report by the Lowy Institute in Sydney found that almost one in five Chinese Australians say they have been physically threatened or attacked in the past year, with most blaming tensions stemming from the Covid-19 pandemic or hostility between Canberra and Beijing. Around one in three community members reported they have faced verbal abuse or discriminatory treatment.

University officials are acutely aware of the financial impact full fee-paying international students have on their institutions and how reliant they have become on their fees, which accounted for 27 percent of total operating revenue for the Australian university sector by 2019. Australian universities are in a difficult position: while the government once encouraged engagement with China, Canberra now views relationships with Chinese state institutions with suspicion. Border restrictions imposed due to the Covid-19 pandemic are forcing the Australian higher education sector to examine its over-reliance on full fee-paying international students.

A plethora of reviews, taskforces, and inquiries in the past few years that have examined issues of foreign interference at Australian universities have not made concrete recommendations to protect the safety and well-being of students and staff. There is a lack of oversight and accountability mechanisms to ensure their academic freedom and security.

In Australia, university administrators of eminent institutions have repeatedly expressed to Human Rights Watch that they have robust policies to protect free speech and academic freedom. They point to their current student and staff codes of conduct as well as existing student complaint and support systems to assert their institutions are well placed to manage these threats. Universities have highlighted a commitment to implement the new government-commissioned Model Code on Free Speech or steps taken to already implement the code when we asked about these issues. But despite these services, policies, and commitments, the threats to free speech and academic freedom continue.

These issues have been difficult to identify, partly because most students and staff do not report these incidents. As a result, Australian universities have not been aware of the extent of the problem, leaving academic freedom eroded by self-censorship rather than outright repression. This also makes it easier for Chinese authorities to escape scrutiny

over their actions. In the meantime, students, faculty, and genuine academic freedom of instruction and inquiry all suffer.

Positive Steps

Public hearings in March 2021 as part of the Parliamentary Joint Committee on Intelligence and Security's inquiry into national security risks affecting the Australian higher education and research sector indicated a greater willingness by universities towards confronting Chinese government interference.

Testimony by vice-chancellors from several of Australia's largest universities signify that they are now taking these issues seriously and are keen to work with the government's recently established University Foreign Interference Taskforce (UFIT) to develop new systems and safeguards for their institutions and how to adopt the taskforce's guidelines for dealing with foreign interference.

However, despite making these commitments, discussion remains focused on protecting university research interests and national security while the universities remain unprepared to address threats to academic freedom in a systematic way for students from China and China-focused academics, or responding to issues of censorship and self-censorship.

Australian government departments, universities, and the higher education sector should adopt concrete procedures for dealing with threats, intimidation, self-censorship, and censorship affecting students from China and Hong Kong and China-focused academics.

Universities will be best served if they commit to acting together to confront China's threats to academic freedom. Alongside sector representatives like Universities Australia and The Group of Eight, universities should, where beneficial, work collaboratively on these issues. By doing so, they will reduce the risk of being individually targeted by the Chinese government for retribution for daring to speak out.

Key Recommendations

To the Australian Government

- Publish annually a report documenting incidents of harassment, intimidation, and censorship affecting international students that occur at Australian universities and steps taken by those universities to counter those threats.
- Establish a mechanism so students at Australian universities can report harassment, intimidation, pressures of censorship or self-censorship, and acts of retaliation involving foreign governments.

To the University Foreign Interference Taskforce

- Examine as a priority the harassment, intimidation, censorship, and self-censorship of students and academics from China and working on China.

To Australian Universities and Vice-Chancellors

- Speak out publicly when specific incidents of harassment or censorship occur. Commit to consistently supporting academic freedom and freedom of expression through public statements at the highest institutional levels.
- Define “reporting on” the activities of fellow students or staff to foreign embassies as bullying and harassment, classifying it as a serious violation of the student code of conduct and grounds for disciplinary action.
- Ensure Chinese students, academics, and staff feel welcomed and protected and that anyone who engages in harassment or discrimination is appropriately punished.

A full set of recommendations is found at the end of the report.

Methodology

In recent years, the Chinese government has grown bolder in trying to shape global perceptions of China on university campuses and in academic institutions outside China, influence academic discussions, monitor overseas students from China, censor scholarly inquiry, and otherwise interfere with academic freedom.

This research builds on Human Rights Watch’s 2019 research into the Chinese government’s efforts to undermine academic freedom globally, which included a 12-point Code of Conduct for colleges and universities to adopt to respond to Chinese government threats to the academic freedom of students, scholars, and educational institutions.¹

This report is based on 48 interviews conducted between September 2020 and April 2021. The interviewees include 24 “pro-democracy” international students studying at Australian universities—11 from mainland China and 13 from Hong Kong. Two students who belonged to the Chinese Students and Scholars Association were also interviewed. Many other students were contacted but ultimately declined to be interviewed due to security fears.

Twenty-two academics who teach Chinese or Hong Kong students or their key area of expertise is China, were also interviewed.

While these 24 pro-democracy students make up a miniscule proportion of the student community in Australia, their experiences speak to the challenges faced by hundreds and possibly thousands of students from China studying in Australia who want the freedom to express their opinions.

The assessments of the 22 academics interviewed, and their experiences and observations of similar themes and patterns raised by the students, supports the finding that these issues are occurring across university campuses throughout Australia.

¹ “China: Government Threats to Academic Freedom Abroad,” Human Rights Watch news release, March 21, 2019, <https://www.hrw.org/news/2019/03/21/china-government-threats-academic-freedom-abroad>.

Students and academics were interviewed who attended or taught at the following universities: the Australian National University (ANU), Curtin University, Edith Cowan University, La Trobe University, Macquarie University, Monash University, RMIT University, the University of Adelaide, the University of Melbourne (UOM), the University of New South Wales (UNSW), the University of South Australia, the University of Sydney, the University of Tasmania, the University of Technology Sydney (UTS), the University of Western Australia (UWA), the University of Queensland (UQ), and the Queensland University of Technology (QUT).

Human Rights Watch wrote to each of these universities with a list of questions. All replied except for the Australian National University and the University of Adelaide. Replies can be found in full on Human Rights Watch's website.

Due to Covid-19 travel and social distancing restrictions, interviews were conducted by phone, voice and text message, and email. Human Rights Watch informed interviewees of the purpose of the interview and the way the information would be used. No remuneration or incentives were promised or provided to those interviewed. Security concerns meant interviews were conducted via encrypted apps and secure networks and servers.

Names of all interviewees for this research have been withheld to protect their identity. All names used are pseudonyms. The highly sensitive nature of the topics discussed and the fears Chinese citizens expressed that they or they families could face repercussions for speaking to Human Rights Watch made this necessary.

Quoted academics are anonymous due to concerns that speaking publicly on China-related topics could result in repercussions from their universities.

Citations for Human Rights Watch interviews contain minimal information to avoid identification of the person.

I. Background

Australian University Dependence on International Students

In the past 20 years, international students have become a valuable part of Australian university campus life and a critical revenue stream for Australian universities. The total number of international higher education students at Australian institutions has nearly doubled since 2008 and more than tripled since 2002, with most growth occurring onshore.²

By 2017, 430,000 foreign students were enrolled in Australian higher education institutions, accounting for roughly 28 percent of all students.³ International students earned education institutions in Australia more than AU\$17 billion (US\$13.6 billion) in tuition fees in 2019.⁴ As a result, Australian universities have become increasingly dependent on income from these lucrative fees, which accounted for 27 percent of total operating revenue for the Australian university sector by 2019.⁵ This increasing reliance was reinforced when federal government funding for higher education was reduced by AU\$2 billion (US\$1.5 billion) in real terms in 2017.⁶

In particular, students from China sought Australia as a study destination as the Chinese middle class grew alongside Australia's reputation for quality higher education and post-

² Salvatore Babones, "The China Student Boom and the Risks It Poses to Australian Universities," The Centre for Independent Studies, August 2019, <https://www.cis.org.au/app/uploads/2019/08/ap5.pdf> (accessed February 3, 2021), p. 9.

³ Universities Australia, "Data Snapshot 2019," February 4, 2019, <https://www.universitiesaustralia.edu.au/wp-content/uploads/2019/06/Data-snapshot-2019-FINAL.pdf> (accessed May 9, 2021).

⁴ Department of Education, Skills and Employment, "Financial Reports of Higher Education Providers," 2019, <http://highereducationstatistics.education.gov.au/> (accessed April 6, 2021).

⁵ Lisa Valentin, "Universities facing \$2 billion loss as job cuts total more than 17,000," *Sydney Morning Herald*, February 3, 2020, <https://www.smh.com.au/politics/federal/universities-facing-2-billion-loss-as-job-cuts-total-more-than-17-000-20210202-p56yqc.html> (accessed April 6, 2021).

⁶ "Latest Cuts Would Leave Australia's University Funding Frozen in Time as Costs Rise," Universities Australia news release, December 18, 2017, <https://www.universitiesaustralia.edu.au/media-item/latest-cuts-would-leave-australias-uni-funding-frozen-in-time-as-costs-rise/> (accessed February 14, 2021).

study migration and employment opportunities.⁷ Approximately 40 percent of all onshore international students in Australia came from China in 2018, with Chinese students making up approximately 10 percent of all students attending Australian universities.⁸

In a 2019 report entitled “The China Student Boom and the Risks It Poses to Australian Universities,” sociologist Salvatore Babones identified seven Australian universities as having “extraordinary levels of exposure to the Chinese market.”⁹ These were the University of Melbourne, the Australian National University, the University of Sydney, the University of New South Wales, the University of Technology Sydney, the University of Adelaide, and the University of Queensland.

Babones noted that the University of Sydney was the most exposed, generating more than a half-billion Australian dollars (US\$387 million) in 2017 from Chinese student course fees, which accounted for approximately 23 percent of its total revenues of over AU\$2 billion (US\$1.5 billion).¹⁰ The next in line was the University of New South Wales, with 22 percent of its revenues from Chinese students. The University of Technology Sydney was third with 19 percent.¹¹

The report found that this number of Chinese international students was unique to Australia, with approximately 10 percent of all students in Australia coming from China, compared to 6 percent in the United Kingdom, 3 percent in Canada, and 2 percent in the United States.¹²

This dependency on international students was exposed during the Covid-19 pandemic as Australian border closures saw many international students stuck overseas, unable to enter the country and take up their studies. In 2020, Australian universities shed 17,000

⁷ Hannah Soong, “What we know about why Chinese students come to Australia to study,” *The Conversation*, June 1, 2018, <https://theconversation.com/what-we-know-about-why-chinese-students-come-to-australia-to-study-97257> (accessed May 6, 2021).

⁸ Babones, “The China Student Boom and the Risks It Poses to Australian Universities,” The Centre for Independent Studies.

⁹ *Ibid.*, p. 1.

¹⁰ *Ibid.*, pp. 1 and 16.

¹¹ *Ibid.*, p. 16.

¹² *Ibid.*, pp. 1, 9 and 27.

jobs and lost an estimated AU\$1.8 billion (US\$1.39 billion) in revenue, blamed on the pandemic and a sharp drop in international enrollments.¹³ The Australian government's decision to exclude universities from "JobKeeper" payments, a wage subsidy scheme designed to support businesses financially during the pandemic, has also contributed to new financial crisis in the higher education sector.¹⁴

Yet, even with the Covid-19 pandemic, education remains one of Australia's key exports, as universities put courses online and some international students remained in the country. By December 2020, approximately 160,000 Chinese students were enrolled to study in Australian universities, with about half studying remotely in China and the others continuing to learn in Australia.¹⁵ Universities are currently exploring options to expedite the return of international students to Australia, attempting to find methods to overcome the country's strict border controls in response to Covid-19.¹⁶

China-Related Incidents and Academic Freedom 2013–2018

For the past decade, as Australian universities have become increasingly reliant on income from Chinese international students, there has been a growing number of reported incidents of restrictions on academic freedom, intimidation, and censorship on matters related to China.

In the 1980s and 1990s, holding events or protests on subjects such as Tibet, Taiwan, and the Tiananmen Square massacre would not be controversial on university campuses. But by 2013, Chinese consulates had become proactive in complaining to universities about

¹³ "17,000 Uni Jobs Lost to Covid-19," Universities Australia press release, February 3, 2020, <https://www.universitiesaustralia.edu.au/media-item/17000-uni-jobs-lost-to-covid-19/> (accessed April 6, 2021).

¹⁴ Paul Karp, "Australian universities angry at 'final twist of the knife' excluding them from jobkeeper," *Guardian*, May 20, 2021, <https://www.theguardian.com/australia-news/2020/may/04/australian-universities-angry-at-final-twist-of-the-knife-excluding-them-from-jobkeeper> (accessed April 6, 2021).

¹⁵ Department of Education, Skills and Employment, "International student data," https://internationaleducation.gov.au/_layouts/download.aspx?SourceUrl=/research/International-Student-Data/Documents/INTERNATIONAL%20STUDENT%20DATA/2020/Pivot_Basic_Latest.xlsm (accessed April 6, 2021); Mitchell Institute, "Coronavirus and International Students," October 2021, <https://www.vu.edu.au/sites/default/files/international-student-update-2020-mitchell-institute.pdf> (accessed April 6, 2021).

¹⁶ Claudia Jambour, "International students could be welcomed back to NSW this year under local COVID-19 quarantine plan," *ABC News*, April 17, 2021, <https://www.abc.net.au/news/2021-04-17/nsw-holder-sun-international-students/100075938> (accessed May 9, 2021).

certain events and speakers and universities started to back away from discussions on topics considered sensitive in China.

In 2013, for example, Sydney University made headlines when a talk by the Dalai Lama, the spiritual and political leader of Tibet, was moved off campus. The university warned organizers not to use its logo or to allow media coverage or Tibet activists entry into the event.¹⁷ In an email obtained by the *Australian Broadcasting Corporation (ABC)*, Sydney University's Vice-Chancellor Michael Spence expressed relief at the outcome, praising it as "in the best interests of researchers across the university."¹⁸ Several years later, in June 2017, a University of Sydney professor described how "someone from the [Chinese] consulate visited the university and urged the university" to rethink staging a planned forum on the 1989 Tiananmen Square protests. The professor said, "These things are not unusual" and despite the approach, "the university stood by us" and the event proceeded.¹⁹

In April 2018, the University of Western Australia (UWA) student guild retrospectively passed a motion to express concerns about a visit by the Dalai Lama on campus three years earlier. The motion urged UWA to liaise with the guild to ensure guests do not "unnecessarily offend or upset groups within the student community" and to consider the "cultural sensitivities of all groups."²⁰ It also said the student guild "recognises the negative impact that hosting the Dalai Lama at the University has on the UWA Chinese Student Community."²¹ UWA's student newspaper reported that no formal evidence was produced to the guild regarding why the motion was necessary, but that advocates for the

¹⁷ "Sydney University criticised for blocking Dalai Lama visit," *Guardian*, April 18, 2013, <https://www.theguardian.com/world/2013/apr/18/sydney-university-dalai-lama> (accessed April 6, 2021).

¹⁸ Adam Harvey, "Uni under fire for pulling pin on Dalai Lama event," *ABC News*, April 17, 2013, <https://www.abc.net.au/news/2013-04-17/uni-under-fire-for-pulling-pin-on-dalai-lama-event/4635720> (accessed April 6, 2021).

¹⁹ Primrose Riordan, "University asked to rethink Tiananmen forum, academic says," *Australian*, June 6, 2017, <https://www.theaustralian.com.au/nation/politics/university-asked-to-rethink-tiananmen-forum-academic-says/news-story/c0198ee9c9ae74a7f372ad4579385f74> (accessed April 6, 2021).

²⁰ Bethany Hiatt, "Leading academics slam UWA student guild for putting 'cultural sensitivities' above free speech," *PerthNow*, April 5, 2018, <https://www.perthnow.com.au/news/wa/leading-academics-slam-uwa-student-guild-for-putting-cultural-sensitivities-above-free-speech-ng-b88795876z> (accessed April 6, 2021).

²¹ "Hosting the Dalai Lama so 2015," *Pelican Magazine*, April 2, 2018, <https://pelicanmagazine.com.au/2018/04/02/hosting-dalai-lama-2015/> (accessed April 6, 2021).

motion “mentioned that they had been in contact and engaged in consultation with many Chinese students on campus who felt strongly about the issue.”²²

Academics have also faced blowback from some pro-Chinese government students for comments or criticism deemed to be insensitive or critical of China. At the University of Newcastle in New South Wales in August 2017, a Chinese student secretly recorded an exchange with their lecturer, who described Taiwan as a country—which the student complained was offensive. The footage was leaked to and published by *Sydney Today*, a pro-Chinese government Chinese language website.²³ The same month, Chinese students at the University of Sydney criticized their lecturer on WeChat and called on students to quit his class, after an IT academic displayed a map showing Chinese-claimed territory as part of India. The lecturer later apologized, saying he had inadvertently used an outdated internet map.²⁴

Media also reported on several incidents of students from China facing harassment or intimidation, including of relatives back in China, for peaceful activities in Australia. A student at the Queensland University of Technology, Tony Chang, planned to participate in a protest in Brisbane in June 2015, the anniversary of the Tiananmen Square massacre. He told the *ABC* that Chinese intelligence agents visited his family in China, who warned them to rein in their son’s activities in Australia. Chang spoke to the *ABC* about his belief that he and his family were being monitored and tracked.²⁵

Chinese consulates have not been alone in registering complaints with Australian universities. The Chinese Students and Scholars Association (CSSA), which has formal links to the Chinese embassy in Canberra and with state consulates, has also become more active as the numbers of Chinese students in Australia have grown.

²² Ibid.

²³ “‘Hong Kong and Taiwan are a country!’ Ignoring the collective protests of Chinese students, an Indian lecturer at the University of Sydney emphasized: ‘I will repeat more than 1000 times,’” *Sydney Today*, August 23, 2017, <http://sydney.jinriaozhou.com/content-101734356533003> (accessed April 6, 2021).

²⁴ Andrea Booth, “Chinese students left fuming after Sydney uni lecturer uses contested map of China-India border,” *SBS News*, August 22, 2017, <https://www.sbs.com.au/news/chinese-students-left-fuming-after-sydney-uni-lecturer-uses-contested-map-of-china-india-border> (accessed April 6, 2021).

²⁵ Nick McKenzie et al., “The Chinese Communist Party’s power and influence in Australia,” *ABC News*, June 6, 2017, <https://www.abc.net.au/news/2017-06-04/the-chinese-communist-partys-power-and-influence-in-australia/8584270> (accessed April 6, 2021).

In September 2016, the *Australian Financial Review* reported that the head of the CSSA allegedly shouted at staff in the Australian National University campus pharmacy, demanding they remove a stand holding the *Epoch Times*—the newspaper of the banned religious group Falun Gong, which publishes articles critical of the CCP—and threatening to organize a boycott.²⁶

In August 2018, Chinese students at the University of Adelaide threatened to report fellow Chinese classmates to the embassy for campaigning against Communism during student elections, *The Australian* newspaper reported, with intimidating messages allegedly circulated on the Chinese media platform WeChat.²⁷

United Front and Chinese Government Targeting of Chinese Students Studying Overseas

The growing number of incidents at Australian universities have occurred in the context of CCP efforts to influence people from China living outside the country and use them to promote the Party’s causes and positions. Part of this is to “call on” Chinese students studying abroad.

Within the CCP, a special section called the United Front Work Department (UFWD) is responsible for organizing outreach to key Chinese interest groups, including ethnic Chinese abroad, and representing and influencing them. Since Xi Jinping became Communist Party general secretary in 2012, he has overseen a dramatic expansion of the UFWD’s role and who it targets.²⁸

“In its simplest terms, the UFWD is about uniting those who can help the party achieve its goals and neutralize its critics,” University of Adelaide Sinologist Dr. Gerry Groot said. “Its

²⁶ Angus Griggs, Lisa Murray and Primrose Riordan, “Canberra pharmacy at front line of China’s push for global influence,” *Australian Financial Review*, September 1, 2016, <https://www.afr.com/world/asia/canberra-pharmacy-at-front-line-of-chinas-push-for-global-influence-20160901-gr65xy> (accessed April 6, 2021).

²⁷ Michael Owen, “Chinese students at University of Adelaide face embassy threats,” *The Australian*, September 12, 2018, <https://www.theaustralian.com.au/higher-education/chinese-students-at-university-of-adelaide-face-embassy-threats/news-story/8b12713fff1be544b464ef1d36d8b840> (accessed April 6, 2021).

