

III. Development of the Rule of Law

CIVIL SOCIETY

Intensified Crackdown on NGOs and Civil Society

Chinese non-governmental organizations (NGOs) provide social services¹ and engage in public outreach,² education,³ and issue advocacy.⁴ NGOs work in a variety of sectors, including labor, environment, poverty alleviation, health, education, and gender.⁵ Prior to President and Communist Party General Secretary Xi Jinping's transition to power, NGOs were able to operate more freely in some sectors that authorities considered less politically sensitive,⁶ including women's rights advocacy.⁷ Due to government pressure, Chinese rights defenders tend to work in loose and decentralized networks rather than formal NGOs.⁸

During the Commission's 2015 reporting year, the central government narrowed the already restricted space within which NGOs are allowed to work. A government crackdown on NGOs and civil society networks that began in 2013 intensified this past year,⁹ reportedly making the climate for civil society one of the worst in recent years.¹⁰ The international human rights NGO Chinese Human Rights Defenders reported 995 arbitrary detention cases of rights defenders in 2014, nearly as many as the two-year total of 1,160 from 2012 to 2013.¹¹ Authorities, moreover, targeted some NGOs and their staff throughout the past year, as represented in the following developments:¹²

- In September 2014, Liren Rural Library,¹³ a Chinese NGO that established a network of 22 libraries across rural China, closed in the face of government pressure.¹⁴ In October and November, authorities temporarily detained individuals associated with Liren, including Ling Lisha,¹⁵ Liu Jianshu,¹⁶ and Xu Xiao.¹⁷
- In October 2014, authorities in Beijing municipality reportedly shut down Transition Institute (TI),¹⁸ an NGO think tank dedicated to educational and economic policy,¹⁹ and detained several of its staff members.²⁰ In January 2015, 87 days after their detention, the police formally arrested and charged two TI leaders, Guo Yushan²¹ and He Zhengjun,²² with "illegal business activity."²³ Authorities also held Huang Kaiping, TI's managing director, incommunicado for 110 days before releasing him in January 2015.²⁴ When Huang's lawyer asked Huang if he was tortured, Huang reportedly responded, "Let's not talk about that now, you understand."²⁵ Torture is in violation of China's obligation as a State Party²⁶ to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.²⁷ Authorities took into custody in March 2015 and released at an unknown date²⁸ another TI staff member, Yang Zili, a former political prisoner.²⁹ In their handling of the cases of Guo, He, and Huang, authorities violated the PRC Criminal Procedure Law, which requires that a suspect be released after 37 days if the procuratorate does not authorize the arrest.³⁰ Guo and He were released on "bail" the week before Chinese President Xi Jinping's state visit to the United States in September 2015.³¹

- In March 2015, security officials in Beijing reportedly raided the office of the Beijing Yirenping Center,³² a public health and anti-discrimination NGO whose founders had received several awards from Chinese state-run news media.³³ This was the second time in two years that authorities had targeted the group.³⁴ In April 2015, the Ministry of Foreign Affairs publicly accused Yirenping of unspecified legal violations,³⁵ which an Yirenping statement indicated could have been linked to the group's advocacy on behalf of five women's rights advocates whom authorities detained earlier in March.³⁶ Three of the five are either current or former employees of Yirenping,³⁷ Released on bail in April 2015,³⁸ the five women continued to face police surveillance.³⁹ [For more information, see box on Detentions of Women's Rights Advocates in Section II—Status of Women.] Later in June, authorities detained two former Yirenping employees, Guo Bin and Yang Zhanqing, on charges of “illegal business activity,” according to their lawyers.⁴⁰ Officials released Guo and Yang in July.⁴¹
- In June 2015, Weizhiming, a women's rights organization led by Wu Rongrong, one of the five women detained in March 2015, shut down after police began investigating four of its six staff members.⁴²

Many Chinese rights advocates have observed that the crack-down on NGOs and rights defenders has exerted a “chilling” effect on civil society.⁴³ The targeting of these NGOs calls into question Chinese authorities' commitment to uphold the rights guaranteed in China's Constitution, including the right to freedom of assembly,⁴⁴ as well as international standards on freedom of speech and association outlined in the International Covenant on Civil and Political Rights⁴⁵ and the Declaration on Human Rights Defenders.⁴⁶