²⁸ Gerry Groot, “Inside China’s vast influence network—how it works, and the extent of its reach in Australia,” *The Conversation*, August 14, 2019, <https://theconversation.com/inside-chinas-vast-influence-network-how-it-works-and-the-extent-of-its-reach-in-australia-119174> (accessed April 6, 2021).

work is often summed up as ‘making friends,’ which sounds benign, and often is. But it can have other meanings, such as helping to stifle dissent at home and abroad.”²⁹

Overseas Chinese students have long been a target of the United Front, but in 2015, this was reinforced when Xi Jinping designated them as a “new focus of United Front work.”³⁰

“These efforts seek to maintain the CCP’s influence over Chinese students even when they are overseas and ensure that some can be mobilized when needed,” said analyst Alex Joske at the Australian Strategic Policy Institute.³¹ This new focus by the CCP appears designed to ensure these students “always follow the Party” and do not return to China with a newfound opposition to Communist Party rule, after potentially being exposed to commentary critical of the Party while abroad.³²

A new directive was sent to education officials in February 2016:

Assemble the broad numbers of students abroad as a positive patriotic energy. Build a multidimensional contact network linking home and abroad—the motherland, embassies and consulates, overseas student groups, and the broad number of students abroad—so that they fully feel that the motherland cares.³³

A new CCP online cyber policing portal that encourages Chinese internet users to report acts that undermine Beijing's image was exposed by the *Sydney Morning Herald* in August 2020. The online portal allows internet users to lodge “reports” for any perceived “attacks” on the Party and state systems, the position of President Xi, undermining

²⁹ Ibid.

³⁰ Australia Strategic Policy Institute, “The Party Speaks for You,” June 9, 2020, <https://www.aspi.org.au/report/party-speaks-you> (accessed April 6, 2021), p. 32.

³¹ Ibid.

³² Alexander Joske and Phillip Wen, “The ‘patriotic education’ of Chinese students at Australian universities,” *Sydney Morning Herald*, October 7, 2016, <https://www.smh.com.au/education/the-patriotic-education-of-chinese-students-at-australian-universities-20161003-gru13j.html> (accessed April 6, 2021).

³³ Chris Buckley, “China Says Its Students, Even Those Abroad, Need More ‘Patriotic Education,’” *New York Times*, February 10, 2016, https://www.nytimes.com/2016/02/11/world/asia/china-patriotic-education.html?_r=0 (accessed April 6, 2021).

territorial integrity and endangering national security, reported the newspaper, pointing out that the site was accessible in Australia.³⁴

Australia's Foreign Interference Laws

In the wake of increased reporting in 2017 of incidents by the media regarding alleged influence by the Chinese Communist Party, high-ranking Australian intelligence and government officials began publicly warning Australian universities to be vigilant about foreign interference and stifling debate on campuses.

In October 2017, Australia's most senior diplomat, Department of Foreign Affairs and Trade Secretary Frances Adamson, warned international students to resist the Chinese Communist Party's "untoward influence" and called on universities to "remain true" to their values and be "secure and resilient" against foreign interference.³⁵

Later that month, the head of Australia's domestic intelligence agency, ASIO, Duncan Lewis, said that the government needed to be "very conscious" of foreign interference in universities. "That can go to a range of issues," Lewis told a Senate estimates committee in Canberra. "It can go to the behavior of foreign students, it can go to the behavior of foreign consular staff in relation to university lecturers, it can go to atmospherics in universities."³⁶ Lewis said that providing any more information publicly would compromise his agency's work.

In December 2017, then-Prime Minister Malcolm Turnbull proposed a wide-ranging crackdown on foreign interference, with proposed new laws that would target "covert, coercive" activities. This was largely in response to allegations of Chinese government

³⁴ Eryk Bagshaw and Fergus Hunter, "China 'exporting CCP speech controls to Australia' as second university caught in row," *Sydney Morning Herald*, August 5, 2020, <https://www.smh.com.au/world/asia/china-exporting-ccp-speech-controls-to-australia-as-second-university-caught-in-row-20200805-p55jif.html> (accessed April 6, 2021).

³⁵ Stephanie Borys, "Education Minister urges universities to be vigilant over Chinese influence on campuses," *ABC News*, October 10, 2017, <https://www.abc.net.au/news/2017-10-10/universities-urged-to-be-vigilant-over-chinese-influence/9032840> (accessed April 6, 2021).

³⁶ Public Hearing, Legal and Constitutional Affairs Committee, Senate Estimates, May 24, 2017, https://parlinfo.aph.gov.au/parlInfo/download/committees/estimate/420421b5-6149-431f-96e2-06a8423423cf/toc_pdf/Legal%20and%20Constitutional%20Affairs%20Legislation%20Committee_2017_10_24_5667_Official.pdf;fileType=application%2Fpdf#search=%22asio%20duncan%20lewis%20committees%202010s%22 (accessed April 6, 2021), p. 130.

interference in Australian domestic politics. Turnbull noted recent “disturbing reports” of Chinese influence but stressed the laws would not target any one country.³⁷

Both of Australia’s major political parties supported the new foreign interference laws, which parliament passed in June 2018. They added 38 new offenses, including interference with Australian democratic or political rights by conduct involving use of force, violence, or intimidation; stealing trade secrets on behalf of a foreign government; broadening the definitions of existing crimes like espionage; and making it illegal to engage in covert activity on behalf of a foreign government that aims to influence Australian politics.³⁸ Punishment for such crimes range from 10 to 20 years in prison.

Parliament also passed the Foreign Influence Transparency Scheme Act 2018, which places new requirements on persons and entities who have arrangements with, and undertake certain activities on behalf of, foreign principals seeking to exercise influence over Australian political and governmental decision-making and processes.³⁹ The new law means that individuals and entities, including universities, must register the nature of the activities undertaken on behalf of foreign principals and the purpose for which the activities are undertaken. This includes arrangements such as Chinese government-funded language centers known as Confucius Institutes and US government-funded study centers.

Free Speech Reviews

In November 2018, Australia’s Education Minister Dan Tehan announced an inquiry into free speech on university campuses to be carried out by former High Court chief justice Robert French.⁴⁰ This was a government response to the alleged influence of “left-wing activists” on campus after protesters targeted a Sydney University event featuring an

³⁷ “Australia unveils laws to prevent foreign interference,” *BBC News*, December 5, 2017, <https://www.bbc.com/news/world-australia-42232178> (accessed April 6, 2021).

³⁸ National Security Legislation Amendment (Espionage and Foreign Interference) Bill 2018, Parliament of Australia, 2018, https://www.aph.gov.au/Parliamentary_Business/Bills_LEGislation/Bills_Search_Results/Result?bId=r6022 (accessed April 6, 2021).

³⁹ Foreign Influence Transparency Scheme Bill 2018, Parliament of Australia, 2018, https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r6018 (accessed April 6, 2021).

⁴⁰ “Review into University Freedom of Speech,” Minister for Education Dan Tehan press release, November 14, 2018, <https://ministers.dese.gov.au/tehan/review-university-freedom-speech> (accessed April 6, 2021).

author who dismissed claims of a “rape crisis” on campuses as a “feminist myth.”⁴¹ In April 2019, French delivered the findings, reporting that there was no evidence of a systemic free speech crisis on Australian campuses.⁴² The French review only briefly mentioned issues around free speech for Chinese students and academics working on China.⁴³

French concluded that “claims of a freedom of speech crisis on Australian campuses are not substantiated” but recommended a national code to strengthen protections around free academic expression in response to growing fears.⁴⁴ The code spells out protections from disadvantage, discrimination, threats, intimidation, and humiliation but states there is no duty to protect staff and students from “feeling offended or shocked or insulted by the lawful speech of another.” All Australian universities agreed to implement the French code by the end of 2020.⁴⁵

In the wake of new allegations involving Australian academics involved with a Chinese government academic recruitment program called the “Thousand Talents” program and several other reported free speech issues at universities, Education Minister Tehan announced yet another review in August 2020—this time to evaluate the progress Australian universities had made implementing the French Model Code on university free speech.⁴⁶

⁴¹ Michael Koziol, “Former High Court chief Robert French to lead inquiry into free speech on campus,” *Sydney Morning Herald*, November 13, 2018, <https://www.smh.com.au/politics/federal/former-high-court-chief-robert-french-to-lead-inquiry-into-free-speech-on-campus-20181113-p50ft1.html> (accessed April 6, 2021).

⁴² Department of Education, Skills and Employment, “Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers March 2019,” March 27, 2019, <https://www.dese.gov.au/higher-education-publications/resources/report-independent-review-freedom-speech-australian-higher-education-providers-march-2019> (accessed April 6, 2021).

⁴³ *Ibid.*, appendix 14, pp. 289-292.

⁴⁴ Fergus Hunter, “‘No freedom of speech crisis’: Universities welcome inquiry conclusion,” *Sydney Morning Herald*, April 6, 2019, <https://www.smh.com.au/politics/federal/no-freedom-of-speech-crisis-universities-welcome-inquiry-conclusion-20190406-p51bi6.html> (accessed April 6, 2021).

⁴⁵ Department of Education, Skills and Employment, “Independent Review of Adoption of the Model Code on Freedom of Speech and Academic Freedom,” December 9, 2020, <https://www.education.gov.au/independent-review-freedom-speech-australian-higher-education-providers> (accessed April 6, 2021).

⁴⁶ Richard Ferguson and Tim Dodd, “Education Minister Dan Tehan launches review into universities’ implementation of free speech code,” *The Australian*, August 7, 2020, <https://www.theaustralian.com.au/higher-education/education-minister-dan-tehan-launches-review-into-universities-implementation-of-free-speech-code/news-story/a6ad819a19bbdf7515bcd9687594a17d> (accessed April 6, 2021).

Former Deakin University Vice-Chancellor Professor Sally Walker was recruited to carry out the review.⁴⁷ In December 2020, Walker concluded that while 33 universities had completed work to implement the French Model Code on free speech, only nine of Australia's 42 universities had adopted policies that completely aligned with the French Model Code on free speech, despite the sector committing to having policies in place by the year's end.⁴⁸

In February 2021, it was reported that Walker would provide each Australian university with a "free speech report card" and would work personally with each university to advise them on implementation of the code.⁴⁹

Despite these efforts, even if all universities diligently adopt the French Model Code, it has significant gaps and is insufficient to deal with many issues regarding China's threats to academic freedom in Australia.

As is, the French Model Code largely deals with protection of free expression in democracies and was drafted with students and academics from democratic countries in mind. It does not deal with the situation of students and academics from (or working on) authoritarian countries like China, and for whom academic freedom is curtailed in slightly different ways. The Model Code assumes all members of a given academic community are aware of, comfortable with, and confident in university bodies reporting Chinese government-related threats to academic freedom, and that universities will respond to those reports with informed and appropriate considerations.

Academic Code of Conduct

In March 2019, Human Rights Watch published a 12-point Code of Conduct for colleges and universities to adopt to respond to Chinese government threats to the academic freedom

⁴⁷ "Review into University Freedom of Speech," Minister for Education Dan Tehan press release.

⁴⁸ Lisa Visentin, "Only nine of Australia's 42 universities have adopted the free speech code," *Sydney Morning Herald*, December 9, 2020, <https://www.smh.com.au/politics/federal/only-nine-of-australia-s-42-universities-have-adopted-the-free-speech-code-20201208-p56lkr.html> (accessed April 6, 2021).

⁴⁹ Richard Ferguson, "University chancellors nudged on uni free speech by Alan Tudge," *The Australian*, February 4, 2021, <https://www.theaustralian.com.au/higher-education/university-chancellors-nudged-on-uni-free-speech-by-alan-tudge/news-story/d938b5c390af5c2565b55a76ec2357c5> (accessed April 6, 2021).

of students, scholars, and educational institutions.⁵⁰ The code derived from research tracking how Chinese government authorities have grown bolder in trying to shape global perceptions of China on university campuses and in academic institutions outside China.

The code was based on more than 100 interviews between 2015 and 2018 in Australia, Canada, France, the United Kingdom, and the United States with academics, graduate and undergraduate students, and administrators, some of them from China.

Human Rights Watch found that many colleges and universities around the world with ties to the Chinese government, or with large student populations from China, are unprepared to address threats to academic freedom in a systematic way. Few have moved to protect academic freedom against longstanding problems, such as the Chinese government's visa bans on academics working on China, or surveillance and self-censorship on their campuses.

Efforts to Counter Foreign Interference

In August 2019, the Australian government announced a new University Foreign Interference Taskforce including representatives from universities, national security organizations and the Department of Education.⁵¹ The taskforce consists of four working groups: to prevent and respond to cyber security incidents; to protect intellectual property and research; to ensure collaboration with foreign entities is transparent and does not harm Australian interests; and to foster “a positive security culture.”

The taskforce has developed guidelines for universities to address foreign interference, and while their overarching principle is to safeguard academic freedom, they place more emphasis on assessing research partnership and cyber security risk than harassment, intimidation, or self-censorship and the safety and security of students and staff.

⁵⁰ “Resisting Chinese Government Efforts to Undermine Academic Freedom Abroad: A Code of Conduct for Colleges, Universities, and Academic Institutions Worldwide,” Human Rights Watch news release, March 21, 2019, https://www.hrw.org/sites/default/files/media_2020/09/190321_china_academic_freedom_coc.pdf.

⁵¹ “Taskforce to Protect Universities from Foreign Interference” Minister for Education Dan Tehan press release, August 28, 2019, <https://ministers.dese.gov.au/tehan/taskforce-protect-universities-foreign-interference> (accessed April 20, 2021).

In August 2020, reporting by *The Australian* newspaper highlighted the involvement of more than 30 Australian academics in the Chinese Communist Party’s “Thousand Talents” program.⁵² The US Federal Bureau of Investigation (FBI) has identified the Chinese government initiative, which uses financial scholarships to recruit top scientific talent for research projects, as a potential means of economic espionage.⁵³ Australia’s domestic intelligence agency ASIO has been briefing universities on the national security risk of such programs.⁵⁴

In December 2020, Australia’s parliament passed new legislation giving the federal government power to veto any agreement struck with foreign states.⁵⁵ Universities Australia, the key peak lobby group for Australian universities, expressed concern with the new law, which would mean any university agreement with state-backed Chinese institutions will now come under closer scrutiny.

A parliamentary inquiry into foreign interference threats in Australia’s universities was also announced in November 2020, focusing mainly on potential security risks affecting the higher education and research sector.⁵⁶

⁵² Sharri Markson and Kylar Loussikian, “China exploits Australia’s lax laws to sign up researchers for secretive program,” *The Australian*, August 24, 2020, <https://www.theaustralian.com.au/nation/china-exploits-australias-lax-laws-to-sign-up-researchers-for-secret-program/news-story/35a48fe48919f0cc2cd269a3bc2fd91d> (accessed April 6, 2021).

⁵³ Mathew Knott, “‘A new cold war’: China hawks have built a cosy nest in the White House,” *Sydney Morning Herald*, March 6, 2020, <https://www.smh.com.au/world/north-america/a-new-cold-war-china-hawks-have-built-a-cosy-nest-in-the-white-house-20200306-p547eb.html> (accessed April 6, 2021).

⁵⁴ Sharri Markson and Kylar Loussikian, “ASIO issues alert to universities over China links,” *The Australian*, August 25, 2020, <https://www.theaustralian.com.au/nation/asio-alert-to-universities-over-china-links/news-story/1abe37d2a077a8f4875f8c84825934d7> (accessed April 6, 2021).

⁵⁵ Colin Packham, “Australia approves tough new veto powers over foreign agreements amid China row,” *Reuters*, December 3, 2020, <https://www.reuters.com/article/us-australia-china-idUSKBN28DoDU> (accessed April 6, 2021).

⁵⁶ “Intelligence Committee to Focus on Higher Education and Research Sector Security,” Parliament of Australia press release, November 4, 2020, https://www.aph.gov.au/About_Parliament/House_of_Representatives/About_the_House_News/Media_Releases/Intelligence_Committee_to_focus_on_higher_education_and_research_sector_security (accessed April 6, 2021).

II. Harassment, Intimidation, and Surveillance

At around 2 a.m. I received a message from a mainland classmate.

He was like, “I’m watching you.”

—Zhang Xiuying, PRC student at an Australian university, November 2020⁵⁷

Of the 24 pro-democracy international students studying at Australian universities interviewed by Human Rights Watch, 11 from mainland China and 13 from Hong Kong, over half reported direct harassment and intimidation from fellow classmates from China. These included threats of physical violence, threats of being reported to Chinese authorities back home, being doxed online or threatened with doxing. Doxing is when personally identifying information about someone is shared online without their consent.⁵⁸ These acts occurred in a mix of environments, including online, in-person, and on and off campus.

Students said they were targeted for harassment and intimidation after their classmates from China identified them as critical of the Chinese Communist Party, expressing support for democracy in Hong Kong or China, or if they attended a protest in support of Hong Kong democracy.

Most pro-democracy students interviewed who experienced harassment and intimidation said they did not report it to their university. Those who did not report these incidents cited their belief that their university would not take the threat seriously or that they feared their university was sympathetic to pro-Beijing Chinese students only.

Human Rights Watch has documented that the harassment, surveillance, and intimidation of pro-democracy students from China has steadily increased in Australia in the past decade.⁵⁹ Pro-Chinese government students and social media users have also subjected academics to harassment, intimidation, and doxing if the academics are perceived to be

⁵⁷ Human Rights Watch interview with student Zhang Xiuying (pseudonym), November 2, 2020.

⁵⁸ Jasmine McNealy, “What is doxing, and why is it so scary?” *The Conversation*, May 16, 2018, <https://theconversation.com/what-is-doxing-and-why-is-it-so-scary-95848> (accessed June 2, 2021).

⁵⁹ This conclusion is based on Human Rights Watch’s research in 2017-2018 and 2020-2021.

critical of the CCP or discuss sensitive issues such as Taiwan, Tibet, Hong Kong, or Xinjiang.

Those interviewed generally believed monitoring and surveillance of students by Chinese government officials and individuals supportive of the CCP is prevalent in Australia. Several students described how Chinese officials had monitored their activities in Australia or been informed about them, which then led to authorities questioning their family members in China about their actions.

Harassment and Intimidation of Students

In mid-2019, as massive pro-democracy protests filled the streets of Hong Kong, many of the approximately 15,000 students from Hong Kong studying in Australia wanted to express their solidarity with their families and citizens back home.⁶⁰ On campuses and in city squares across Australia, these students organized demonstrations and speeches, highlighting their concerns at Beijing’s tightening grip on Hong Kong and the growing police violence that left many protesters injured and hundreds arrested. Protests were held in Melbourne, Sydney, Canberra, Perth, Adelaide, and Brisbane. Most were organized and led by university students from Hong Kong studying in Australia.⁶¹

The aftermath of these protests on and off Australian university campuses resulted in many instances of harassment and intimidation of pro-democracy Chinese and Hong Kong students by fellow students. The very participation of students in these pro-Hong Kong solidarity events “outed” the political views of students to their peers.

A female student from China, Zhang Xiuying, who joined in a demonstration to support democracy in Hong Kong, received a threatening message from a fellow PRC student just hours after attending the demonstration. She said:

⁶⁰ Australian Trade and Investment Commission, “Education Market Profile—Hong Kong,” undated, <https://www.austrade.gov.au/Australian/Education/Countries/hong-kong> (accessed January 3, 2021).

⁶¹ These expressions of solidarity were not just supported by students from Hong Kong. Some sympathetic mainland students joined in, at great personal risk. But most of the 253,000 Chinese students studying in Australia did not support Hong Kong democracy protests and some Chinese student groups on campuses and in certain cities organized counter demonstrations.

At around 2 a.m. I received a message from a mainland classmate. He was like, “I’m watching you.” He ended the conversation with, “I support the Hong Kong police.” I knew him for a long time, and I knew he had different opinions. I had told him before, “I didn’t want to talk about Hong Kong stuff with you.” Personally, I felt really scared. I went to go see the uni [university] psychologist because I was so stressed. I blocked him [the classmate] on Facebook. I was in a course with 98 percent mainland students. Students were bad-mouthing me. That I was not loyal to the country.⁶²

Zhang Xiuying said that she did not feel comfortable reporting the threat to her university because she said she felt that they would not take the threat seriously and she perceived her university as only being sympathetic to pro-Beijing Chinese students.

“In their mind, Chinese-speaking students are pro-CCP and they don’t want to hurt their relationship with the Chinese student association,” Zhang Xiuying said.⁶³

While some students received anonymous threats, others were also the subject of doxing attempts online by fellow students. A male student, Wang Wei, who supported the Hong Kong democracy protests, said social media users threatened him as well as circulating his name online and leaking elements of his address:

There were attempts to dox me and someone leaked the name of the building I was living in as well as the floor number (although they didn’t get the floor number right) online. There were many rumors circulating on WeChat claiming that I have been beaten up and hospitalized. Another post said, “The CBD [Central Business District] has many dark alleys without CCTV and these will be good places to attack him.” I was recognized in the lobby of my apartment once, although he just asked me, “Have all Hong Kongers died yet?” and left the building.⁶⁴

⁶² Human Rights Watch interview with student Zhang Xiuying (pseudonym), September 2, 2020.

⁶³ Ibid.

⁶⁴ Human Rights Watch interview with student Wang Wei (pseudonym), September 3, 2020.

Wang Wei did not report these threats to his university. He said this was because he felt that his university was too worried about getting “one step wrong” and the impact this could have on “Chinese students who were the biggest customers.” However, he reported the incident to the local police: “I went to the police station to report these threats. However, the officer in attendance was unable to file a report because he said the people who posted these threats could not be identified.”⁶⁵

Adam, a PRC student who attended a pro-Hong Kong democracy rally off campus, described what happened to him at the protest and in the days after:

They [the counter-protesters] were taking photos of us. One of the Chinese guys that I knew, he was a bartender, and I was a security guy at this bar, and after that protest he sent me pictures of me on Chinese social media and he said, “I didn’t know you support Hong Kong.” And he said, “If I tell my family and my friends about you being there, you will become so famous.” I said, “Don’t threaten me like this, I thought you were my friend.” And then he said, “I was just joking, man.” After that we stopped talking.⁶⁶

Violence also flared at some smaller campus demonstrations. One student described how she reported an assault by pro-Chinese government protesters: “We reported to the university as one of the Chinese interveners acted up and tried to hurt our protesters. The security team came and separated us.”⁶⁷

One of the largest pro-Hong Kong democracy demonstrations was held at the at the University of Queensland (UQ) on July 24, 2019, with hundreds of students gathering in UQ’s “Great Court” at lunchtime. A student journalist speaking to *The Guardian* estimated there were initially about 50 Hong Kong international students and 100 or more Australian

⁶⁵ Ibid.

⁶⁶ Human Rights Watch interview with student Adam (pseudonym), September 28, 2020.

⁶⁷ Human Rights Watch interview with student Amy (pseudonym), September 2, 2020.

students attending, before around 200 or more pro-Chinese government counter-protesters arrived.⁶⁸

The Guardian reported that the pro-Chinese government students “interrupted the sit-in, tearing down banners, punching and shoving.”⁶⁹ One of the Hong Kong student organizers, Nelson, said:

We were being peaceful and suddenly there is a group of Chinese students around us. Hundreds of them. They got their speakers and slogans, and they seem well prepared and organized. Three of them surrounded my friend and they assaulted him. The police and security came. One of my Hong Konger friends got choked around the neck and one of my friends wearing a Hong Kong student association hoodie got bullied by three Chinese students. They cornered him in the carpark in the dark and intimidated him. It was really threatening.⁷⁰

Videos posted on social media showed shouting and abuse between the two sides, turning into physical violence with police arriving to break up the four-hour-long standoff.⁷¹ The Queensland police told Human Rights Watch they received no “formal” complaints, and therefore no charges were made in relation to the July 24 protest. The University of Queensland issued a statement regarding the protest on the afternoon on July 24:

One of the roles of universities is to enable open, respectful and lawful free speech, including debate about ideas we may not all support or agree with. The University expects staff and students to express their views in a lawful and respectful manner, and in accordance with the policies and values of the University. Earlier today, in response to safety concerns resulting from a student-initiated protest on campus, the University requested police

⁶⁸ Naaman Zhou, “Pro-China and pro-Hong Kong students clash at University of Queensland,” *Guardian*, August 4, 2019, <https://www.theguardian.com/australia-news/2019/jul/24/china-hong-kong-students-clash-university-queensland> (accessed January 8, 2021).

⁶⁹ *Ibid.*

⁷⁰ Human Rights Watch interview with student Nelson (pseudonym), September 28, 2020.

⁷¹ Nilsson Jones, Twitter post, July 24, 2019, https://twitter.com/nilssonjones_/status/1153903723292192769?s=20 (accessed January 8, 2021).

support. On the advice of police, protestors were requested to move on. The safety of all students is paramount to the University. Any student requiring support should contact Student Services.

The statement was sent to media groups and put on the university's Facebook page.⁷² The university sent a copy of their statement that evening to the Chinese Consulate in Brisbane. The next day, Consul-General Xu Jie, who had controversially been appointed several weeks earlier as an honorary adjunct professor of language and culture at the University of Queensland, praised what he called the "spontaneous patriotic behavior" of the counter-protesters.⁷³ At the time, the university did not criticize the consul-general's comments.

In September 2019, UQ's Vice-Chancellor Peter Høj told the *ABC* that, "I'm not in the issue of debating with diplomats, and, but I made it very clear that, we don't endorse any violence acts in a peaceful demonstrate [sic], and through that you can conclude that I would disagree with somebody who would endorse that type of behaviour."⁷⁴ It wasn't until 11 months after the comments by Consul-General Xu Jie that the UQ chancellor, Peter Varghese, publicly labelled them as "unacceptable."⁷⁵

In the days after the protest, Chinese state media outlet *Global Times* published the full real name of Nelson, the Hong Kong student who helped organize the rally at the University of Queensland. The student was then doxed online, with his real name and photo published on Chinese social media sites Weibo and WeChat in the days after the event. Nelson told Human Rights Watch:

⁷² The University of Queensland, Facebook post, July 24, 2019, <https://www.facebook.com/uniofqlld/posts/2343705985706976> (accessed April 5, 2021).

⁷³ John Power, "University of Queensland faces heat for naming Chinese diplomat Xu Jibe as faculty member," *South China Morning Post*, July 26, 2019, <https://www.scmp.com/week-asia/geopolitics/article/3020168/university-queensland-faces-heat-naming-chinese-diplomat> (accessed January 7, 2021); Ben Packham, "China diplomat slapped down over uni protest," *The Australian*, July 27, 2019, <https://www.theaustralian.com.au/nation/politics/china-diplomat-slapped-down-over-uni-protest/news-story/7boacc2e8b2b8541adcof61e6a2e3a68> (accessed January 7, 2021).

⁷⁴ Sean Rubinsztein-Dunlop, "Red Flags," *ABC Four Corners*, September 10, 2019, <https://www.abc.net.au/4corners/red-flags/11601456> (accessed May 14, 2021).

⁷⁵ Ben Smee, "University of Queensland to ban foreign diplomats from gaining honorary positions," *Guardian*, May 23, 2020, <https://www.theguardian.com/australia-news/2020/may/23/university-of-queensland-to-ban-foreign-diplomats-from-gaining-honorary-positions> (accessed April 5, 2021).

After this my name got doxed. My full name and my photo, a really close-up photo. It was really scary for us. At the beginning we didn't wear masks and we didn't think there was a big threat. After that incident I was easily recognized on campus and felt like I was being followed and they were looking at me. I'm worried about being doxed again and the intimidation. I changed my name on Facebook. Sometimes I feel like I am being watched on campus.⁷⁶

Nelson said he did not report what happened to the University of Queensland, citing the university's failure to criticize previous intimidating actions by Chinese nationalist students on his campus: "We have not reported it to UQ as we've seen how UQ deals with our Lennon Wall being ripped apart by Chinese students.⁷⁷ We don't think UQ would help us, like they'd just want to put down the incident to cause less trouble."⁷⁸

Human Rights Watch interviewed three pro-democracy students from China and Hong Kong who participated in the University of Queensland protests on July 24, 2019. All three said they felt that the university did not adequately respond to the events at the time.

The University of Queensland told Human Rights Watch that "in the past three years, we have not had any formal complaints from students or staff" relating to Chinese government harassment, surveillance or threats on campus, but confirmed they had received four complaints making allegations about UQ students in relation to "conduct broadly in the nature of 'doxing.'" UQ confirmed that they did take action in respect to three complaints and that one is still being investigated. The parties involved "are from diverse countries of origin," the university wrote.⁷⁹

One year after the protests and following intense criticism of UQ's handling of events and the university's close relationship with the Chinese consul-general in Brisbane, the

⁷⁶ Human Rights Watch interview with student Nelson (pseudonym), September 28, 2020.

⁷⁷ 'Lennon Walls' are artistic expressions of support with the Hong Kong pro-democracy demonstrators, featuring thousands of sticky post-it notes covered in protest slogans and messages of support, forming large colorful pop-up mosaics and appearing in train tunnels, walkways and streets around Hong Kong. Hong Kong students in Australian universities replicated these walls in walkways and school buildings across dozens of campuses.

⁷⁸ Human Rights Watch interview with student Nelson (pseudonym), September 28, 2020.

⁷⁹ The University of Queensland's full response can be found on Human Rights Watch's website.

university leadership announced several new measures to limit Chinese government interference.⁸⁰

These include ensuring that the university's Confucius Institute, a Chinese government-funded language institute, no longer had any involvement in credit-bearing courses. UQ's senate also ruled that serving foreign government officials will no longer be offered honorary or adjunct positions at the university—a direct response to the controversy around the Brisbane Chinese consul-general given an honorary professor title at UQ in 2019. At the time of writing, Consul-General Xu retained his honorary position at the university, which is due to end in December 2021.⁸¹

The university says it has also increased its liaison with the Queensland Police to develop a strategy for “ensuring that any further protests remained peaceful and safe for all students,” as well as arranging for enhanced security on campus for protests. UQ says it has also conducted “online and physical initiatives to reinforce campus harmony and tolerance,” employed additional student casual staff to speak to concerned students and offer peer-to-peer support, and formed a “community operations group” consisting of representatives from Student Affairs, Security, and the Student Union to meet on a regular basis and advise the deputy vice-chancellor on concerns among the student population.

Regarding an internal investigation into the July 2019 protest at UQ, the university told Human Rights Watch that while it requested 10 students to provide statements and other evidence about the protest, only three came forward to do so. The university advised that “in the end, UQ's investigation did not uncover sufficient information to indicate that any UQ students engaged in inappropriate conduct,” and therefore no disciplinary action was taken.⁸²

⁸⁰ The University of Queensland, “Freedom of Speech,” July 17, 2020, <https://www.uq.edu.au/news/uq-responds/freedom-of-speech> (accessed April 9, 2021).

⁸¹ The University of Queensland, School of Languages and Cultures, “Dr Jie Xu,” undated, <https://languages-cultures.uq.edu.au/profile/4580/jie-xu> (accessed May 9, 2021).

⁸² The University of Queensland's full response can be found on Human Rights Watch's website.

UQ also disclosed to Human Rights Watch that it had separately investigated “a number of reports of vandalism” in relation to the Lennon Walls on campus. “Nine of these reports resulted in UQ students being identified and actions taken by the university,” UQ said.⁸³

Despite threats and violence at UQ, Hong Kong and Chinese students and their Australian supporters continued to hold demonstrations in Brisbane. At another protest in September 2019, Fung, a recently arrived student from Hong Kong was introduced to the crowd as a “real Hong Kong protester.” Recently arrived and feeling a long way from Hong Kong, Fung felt comfortable standing on stage at the rally without a mask. Fung told Human Rights Watch that about three weeks later, when leaving his home in a suburb of Brisbane, he found four Mandarin-speaking men waiting in front of his home:

One of those men called my name in a very angry way. So me and my friend ran away. They said, “Don’t go, stay there!” They picked up sticks and they were wearing masks. Not like a surgical mask, a hiking scarf that was put up to cover the bottom of the faces. They were about 30 meters away from me and they started to come after me and shouted and so I ran. I live on a hill and I ran down for 10 minutes and they didn’t chase. I was so scared after this incident I stayed with my friend for several days and didn’t come back home. I moved out to rent another place a week later. I slept in my car for two or three nights because I didn’t want to go back there.⁸⁴

Fung was attending an English college at the time, and he said he did not feel comfortable reporting the incident to his school. But at the insistence of a flatmate, he reported it to local police. He said:

My flatmate took me to the police station to report the case in November. And the police said to me because of where I live, they don’t have any CCTV. But they wrote down what happened. The police officer hasn’t called

⁸³ Ibid.

⁸⁴ Human Rights Watch interview with student Fung (pseudonym), November 11, 2020.

me back. They said it's very difficult to determine who chased me, that it would be impossible.⁸⁵

Another student, Amy, told Human Rights Watch that mainland students who tried to stand up for Hong Kong protesters at a rally in Melbourne were among those doxed:

There was a Chinese student at the rally who tried to explain to other Chinese students that we were not promoting Hong Kong Independence—we were protesting the extradition law at the time—and eventually she got bullied, verbally insulted and they shared her personal information online because she was considered a “treason.”⁸⁶

At the University of Technology (UTS) in Sydney, a cartoon written in Chinese with a death threat directed at pro-Hong Kong protesters was removed only after an *ABC* journalist brought it to the attention of campus security.⁸⁷ The cartoon, put up on a Lennon Wall near the university's main entrance, showed a man holding another man over a cliff with the caption: “Take back your Hong Kong independence speech if you don't want to die.”

In Perth, a Hong Kong university student organizer told the *ABC* that police tipped her off that she had been filmed at a pro-Hong Kong democracy rally.⁸⁸ She said she had been followed home by Chinese nationals and had received death threats. A male student told the *ABC* he too had been doxed and followed in the wake of the Perth rally. Both students declined to be interviewed by Human Rights Watch about their experiences, citing the passing of the national security law in Hong Kong.

⁸⁵ Ibid.

⁸⁶ Human Rights Watch interview with student Amy (pseudonym), September 2, 2020.

⁸⁷ Kevin Nguyen and Echo Hui, “Pro-China death threat poster directed at Hong Kong protesters guarded by university security,” *ABC News*, August 20, 2019, <https://www.abc.net.au/news/2019-08-20/chinese-death-threats-at-hong-kong-uts-students-lennon-wall/11430440> (accessed January 17, 2021).

⁸⁸ Eliza Borrelo, “Pro-Hong Kong democracy students in Perth allege death threats, intimidation from Chinese nationals,” *ABC News*, July 7, 2020, <https://www.abc.net.au/news/2020-07-07/perths-pro-hong-kong-democracy-scene-alleges-death-threats/12418266> (accessed January 16, 2021).

Hong Kong's National Security Legislation

On June 30, 2020, the Chinese government in Beijing passed a sweeping new National Security Law for Hong Kong that has been used to prosecute peaceful speech, curtail academic freedom, and generate a chilling effect on fundamental freedoms in the city.⁸⁹ The law contains provisions that are already proving devastating to human rights protections in Hong Kong. These include creating specialized secret security agencies, denying fair trial rights, providing sweeping new powers to the police, increasing restraints on civil society and the media, and weakening judicial oversight. The extraterritorial reach of the National Security Law means the law also applies to offenses committed against Hong Kong “from outside the Region by a person who is not a permanent resident of the Region.”⁹⁰

A mainland pro-democracy Chinese student, Lim, said that he had been threatened on campus while standing in front of his university's Lennon Wall:

Just in front of the Lennon Wall, I was contacted directly by a senior Chinese student. He threatened me in a number of ways. He was an international student representative. I reported it to the student's organization. They said they would contact him. Actually, he did not contact me again. I only reported it to the uni administration, not police.⁹¹

Lim says he was never informed by the student association regarding what action, if any, was taken against the student who threatened him. Human Rights Watch wrote to his university asking if they had any record of this complaint but received no response.

In August 2020, the University of New South Wales (UNSW) published an article about Hong Kong's national security law on its media page with quotes from Elaine Pearson,

⁸⁹ “China: New Hong Kong Law a Roadmap for Repression,” Human Rights Watch news release, July 29, 2020, <https://www.hrw.org/news/2020/07/29/china-new-hong-kong-law-roadmap-repression>.

⁹⁰ Eryk Bagshaw, “Hong Kong's new national security laws reach beyond China,” *Sydney Morning Herald*, July 1, 2020, <https://www.smh.com.au/world/asia/hong-kong-s-new-national-security-laws-reach-beyond-china-20200701-p557zd.html> (accessed January 20, 2021).

⁹¹ Human Rights Watch interview with student Lim (pseudonym), September 29, 2020.

Human Rights Watch’s Australia director and an adjunct lecturer at UNSW’s law school. UNSW removed the article in reaction to a campaign of harassment against the university and Pearson by pro-Chinese government students.⁹² The article was later reinstated, but only on the law page of the website. In discussing this incident, a student at the university was openly harassed in a UNSW law student WeChat group after expressing sympathy for Hong Kong. “I have screen capped this and sent it to the [Chinese] embassy,” replied his classmate to the WeChat group, which contained 177 students.⁹³

A mainland pro-democracy student who was a member of the WeChat group, said:

We had a WeChat group for Chinese law students just to share some study information. Some students got very angry about the article and wanted an apology. There was a Chinese student who was pro-democracy, and he expressed his view in the group chat. And he said he stands with the professor and with Hong Kong. And they threatened to report his speech to the embassy. They kicked that pro-democracy student out of the group chat. Only one person had the guts to speak out.⁹⁴

Other demands and insults were tweeted at the university’s official Twitter account by people who openly identified as UNSW students on their social media profiles.

“Annihilate English dog, Destroy Hong Kong independence,” wrote a young male student. “Refund this year’s school fees for Chinese international students, apologize to all Chinese international students, fire all teaching staff who made such statements, head of UNSW must resign, expel all ‘yellow’ Hong Kong international students.”⁹⁵

While UNSW’s Vice-Chancellor Ian Jacobs affirmed the university’s commitment to free speech and academic freedom in a statement on August 5, it was in general terms and did

⁹² Fergus Hunter and Eryk Bagshaw, “‘Craven cowardice’: UNSW condemned for deleting posts critical of Beijing,” *Sydney Morning Herald*, August 3, 2020, <https://www.smh.com.au/politics/federal/craven-cowardice-unsw-condemned-for-deleting-posts-critical-of-beijing-20200803-p55hy5.html> (accessed April 5, 2021).

⁹³ WeChat image supplied. On file with Human Rights Watch.

⁹⁴ Name of interviewee withheld to protect identity.

⁹⁵ Twitter image supplied. On file with Human Rights Watch.

not mention the words “China” or “Hong Kong.” It also initially only went to UNSW staff. Five days later, the statement was made available on the university website.⁹⁶

Following this incident, Human Rights Watch wrote to and met with UNSW management and urged the university to hold a public online meeting to clarify academic freedom to students and staff. Human Rights Watch also urged the university to conduct a thorough investigation into the online campaign targeting the university to determine who organized it, whether any are UNSW students, and whether UNSW students were involved in intimidation, harassment, or threats to inappropriately report discussions to off-campus authorities such as the Chinese consulate.

Human Rights Watch asked UNSW if it had reprimanded any students over such comments. In response, UNSW advised that they were “not able to provide details of the complaints currently lodged in our Complaints Management System but can advise that we do not currently have any complaints registered” in relation to the online harassment and intimidation of staff and fellow students following the outcry over the Hong Kong article published in August 2020.⁹⁷

UNSW said that “complaints raised following the Hong Kong article published on Twitter in August 2020 were of a general nature relating to UNSW’s response to the incident and were not directed towards individual students.”⁹⁸

To date, the university has not publicly released the results of any investigation into the incident nor confirmed what investigation, if any, took place. Vice-Chancellor Ian Jacobs told Human Rights Watch that “I have already made a public statement on UNSW’s handling of that matter and have taken steps to ensure that such an incident will not happen again.” However, he has not indicated what new policies UNSW has adopted to ensure similar incidents do not occur again.⁹⁹

⁹⁶ The University of New South Wales, President and Vice-Chancellor, “Statement on Freedom of Speech,” August 10, 2020, <http://www.president.unsw.edu.au/news/statement-freedom-speech> (accessed May 23, 2021.)

⁹⁷ The University of New South Wales’ full response can be found on Human Rights Watch’s website.

⁹⁸ Ibid.

⁹⁹ Ibid.

In February 2021, Freedom of Information documents revealed that a confidential report to the UNSW board recommends the university adopt a “more assertive, forward-leaning approach to China engagement” and “position UNSW as a leading advocate for constructive engagement with China.” The report was delivered only months before UNSW was embroiled in the censorship controversy.¹⁰⁰

Teaching over Zoom, which became standard during 2020 due to the Covid-19 pandemic, also presented the opportunity for a new type of harassment within the online classroom.

In August 2020, Hong Kong students in a chat group at a Melbourne university were warned by fellow students that a mainland classmate had harassed and intimidated a young female student, after he noticed a Hong Kong revolution flag in her bedroom during a class Zoom call.

Said Jonathan, a student, “[T]he mainland classmate started to private message and harass her. He said he was recording it and would put the video up on TikTok.”¹⁰¹

The student who was the alleged target of the harassment did not want to speak to Human Rights Watch directly due to security fears.

Only one of the 24 pro-democracy students interviewed by Human Rights Watch said that their university had discussed a point of contact or how these kinds of political pressures, threats, or acts of retaliation can be privately or anonymously reported. Every other student reported that their university had never raised this. A few students remarked that this was in sharp contrast to the policies on sexual harassment: Zhang Xiuying said, “I know you could report sexual harassment. But I didn’t know threats from Chinese students [could also be reported].”¹⁰²

¹⁰⁰ Eryk Bagshaw and Lisa Visentin, “Confidential review told UNSW to foster ‘constructive engagement’ with China,” *Sydney Morning Herald*, February 6, 2021, <https://www.smh.com.au/world/asia/confidential-review-told-unsw-to-foster-constructive-engagement-with-china-20210205-p56zyj.html> (accessed April 9, 2021).