Government and Party Control

The regulatory environment for independent Chinese NGOs continues to be challenging for NGOs to navigate. Central authorities require some NGOs to secure the sponsorship of a governmental or quasi-governmental organization in order to be eligible for registration under the Ministry of Civil Affairs (MCA).⁴⁷ This “dual management system” imposes differentiated treatment of NGOs based on how politically sensitive the authorities believe them to be.⁴⁸ According to Chinese NGO workers, although central authorities pledged reform, the registration process remained closed to NGOs that work on rights issues or are otherwise deemed to be sensitive.⁴⁹ One of China's few independent NGOs that monitor human rights⁵⁰ applied for registration four times between 2013 and March 2015, but the Beijing municipal civil affairs bureau refused to register the group each time.⁵¹ Since the government restricts the growth of civil society organizations, independent NGOs are often forced to remain unregistered or register as businesses.⁵² Both options leave them hampered and at risk of prosecution,⁵³ as with the accusations of “illegal business activity” against Transition Institute⁵⁴ and Yirenping employees.⁵⁵ In May 2015, Party authorities reportedly decided to strengthen requirements to establish Party groups “in social, economic and cultural organiza-

tions.”⁵⁶ An international law expert observed that in previous Party-building efforts, NGOs were encouraged to form internal Party groups, but the May requirements make them mandatory.⁵⁷ A Chinese rights advocate speculated that the decision may result in Party selection and appointment of some NGO personnel.⁵⁸

In terms of fundraising and government procurement, independent NGOs are at a disadvantage vis-à-vis quasi-governmental or government-organized non-governmental organizations (GONGOs). Under Chinese law, only a few quasi-governmental foundations are allowed to raise funds from the public.⁵⁹ A 2014 Chinese Academy of Social Sciences Blue Book reportedly found that government organizations’ monopoly over fundraising is one of the reasons independent NGOs receive little funding.⁶⁰ In October 2014, the MCA allocated 200 million yuan (US\$32.2 million) to procure services and training from NGOs for 2015,⁶¹ at approximately the same level as from 2012 to 2014.⁶² In December 2014, the MCA and other government agencies issued provisional Government Service Procurement Management Measures (Measures).⁶³ The Measures predicate funding on an organization’s registration status and allow quasi-governmental organizations to compete for service bids.⁶⁴ In January 2015, a public management professor who teaches at Tsinghua University expressed concern about the Measures, calling for more public participation in building accountability mechanisms.⁶⁵ Other Chinese commentators found the participation of quasi-governmental organizations to have a crowding-out effect for independent NGOs,⁶⁶ including a sociology professor in Beijing who said the government should slow the pace of procurement until a fair and effective assessment system is in place.⁶⁷

Chinese government funding restrictions limited the independence of most Chinese NGOs and deepened their reliance on international funding. For example, the Measures on government procurement issued in December 2014 designated social services as procurement areas, with only limited mention of legal aid and services and no mention of human rights.⁶⁸ A British academic observed that government funds disbursed in 2012 led labor NGOs “to limit their activities to safe agendas and to become more adjuncts of the government rather than of workers.”⁶⁹ According to sources cited in a November 2014 Radio Free Asia report, one consequence of regulatory restrictions and domestic funders’ reluctance to fund projects the government deems politically sensitive⁷⁰ is that independent NGOs—especially those that advocate for human and civil rights—rely more heavily on international funding.⁷¹

The number and strength of independent NGOs in China, though open to debate, remain limited, according to some observers. Statistics from the Ministry of Civil Affairs show that by the end of 2014, China had 600,000 registered “social organizations,” of which 30,000 were able to register without a sponsor.⁷² International media and Chinese scholarly estimates of independent unregistered NGOs range from 1.2 million to 8 million,⁷³ yet few met the criteria of being “voluntary, private, non-profit, and self-governing.”⁷⁴ Two NGO directories that collected information on both registered and unregistered NGOs in 2014 and 2015 identified approximately 3,000 independent NGOs.⁷⁵ In a 2014 report, a Chinese NGO ex-