¹⁰¹ Human Rights Watch interview with student Jonathan (pseudonym), September 22, 2020.

¹⁰² Human Rights Watch interview with student Zhang Xiuying (pseudonym), September 2, 2020.

Harassment and Intimidation of Academics

Pro-Chinese government students and social media users have also subjected academics to harassment, intimidation, online abuse, and doxing if perceived to be critical of the Chinese Communist Party or discuss sensitive issues such as Taiwan, Tibet, Hong Kong, or Xinjiang.

These incidents are not just political disagreements or heated exchanges in class. Academics have been subjected to doxing, the release of their personal information online, which is then amplified and shared, and the basis for targeted abuse. They have also been targeted with direct threats and complaints to employers about their suitability to hold their position and by bringing particular academics and their universities to the attention of the Chinese embassy or consulate.

In August 2020, a Taiwanese engineering student enrolled at a university in Melbourne joined his tutorial discussion over Zoom. The student was the only Taiwanese student in a class in which about 20 to 25 students were from mainland China. Studying remotely due to Covid-19, the Taiwanese student was discussing the class assignment, which involved walking around his neighborhood in Taipei. During this chat, the student mentioned Taiwan as a country. In response, a mainland classmate messaged the student, thinking it was private but sending it to the whole class, telling him that Taiwan was not a country and that he should not refer to it as such.

The class tutor told the mainland Chinese student that his language was inappropriate. Another tutor in the engineering course, after learning what happened, wrote a post to students in the division, cautioning of the need to tolerate and respect others. Human Rights Watch saw a copy of the post which included the following:

Dear Students,

I was appalled to hear about the behavior of one student today in this subject. This person publicly denied the existence of the country where another student in the class is from and currently lives. Here at

[university location withheld] we celebrate the diversity of international countries of origin that our students and staff are from.

This includes Australia, Taiwan (Republic of China) and China (People’s Republic of China) and many other national states. Please take this opportunity in a tutorial class to learn from each other and meet people from different backgrounds to grow and become a more mature and enlightened adult.

We all need to ensure that the learning environment is inclusive and welcoming to our diverse staff and student cohort.¹⁰³

Soon, the tutors began to receive emails from Chinese students angered by her message. News of what the tutor said began circulating on Chinese social media, where she was doxed with her name, email, and course information. One of the emails sent to the tutor, which the sender also copied to the university’s vice-chancellor said:

I’ve seen your email about Diversity through a very famous Chinese social media and now many Chinese students know what you publicly said. I think it’s really bad as now we Chinese had a bad impression to [University name withheld] because of YOU. I know everyone has his/her own political idea, but I don’t think you should express it by sending this kind of email to many students. I’m now seriously concerned about how this thing will go on, and I firmly ask you for public apologize. Otherwise, I think not only myself, but many Chinese will not recommend [University name withheld] as it does not respect Chinese.¹⁰⁴

The tutor was advised that her message to students had been spotted on WeChat by academic colleagues in China. Several students interviewed separately confirmed

¹⁰³ Post by tutor to student group, supplied to Human Rights Watch. On file with Human Rights Watch.

¹⁰⁴ Email supplied to Human Rights Watch. On file with Human Rights Watch.

they were aware of this incident through WeChat. Concerned for her safety, the university removed the original post and temporarily removed all the tutor's public details and contacts from their website.

The incident was reportedly dealt with quietly and Human Rights Watch is not aware of any wider policy changes or reviews in response.

Following the incident, the Taiwanese student decided he did not want to present his assignment to the class, telling the tutor he did not feel comfortable and that he was worried about "inflaming an argument."

Merely mentioning Taiwan as a separate political entity was identified by several academics as a cause of harassment and intimidation. "K," an academic who specializes in China and teaches Chinese students, said:

Whole areas are becoming off limits. I have a colleague who had students' complaining about content of classes, due to mentioning Taiwan. Another colleague had a guest lecturer who mentioned Taiwan. Even saying that Taiwan could be a political entity was enough for some Chinese students to lodge complaints against the lecturer for inviting the guest.¹⁰⁵

This academic explained that they and their colleagues worry about numerous student complaints because it can result in the tutor receiving low scores on their Subject Experience Survey (SES), an online feedback system in which students give feedback on their courses and teachers. Said "K": Because if those students will give you low SES scores and if you have a lot of low scores, those scores will be on your record and when it comes to your own promotion it has an impact."¹⁰⁶

Most academics interviewed said their university had no adequate response to this kind of harassment or any policy to deal with it. Instead of directly addressing the issues, with

¹⁰⁵ Human Rights Watch interview with academic "K" (pseudonym), December 9, 2020.

¹⁰⁶ Ibid.

universities proactively explaining the lines of acceptable behavior to students, these incidents tended to be quickly swept under the carpet with institutions simply muddling through until the next time. The systemic failure to respond at a policy level has a direct correlation to the self-censorship academics feel forced to practice that is discussed in Section III of this report.

Said “K”:

The universities are behind the curve on all of this. There is not a strategy for dealing with it. In internal meetings for the last few years, it’s been raised by more and more departments. More and more people are having these problems. At our uni there hasn’t so far been any strategy.¹⁰⁷

The online targeting and harassment of academics in Australian universities who have strong public opinions on issues deemed sensitive to the CCP has become common online in the last 10 years on Twitter. There is evidence that this online harassment then sometimes extends into academic’s daily lives. An academic became the subject of a targeted email harassment campaign beginning in 2018 after giving public interviews critical of the Chinese Communist Party. The academic said:

I haven’t shared this before, but since December 2018 I started getting harassing emails on an almost daily basis. They set up a fake Gmail account in a name of someone I knew. They said, “Oh, you’re coming to your end.” And then last year in December, whoever this person is actually set up an email in my name and sent a fake resignation letter to my entire school. I was at home having a BBQ and I got a phone call from the head of my department, who said they were sorry to hear me go. I didn’t bother going to police over threatening emails. When I went to them over the resignation email, which is fraudulent activity, the police seemed very uninterested. For a little while there I thought it might be one crazy guy, but the police did say that the sheer amount of emails sent seems to indicate that it’s not just some lonely crazy guy in his basement.¹⁰⁸

¹⁰⁷ Ibid.

¹⁰⁸ Name withheld to protect identity.

Students and academics told Human Rights Watch that classroom disturbances and arguments when controversial issues relating to China were discussed were not unusual.

“R,” an academic who specializes in China and teaches Chinese students, told Human Rights Watch:

We have had attempts to shout down students. Chinese PRC students shouting down Hong Kong students in class, talking about the Hong Kong independence movement. I told them it was inappropriate. You have to be a really good negotiator to stop problems popping up.¹⁰⁹

In January 2021, the Chinese language pro-CCP online media outlet *Today Melbourne* featured the case of two Chinese students at Monash University who complained after two articles assigned by their tutor for their Data in Society class referenced oppressive digital surveillance of Muslim citizens in China’s Xinjiang region.¹¹⁰ The articles were from the acclaimed academic journal *Nature*, one entitled “Crack down on genomic surveillance,”¹¹¹ and the other “The ethical questions that haunt facial-recognition research.”¹¹²

“The articles slander the Chinese government, spread rumors, sow discontent between ethnicities, and have a strong anti-China sentiment,” the Monash students told the online website.¹¹³

The students said that 95 percent of the students enrolled in the summer semester class were PRC students and that by selecting these articles as recommended readings, they believed that the tutor was “seriously disrespecting the students.”

¹⁰⁹ Human Rights Watch interview with academic “R” (pseudonym), December 4, 2020.

¹¹⁰ “Slandering the Chinese Government and disrespecting us,” *Melbourne Today*, January 14, 2021, <https://mel.jinriaozhou.com/content-1021396683567017?lang=zh-CN> (accessed April 5, 2021).

¹¹¹ Yves Moreau, “Crack down on genomic surveillance,” *Nature*, December 3, 2019, <https://www.nature.com/articles/d41586-019-03687-x> (accessed May 15, 2021).

¹¹² Richard Van Noorden, “The ethical questions that haunt facial-recognition research,” *Nature*, November 18, 2020, <https://www.nature.com/articles/d41586-020-03187-3> (accessed May 15, 2021).

¹¹³ “Slandering the Chinese Government and disrespecting us,” *Melbourne Today*.

Today Melbourne wrote that some of the Chinese students had already contacted the Chinese embassy and “the school management and demanded the retraction of the readings.”¹¹⁴ The website published the email that had purportedly been sent by the Monash University tutor to the students who complained and Human Rights Watch has verified its authenticity:

Hi all,

I’m sorry you have found the content of some of the articles so distressing. The idea behind critical thinking is as you say—to identify and evaluate arguments made by others. Sometimes these arguments will be flawed. It is your job to identify these flaws and point them out by drawing on evidence (including anecdotal evidence).

Unfortunately, we all know there is a lot of misinformation out in the world, part of this assignment is about you being able to identify misinformation and respond in a constructive way. If you feel there are errors of fact in the article you were assigned, please feel free to say so in your assignment and explain how you know they are incorrect.

The nature of ethics is intrinsically political, so most of what is taught in this unit can be explored from a political perspective. The unit takes a socio-political perspective and draws on concepts from a range of fields including philosophy and sociology (both quite political). I hope you understand then that political content is unavoidable.

Human Rights Watch wrote to Monash University inquiring about this incident.¹¹⁵ The university responded, confirming what had happened and saying that its response upheld “academic freedom and freedom of speech.”¹¹⁶

¹¹⁴ Ibid.

¹¹⁵ Letter on file with Human Rights Watch.

¹¹⁶ Monash University’s full response can be found on Human Rights Watch’s website.

However, it is concerning that the academic at Monash tried to appease the students by apologizing, writing “Sincerest apologies again for any distress caused and thank you for letting us know” and telling the students they were “welcome” to choose to study a different article for their assignment.¹¹⁷

Teaching staff reported that Chinese students often retort that as full fee-paying students, the universities are lucky to have them; therefore, their views and opinions should be respected and not challenged, a position incompatible with academic freedom.

Academics interviewed believed these students are often not directed or led by any external force, but rather have their own personal motivation of loyalty to the state when they believe there has been an affront to China and they feel compelled to defend their country. “R” told Human Rights Watch:

These incidents in the classroom, a lot of that has got to do with this patriotic education making them hypersensitive. It’s not like they are being told to act [like this], they react emotionally on the spur of the moment. That element has been a bit overlooked. In many cases its totally unnecessary for the consulate to tell them what to do.¹¹⁸

There also appears to be state-backed harassment aimed at intimidating academics working on sensitive topics in China.

In late 2017, three Australian academics received funding from the Australian Research Council to work on a project regarding Tibet in conjunction with a colleague at a Chinese university. In February 2018, one of their China-based research partners was warned that the project was being monitored by the Public Security Bureau, China’s police, and that they should distance themselves from the work.¹¹⁹

In June 2018, the research office of the Australian university where the lead investigator worked, received a call from a woman claiming to be from the Chinese embassy in

¹¹⁷ Email verified and on file with Human Rights Watch.

¹¹⁸ Human Rights Watch interview with academic “R” (pseudonym), December 4, 2020.

¹¹⁹ Name of interviewee withheld to protect identity.

Canberra. She asked about the Tibet research and the lead academic named on the project, before warning the university “not to proceed with the project.” The caller specifically asked the university to “look after our relations with China” and said that “this project was not in favor of keeping good relations.” The woman hung up quickly and when the research officer tried to call the number back (listed as a Queensland number) it did not connect.¹²⁰

Following this pressure, the institution pledged its full support for the academics involved and the continuation of the research project. However, several months later, Chinese authorities denied two of the Australian researchers on the project a visa.

Monitoring and Surveillance of Students and Academics in Australia

Several pro-democracy students described how Chinese officials or their proxies had evidently monitored them in Australia and then questioned their family members back home about their activities. In some cases, family members were used to pass on warnings to students in Australia to change their behavior. In other cases, the threats and fear of being “reported on” by fellow students to the local consulate or embassy and the impact this could have on their loved ones still in China led to stress, anxiety and modified behavior. Some of these concerns about surveillance started before students even left for Australia.

Julie, who came to study in Australia, explained how her university in China warned her to stay away from political events and made it clear that authorities back home had her contact details. She said:

I, along with all the exchange students, were organized and taught to “hold position firmly” and stay away from any political event during our study by the International Cooperation and Exchange Office of my university. As I know, they shared my personal information, including my Australian phone number, with [Chinese] police.¹²¹

¹²⁰ Name of interviewee withheld to protect identity.

¹²¹ Human Rights Watch interview with student Julie (pseudonym), September 25, 2020.

Migration agents specializing in education help China-based students apply to universities in Australia. Students pay for the service and agents can also work on behalf of universities to market and promote their courses.

Zhang Min, a student, explained that the agent in China who organized her study in Australia created a WeChat group with other PRC students studying at the same university, which made her worry that the chats could be accessed by Chinese government officials. Zhang Min said:

These agents will create a WeChat group already for those students that are going to Australia, so even before they come, they know each other. It's an online community. To go to a certain uni to do a certain course. So, I think the embassy, or the Chinese official organizations talk to each other. And apparently, they maintain good relationships so it's really easy for just some random guy to have access to the Chinese students WeChat groups. So, I would be worried that they would report me to the embassy. So, I don't feel I can think freely or express my views in class.¹²²

Some mainland Chinese students experienced surveillance while in Australia.

In 2019, Li Wei, a student from mainland China, arrived in Australia to study. He opened a Twitter account under a fake name posting views critical of the CCP, garnering several thousand followers. He said:

I started the account because I was in Australia. I thought it was safe here. I thought they wouldn't be able to trace it back to me. In March 2020 the local police department contacted my parents and asked my parents to come to the police station and issued an official warning and they told me to "shut the fuck up" and that I will pay a very heavy price if I come back home. They said I must shut down my Twitter, stop spreading antigovernment messages and if I don't cooperate, they may charge me with a crime if I ever come back home. They said I would face a minimum

¹²² Human Rights Watch interview with student Zhang Min (pseudonym), September 27, 2020.

three years. They didn't call me. Just contacted my parents. So far, it's ok. I deleted the Twitter account. Because I'm worried about my parents.¹²³

Twitter told Human Rights Watch that they have “not disclosed any account information of any user in response to a legal demand from Chinese authorities, nor removed content on the basis of a legal demand from Chinese authorities.”¹²⁴

Li Wei believes Chinese authorities were able to trace him because the recovery email account linked to his Twitter used his real name. He described why he wanted to speak out after coming to study in Australia:

In our department there are a lot of students who share the same opinion as me, but they are too afraid to speak out, they are afraid of retaliation. If you protest against CCP abroad, they will find people you love to make you pay. Even if you are in Australia, they will hurt someone you care about it.... My parents stand 100 percent with me. The only reason I am pro-democracy is because my parents are pro-democracy. My dad graduated from uni in 1988 but in 1989 he was at the protest in Tiananmen.¹²⁵

Fears of jail for social media use have increased recently, in an escalation of Communist Party assault on the use of foreign social media. Chinese authorities have sentenced more than 50 people to prison in the past three years for using Twitter and other foreign platforms—all blocked in China—allegedly to disrupt public order and attack Party rule.¹²⁶

In January 2020, in a case that attracted significant attention among Chinese students studying abroad, a Chinese student who had been studying at the University of Minnesota was arrested in China and sentenced to six months in prison for tweets he posted while studying in the US. The court document says that “in September and October 2018, while

¹²³ Human Rights Watch interview with student Li Wei (pseudonym), September 3, 2020.

¹²⁴ Letter from Twitter on file with Human Rights Watch.

¹²⁵ Ibid.

¹²⁶ Chun Han Wong, “China Is Now Sending Twitter Users to Prison for Posts Most Chinese Can't See,” *Wall Street Journal*, January 29, 2021, <https://www.wsj.com/articles/china-is-now-sending-twitter-users-to-prison-for-posts-most-chinese-cant-see-11611932917> (accessed April 6, 2021).

he was studying at the University of Minnesota, Luo used his Twitter account to post more than 40 comments denigrating a national leader's image and indecent pictures,” which “created a negative social impact.”¹²⁷

Jimmy, a Hong Kong student studying in Victoria, described how Hong Kong police questioned him about his activities in Australia when returning home to Hong Kong several times in 2019.

There were police who stopped me and searched me and asked me a lot of questions about “why you came back?” “Did you do anything about supporting the movement in Australia?” They asked me this at the airport. I told them I’m back for a holiday, I tried to avoid this topic. But the second or third time it happened, I was honest and said, “Yes, I support the movement in Australia, what are you going to do, arrest me?” They then said bad language and asked, “Were you paid from America and the Australian government?” But now the National Security Law was passed in July and so if I went back to Hong Kong now and told them this now, they definitely would fuck me up. That why I can’t go back now, because I told them this.¹²⁸

Jimmy was applying for asylum in Australia at time of writing.¹²⁹

A mainland student, Wang Li, said Chinese authorities questioned him after he returned home in 2020:

¹²⁷ Bethany Allen-Ebrahimian, “University of Minnesota student jailed in China over tweets,” *AXIOS*, January 23, 2020, <https://www.axios.com/china-arrests-university-minnesota-twitter-e495cf47-d895-4014-9ac8-8dc76aa6004d.html> (accessed April 6, 2021).

¹²⁸ Human Rights Watch interview with student Jimmy (pseudonym), October 23, 2020.

¹²⁹ At the time of writing, so far in 2021, 450 PRC citizens have applied for asylum in Australia. The number of asylum claims from PRC citizens has fluctuated in recent years with 3,300 claims filed in Australia in 2019-2020 4,800 claims filed in 2018-2019 and 9,300 filed in 2017-2018. Of those 17,000 claims, only 260 so far have been granted asylum. The number of asylum claims from Hong Kongers has increased in the past year with 145 people with Hong Kong passports applying for asylum, up from 62 applications the prior year. It is unclear how many of these asylum applications are individuals in Australia on student visas.

I have been asked by the office of Ministry of State Security. They asked me all the details in Australia. They asked me to tell some names of people I know; did I notice any differences in Australia. Since I didn't want to tell them anything, they intimidated me to detain me for a long time, if I don't cooperate with them. The conversation lasted for two hours.¹³⁰

Adam, a student from the Muslim Uyghur minority in northwest China was studying in Australia when he returned home briefly. While in China, state security officers summoned him for questioning.

Adam said:

They were trying to get information about the Uyghur community in Australia. They gave me a list. They were trying to convince me to spy for them. They said they would pay for my Australian studies if I spied. They said I only have to go to the events; I just have to take videos of who joined the events. Adelaide and Melbourne Uyghur events. Visit the families and provide their addresses, car registration, what kind of car they drive and what kind of job they do. It would be in my best interest, they said. It would cover my school and it would be good for my family back home, which is really like a threat.

The officials summoned the student three or four times over several months, reiterating their demands. Due to return to Australia soon to finish his studies, Adam was terrified and unsure what to do. He decided to move from where he had been living in Australia and relocate to a different state where there was not a large local Uyghur community.

I felt that if I stayed in that city they would keep pushing me to send them info and threaten me. So, I applied to transfer my university education. I told them I'm moving to [location withheld]. And they said can you do the same thing in [location withheld] but I said there's no Uyghurs there.

¹³⁰ Human Rights Watch interview with student Wang Li (pseudonym), September 3, 2020.

Upon returning to Australia and even after his move to a different state, Chinese authorities continued to harass and monitor Adam. “They added my WeChat. And they kept trying to contact me and saying, ‘Hi.’ They kept saying, ‘Hey, how’s your life?’”

As the situation worsened in Xinjiang, some of Adam’s relatives disappeared into camps and the local police in his hometown advised his parents not to talk to him. In 2019, as pro-Hong Kong democracy demonstrations broke out, Adam attended one of the protests at his Australian university. He believes someone circulated his image at the demonstration back home because not long after he attended the rally, local police in Xinjiang contacted him. He said:

After I joined the demonstration, police asked my mum to go to the local station. It happened a few times. Most of the time there was a police officer next to my mum and she would say I should be very grateful to the Party and without the Party you couldn’t go and study overseas. I knew she had to say what they wanted. There was even once my mum, when she was at the police station, she said send my passport details and my residential address and my student ID. I told my mum I can’t... I said, “Oh it’s against the Australian law.” I made this up. And she asked again, and I said, “Oh, get the police station to write a letter and ask.” And then all of a sudden, a police officer took the phone away from my mum and was speaking in fluent Uyghur to me. The officer said, “Don’t talk bullshit, just send it.” The officer said, “Aren’t you worried about your family here?” I said, “Of course, I am very worried about them.”¹³¹

On another occasion, Adam received a voice message from his mother referring to his presence at the Australian protests that he had not discussed with her.

My mum called and said I was on the wrong side and that I should be on the Chinese side and that I should try and avoid protests like that. She said, “Oh, just don’t go to uni.” I said, “Oh, I was on the other side, the

¹³¹ Human Rights Watch interview with student Adam (pseudonym), September 28, 2020.

cameraman just made it look like I was on the wrong side.” I said, “Don’t worry, I will do the right thing.”¹³²

Scared and worried about these contacts, Adam tried to call the Australian Federal Police, but he says they were dismissive of his complaint.

I thought they might have some kind of department or service that could help me. But when I called them, they said so what, that was their attitude. They were pretty careless; I don't remember exact words but mainly what they said was, “So what if they’re asking your details? If you’re concerned, just don't tell them.” And when I told him they have my mum sitting next to them and they’re threatening me, he said he can't do anything about it.¹³³

Adam said that he decided not to report any of this to his university, saying that he did not think they “would care or help him”:

I never said anything. There is always the fear that everyone is after money not their conscience. Especially universities they get hundreds of millions from Chinese students. I usually follow the news and all the news made me feel I shouldn’t talk too much about anything. There was not anyone I could trust, no lecturer or tutor.... Everyone is busy with their life, with their teachings, with their studies. I have Australian friends, they don’t believe it. They say, “Are you making this up?” Since I came here until now, I just feel like I don’t belong to anywhere. It feels better not to talk about this. It just stresses me out.¹³⁴

The student discussed the psychological toll this stress took on him and how lonely he felt in Australia, not knowing who to turn to about this harassment.

I started smoking, I was stressed, I was drinking, I didn’t want to go to uni. I didn’t want to talk to anymore. I stopped talking to my friends. I just

¹³² Ibid.

¹³³ Human Rights Watch interview with student Adam (pseudonym), September 28, 2020.

¹³⁴ Ibid.

became so alone. I just feel like I'm living in a parallel world, but no one understands me or my experience. There was one time I failed three courses in one semester because of what happened and wanted to defer my study, but at the same time I wanted to really finish.¹³⁵

Academics also confirmed pro-democracy students from China are fearful of surveillance. An academic, "N," explained how in 2017 a mainland Chinese student gave a presentation in his class on Tibet. Chinese officials later raised it with the student's parents in China. "N" said:

One of the students discussed self-immolation in Tibet. Later she came to speak with me during office hours. She said her parents' "superiors" had been notified through one of their workplaces specifically about her Tibet presentation. There's no other way for her parents to have learned about that other than a reporting mechanism. I told her that if she had any indications of how this had happened, she should let me know. But she didn't. I would have liked to get to the bottom of how this happened but in a class of 80 or 90 students, it's hopeless.¹³⁶

"N" said they did not take the matter further:

I did not raise it with the uni. If the same thing happened now, I would raise it. My impression of administrative matters at the university was that even if I spoke to someone above me about it, they wouldn't know any more about it than I did, and it would just be brushed aside. Sometimes I regret not talking to the class about it. I didn't want to draw any more attention to it.¹³⁷

One academic who has published work on the Chinese Communist Party believes Chinese authorities targeted his computer. Despite raising these concerns with his university, he did not receive firm help or advice. "R" said:

¹³⁵ Ibid.

¹³⁶ Human Rights Watch interview with academic 'N' (pseudonym), November 10, 2020.

¹³⁷ Human Rights Watch interview with academic 'N' (pseudonym), November 10, 2020.

I keep getting malware in my computer which the uni doesn't take seriously and so I have to pay for my own anti-malware program. They don't take it seriously enough, that's what pisses me off.¹³⁸

Academics expressed concerns around students monitoring and recording anything sensitive they might say in class, fear of complaints to their university, or being doxed online. Advances in technology and camera phones make recording by students easier. "D," an academic who specializes in China and teaches Chinese students, said:

If a student takes out an iPhone and hits record and suddenly, I'm in trouble. I do think about these things now. You could say no recording devices or no phones in classrooms but that's impossible to police.¹³⁹

An academic who hosted a class discussion about Xinjiang, was later approached by several mainland students who wanted to voice their concern at the discussion. The academic organized a Zoom call with them all, which he cited as a good opportunity to chat the issues through. What worried the academic was how one student declined to turn her camera on. As "T" said, "And I felt very uncomfortable at this, thinking is she recording this? Who knows if that is now circulating on a Chinese website?"¹⁴⁰

¹³⁸ Human Rights Watch interview with academic 'R' (pseudonym), December 4, 2020.

¹³⁹ Human Rights Watch interview with academic 'D' (pseudonym), November 6, 2020.

¹⁴⁰ Human Rights Watch interview with academic 'T' (pseudonym), November 12, 2020.

III. Censorship and Self-Censorship

There should be some kind of rules applied to those who want to silence others. It should not be tolerated. It should be part of the policy. They don't understand the fear we have.

—Lei Chen, student from mainland China, September 2020¹⁴¹

While direct threats and acts of intimidation against Chinese-speaking students and China-focused academics in Australia are relatively rare, self-censorship is common and openly acknowledged by many in private settings. To avoid threats, harassment, and targeted surveillance, both students and academics say they avoid politically sensitive topics.

Consistent self-censorship is a severe threat to academic freedom in Australia. The majority of pro-democracy Chinese and Hong Kong students we interviewed reported self-censoring while studying in Australia. With academics, more than half interviewed reported practicing regular self-censorship when talking about China. Instances of censorship imposed by Australian university administrators on staff also occurred but were less frequent with academics reporting examples of being asked not to discuss China publicly, discouraged from holding public China-related events or speaking to the media about sensitive China issues.

Censorship and Self-Censorship of Students

The pro-democracy students interviewed who said they practice regular self-censorship explained that they did not openly discuss political views at their university in Australia due to fears of being “reported on” to Chinese authorities by PRC classmates. Students interviewed said they were often in classes where more than half of their classmates were from mainland China and this was the main reason for self-censoring. Most students interviewed said they never dared speak about politics in class or give their personal opinion on anything to do with China. As mainland student Zhang Min explained:

¹⁴¹ Human Rights Watch interview with student Lei Chen (pseudonym), September 25, 2020.

We can't speak freely or express myself even though I'm here in Australia, a democracy. If you say something wrong you get cyberbullied online, so it has a chilling effect on me. I would be worried they would report me to the embassy. I have been trying to not know too many Chinese students so I can have a little space for myself to speak up.¹⁴²

Being reported to the embassy is used as an open threat, said Lim, a mainland student:

Last time I was in a tutorial. These students started to talk among themselves, one of them proposed to report me to the embassy. I generally keep a low profile. I don't want to argue with these Chinese students, I don't like how awkward these tutorials became.¹⁴³

Student Zhang Xiuying said:

When you are in an environment when many of your classmates from your ethnic community vocally express just one single voice, you get scared of speaking another voice. I want to be in a class with no other Chinese students so I can say what I think. If you are sitting with local students, people are open to share their ideas. It's easy to learn. If I found there is a Chinese student that I don't know I will be less critical. I would go out of my way to say something balanced. Some of my Chinese friends could complain or could report me. I need to be careful.¹⁴⁴

Students sometimes confided in their tutors the difficult position they found themselves in and how political concerns and monitoring fears hampered their ability to study. "E," an academic, said:

I had another student, and he was writing on Chinese economic policies. And he said I can't write anything critical about the Chinese policy because

¹⁴² Human Rights Watch interview with student Zhang Min (pseudonym), September 27, 2020.

¹⁴³ Human Rights Watch interview with student Lim (pseudonym), September 29, 2020.

¹⁴⁴ Human Rights Watch interview with student Zhang Xiuying (pseudonym), September 2, 2020.

I'm a Communist Party member. I said you can't do well then, because you have to be critical in an academic essay and give both sides. That's what it's all about.¹⁴⁵

“E” explained that the student did not criticize the policies in his work and therefore she did not mark him well on the assignment, explaining that she thought that was “his choice to do so.”

Students from China explained that they often feel like they do not have a choice and are forced to take the “safest” route in their academic study.

Jane, a student from Hong Kong, did not study anything overtly political so avoided sensitive discussions in class, but her classmates were watching her social media posts:

Some mainlanders said, “We saw what you posted, and we will report you on WeChat.” I immediately took everything down because I was worried about my family. I felt like I shouldn't put my parents and brother in Hong Kong in danger. Every time I'm around mainlanders I'm really careful with what I say.¹⁴⁶

Pro-democracy students interviewed explained that their self-censorship was not only at university or in class, but that it effected every aspect of their life in Australia, outside university and online. Mainland student Lei Chen said:

I believe that if you really say something, they will denounce or report you. I have to censor myself. This is the reality, I come to Australia and still I'm not free. This really bothers me actually. I still feel scared about expressing political opinion in public. I never talk about politics here. I choose not to.¹⁴⁷

¹⁴⁵ Human Rights Watch interview with academic ‘E’ (pseudonym), December 16, 2020.

¹⁴⁶ Human Rights Watch interview with student Jane (pseudonym), December 13, 2020.

¹⁴⁷ Human Rights Watch interview with student Lei Chen (pseudonym), September 25, 2020.

Fear of family in China or Hong Kong facing reprimands was the biggest concern for many students interviewed. Zhang Min explained:

You would be worried that they would post stuff on Chinese social media about what I said, and I would get cyberbullied on social media and this could bring trouble to my family in China. We have heard stories about people overseas saying something and the police went to their parents' house.¹⁴⁸

It was not just mainland Chinese or Hong Kongers who expressed fears to teaching staff. In the wake of protests in August 2020 in Inner Mongolia after education authorities decided to replace Mongolian with Mandarin Chinese in a number of classes, “E,” the academic, reported similar concern after worried Mongolian students came to see her:

These ethnic Mongolian students came to me in a very distressed state, asking for a meeting about what they could do about the language protests. They said, we are worried to put our names on anything though, in case it is traced back to us, we still have family in Inner Mongolia.¹⁴⁹

Zhang Min, a pro-democracy student from mainland China, said that her self-censorship inhibited her study to such an extent that she decided to change university courses:

It definitely hinders your study. When I first came, I did a course that was about communications and it placed a lot of importance on class discussions. I didn't feel like I could freely speak anything. So, this is one of the reasons I switched to a more technical course.¹⁵⁰

Several students highlighted their disappointment at Australian universities for failing to recognize this dilemma of self-censorship and how difficult it could be for mainland Chinese and Hong Kong students to freely express their views and opinions.

¹⁴⁸ Human Rights Watch interview with student Zhang Min (pseudonym), September 27, 2020.

¹⁴⁹ Human Rights Watch interview with academic ‘E’ (pseudonym), December 16, 2020.

¹⁵⁰ Ibid.

When asked if their university had ever discussed direct and indirect censorship pressures on Chinese-speaking students, only one of the pro-democracy students interviewed said it had been. No student interviewed said that their university had published a policy that classroom discussions are meant to stay on campus, and never to be reported to foreign missions. Only one student interviewed said that a tutor had warned that class discussions should not be reported to an embassy or consulate. Few universities seemed to offer alternatives, such as producing work or participating in discussions in an anonymized way.

Academics described the impact of self-censorship on their students and general class discussion. “T” said:

I had a student from Taiwan. She came up after [class], she was so excited about our discussion on Hong Kong. She was asking me, “What do you think will happen in Taiwan?” I said, “Why didn’t you speak up in class? I was really hoping you would!” And she said, “I don’t know what my future holds. I might have to work on the mainland. I can’t afford to be reported on.”¹⁵¹

“L” said that self-censorship had got worse in the last few years:

Students have been concerned that their work might be read by government officials or that it might be passed on to other people who are not trusted, and the government could see their opinion. That concern came up a number of times. There is the fear they will be monitored in some way. It effects how they contribute and what they say in class or assessments.¹⁵²

“C” described how his mainland Chinese students sometimes took different public positions due to self-censorship and fear of being reported. He said: “In front of other PRC

¹⁵¹ Human Rights Watch interview with academic ‘T’ (pseudonym), November 12, 2020.

¹⁵² Human Rights Watch interview with academic ‘L’ (pseudonym), December 16, 2020.

students, they were really toeing the party line in a really obvious way but then in their own writing they were really critical. It was self-censorship.”¹⁵³

One academic, but not their university generally, had adopted the policy of allowing Chinese mainland and Hong Kong students to use pseudonyms for their assignments, in order for their work on China to be freely circulated and published externally. Said “K”:

We sometimes have to hold back student pieces or warn tutors not to discuss student’s work if the topics they are addressing are quite sensitive because then other students would know their identity. Other students might feel that the work being done is too edgy or too controversial. It might be fine, but there is always the fear that perhaps someone might report on you.¹⁵⁴

This academic, who has published work critical of the Chinese government, also had students express concern about taking their class: “I’ve had students who were anxious about being in my class because they thought the authorities might find a link between me and them and might regard them as suspicious just because of being in my class.”¹⁵⁵

The Covid-19 pandemic posed new self-censorship challenges for some students who had to continue their studies online. Academic “C” noted a difference in a student’s work once they were studying remotely in mainland China, compared to in Australia:

On campus and in class the student was quite critical of the political situation in China and quite outspoken and independent minded. And then the student returned to China and the last paper was straight up party line, exactly what the party would have written for a diplomat. It was night and day.¹⁵⁶

¹⁵³ Human Rights Watch interview with academic ‘C’ (pseudonym), December 16, 2020.

¹⁵⁴ Human Rights Watch interview with academic ‘K’ (pseudonym), December 9, 2020.

¹⁵⁵ Ibid.

¹⁵⁶ Human Rights Watch interview with academic ‘C’ (pseudonym), December 16, 2020.

While some universities hired security guards and permitted “Lennon Wall” displays in support of Hong Kong, others actively discouraged this and censored their students’ desire to politically express themselves. Several students highlighted their deep disappointment at the university’s handling of these protests. As Hong Kong student Lester said:

At the end, the Lennon Wall was pulled down after two days. Our uni had played an active role in censorship on campus. Instead of maintaining a safe space for free thought, they restricted our right to discuss and publicly talk about the Extradition Law.¹⁵⁷

Censorship and Self-Censorship of Academics

For nearly all the academics interviewed, how to discuss China had become a major issue in their professional lives. More than half admitted self-censoring frequently over the past decade. This was mainly due to fears of Chinese students recording and reporting on some topics and the worry that their university might not “have their back” if that happened.

Others reported fears about visa rejections to enter China and fears for Chinese colleagues that they had previously or continued to work with. Academics who still had family in China spoke about their fears they held for their relatives’ safety. Many academics highlighted their university’s failure to recognize this self-censorship or develop an official policy to address it and support staff.

An academic who taught mostly Chinese mainland students said that in the past decade they had stopped talking about China with their students: “You learn not to speak certain things and not to touch certain topics. I gradually stopped even mentioning China. You know you would inadvertently make ‘mistakes.’”¹⁵⁸

This academic said they feared their university would side with the students rather than them if they complained, due to the university’s overreliance on full fee-paying students from China: “I knew that if there was any dispute between myself and my students, I knew I wouldn’t be protected by the school management.”

¹⁵⁷ Human Rights Watch interview with student Lester (pseudonym), December 9, 2020.

¹⁵⁸ Human Rights Watch interview with academic ‘Q’ (pseudonym), September 23, 2020.

Another academic, “K,” discussed the difficult position academics face, often without any support or advice from their university:

My initial instinct is to try and protect them [students] but that leads to a curtailing of classroom discussion. In order to protect them we can’t talk about it. I used to use Chinese examples, but I use them less and less. I use non-political ones just to avoid this. This is a problem which we are going to see more and more across the university in different fields and subjects. I don’t remember hearing or reading anything from the uni [about this]. They make it very clear you have to look after yourself.¹⁵⁹

One academic said talking about China in class required thought and self-examination.

Those of us deeply involved in China have seen this creeping self-censorship emerge over time. I walk a fine line in class when I talk about China, you can’t avoid it. You have to choose your words very carefully. I look at my university and see the place is absolutely hooked on Chinese foreign student money.¹⁶⁰

“J,” an academic who regularly taught classes with more than 70 percent Chinese mainland students, said that in 2014 she had put leaflets about Hong Kong’s Umbrella Movement on her door despite being warned by her school that it “was best not to display” them. When Hong Kong’s extradition law passed in 2019, “J” decided not to put them up. “I have been self-censoring,” she said. She added:

In 2014, during the Umbrella Movement, I was wearing a yellow ribbon and sometimes students were asking me about it, and I was quite open about it and telling them what was happening. But I haven’t really talked about any of these [recent] protests ... this time around. I do not want to risk being reprimanded [by university management].¹⁶¹

¹⁵⁹ Human Rights Watch interview with academic ‘K’ (pseudonym), December 9, 2020.

¹⁶⁰ Human Rights Watch interview with academic ‘T’ (pseudonym), November 12, 2020.

¹⁶¹ Human Rights Watch interview with academic ‘J’ (pseudonym), September 29, 2020.

“J” says she no longer refers to any example or practice in China that could be perceived as negative, despite this being a common occurrence during her teaching in previous years:

I am more concerned about how a portion of students from China, and they might see this [criticizing the Chinese Communist Party] as a criticism of them and take it personally. So subconsciously I have been censoring my own freedom of speech because of my concern of what could be taken as a threat to the Chinese student and the fear they will report me. How come in Australia I still have to be worried about what I talk about?¹⁶²

She added she was concerned for family in mainland China: “I have heard from Hong Kong students about the doxing, threatening families. I fear something similar could happen to me. I’m risk adverse, with those threats at the back of my mind.”¹⁶³

When asked what had changed, nearly all academics interviewed pointed to the growing internal repression since Chinese President Xi Jinping came into power in 2012, and a related marked increase in the level of nationalism among students.

“S,” who taught mainland Chinese students in Australia for more than 30 years, said she noticed student essays slowly changing over the past decade:

I started to find more students writing essays following a kind of pattern, not saying anything negative about China’s development. I just find that students were very reluctant to write essays that are critical about China, even just slightly critical. And it’s very interesting that before 2010 they were much more open.¹⁶⁴

Several academics pinpointed the now-regular university practice of recording and uploading most lectures and tutorials as one reason for their growing self-censorship. As

¹⁶² Ibid.

¹⁶³ Ibid.

¹⁶⁴ Human Rights Watch interview with academic ‘S’ (pseudonym September 25, 2020).

“J” explained: “Everything is now recorded as well. The recording adds to the self-censorship because you don’t know who will get it.”¹⁶⁵

They also raised the issue of increased self-censorship around holding any event to do with China. “K” said: “When Chinese Nobel Laureate Liu Xiaobo died, our university hosted an event about his legacy and his importance, but they did not publicize it—it was a closed talk to only invited people.”¹⁶⁶

Securing access into China for research was highlighted by several academics as another reason for self-censoring. As “T” explained:

I’m worried about not getting visas in the future. A problem with China hands is that as soon as you’ve invested 10-15 years in a country, logically you shouldn’t do anything that imperils your access. In a sense we are no different to the Chinese students.¹⁶⁷

Others highlighted fears for Chinese colleagues as a reason for their self-censorship. “W” said: “To me it wasn’t so much about continued access but trying to imagine the consequences of my work for people I worked with in China. A lot of scholars I know who engage in self-censorship do so in order to protect people.”¹⁶⁸

Some academics spoke about having to accept the likelihood of restrictions on access to China in order to speak freely. “D” said: “I censor less now than I did before. And that is because I’ve given up on having access to China and if you make your peace with that, you’re in a position to speak out. I feel much freer in speaking.”¹⁶⁹

Academics who work on China said that university schools and departments failed to recognize this stress and the difficult choices they face. “D” said:

¹⁶⁵ Human Rights Watch interview with academic ‘J’ (pseudonym), September 29, 2020.

¹⁶⁶ Human Rights Watch interview with academic ‘K’ (pseudonym), December 9, 2020.

¹⁶⁷ Human Rights Watch interview with academic ‘T’ (pseudonym), November 12, 2020.

¹⁶⁸ Human Rights Watch interview with academic ‘W’ (pseudonym), January 5, 2021.

¹⁶⁹ Human Rights Watch interview with academic ‘D’ (pseudonym), November 6, 2020.

I've dedicated my life to China and spent so many years there and to say, hey I won't go back is such a sad thing, but I made that decision for my personal safety not to go back. And for someone who's born there that's a difficult category of trauma. It's heartbreaking.¹⁷⁰

“P” explained how his university had quickly dismissed his concerns regarding associations and contacts his institution had with entities linked to the CCP:

I was saying, “We need to be cautious, this is a party system” and people were treating me like I was a crazy, lunatic academic. Being pegged in that way was very distressing. If I said, “Oh, this is an authoritarian state,” people were shocked and offended.¹⁷¹

When Xi Jinping visited Australia in 2014, “P” was prevented by his university from hosting a public discussion around China under Xi: “I got called into an ambush meeting, the dean wanted to talk to me. They were not going to let me have the event. They thought the event was a threat to the university.”¹⁷²

As the visit went ahead, “P” believes the university decided not to allow him to give any public commentary: “I began to get media requests. I had to direct them to the office of the provost. All were rejected or ignored. That was really distressing and upsetting.”¹⁷³

Since then, “P” has taken a step back from engaging with his university on China. “I checked out in terms of engaging with China and the university in 2015. It was too stressful.”¹⁷⁴

¹⁷⁰ Human Rights Watch interview with academic ‘D’ (pseudonym), November 6, 2020.