pert noted that despite estimates of millions of NGOs, he counted 6,000 to 7,000 “weak and scattered” grassroots NGOs.⁷⁶ A Shanghai-based consultant estimated that 3,000 to 5,000 independent NGOs in China “have achieved a basic degree of scale,” and “only one or two hundred are in a position to significantly innovate, expand, and/or replicate.”⁷⁷ A 2014 study reportedly found that the number of independent NGOs shrank over the last seven years and attributed the decrease to the difficulty of obtaining funding.⁷⁸ Moreover, according to one Chinese NGO, publicly available information about such NGOs is often “vague” and “varies widely” because so many Chinese NGOs are unable to formally register.⁷⁹

Regulatory and Legal Developments

The Chinese government has not released draft revisions, originally slated for release in 2013, to three regulations which Chinese officials say are key to the current legal framework for non-governmental organizations (NGOs).⁸⁰ These State Council regulations are the Temporary Regulations on the Registration and Management of Non-Governmental, Non-Commercial Enterprises, Regulations on the Registration and Management of Social Organizations, and Regulations on the Management of Foundations.⁸¹ In March 2015, a National People’s Congress (NPC) delegate who is an expert on civil society in China urged the government to finish revising the regulations soon, saying “social organizations . . . have operated de facto without laws” since 2013.⁸² Another NPC delegate called for a “Social Organizations Law” to strengthen governance norms, including oversight and independence of NGOs.⁸³ An official said in March 2015 that the NPC would review the draft national charity law, first drafted in 2005,⁸⁴ by late 2015.⁸⁵ A Chinese researcher suggested adding a clause allowing human rights advocacy to the law.⁸⁶

In January 2015, authorities in Guangzhou municipality, Guangdong province, issued Measures for the Management of Social Organizations (Guangzhou Measures).⁸⁷ The central government often chooses certain cities for piloting new regulations or measures that are later introduced nationwide,⁸⁸ such as its choice of Guangzhou for pilot NGO registration measures in 2012 and 2013.⁸⁹ The Guangzhou Measures require NGOs to report foreign funding or subsidies 15 days before receipt,⁹⁰ and allow the government to confiscate the property of NGOs if they are not registered or if they undertake activities under their organizational name without first getting permission to do so.⁹¹ NGOs using international funding for activities that “endanger national security” may face loss of registration, fines, orders to dismiss and replace the organization’s personnel, or criminal charges for the organization’s responsible parties.⁹² After public input, Guangzhou authorities removed controversial provisions from the draft Guangzhou Measures that would have banned efforts to start NGOs⁹³ or prohibit NGOs that are funded or connected to foreign organizations.⁹⁴ Voice of America reported in March 2015 that the Guangzhou Measures would likely restrict funding for labor NGOs in a sector that largely relies on outside funding.⁹⁵

Government Efforts To Control Foreign and Domestic NGOs

During the reporting year, the Chinese government considered laws that may have negative consequences for Chinese civil society, including a draft PRC Counterterrorism Law⁹⁶ and a draft PRC Overseas Non-Governmental Organizations (NGO) Management Law.⁹⁷ [See box on the Draft PRC Overseas NGO Management Law below.] The draft PRC Counterterrorism Law stipulates NGOs that fail to report their funding sources to the government may be fined up to 50,000 yuan (US\$8,000),⁹⁸ and requires banks to monitor the “financial flow” of both Chinese and overseas NGOs.⁹⁹ Human Rights Watch called for an overhaul of the draft PRC Counterterrorism Law, warning that otherwise, Chinese civil society may face even more “politically motivated arrests and prosecutions.”¹⁰⁰

Draft PRC Overseas NGO Management Law

According to the draft PRC Overseas NGO Management Law, authorities aim to “regulate and guide activities” of overseas¹⁰¹ NGOs. Key provisions include:

- Requiring overseas NGOs that establish permanent offices in China to register with public security authorities at the provincial level or above, and to secure a sponsor organization and approval from relevant government agencies or government-approved organizations;¹⁰²
- Forbidding overseas NGOs within China from carrying out activities that “endanger” interests such as “China’s national unity,” “national interests,” “public interest,” “public order,” and “culture.”¹⁰³ Overseas NGOs are also forbidden from undertaking or funding “political activities or illegal religious activities”;¹⁰⁴
- Requiring overseas NGOs without branch offices to find Chinese partner organizations and obtain temporary activity permits in order to engage in activities in China;¹⁰⁵
- Forbidding Chinese individuals and organizations from accepting funding from or “covertly represent[ing]” overseas NGOs that have not established a branch office or obtained a temporary activity permit;¹⁰⁶
- In most cases forbidding overseas NGOs from soliciting contributions or accepting donations within China;¹⁰⁷
- Requiring overseas NGOs to hire and recruit volunteers in China through government-approved intermediaries,¹⁰⁸ and to cap the percentage of foreign staff at overseas NGOs at 50 percent;¹⁰⁹
- Adding administrative burdens, including submission of activity and work reports,¹¹⁰ yearly activity plans,¹¹¹ mandatory reregistration every five years,¹¹² and financial reporting;¹¹³ and
- Permitting public security agencies to inspect the offices of overseas NGOs, seal or seize documents, venues, facilities, or property,¹¹⁴ and freeze bank accounts of NGOs and affiliated individuals under investigation.¹¹⁵

Draft PRC Overseas NGO Management Law—Continued

International human rights organizations urged the Chinese government to withdraw or substantially revise the draft law out of concern that its provisions contravene the right to freedom of association contained in both international law¹¹⁶ and China's Constitution.¹¹⁷ Chinese and international commentators noted that under the draft PRC Overseas NGO Management Law, registration and oversight authority of overseas NGOs would transfer from the Ministry of Civil Affairs to the Ministry of Public Security.¹¹⁸ Commentators stated that this may make the environment for overseas NGOs, especially legal and civil rights NGOs, more restrictive.¹¹⁹ Chinese observers said the draft law's broad and vague language would make it difficult to enforce¹²⁰ and allow for selective enforcement.¹²¹ Maya Wang of Human Rights Watch said the draft law would give "China's police veto power over international groups and their decisions."¹²²

Chinese and international civil society organizations deemed the draft PRC Overseas NGO Management Law detrimental to Chinese NGOs and to China's broad range of trade and exchange activities with the world. International human rights groups and Chinese observers asserted that the loss of international funding is likely to set back independent Chinese NGOs,¹²³ especially those that engage in rights advocacy.¹²⁴ International news media reported that some international NGOs may curtail or end their work in China.¹²⁵ Scholars and advocates warned that common "international cultural, educational and technical exchanges" could decline, and universities and other organizations could face significant hurdles in conducting activities in China.¹²⁶ In a joint letter to the National People's Congress, dozens of U.S. trade and lobby groups, including the U.S. Chamber of Commerce, predicted that the draft law, if passed in its current form, would "have a significant adverse impact on the future of U.S.-China relations."¹²⁷

Notes to Section III—Civil Society

¹Reza Hasmath and Jennifer Y. J. Hsu, “Communities of Practice and the NGO Sector in China,” Association for Research on Nonprofit Organizations and Voluntary Action Annual Conference (Chicago, USA), November 2015, Introduction. According to Hasmath and Hsu, social services outsourcing refers to the provision of public funds by the government to a non-profit organization or business to deliver public goods and services.

²See Zhang Xiong, “To Serve the Girls” [Wei xiaojie fuwu], Southern People Weekly, 11 March 15; Zhang Ren, “Research Report on the Status and Development of Grassroots Organizations Serving Substance Abuse Population in Beijing Municipality” [Beijing shi chengyin renqun caogen zuzhi xianzhuang ji fazhan diaoyan baogao], China Drug Banning Exhibition Center, 15 June 15.

³See, e.g., Love Save Pneumoconiosis, “Introduction to the Foundation” [Jijin jianjie], last visited 3 August 15; Amity Foundation, “Who We Are,” last visited 3 August 15; Beijing LGBT Center, “Introduction to the Center” [Zhongxin jiangjie], last visited 3 August 15.

⁴See, e.g., Guo Ting, “To Promote Law and Abolish the Custody System: Public Interest Actors’ Uphill Efforts” [Tuijin fazhi feizhi shourong gongyi ren de jiannan xingdong], Asia Development Brief, 15 December 14.