¹⁷¹ Human Rights Watch interview with academic ‘P’ (pseudonym), December 2, 2020.

¹⁷² Ibid.

¹⁷³ Ibid.

¹⁷⁴ Human Rights Watch interview with academic ‘P’ (pseudonym), December 2, 2020.

Academics also raised censorship around research areas. “F” explained what he viewed as censorship when he was a first-year doctoral student trying to determine the topic of his China-focused PhD:

In my first month as a PhD student in 2016, I remember I wanted to do a particular topic about China’s leadership. My supervisor made it clear to me they wouldn’t let me do this. I was explicitly told, “Don’t study elite-level Chinese politics: you won’t finish your PhD, people won’t talk to you. You won’t be pulled into other projects if you are seen to be controversial.”¹⁷⁵

Academics raised concerns that close partnerships between Australian universities and Chinese state institutions and companies contributed to a stifling of debate.

At the beginning of 2019, UNSW had two academic research grants with Chinese tech company Huawei as a partner, totalling about AU\$1 million. UNSW also purchased research data services from Huawei in 2019, for less than AU\$500,000, but ended that arrangement later that year.¹⁷⁶ In July that year, the *ABC* revealed that the University of Technology Sydney (UTS) was conducting an internal review into its AU\$10 million (US\$7.6 million) partnership with China Electronics Technology Group (CETC), a Chinese state-owned military tech company that developed an app that Chinese officials use to track and detain Uyghur citizens in Xinjiang.¹⁷⁷ Curtin University in Perth also announced it was reviewing its research approval procedures after the *ABC* reported that an associate professor at the university had been involved in Chinese state-funded research developing methods to better identify ethnic minorities in China using artificial intelligence.¹⁷⁸

James Jing, an academic at Curtin University in Perth, told the *ABC* in 2019 that he believed the university regarded his PhD proposal on censorship and the Chinese social media

¹⁷⁵ Human Rights Watch interview with academic ‘F’ (pseudonym), December 17, 2020.

¹⁷⁶ Email statement from the University of New South Wales received June 28, 2021, on file with Human Rights Watch.

¹⁷⁷ Sophie McNeill et al., “UTS, Curtin unis announce reviews over links to surveillance tech used by Chinese Government,” *ABC Four Corners*, July 16, 2019, <https://www.abc.net.au/news/2019-07-16/australian-unis-to-review-links-to-chinese-surveillance-tech/11309598> (accessed April 5, 2021).

¹⁷⁸ *Ibid.*

platform WeChat as “too controversial.”¹⁷⁹ WeChat, owned by the Chinese tech giant Tencent, sponsors events and programs at Curtin University, including a 2019 tour by post-graduate business students to China to visit Tencent’s headquarters. The university wrote glowingly of the trip, where students were given “behind the scenes” access by Tencent’s chief financial officer and the head of global tax, both Curtin alumni.¹⁸⁰

“The censorship and self-censorship here at Curtin is reaching to a point where I think it’s limiting a lot of potentials for the Chinese diaspora scholars at Curtin,” Jing told the *ABC* at the time.¹⁸¹

Curtin University informed Human Rights Watch that it does not currently have a formal relationship with Tencent, but that it did previously had a “research network partnership” with Tencent Research that “focused on exploring international perspectives on digital technology.”¹⁸²

An academic, “N,” said that his university media office had decided to issue news alerts on two occasions to highlight to journalists that he was available as an expert to talk about Hong Kong, but both were then suddenly cancelled. Said “N”:

It was August 2019 and they wanted to do an alert to say we have this expert who can talk about Hong Kong. The media office sent me a draft and they said we will be in touch when this goes forward, but I never heard from them again. Later, when I met with someone from the media office, she told me that further up the line, people above her told her that right now is a sensitive time, it wouldn’t be the best time to put out such a media alert. And my response to that was, when is there going to be a non-sensitive time?

¹⁷⁹ Eliza Borello, “Chinese cultural influence over Australia felt in Perth by expats in academia and media,” *ABC News*, November 11, 2019, <https://www.abc.net.au/news/2019-11-11/chinese-cultural-influence-over-australia-felt-in-perth/11670654> (accessed January 26, 2021).

¹⁸⁰ Curtin University, “Students visit Tencent HQ in exclusive tour,” January 17, 2019, <https://news.curtin.edu.au/stories/students-visit-tencent-hq-in-exclusive-study-tour/> (accessed June 3, 2021).

¹⁸¹ Eliza Borello, “Chinese cultural influence over Australia felt in Perth by expats in academia and media,” *ABC News*.

¹⁸² Email statement from Curtin University. On file with Human Rights Watch

The second time, it was someone new at the media office, they said, “Oh, it’s great we have your expertise.” They wanted to send out a media alert and they typed up something, included my phone number, email and topics to discuss. It was a Friday but then that Monday they said we ended up not going ahead with it.¹⁸³

“N” believes this was evidence of censorship on behalf of his university in relation to “sensitive” issues and China: “I don’t know if it’s people in the press office that start these projects and then someone says, oh let’s not do that or if it’s something higher up in the administration. It’s impossible to know.”¹⁸⁴

As discussed above, in August 2020 the University of New South Wales decided to remove an article about Hong Kong from the university’s main media page, with quotes from Elaine Pearson, Human Rights Watch’s Australia director and an adjunct lecturer in UNSW’s law school. UNSW removed the article in reaction to a campaign by pro-Chinese government students.¹⁸⁵ UNSW said it decided to remove the posts referencing the article on “our social channels as they were not in line with our policies—and the views of an academic were being misconstrued as representing the University.”¹⁸⁶

Another China academic, “R,” who published work very critical of President Xi Jinping, discussed an incident “R” considered to be censorship by the university. “R” said:

One of my colleagues or someone working for us had informed on us to an external Chinese source. They were unhappy with what I had written, and they had taken screen shots of the pages and crucial “offending” bits.... The worst thing about it was they [the university] didn’t see it as a censorship problem but a “managerial” problem.¹⁸⁷

¹⁸³ Human Rights Watch interview with academic ‘N’ (pseudonym), November 9, 2020.

¹⁸⁴ Ibid.

¹⁸⁵ Email statement from UNSW. On file with Human Rights Watch; Elaine Pearson (Human Rights Watch), “Critical Test of Academic Freedom for Australian Universities,” commentary, *Sydney Morning Herald*, August 4, 2020, <https://www.smh.com.au/national/critical-test-of-academic-freedom-for-australian-universities-20200804-p55jec.html>.

¹⁸⁶ Ibid.

¹⁸⁷ Human Rights Watch interview with academic ‘R’ (pseudonym), December 4, 2020.

In August 2020, Charles Darwin University apologized following complaints from Chinese students that an assignment was racist because it stated that the coronavirus had originated in China. Students in a sustainability course run by an engineering professor were asked to participate in a role-play assessment on the “Chinese (Wuhan) Covid-19 virus outbreak.”¹⁸⁸ In a complaint to the university, Chinese students claimed scientists and authorities had concluded the coronavirus was “found in Europe way before the Wuhan outbreak.”¹⁸⁹

Just writing a simple China studies course promotion had become “torturous,” explained an academic who feared censorship on China was becoming normalized. “P” said:

I had to write something to promote Chinese studies and I was spending days and weeks trying to write it. Why was it so hard? I work in an incredibly sensitive area. Always thinking about the words and the language and aware that I could just cross the line and a Chinese student could be igniting a campaign against me any day of the week.¹⁹⁰

“P” also believes censorship on China is becoming increasingly normalized in Australian universities: “It’s very rare to say, ‘You must not offend China.’ It’s not as direct as that. It’s much more complex. No one knows how to talk about China anymore. And the response is not, let’s figure it out, it is let’s just not talk about it.”

Impact of Online Teaching during the Pandemic

Teaching online during the Covid-19 pandemic posed new challenges for academics who suddenly had to teach courses to Chinese students physically located in China. Course material designed for Australian campuses was now being accessed online by these students within the “Great Firewall” of China, a giant mechanism of censorship and

¹⁸⁸ “Another Australian university limits academic freedom due to Chinese pressure,” *Taiwan News Online*, August 6, 2020, <https://www.taiwannews.com.tw/en/news/3981829> (accessed April 5, 2021).

¹⁸⁹ Eryk Bagshaw and Fergus Hunter, “China ‘exporting CCP speech controls to Australia’ as second university caught in row,” *Sydney Morning Herald*, August 5, 2020, <https://www.smh.com.au/world/asia/china-exporting-ccp-speech-controls-to-australia-as-second-university-caught-in-row-20200805-p55jrf.html> (accessed April 5, 2021).

¹⁹⁰ Human Rights Watch interview with academic ‘P’ (pseudonym), December 2, 2020.

surveillance aimed at restricting content, identifying and locating individuals, and providing immediate access to personal records.¹⁹¹

This created new and difficult security risks for students and academics alike. Despite this, none of the academics interviewed said their university had offered any official guidance on teaching Chinese students remotely, restrictions in China regarding the use of virtual private networks (VPNs) to access university sites, or potential security risks for students or staff.

One academic discussed his concerns that some elements of his course contained images and themes that were technically illegal in China. He said his university had not provided any guidance about remote teaching and the precautions that should be taken for students learning online in China. “H” said:

I was a bit stressed about it. I had to be careful. We made the decision to teach online on very short notice. It’s probably something unis need to think more about it. At the back of my mind I was thinking, what if one of them [the PRC students] gets into trouble?¹⁹²

“P” said a university official asked him to offer a “sanitized” version of his Chinese Studies unit:

When all our teaching went online, I got an email from IT leadership, saying they had set up a VPN into China, there was some concern re the content of teaching. Another academic, who was also teaching another Chinese Studies unit, had offered a “sanitized” version of that course for PRC students. Is that something I would be willing to consider for my course? I said, “No I’m not willing to do that.”¹⁹³

¹⁹¹ Yaqui Wang (Human Rights Watch), “In China, the ‘Great Firewall’ Is Changing a Generation,” commentary, *Politico*, September 1, 2020, <https://www.hrw.org/news/2020/09/01/china-great-firewall-changing-generation>.

¹⁹² Human Rights Watch interview with academic ‘H’ (pseudonym) January 8, 2021

¹⁹³ Human Rights Watch interview with academic ‘P’ (pseudonym), December 2, 2020.

Challenges around the use of VPNs for distance learning could have been anticipated by Australian universities.

In October 2017, Vera Zhou, a 24-year-old Hui Muslim student at the University of Washington in Seattle and a US permanent resident, returned to China to visit family.¹⁹⁴ She said that while there, she used a VPN application, whose use China restricts, to file her University of Washington homework while visiting her father in the city of Kuytun. Chinese authorities then arrested Vera and sent to a “reeducation camp,” where she said she spent five months in a small, crowded cell. She never had a hearing or trial, and it took 18 months before authorities let her leave China after her release from detention.

Impact of Hong Kong’s National Security Legislation

The extraterritorial reach of Hong Kong’s National Security Law, adopted by China in June 2020, means the legislation also applies to offenses committed against Hong Kong “from outside the Region by a person who is not a permanent resident of the Region.”¹⁹⁵ Hong Kong students who had previously spoken publicly have since declined to be interviewed for this report. Those willing to talk explained to Human Rights Watch that they have begun to take extra precautions because of the law. Nelson, a student, said:

The National Security Law means my activities or even just talking to you, organizing rallies, or promoting democracy in Hong Kong, this can be called incitement. We need to keep really hidden. I need to use fake names and stay low on social media.¹⁹⁶

The new law meant some students have taken even more precautions in Australia. Sam, a student, said:

After the National Security Law, to go to the protest, I had to wear all black and I doubled layered with special plastic gloves, so no chance of prints. I

¹⁹⁴ Mira Petrillo and Jake Goldstein-Street, “Former UW student detained in China says university neglected pleas for help,” *The Daily*, January 30, 2020, https://www.dailyuw.com/news/article_24146b2a-4312-11ea-9a0f-ofob26fac3f6.html (accessed May 14, 2021).

¹⁹⁵ Eryk Bagshaw, “Hong Kong’s new national security laws reach beyond China,” *Sydney Morning Herald*.

¹⁹⁶ Human Rights Watch interview with student Nelson (pseudonym), September 28, 2020.

put a hair net under my helmet to make sure no hair. I wore a mask and reflective tape on the goggles to make sure my eyes were not visible as well. This was in Australia. I'm a bit paranoid.¹⁹⁷

Academics expressed concern that Australian universities have not fully grasped how wide-reaching this new law is and the risks it could pose for students and staff from Hong Kong. Said "P":

The National Security Law has implications for freedom of speech on our campuses. With these extraterritorial laws it's pretty clear that a Hong Kong student on an Australia campus could be committing a crime and potentially subject to legal action when they return. Universities needs to think about where the boundaries are between duty of care and protecting a student.¹⁹⁸

One academic, "C," was so concerned about the National Security Law's potential impact on students, he wrote to the international management team at his university but got no response:

I wrote specifically to say we have Hong Kong students and Hong Kong scholars and with the National Security Law it puts them at direct risk at being targeted or anything that can be misconstrued. I asked, how can we assure our students we do value academic freedom? How do we make our scholars who might have family in Hong Kong, how to make them feel free? How can the university support them? It was to the international liaison office. There was silence. I sent it to four people and nobody wrote back. The one person in my school who did talk to me about this emphasized, "We are not going to bite the hand that feeds us."¹⁹⁹

¹⁹⁷ Human Rights Watch interview with student Sam (pseudonym), January 10, 2021.

¹⁹⁸ Human Rights Watch interview with academic 'P' (pseudonym), December 2, 2020.

¹⁹⁹ Human Rights Watch interview with academic 'C' (pseudonym), December 16, 2020.

The academic, who does not have tenure, did not push the issue due to fear of being alienated or losing his position.

Another China studies academic, “W,” who tried to raise increasing concerns around academic freedom “higher up the chain,” also found his efforts were ignored.

We had a group of scholars, academics teaching and researching China, get together and talk about a way for the uni to address these issues. We went through policies and what protections we could have in the classroom. We tried to push something up the chain of command and there was no interest whatsoever. There has been a deliberate effort not to care about it.²⁰⁰

Rising Racism and Xenophobia

The debate about foreign interference in Australia has left many Chinese-Australians feeling like they are now viewed with increasing scrutiny and suspicion, solely based on their ethnic background.

This was highlighted in October 2020, when three people of Chinese ancestry, all Australian citizens, gave evidence to a Senate inquiry on problems facing migrant communities. During the testimony, a government senator abruptly asked each to “condemn” the Chinese Communist Party. Each made clear they did not support the CCP but noted that such demands had not been made to other witnesses at the inquiry.²⁰¹

Several academics expressed concern that the foreign interference debate could result in a whole new cycle of self-censorship. “X,” an academic from a Chinese background, said that he felt constantly under suspicion, his loyalties questioned:

I’m worried about the foreign interference debate. I’m scared of accidentally violating national security. The work I’ve always done, I worry they will look at it now in a bad way. I just feel there is a sense of withdrawal from

²⁰⁰ Human Rights Watch interview with academic ‘W’ (pseudonym), January 5, 2021.

²⁰¹ Frances Mao, “Australia-China row: ‘I’m Australian—why do I need to prove my loyalty?’” *BBC News*, December 31, 2020, <https://www.bbc.com/news/world-australia-54595120> (accessed April 5, 2021).

everybody. I fear somebody or a journalist might pick up something and write about me.²⁰²

Another academic of Chinese background, “L,” said he was visited by two officials from ASIO, Australia's intelligence agency. “L” believes he was targeted by them because of his ethnicity: “It was a quick coffee, and they were asking things, there was no explanation of why. They didn’t explain why. I tried to be as candid as I could. But did they interview the white guy or just the person with the Chinese name?”²⁰³

“L” said that he increasingly felt caught between “two sides” as a scholar of a Chinese background working in an Australian university:

We are seen as adversaries, as potential agents that could possibly undermine national security. This is difficult in terms of being a China specialist. We are seen by potential spies by both Australia and China and seen by both as potential assets. It’s a really poisonous environment... When people ask me now what I’m doing and how you think about a particular issue related to China, you feel like they are asking what “camp” I am in.²⁰⁴

Several academics told Human Rights Watch they fear being “smeared” as defenders of the Chinese Communist Party if they are not enthusiastic supporters of the Australian government’s new foreign interference laws, which require entities such as universities to register any activities undertaken on behalf of foreign governments, including Chinese government-funded Confucius Institutes, as well as gives the federal government the power to veto agreements made by local governments and public organizations with foreign governments

²⁰² Human Rights Watch interview with academic ‘X’ (pseudonym), December 4, 2020.

²⁰³ Human Rights Watch interview with academic ‘L’ (pseudonym), December 16, 2020.

²⁰⁴ Human Rights Watch interview with academic ‘L’ (pseudonym), December 16, 2020.

Said “V”:

It’s gotten so toxic. University lecturers are being accused of being pro or anti-China. It’s such binary thinking. Good and bad things exist together, both can be true. The core of China studies academics are not that partisan. We have spent our lives loving and hating China in equal measure, picking holes and celebrating achievements.²⁰⁵

In 2018, a Wilson Center study of Chinese political influence in higher education in the United States found it important that “countermeasures neither vilify PRC students as a group, nor lose sight of the fact that these students, along with faculty members of Chinese descent, are often the victims of influence and interference activities perpetrated by PRC diplomats and nationalistic peers.”²⁰⁶

A March 2021 report by the Lowy Institute in Sydney found that almost one in five Chinese Australians say they have been physically threatened or attacked in the past year, with most blaming tensions stemming from the Covid-19 pandemic or hostility between Canberra and Beijing. Around one in three community members reported they have faced verbal abuse or discriminatory treatment.²⁰⁷

Australian academic institutions should address the dramatic increase in racism and discrimination directed against people of Asian descent and appearance. They should act to ensure that students and academics from China feel welcomed and protected, and that those responsible for harassment or discrimination are appropriately punished.

²⁰⁵ Human Rights Watch interview with academic ‘V’ (pseudonym), December 14, 2020.

²⁰⁶ Wilson Center, “A Preliminary Study of PRC Political Influence and Interference Activities in American Higher Education,” August 2018, https://www.wilsoncenter.org/sites/default/files/media/documents/publication/prc_political_influence_full_report.pdf (accessed April 5, 2021).

²⁰⁷ Lowy Institute, “Being Chinese in Australia: Public opinion in Chinese communities,” March 2021, <https://charts.lowyinstitute.org/features/chinese-communities/> (accessed April 5, 2021).

IV. Barriers to Academic Freedom for Chinese Students in Australia

Students and academics consistently raised concerns that students from China studying in Australia can live in an information vacuum, due to a reliance on the heavily censored Chinese social media platform WeChat.²⁰⁸ The misinformation and lack of diverse views that exist in this controlled environment are a potential motivating factor behind the harassment and intimidation of those who want to speak out or express different opinions. Embassy and consulate-linked student support services for Chinese speakers dominate on many campuses, posing difficulties for those who want support but do not want to have any association with the Chinese government.

Reliance on WeChat

With monthly active users of over 1.2 billion worldwide, WeChat is a super-app that combines the functions of social media, messaging, financial services, travel, food delivery, ride-hailing, and other apps.²⁰⁹

WeChat censors and surveils their users on the Chinese government's behalf and hands over user data to authorities when so-called sensitive information is discovered.²¹⁰ Authorities also directly embed cybersecurity police units in major Chinese internet companies. WeChat has become a complete digital ecosystem in which people in China lead their entire digital lives, and they are trapped in its controlled information environment without meaningful choice.

²⁰⁸ Miles Kenyon, "WeChat Surveillance Explained," *The Citizen Lab*, May 7, 2020, <https://citizenlab.ca/2020/05/wechat-surveillance-explained/> (accessed April 9, 2021); Jeffrey Knockel et al., "We Chat, They Watch: How International Users Unwittingly Build up WeChat's Chinese Censorship Apparatus," *The Citizen Lab*, May 7, 2020, <https://citizenlab.ca/2020/05/we-chat-they-watch/> (accessed April 9, 2021).

²⁰⁹ Yaqiu Wang (Human Rights Watch), "WeChat Is a Trap for China's Diaspora," commentary, *Foreign Policy*, August 14, 2020, <https://www.hrw.org/news/2020/08/14/wechat-trap-chinas-diaspora>.

²¹⁰ Yan Luo and Zhijing Yu, "China Issues New Measures on Cybersecurity Review of Network Products and Services," *Inside Privacy*, April 27, 2020, <https://www.insideprivacy.com/international/china/china-issues-new-measures-on-cybersecurity-review-of-network-products-and-services/> (accessed April 9, 2021); Emma Lee, "WeChat's privacy policy update draws attention to information shared with the government," *TechNode*, September 19, 2017, <https://technode.com/2017/09/19/now-its-official-wechat-is-watching-you-1/> (accessed April 9, 2021).

The pull of WeChat is so strong, combined with its widespread use and convenience, that communication among Chinese students studying in Australia is often exclusively done via the app, despite the awareness among many users that the Chinese government is capable of monitoring what is said on WeChat.²¹¹ The impact of living online in WeChat’s ecosystem means that Chinese students studying in Australia remain in a CCP-controlled digital world, subjected to the same censorship and propaganda as they are at home, as their worldview continues to be shaped in ways more amenable to the Chinese government. In effect, the Chinese government is still able to control a significant portion of the information overseas Chinese receive, even outside its borders.²¹²

Jonathan, a Chinese student, explained how WeChat shapes the life of Chinese students:

It’s like an ecosystem of its own. You can only use WeChat and never leave it. And if you are an overseas Chinese student who doesn’t want to venture out, it’s a comfort zone. You are just being fed with a single source of info. We know that the platform is monitored. Some words are filtered out straight away.²¹³

Student Lei Chen said in many ways the information accessed in Australia was not different from back home: “The Chinese students who study here only rely on information from WeChat. It’s all from state media and WeChat. It’s the same lifestyle as back in China.”²¹⁴

Pro-democracy students described how this overreliance on WeChat contributes to a feeling of never being able to escape CCP rule. Mainland student Li Wei said:

They can’t escape the CCP if they have WeChat. Their data is in the hand of Chinese government. They are always censoring themselves. One of my

²¹¹ Human Rights Watch contacted WeChat for comment but did not receive a response by the time of publication.

²¹² Yaqiu Wang (Human Rights Watch), “How China’s Censorship Machine Crosses Borders — and into Western Politics,” commentary, *Washington Post*, February 20, 2019, <https://www.hrw.org/news/2019/02/20/how-chinas-censorship-machine-crosses-borders-and-western-politics>.

²¹³ Human Rights Watch interview with student Jonathan (pseudonym), September 22, 2020.

²¹⁴ Human Rights Watch interview with student Lei Chen (pseudonym), September 25, 2020.

close friends told me, “Oh, please don’t post those articles on WeChat, it’s very dangerous I don’t want to see you in trouble.” He thinks it was a friendly reminder. He doesn’t want to see me in trouble.”²¹⁵

Jin, a student, explained how his reliance on WeChat means he feels he cannot avoid the surveillance and censorship of the CCP: “We are living and studying in Australia, but still what we want to say and post, that data can be easily used by the Chinese authorities.”²¹⁶

Thirty-five out of 43 universities in Australia have official WeChat accounts,²¹⁷ which they use for marketing and promotion, for providing information, pushing news and events, and linking with alumni.²¹⁸

Not all universities that Human Rights Watch wrote to responded to our specific questions about their WeChat accounts. The Queensland University of Technology (QUT), Macquarie University, Monash University, the University of Sydney, the University of Technology, the University of Melbourne, and the University of Queensland all said they had no knowledge of their WeChat content being removed, censored, or restricted.

Several students spoke about their concern that Australian universities actively use the platform, which they saw as “expressing support for censorship.” Lim said: “The bubble is controlled by the Chinese regime. It also can impose dangers for users, so it’s better to bring students out of the bubble. The unis need to encourage international students to go out from the bubble.”²¹⁹

²¹⁵ Human Rights Watch interview with student Li Wei (pseudonym), September 3, 2020.

²¹⁶ Human Rights Watch interview with student Jin (pseudonym), September 29, 2020.

²¹⁷ Study Australia, “Australian Education Provider Covid-19 Response Information,” undated, <https://www.studyinaustralia.gov.au/english/study-in-australia-student-support/australian-education-provider-list> (accessed January 24, 2021).

²¹⁸ Angela Lehmann, “Why Chinese international students rely on WeChat,” *The Lygongroup*, undated, <https://www.thelyongroup.com/post/why-chinese-international-students-rely-on-wechat> (accessed January 24, 2021).

²¹⁹ Human Rights Watch interview with student Lim (pseudonym), September 29, 2020.

Understanding the Mainland Chinese Student Experience

Students said their universities failed to understand that for many mainland Chinese students, listening and learning from different opinions and voices was an entirely new experience. Students and academics repeatedly expressed their deep unhappiness that universities did not understand some of the expectations, pressures, and burdens on these students. Zhang Min, a student, said:

[T]hey [Australian universities] should have the knowledge that these people come from a country where censorship is a thing and it's in their blood. They should have let us know it's a totally different system in Australia and open discussion should have been encouraged and facilitated. We were never taught that way, we don't know what an equal and open discussion is, how two people can debate and discuss and be friends, we didn't know that. We really need this in universities. So, we need help to get out of this, our own shell.²²⁰

Zhang Xiuying explained that for her and many Chinese students, the very presence of politics on campus could be confronting:

For Chinese students this is something really unusual. When they see people give out flyers, they think that is wrong. They have this mindset that there should be no politics on campus. We are educated to think universities are pure from politics. Because in their life at home they can't talk about it, so when they come to uni here, they think, I'm paying so much money, I want to study and learn skills I'm not supposed to get involved with politics. That's their mindset.²²¹

Chinese Students and Scholars Association

Several pro-democracy students highlighted concerns with the Chinese Students and Scholars Association (CSSA), the main Chinese students' organization in Australia that is linked to the Chinese government.

²²⁰ Human Rights Watch interview with student Zhang Min (pseudonym), September 27, 2020.

²²¹ Human Rights Watch interview with student Zhang Xiuying (pseudonym), September 2, 2020.

Present on most Australian university campuses, the CSSA often promote themselves as the first “go to” for Chinese-speaking students if they need help. The webpage for the Melbourne University CSSA chapter, for example, states its aim is to “assist Chinese students in dealing with common issues facing overseas students,” saying it is a “solid advocate for the Chinese student community, but also a great resource to help fulfilling your student life.” The CSSA says it is a “student-run association” that “represents the voice of all Chinese students.”²²² The group is closely linked to Chinese consulates in Australian states and the embassy in Canberra, in both funding and coordination.²²³

In 2016, the *Sydney Morning Herald* reported that a former CSSA executive at an Australian university told the paper that CSSA leaders from universities around the country were flown, at the embassy's expense, for regular conferences with Chinese officials on collaborating with the embassy and on the latest Party doctrines.

In 2017, a CSSA member told reporters they would alert the embassy if they learned about a human rights protest being organized by dissident Chinese students.²²⁴ That same year, Australian National University students documented the CSSA's involvement in pro-Chinese government protests.²²⁵ In 2019, the *ABC* reported that documents filed in 2012 when the CSSA Canberra chapter was incorporated in the Australian Capital Territory (ACT) said the association's role was to “facilitate the connection between the embassy and the Chinese students and scholars” and its executive board must “communicate with the embassy ... regularly.”

No students reported being pressured to join the CSSA on their campus, but nearly all the pro-democracy students interviewed said they avoided it out of fear, even though it was one of the main support networks for Chinese speaking students on their campus.

²²² “Chinese Students and Scholars Association,” University of Melbourne Student Union, accessed January 24, 2020, <https://umsu.unimelb.edu.au/clubs/chinese-students-and-scholars-association/>.

²²³ Jonathan Benney, “How should Australia respond to China's influence in our universities?” *The Conversation*, October 30, 2017, <https://theconversation.com/how-should-australia-respond-to-chinas-influence-in-our-universities-86064> (accessed January 24, 2021).

²²⁴ McKenzie et al., “The Chinese Communist Party's power and influence in Australia,” *ABC News*, <https://www.abc.net.au/news/2017-06-04/the-chinese-communist-partys-power-and-influence-in-australia/8584270>

²²⁵ Alex Joske and Wu Lebao, “The Truth about the Chinese Students and Scholars Association,” *Woroni*, October 12, 2012, <https://www.woroni.com.au/words/the-truth-about-the-chinese-students-and-scholars-association/> (accessed January 24, 2021).

Mainland student Lim said: “I personally choose to avoid the CSSA events. I live on campus and there are four Chinese students in my lodge. I avoid these events to avoid conflicts with them.”²²⁶

Jimmy, a student from Hong Kong, said:

I avoided the CSSA because I don’t want to have contact with them. I don’t know if the uni realizes this about the CSSA, because they have quite strong power in the uni and they also have a lot of money. If the uni banned the CSSA it would be a good thing for Hong Kong people and for those supporting democracy.²²⁷

Students expressed discomfort about close links between CSSA chapters and the embassy or consulates.

During the Covid-19 pandemic, CSSA chapters joined with the Chinese embassy and local consulates to hand out personal protection equipment to any Chinese students. But even then, a number of students stayed away. Zhang Xiuying explained:

I just avoid that. I didn’t even want to go and collect the embassy package. They send us a health package that includes a pack of masks, some Chinese medicine, and some other things. I saw everyone collect it, but I’m scared. Why should I go?²²⁸

Many of those interviewed expressed disappointment at their university’s failure to ensure adequate support services for Chinese-speaking international students that are not linked to the Chinese government. One student, Li Wei, said that the WeChat accounts of the CSSA chapter at his university and the local Chinese consulate offered the best advice on daily living tips in his new city, but he was fearful of accessing these services:

²²⁶ Human Rights Watch interview with student Lim (pseudonym), September 29, 2020.

²²⁷ Human Rights Watch interview with student Jimmy (pseudonym), October 23, 2020.

²²⁸ Human Rights Watch interview with student Zhang Xiuying (pseudonym), September 2, 2020.

Almost all the students follow these accounts. They are very popular. They offer a lot of help. They can tell you where to buy cheap vehicles, where to get cheap apartment. Which universities has a nicer professor, they even offer internships, where is hiring, how to write a resume. They offer a lot of help. Many Chinese students rely on it and depend on it. They organize a lot of activities. There is a different one for every city and sometimes [the] uni. That's their strategy.²²⁹

Several students highlighted the CSSA's continued involvement in organizing protests. One student interviewed was part of the WeChat group that helped to mobilize the counter-protest at the University of Queensland that turned violent. The student said: "The CSSA was who I think made the students come together [at the July 2019 rally]. I was part of the WeChat students' group. I was just watching. I didn't respond. They didn't know there was a pro-democracy student watching all this."²³⁰

In August 2019, pro-Chinese government students repeatedly tore down the Lennon Wall posters in support of Hong Kong democracy at the University of Tasmania, and a university staff member intervened after witnessing a student trying to take down the posters.²³¹ The CSSA chapter at the university published an online statement, calling the wall and its expression of solidarity with Hong Kong a "campus insult to China" and demanding the university remove pro-democracy posters and build a "clean and pure learning environment for students."²³²

Human Rights Watch contacted 23 CSSA university chapters with publicly available contact information to request interviews. However, only two students agreed to talk. Both students confirmed the group's continued involvement in organizing pro-Chinese government protests and its links with their local consulate. Said one CSSA student

²²⁹ Human Rights Watch interview with student Li Wei (pseudonym), September 3, 2020.

²³⁰ Name of interviewee withheld to protect identity.

²³¹ Emily Baker, "Chinese student group calls on University of Tasmania to remove pro-Hong Kong posters," *ABC News*, August 8, 2019, <https://www.abc.net.au/news/2019-08-08/utas-china-hong-kong-student-group-statement/11393938> (accessed April 6, 2021).

²³² *Ibid.*

member: “Our CSSA did get subsidized by the China consulate. If we paid something, then we can ask the embassy to reimburse those receipts.”²³³

The other CSSA member interviewed, Jian, described his CSSA chapter as being “heavily supported” by the local Chinese consulate. He told Human Rights Watch his motivation for becoming involved in counter-protests in Australia:

People were putting up posters illegally on campus saying that Hong Kong has its own sovereignty, but we stand firm with our government and our country. When incidents happen, of course we feel more patriotic because we are trying to defend our group that we belong to. We are getting stronger now that’s why people fear us.... As Chinese nationals we are trying to defend our national and our personal interest.²³⁴

Jian said that CSSA members who attended a Hong Kong democracy counter-protest came voluntarily, not at the request of the local Chinese consulate. He said that they had monitored Facebook to find out the details of the pro-Hong Kong democracy protest. He confirmed that he had contacted local Australian police about a protest organized by Hong Kong students:

We actually reported them to the police department, so they are prepared beforehand to deal with this situation. And we were actually discouraged from the police department to go against them, saying they were “worried about what was going to happen.”²³⁵

One academic, “D,” who taught China studies in Australia for more than 20 years, voiced concern that universities continued to allow the CSSA to provide crucial student support services:

²³³ Human Rights Watch interview with student and CSSA member Kenneth (pseudonym), January 6, 2021.

²³⁴ Human Rights Watch interview with student and CSSA member Jian (pseudonym), December 8, 2020.

²³⁵ Ibid.

There is a degree of outsourcing these student welfare things to the CSSA. Universities are happy to outsource that stuff, the pastoral care stuff, they see it as a way to reduce costs in that area. Universities have not invested enough in the pastoral care of these Chinese students despite the fact they bring in millions. I think in many regards we are doing the bare minimum. It's a failure of duty of care. A lot of them [the students] struggle with a whole range of issues—they are incredibly isolated.²³⁶

“D” said that universities are no longer be ignorant of the CSSA and its relationship with the Chinese government:

Five years ago, they didn't have a clue about it, but that's not the case today. I can guarantee you every vice-chancellor is well aware of what the CSSA is and the concerns that have been raised about it. I think all of them are aware of the role the consulate plays and all these incidents of inference have been widely reported now.²³⁷

Several academics expressed concerns that universities had not invested enough in support services for Chinese students so they do not need to rely on the CSSA.

Said “W”: “Unis here have thrived off these students, but we have made little affordance for their needs and given them very little support to the challenges they face.”²³⁸

Psychological Impact on Students

A consistent theme raised by most pro-democracy mainland and Hong Kong students interviewed was the fear that their activities in Australia could result in their parents back home being punished or interrogated. This constant stress had to be evaluated before decisions were made as to what to say, what events to go to, and who to befriend.

²³⁶ Human Rights Watch interview with academic ‘D’ (pseudonym), November 6, 2020.

²³⁷ Ibid.

²³⁸ Human Rights Watch interview with academic ‘W’ (pseudonym), January 5, 2021.

Human Rights Watch verified three cases of the families of Chinese mainland university students studying in Australia actually being visited by police in China. Others may have gone unreported. While this number is low, the fact this occurs at all is enough to keep thousands of students on edge and fearful. Zhang Xiuying said:

My worst fear is my parents being visited by the police. I don't really care about myself. I know how bad the police in China treat the people. My mum is in the middle, my dad is hardcore pro-Beijing. My parents are concerned with what I have done here. As long as they don't get a call from the police. I think they worry about that. I use a fake name [while studying in Australia] at their request.²³⁹

Several students highlighted the 2019 Hong Kong protests as causing particularly high levels of stress and anxiety. Wang Wei said: “Most people I know who don't like what the Chinese government is doing are on some sort of medication. It's suffocating, even if you're here in Australia.”²⁴⁰

Li Wei, the student interviewed whose parents were visited by police after he posted pro-democracy messages on Twitter, has decided he cannot go back to China. He said:

This is very sad because I have a lot of friends back home. And there is a girl I love. I met her in Australia, but she is going back to China at the end of this month, and I might never see her again for the rest of my life. I can't go back there because I might get arrested, and she's going back, and I never can go back. But I will never regret what I did. If I have chance to do it again I would. Someone needs to stand up. Someone needs to speak.²⁴¹

A Chinese mainland student studying at UNSW described her deep distress at her university's censorship in response to the campaign of intimidation and harassment in August 2020, after the university published and then deleted an article about human rights in Hong Kong:

²³⁹ Human Rights Watch interview with student Zhang Xiuying (pseudonym), November 2, 2020.

²⁴⁰ Human Rights Watch interview with student Wang Wei (pseudonym), September 3, 2020.

²⁴¹ Human Rights Watch interview with student Li Wei (pseudonym), September 3, 2020.

I personally sent an email to the dean of the law school at UNSW. I said that I came here with the belief that here in a democratic country like Australia I could enjoy academic freedom. And I just want to let you know that a good proportion of Chinese students hold similar views as I do but coming from a country where opposing views could result in public shaming and even worse, most of us can't say anything. So, I hope we can just have our own voice heard. And I hope your school and your university can hold onto its beliefs. I cried writing this letter to be honest.²⁴²

She was one of several pro-democracy students interviewed who said they had never spoken about these issues, and that doing so came as a huge relief: "I feel if speaking up can help, I will try. On the mainland we don't know if each other exists or not. You never know if there is someone who thinks the same, so you never dare to speak up."²⁴³

²⁴² Human Rights Watch interview with a UNSW student (anonymous), September 27, 2020.

²⁴³ Ibid.

V. Insufficient Oversight and Accountability Mechanisms: Lack of Adequate University Response

Not all of us are pro-CCP. We want the uni to understand why we are afraid to speak out. Because we all have someone we love who still resides in China.

—Li Wei, Chinese student studying in Australia, September 2020²⁴⁴

The failure of Australian universities to adequately respond to incidents of harassment and intimidation of students and staff has left them exposed and vulnerable. The higher education sector has also failed to develop strong policy responses to discourage such abuses from occurring and to ensure academic freedom.

Much of the behavior experienced by the students and staff interviewed would be classified as bullying or harassment under many universities' student codes of conduct. However, these incidents have rarely been followed up on, or perpetrators identified or punished. In the few instances in which there have been harsh warnings or even punishment for such behavior, universities have shied away from discussing these issues publicly. As a result, there is little deterrence to prevent them from happening again.

Australian universities have also failed to create appropriate accountability mechanisms to monitor and report on threats to academic freedom. There is also little acknowledgment of the widespread existence of self-censorship by students and academics and a lack of policy developed to respond to it.

Universities themselves have engaged in censorship on campuses by not protecting students so they feel safe to protest or display their opinions, by limiting academics on what they can say or write, by removing controversial content from their websites or social media, and by refusing to host certain events or guests.

²⁴⁴ Human Rights Watch interview with student Li Wei (pseudonym), September 3, 2020.

When Human Rights Watch specifically asked universities about their policies on harassment, intimidation and self-censorship regarding students and staff from China and China-focused academics, most universities pointed to their general commitments to uphold academic freedom. But in reality, most universities lack specific formal policies directly addressing many of these issues, with many having never used them to engage directly with students and staff on these matters.

All 24 pro-democracy students interviewed voiced dissatisfaction with their university's response to issues such as harassment, intimidation, and threats to academic freedom.

More than half of students interviewed said they felt they could not talk to their university about these issues or even report incidents because university officials did not care or would not act. Academics also consistently cited what they saw as university failures to discuss the issues, in many cases actively avoiding or failing to respond when incidents happened or faculty, tutors, or students raised concerns.

Students told Human Rights Watch they believe universities prefer to turn a “blind eye” to the issues, rather than risk alienating or angering full fee-paying PRC students. Lei Chen said: “What I experienced is that they really turned a blind eye to this problem. This is really disturbing—we all know it is real. The university simply didn't care about protecting us.”²⁴⁵

Student lack of trust in administrators, some of it rooted in their experiences back in China, can feed a vicious circle, with students deciding not to raise incidents or concerns and then feeling ever more powerless when the next incident happens.

When Human Rights Watch asked Adam, who had been subject to harassment and intimidation, why he had never complained, he explained that he was not used to turning to authorities or institutions for help: “There is this inherent fear we have. Because back home we are basically alone. The government won't help us. The government and the police are not our friends. We are used to no one helping.”²⁴⁶

²⁴⁵ Human Rights Watch interview with student Lei Chen (pseudonym), September 25, 2020.

²⁴⁶ Human Rights Watch interview with student Adam (pseudonym), September 28, 2020.

While students' deeply rooted fear of authorities does not excuse universities from failing to fulfill their responsibilities to their students, it does highlight the challenge universities have in ensuring international students feel comfortable reporting these experiences. Several students highlighted their belief that a strong public show of support to respond to instances would help those who had experienced harassment and intimidation or engaged in self-censorship. Li Wei said:

If the uni was willing to stand up and offer protection and are willing to produce a safe environment, I guarantee more students will speak out. It's the free and open environment and if the Australian uni fails to provide such an environment, then there is no point for me to come here! I should just stay in China. I can't criticize CCP there or here.²⁴⁷

Most academics interviewed also believed their universities ignored these issues because they did not want to make policy choices that could provoke a negative reaction from full fee-paying students from China. "They are so worried about a backlash and losing money," said "A."²⁴⁸

"R," said: "It serves them to want to believe it's all benign and there's nothing underhand at work."²⁴⁹

Several academics described their universities' failure to highlight consequences or punishments for students who engage in this kind of harassment and intimidation. "N" said:

[There] needs to be a clear example set, that if you're going to report or threaten to do so, there needs to be quite severe punishment for that in my opinion. Because it's not just a threat of reporting what someone said. It's a threat against someone's and their family's normal life in China.²⁵⁰

²⁴⁷ Human Rights Watch interview with student Li Wei (pseudonym), September 3, 2020.