⁵Isabel Hilton et al., “The Future of NGOs in China: A ChinaFile Conversation,” Asia Society, ChinaFile (blog), 14 May 15.

⁶Teng Biao, “Review of Draft Overseas NGO Management Law and National Security Law” [Ping jingwai feizhengfu zuzhi guanli fa guojia anquan fa cao’an], Independent Chinese PEN Center, 30 June 15; Yang Guang, “Yang Guang: Stifling NGOs Shows Totalitarian Mindset” [Yang guang: esha NGO shi jiquan zhuyi siwei], Directions Magazine, reprinted in New Century Net, 3 July 15.

⁷Rui Di, “Zhao Sile: Feminist Action Is the Most Active and Visible Social Movement in China” [Zhao sile: nuquan xingdong zhongguo zui huoyue zui kejian de shehui yundong], Radio France International, 14 April 15; Isabel Hilton et al., “The Future of NGOs in China: A ChinaFile Conversation,” Asia Society, ChinaFile (blog), 14 May 15.

⁸See, e.g., Guo Feixiong, “My Rights Defense Resume and Thoughts on Political Strategies—From Guo Feixiong’s Self Defense in Court” [Wode weiquan yundong jianshi ji zhengzhi caozuo linian—zhai zi guo feixiong fating bianhuci], New Citizens’ Movement, 28 February 15; “Interview With ‘Super Vulgar Butcher’ Wu Gan, To Discuss Freedom in Hong Kong and Occupy Central” [Zhuanfang “chaoji disu tufu” wu gan tan xianggang zivou he zhan zhong], Boxun, 28 February 14; Xiao Shu, “Xiao Shu Special Column: 26 Years Later, They Are Still Willing To Be Cannon Fodder” [Xiao shu zhuanlan zouguo 26 nian tamen yijiu gan dang paohui], Storm Media, 4 June 15.

⁹Chen Yizhong, “Interview With Xiao Shu: Citizens’ Movement and China’s Transition” [Zhuanfang xiao shu: gongmin yundong yu zhongguo zhuanxing], Financial Times, 12 June 15; Human Rights Watch, “World Report 2015,” 2015, China, 155–57; Elizabeth Whitman, “Obama China President Meeting: Petition Seeks To Cancel Meeting From Xi Jinping, Citing Dozens of Arrests,” International Business Times, 14 July 15.

¹⁰Human Rights Watch, “World Report 2015,” 2015, China, 155; Jennifer Duggan, “China Targets Lawyers in New Human Rights Crackdown,” Guardian, 13 July 15; “Human Rights Abuses in China ‘At Worst Since 1989’: Report,” Radio Free Asia, 16 February 15; “Xi Jinping Intensifies Crackdown on Rights Activists (Yu Ying-shih)” [Xi jingping qianghua dui weiquan renshi de daya (yu yingshi)], Radio Free Asia, 9 June 15.

¹¹Chinese Human Rights Defenders, “Silencing the Messenger: 2014 Annual Report on the Situation of Human Rights Defenders in China,” 15 March 15.

¹²Zeng Jinyan, “Guo Yushan and the Predicament of NGOs,” Probe International, 21 May 15.

¹³For information about Liren Rural Library, see Liren Rural Library [Liren xiangcun tushuguan], China Development Brief, last visited 31 July 15. According to its profile at China Development Brief, Liren Rural Library uses the English name China Rural Library.

¹⁴Vanessa Piao, “Liren Library Closes, Citing ‘Tremendous Pressure,’” New York Times, Sinosphere (blog), 22 September 14.

¹⁵Didi Kirsten Tatlow, “Young, Idealistic, and Caught Up in a Wave of Detentions,” New York Times, Sinosphere (blog), 10 December 14; Zhen Shuji, “Supporter of Occupy Central, Artist Ling Lisha, Released, Guo Yushan Still Missing” [Shengyuan xianggang zhan zhong yishujia ling lisha huoshi guo yushan reng shizong], Radio France International, 13 December 14. Authorities released Ling on bail in December 2014 after 70 days in detention. For more information on Ling Lisha, see the Commission’s Political Prisoner Database record 2015-00044.

¹⁶Didi Kirsten Tatlow, “Young, Idealistic, and Caught Up in a Wave of Detentions,” New York Times, Sinosphere (blog), 10 December 14; Lu Yang, “Public Interest Worker Liu Jianshu Released” [Gongyi renshi liu jianshu huoshi], Voice of America, 24 December 14. Authorities released Liu Jianshu on bail in December 2014. For more information on Liu Jianshu, see the Commission’s Political Prisoner Database record 2015-00044.

¹⁷“Chinese Journalist Xu Xiao Detained on Suspicion of Harming National Security” [Zhongguo meiti ren xu xiao shexian weihai guojia anquan bei zhua], Radio Free Asia, 1 December 14; “Famous Publishing Figure and Writer Xu Xiao Released After Nearly One Month and Returned Home” [Zhuming chubanshen zuojia xuxiao bei daizou jin yi ge yue hou huoshi huijia], Radio France International, 24 December 14. Authorities released Xu on bail in December 2014. For more information on Xu Xiao, see the Commission’s Political Prisoner Database record 2014-00419.

¹⁸Chinese Human Rights Defenders, “[CHRB] Beijing Police Detain Outspoken Intellectuals, Close Two Independent Groups (11/21–12/4, 2014),” 21 December 14.

¹⁹Human Rights Watch, “China: Release Leading Rule of Law Activists,” 22 January 15; Andrew Jacobs and Chris Buckley, “In China, Civic Groups’ Freedom, and Followers, Are Vanishing,” New York Times, 26 February 15.