²⁴⁸ Human Rights Watch interview with academic 'A' (pseudonym), November 13, 2020.

²⁴⁹ Human Rights Watch interview with academic 'R' (pseudonym), December 4, 2020.

²⁵⁰ Human Rights Watch interview with academic 'N' (pseudonym), November 9, 2020.

Others, including “K,” feared impact on those researching and teaching China in Australia:

It’s very worrying that our academic freedom is being eroded in this way and we are not seeing clear commitments to free speech and academic reform by universities. There is a real danger that academics doing work on China could end up being sacrificial lambs for the sake of the dollars.²⁵¹

²⁵¹ Human Rights Watch interview with academic ‘K’ (pseudonym), December 9, 2020.

VI. Way Forward

What should unis do? For a start, begin to think and talk about it. Put it on the agenda. And try and come up with strategies for staff.

—“K,” an academic specializing in China, at an Australian university²⁵²

In some ways, Australia has been leading global efforts to counter foreign interference by the Chinese government, as seen by the new foreign inference laws, the Foreign Influence Transparency Scheme (FITS), and the number of public inquiries the government has commissioned to review these issues. However, there has been little discussion around how Australian universities can best protect their students and staff from harassment, intimidation, and self-censorship.

In the United States and the United Kingdom, these conversations have already begun with academics and schools, legislators and policymakers publicly debating the concrete steps they should consider taking to counter Chinese government interference and protect the rights of students. While international efforts are a work in progress and much wider adaption is still needed, they provide some useful ideas of practical measures Australian universities can adopt.

International Best Practice

After the Chinese government imposed the National Security Law on Hong Kong, academics at Oxford University allowed some students specializing in the study of China to submit some papers anonymously, replaced some group tutorials with individual discussions, and warned students it will be viewed as a disciplinary offense if they tape classes or share them with outside groups.²⁵³ A working group of academics from across

²⁵² Human Rights Watch interview with academic ‘K’ (pseudonym), December 9, 2020.

²⁵³ Patrick Wintour, “Oxford Moves to Protect Students from China’s Hong Kong Security Law,” *Guardian*, September 28, 2020, <https://www.theguardian.com/education/2020/sep/28/oxford-moves-to-protect-students-from-chinas-hong-kong-security-law> (accessed December 22, 2020). However, in February 2021, Oxford University announced it had renamed the chair of physics to the “Tencent-Wykeham professorship” after it received a £700,000 (US\$967,000) donation from the Chinese company Tencent that owns WeChat, see Molayo Ogunde, “Oxford Defends professorship Name Change Despite National Security Fears,” *The Oxford Blue*, February 18, 2021, (accessed April 13, 2021), <https://www.theoxfordblue.co.uk/2021/02/18/oxford-defends-professorship-name-change-despite-national-security-fears/>.

the UK have also come up with a draft “Model Code of Conduct for the Protection of Academic Freedom,”²⁵⁴ and is now consulting on the code with stakeholders across the higher education sector.²⁵⁵ In the US, an academic at Princeton University allowed students to use codes instead of names in Chinese politics classes to protect their identities.²⁵⁶

US academics have recommended specific strategies for teaching courses on China to avoid censoring discussions while protecting student safety such as disclosing risks to students, avoiding recording of classes, choosing what material is shared online, and taking steps to protect student participation with consideration to safety and free expression.²⁵⁷

Over the past six years, at least 29 of more than 100 US universities that had Confucius Institutes have closed them to comply with the 2019 National Defense Authorization Act. This forces schools to choose between keeping their Confucius Institutes or receiving language program funding from the US Defense Department.²⁵⁸

In March 2021, the University of Newcastle in the UK publicly and forthrightly defended their academic Jo Smith Finley, who was one of 10 figures and organizations in the UK to be blacklisted by China over her work exposing human rights abuses in Xinjiang.²⁵⁹ The

²⁵⁴ “Model Code of Conduct,” University of London press release, undated, <https://hrc.sas.ac.uk/networks/academic-freedom-and-internationalisation-working-group/model-code-conduct> (accessed December 22, 2020).

²⁵⁵ “New Code of Conduct Calls for Universities to do More to Protect Academic Freedom in Their International Partnerships,” University of Exeter press release, October 12, 2020, https://www.exeter.ac.uk/news/homepage/title_821319_en.html (accessed December 22, 2020).

²⁵⁶ Lucy Craymer, “China’s National-Security Law Reaches into Harvard, Princeton Classrooms,” *Wall Street Journal*, August 19, 2020 <https://www.wsj.com/articles/chinas-national-security-law-reaches-into-harvard-princeton-classrooms-11597829402> (accessed June 3, 2021).

²⁵⁷ “New Challenges in Teaching China,” Carleton College press release, August 13, 2020, https://d31kydh6n6r5j5.cloudfront.net/uploads/sites/572/2020/10/New_Challenges_in_Teaching_China__for_circulation_.pdf (accessed December 22, 2020).

²⁵⁸ Racqueal Legerwood, “As US Universities Close Confucius Institutes, What’s Next?” Human Rights Watch dispatch, January 27, 2020, <https://www.hrw.org/news/2020/01/27/us-universities-close-confucius-institutes-whats-next>.

²⁵⁹ Patrick Wintour, “China Imposes Sanctions on UK MPs, Lawyers and Academic in Xinjiang Row,” *Guardian*, March 27, 2021, <https://www.theguardian.com/world/2021/mar/26/china-sanctions-uk-businesses-mps-and-lawyers-in-xinjiang-row> (accessed April 13, 2021).

university tweeted: “Dr @j_smithfinley has been a leading voice in this important area of research on the #Uyghurs and we fully support her in this work.”²⁶⁰

Australian Best Practice

Despite the failure of most Australian universities to implement targeted policies to protect the academic freedom of students from China and Hong Kong and China-focused academics, Human Rights Watch found several best practices informally adopted by individual schools or tutors.

One pro-democracy Chinese student who had expressed her inability to communicate her views openly in class said that a move towards individual written assignments for her unit, away from what had been a heavy focus on group and shared work, enabled her to finally stop self-censoring. Zhang Min said:

I was really happy when I got to do an essay about censorship, and I could write about China. I didn’t have to talk about it. Just wrote. Only when it was an individual project was I able to be free and write about stuff that I don’t dare to talk about.²⁶¹

Another mainland student, Jin, said that his tutor specifically mentioned on the unit outline for his Chinese politics class that classes would not be recorded: “The lecturer had just directly said it on the website, he said that all the courses will not be recorded to protect students and privacy. I think this is a very important reason that allowed me to speak freely.”²⁶²

In another course, Jin, who had wanted to write about censorship in China, approached his course coordinator and explained special measures that would need to be taken if he wrote on this subject. The cooperation and support he received allowed him to proceed: “I personally went to course convenor and ask her if I could not send her the draft through

²⁶⁰ University of Newcastle, Twitter post, March 26, 2021, <https://twitter.com/UniofNewcastle/status/1375400512732987393?s=20> (accessed April 13, 2021).

²⁶¹ Human Rights Watch interview with student Zhang Min (pseudonym), September 27, 2020.

²⁶² Human Rights Watch interview with student Jin (pseudonym), September 29, 2020.

the official website. I just handed it to her in person. I just printed it out and gave it to her.”²⁶³

A student from Hong Kong, Sam, who wanted to get involved with student politics but was too scared to use his real name, explained his situation to his student association. “I actually got special permission not to use my real enrolled name. So, then I could participate,” he said.²⁶⁴

Several academics shared techniques they had implemented for Chinese speaking students, which they believe contributed to them being comfortable to express their opinions in class and in assignments. “L,” who taught politics to students from China, implemented a new measure that allowed students to submit work anonymously: “We liaised with the IT department regarding how to strengthen security and we put procedures in place so students can submit work anonymously, so there are not any names on the documents they submit.”²⁶⁵

Another academic, “B,” who teaches Chinese politics, explained how every semester he gives a presentation to his students explaining the importance of academic freedom and freedom of speech in the classroom and the consequences if they are not respected. He said:

I have a PowerPoint I show them explaining freedom of speech, asking them to reject intolerance and be open to dialogue. I say if you feel you are intimidated or harassed, please contact me. So right at the start, I make it clear I don’t tolerate it. And I have not had any serious incidents in my class since then.²⁶⁶

When the National Security Legislation passed in Hong Kong, La Trobe University in Victoria conducted an audit of students who could be affected by the laws and who were enrolled in subjects that cover material that may be considered politically sensitive under

²⁶³ Ibid.

²⁶⁴ Human Rights Watch interview with student Sam (pseudonym), December 10, 2020.

²⁶⁵ Human Rights Watch interview with academic ‘L’ (pseudonym), December 16, 2020.

²⁶⁶ Human Rights Watch interview with academic ‘B’ (pseudonym), November 10, 2020.

these laws. As part of that process, the university identified one student who could have been affected. The university told Human Rights Watch they then “worked at departmental level to advise the student and ensure the necessary protection was afforded.”²⁶⁷

The University of Technology Sydney (UTS), in a response to questions from Human Rights Watch, said it was “considering regular tailored training sessions for students from countries whose governments are likely to be monitoring their activities, designed to help those students with their own security in cyberspace.” UTS also said that “university staff also meet regularly with the UTS Branch of the Chinese Students and Scholars Association and discussions include what is acceptable behaviour for students.”²⁶⁸

UTS also highlighted the steps it took to ensure students could safely establish and post a “Lennon Wall” on campus, highlighting how they had met with members of the UTS Hong Kong Students Group and “established its poster wall in a high-thoroughfare and well-lit area, with extensive CCTV coverage and regular Security attendance, to ensure students could safely post, without fear of physical intimidation or threatening behaviour.”

UTS also has a public, online guide to teaching technologies in China, including a specific section on dealing with “sensitive content” that specifically highlights the university’s commitment to academic freedom:

Sensitive content: It’s important to be aware of the sensitive political climate that surrounds access to online material in China. While it’s important to consider the implications for the safety of students and staff accessing and/or posting content viewed as controversial in China, UTS fully supports academic freedom and enquiry and will not compromise its course content. If you think your subject might contain content which directly addresses areas of political, historical or economic dispute, speak to your Associate Dean Teaching & Learning.²⁶⁹

²⁶⁷ La Trobe University’s full response can be found on Human Rights Watch’s website.

²⁶⁸ The University of Technology’s full response can be found on Human Rights Watch’s website.

²⁶⁹ The University of Technology, “Prepare Your Subject for Students Affected by Travel Restrictions,” April 9, 2021, <https://lx.uts.edu.au/collections/teaching-during-covid19/resources/prepare-your-subject-for-students-travel-restrictions/> (accessed May 14, 2021).

VII. Academic Freedom and International Standards

International law obligates states to respect academic freedom, a principle based on a series of basic and widely accepted human rights. The principle is derived in part from international human rights treaties that Australia has ratified, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and customary international law as reflected in the Universal Declaration of Human Rights. These protect the rights to education, freedom of expression, and opinion.

The right to education is enshrined in article 26 of the Universal Declaration of Human Rights and article 13 of the International Covenant on Economic, Social and Cultural Rights.²⁷⁰ The UN Committee on Economic, Social and Cultural Rights, in its General Comment 13 on the right to education, stated that “the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.”²⁷¹ The committee noted that “[m]embers of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing.” At the same time, “[t]he enjoyment of academic freedom carries with it obligations, such as the duty to respect the academic freedom of others, to ensure the fair discussion of contrary views, and to treat all without discrimination on any of the prohibited grounds.”²⁷²

The rights to freedom of expression and opinion are found in the International Covenant on Civil and Political Rights (ICCPR).²⁷³ ICCPR article 19 states that everyone has the right “to hold opinions without interference,” and the right “to freedom of expression... [which]

²⁷⁰ Universal Declaration of Human Rights, G.A. Res. 217 (III), U.N. Doc. A/RES/217(III), adopted December 10, 1948, art. 26; International Covenant on Economic, Social and Cultural Rights, adopted December 16, 1966, G.A. Res. 2200A (XXI), entered into force December 16, 1976, art. 13.

²⁷¹ UN Committee on Economic, Social and Cultural Rights, General Comment 13, The Right to Education (Art. 13), adopted December 8, 1999, E/C.12/1999/10, para. 38.

²⁷² *Ibid.*, para. 39.

²⁷³ International Covenant on Civil and Political Rights, adopted December 16, 1966, G.A. Res. 2200A (No. 49), entered into force March 3, 1976, art. 19.

shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers.”

The Australian Constitution does not explicitly protect freedom of expression. However, the High Court has held that an implied freedom of political communication exists as an indispensable part of the system of representative and responsible government created by the Constitution. It operates as a freedom from government restraint, rather than a right conferred directly on individuals.²⁷⁴

The 1997 UNESCO Recommendation concerning the Status of Higher Education Personnel states that:

[T]he right to education, teaching and research can only be fully enjoyed in an atmosphere of academic freedom and autonomy for institutions of higher education and that the open communication of findings, hypotheses and opinions lies at the very heart of higher education and provides the strongest guarantee of the accuracy and objectivity of scholarship and research.²⁷⁵

In March 2021, the Australian parliament passed a motion to amend the definition of “academic freedom” within the Higher Education Support Act 2003.²⁷⁶ The change includes replacing references to “free intellectual inquiry” in the act with the terms “freedom of speech and academic freedom.”²⁷⁷

This amendment was response to the 2019 findings by former High Court Chief Justice Robert French in his government-commissioned review of free speech at Australian

²⁷⁴ Australian Human Rights Commission, “Freedom of Information, Opinion and Expression,” undated, <https://humanrights.gov.au/our-work/rights-and-freedoms/freedom-information-opinion-and-expression> (accessed April 6, 2021).

²⁷⁵ UNESCO, Recommendation Concerning the Status of Higher-Education Teaching Personnel, November 11, 1997, Compilation of General Comments and General Recommendations Adopted.

²⁷⁶ Higher Education Support Amendment (Freedom of Speech) Bill 2021, Parliament of Australia, 2021, https://parlinfo.aph.gov.au/parlInfo/download/legislation/bills/r6619_aspassed/toc_pdf/20140b01.pdf;fileType=application%2Fpdf#search=%22legislation/bills/r6619_aspassed/0000%22 (accessed April 5, 2021).

²⁷⁷ Ibid.

universities, adopting his recommended definition of “academic freedom.”²⁷⁸ Several universities expressed concerns that the changes would make it harder for them to discipline academics who engage in racist or sexist behavior in the classroom.²⁷⁹

The new act defines academic freedom as:

- a) freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research.
- b) freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research.
- c) freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled.
- d) freedom of academic staff to participate in professional or representative academic bodies.
- e) freedom of students to participate in student societies and associations.
- f) autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Apart from the treaties that Australia has ratified, academic freedom is provided through state and Commonwealth legislation, as well as in internal university policies, and in some cases, enterprise agreements, which are negotiated wages and working conditions agreed upon between a particular university and the staff it employs.²⁸⁰

²⁷⁸ Australian Government Department of Education, Skills and Employment, “Independent Review of Adoption of the Model Code on Freedom of Speech and Academic Freedom.”

²⁷⁹ Lisa Visentin, “‘Protect educators’: One Nation gets academic freedom change in return for vote,” *Sydney Morning Herald*, September 29, 2020, <https://www.smh.com.au/politics/federal/protect-educators-one-nation-gets-academic-freedom-change-in-return-for-vote-20200928-p55zxl.html> (accessed May 12, 2021).

²⁸⁰ National Tertiary Education Union, “Intellectual (Academic) Freedom: Overview,” undated, https://www.nteu.org.au/policy/workforce_issues/intellectual_freedom/overview (accessed May 24, 2021).

Recommendations

To the Australian Government

- The Federal Department of Education should publish annually a report documenting incidents of harassment, intimidation, and censorship affecting international students that occur at Australian universities and steps taken by those universities to counter those threats.
- The Federal Department of Education should establish a mechanism so students at Australian universities can report, including anonymously, harassment, intimidation, pressures of censorship or self-censorship, and acts of retaliation involving foreign governments. This mechanism should make appropriate referrals to established agencies.
- Ensure the Tertiary Education Quality and Standards Agency (TEQSA) Integrity Unit requires universities to meet a standard on protecting the academic freedom of international students from foreign governments.
- Amend the Education Services for Overseas Students Act 2000 so Australian universities are required to undertake adequate measures to protect the academic freedom of international students from foreign governments who are at risk due to their work on those countries.
- Provide an online multilingual resource for all students, student groups and universities explaining the basic rights of students and the reporting options available to them.

To the University Foreign Interference Taskforce

- Examine as a priority the harassment, intimidation, censorship, and self-censorship of students and academics from China and working on China.
- Collect and annually share examples of effective measures universities have taken to address harassment, intimidation, censorship, and self-censorship of students from China and China-focused academics.
- Meet regularly with China country experts and analysts in and outside Australia to discuss best practice strategies deployed domestically and internationally to address campus intimidation and threats to academic freedom.

To University Sector Representative Bodies (Universities Australia, Group of Eight, etc.)

- Work with the University Foreign Interference Taskforce and other government stakeholders to develop standard procedures for all Australian universities to rebuff pressure tactics from Chinese diplomats in Australia and Chinese Communist Party officials.
- Actively track reported instances of direct or indirect Chinese government harassment, surveillance, or threats on university campuses. Where warranted, they should be reported to law enforcement. Report annually and make public the number and nature of these kinds of incidents.

To Australian Universities and Vice-Chancellors

- Speak out publicly when specific incidents of harassment or censorship occur. Commit to consistently supporting academic freedom and freedom of expression through public statements at the highest institutional levels, institutional policies, and internal guidelines, 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.
- Actively track reported instances of direct or indirect Chinese government harassment, surveillance, or threats on campuses. Where warranted, they should be reported to law enforcement. Report annually and make public the number and nature of these kinds of incidents.
- Adopt a formal code of conduct, such as the 12-point Code of Conduct for universities that Human Rights Watch developed with inputs from academics to protect students and academics from Chinese government threats to the academic freedom of students, scholars, and educational institutions.
- Define “reporting on” the activities of fellow students or staff to foreign embassies as bullying and harassment, classifying it as a serious violation of the student code of conduct and grounds for disciplinary action.
- Publicize a policy that an individual’s classroom discussions and opinions should never be reported to foreign missions.
- Ensure that the “doxing” of fellow classmates or staff is classified as a serious violation of the student code of conduct and grounds for disciplinary action.

- Ensure Chinese students, academics, and staff feel welcomed and protected and that anyone who engages in harassment or discrimination is appropriately punished.
- Implement policies and increase security to enable students to submit their work for grading anonymously, without fear of their real name and opinions being circulated.
- Refrain from having Confucius Institutes on campuses, as they are fundamentally incompatible with a robust commitment to academic freedom. The 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.
- Monitor the university's official social media accounts including WeChat for violations of campus free speech policies such as hate speech, threats, or harassment in English and Chinese and take appropriate action when students or staff violate those policies.
- Establish a process by which people can report, including anonymously, abusive online comments that are posted on the university's social media accounts.
- Establish and regularly publicize a mechanism for international students to anonymously make complaints about surveillance, harassment, censorship, and self-censorship. Report annually on the number of complaints and actions taken.
- Develop and run a public education campaign on campuses highlighting that reporting on, and harassment and intimidation of fellow classmates, is classified as serious academic misconduct and grounds for disciplinary action. This campaign should be a feature of student orientation and run all year. It should explain what academic freedom is, how it is protected, how it can come under threat on campus, and repercussions for students engaging in such practices.
- Develop a privacy code to prohibit the publishing of private correspondence and class discussions and that the violation of this is academic misconduct.
- Require all campus organizations, including the Chinese Students and Scholars Association (CSSA), which receive funding or support from foreign diplomatic missions, to publicly report such information to be registered as a club.
- Provide adequate university-funded student support services for students from China so they are not forced to rely on services linked to and supported by the Chinese government.

- End any paid advertising relationships with WeChat and only advertise on platforms that do not censor on behalf of the Chinese government.

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“They Don’t Understand the Fear We Have”

How China’s Long Reach of Repression Undermines Academic Freedom at Australia’s Universities

The Chinese government has grown bolder in its efforts to interfere on foreign university campuses, influence academic discussions, monitor students from China, and censor scholarly inquiry. The report *“They Don’t Understand the Fear We Have”* examines threats to academic freedom at Australian universities stemming from direct and indirect Chinese government pressure. It documents cases of harassment, intimidation, self-censorship, and censorship of students from China and academics who criticize the Chinese Communist Party or express support for democracy movements. It reveals how pro-democracy students from mainland China and Hong Kong experience surveillance, threats of violence, threats of being reported to Chinese authorities, or being doxed online from fellow classmates. The report highlights how self-censorship has become common among academics who feel unsafe discussing controversial topics around China like Hong Kong, Xinjiang, Taiwan, and Tibet. The Australian government and universities should speak out in support of academic freedom for students and scholars of and from China, and adopt standard procedures to improve their safety and protection.



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