- ²⁰ Josh Chin, “China Detains Legal Activist Guo Yushan,” *Wall Street Journal*, 12 October 14.
- ²¹ Edward Wong, “China Arrests Activist Amid a Crackdown,” *New York Times*, 7 January 15; “Guo Yushan, He Zhengjun ‘Illegal Business Activity Case’ Developments” [Guo yushan he zhengjun “feifa jingying an” jinzhan], *Boxun*, 4 April 15. For more information on Guo Yushan, see the Commission’s Political Prisoner Database record 2014-00370.
- ²² Rights Defense Network, “Lawyer Xi Xiangdong: Record of a Meeting With He Zhengjun of the ‘Transition Institute,’ Detained on Suspicion of Operating an Illegal Business” [Xi xiangdong lushi: “chuanzhixing” he zhengjun shexian feifa jingying an huijian ji], 7 January 15; “Guo Yushan, He Zhengjun ‘Illegal Business Activity Case’ Developments” [Guo yushan he zhengjun “feifa jingying an” jinzhan], *Boxun*, 4 June 15. For more information on He Zhengjun, see the Commission’s Political Prisoner Database record 2015-00003.
- ²³ Human Rights Watch, “China: Release Leading Rule of Law Activists: Impending Decisions Spotlight Harsh Crackdown on Critics,” 22 January 15; “Guo Yushan, He Zhengjun ‘Illegal Business Activity Case’ Developments” [Guo yushan he zhengjun “feifa jingying an” jinzhan], *Boxun*, 4 June 15.
- ²⁴ Chinese Human Rights Defenders, “CHRD Information Submission to the UN Committee against Torture for Consideration in List of Issues—February 2015,” 17 February 15; Li Zhongqian, “Beijing Transition Institute Director Huang Kaiping Released” [Beijing chuanzhixing suozhang huang kaiping huoshi], *Storm Media*, 28 January 15. For more information on Huang Kaiping, see the Commission’s Political Prisoner Database record 2015-00004.
- ²⁵ Li Zhongqian, “Beijing Transition Institute Director Huang Kaiping Released” [Beijing chuanzhixing suozhang huang kaiping huoshi], *Storm Media*, 28 January 15.
- ²⁶ United Nations Treaty Collection, Chapter IV, Human Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, last visited 4 August 15. China signed the CAT on December 12, 1986, and ratified it on October 4, 1988.
- ²⁷ UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by UN General Assembly resolution 39/46 of 10 December 84, entry into force 26 June 87, arts. 2, 11.
- ²⁸ Civil Rights & Livelihood Watch, “News Flash: Citizen Yang Zili and Bengbu Associate Detained by Police” [Kuaixun: gongmin yang zili bengbu huiyou bei jingfang zhuazou], 24 March 15; Yang Zili, “Yang Zili: Some Government Departments Are Shameless: On Seeing Butcher on CCTV” [Yang zili: cong tufu shang yangshi kan mouxie bumen de wuchi], *New Citizens’ Movement*, 31 May 15.
- ²⁹ Xiao Shu, “Yang Zili and the Paranoid Regime: A Journalist’s Plight Demonstrates the Depth of China’s Present Illness,” *Wall Street Journal*, 29 January 15. For more information on Yang Zili, see the Commission’s Political Prisoner Database record 2004-04188.
- ³⁰ PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13, art. 89.
- ³¹ “China Releases Two NGO Activists ‘On Bail’ Ahead of President’s US Trip,” *Radio Free Asia*, 15 September 15.
- ³² Andrew Jacobs, “China Raids Offices of Rights Group as Crackdown on Activism Continues,” *New York Times*, 26 March 15.
- ³³ “Yirenping Introduction” [Yirenping jianjie], *Yirenping Website*, last visited 10 July 15. *Yirenping* has received awards from China Central Television (CCTV) and People’s Court Web, among others.
- ³⁴ CECC, 2014 Annual Report, 9 October 14, 134.
- ³⁵ “China Targets Rights Group Yirenping After Activists’ Release,” *BBC*, 15 April 15.
- ³⁶ Beijing Yirenping Center, “Response to China’s Ministry of Foreign Affairs Accusation Against Yirenping,” translated in *China Change*, 15 April 15; “Chinese Authorities Want To Punish NGO Advocating for Five Feminists” [Zhongguo dangju yu chengchu shengyuan nuquan wu jiemei de NGO], *Voice of America*, 15 April 15; Chinese Human Rights Defenders, “[CHRB] 5 Women’s and LGBT Rights Activists Detained in Escalating Clampdown on NGOs (3/6–12/15),” 12 March 15; “Meet the 5 Female Activists China Has Detained,” *New York Times*, 6 April 15; Tania Branigan, “Five Chinese Feminists Held Over International Women’s Day Plans,” *Guardian*, 12 March 15. The five women were reportedly involved in a range of advocacy activities: Li Tingting (Li Maizi) is known for street performances such as “Occupy the Men’s Toilet” and managed the LGBT program at the Beijing Yirenping Center; Wang Man worked on gender and poverty issues for Global Call to Action Against Poverty; Wei Tingting worked for the LGBT rights NGO Ji’ande; prior to founding the NGO Weizhiming, Wu Rongrong worked for the health advocacy NGO Beijing Aizhixing Institute and the Beijing Yirenping Center; and Zheng Churan (also known as Datu) advocated for victims of domestic violence and women with disabilities. For more information, see the following records in the Commission’s Political Prisoner Database: 2015-00114 on Wei Tingting, 2015-00115 on Wang Man, 2015-00116 on Li Tingting, 2015-00117 on Wu Rongrong, and 2015-00118 on Zheng Churan.
- ³⁷ Elizabeth M. Lynch, “Update: Good or Bad? Five Female Activists Released on Bail,” *China Law & Policy* (blog), 14 April 15.
- ³⁸ “Why China Arrested, Then Released, Five Feminists,” *Economist*, *The Economist Explains* (blog), 27 April 15.
- ³⁹ Steven Jiang, “Released Feminists: Out of Jail but Not Free,” *CNN*, 14 April 15; “Women’s Rights Advocate Guo Jing Forbidden To Travel Abroad, Five Women’s Rights Advocates Demand Dismissal of Their Case” [Nuquanzhe guo jing bei jin chujing luyou 5 nuquan yaoqiu che an], *Radio Free Asia*, 26 May 15.
- ⁴⁰ Tom Phillips, “Fears of New Crackdown as China Holds Two Former Members of Rights Group,” *Guardian*, 15 June 15.
- ⁴¹ Rights Defense Network, “Public Interest Workers Guo Bin, Yang Zhanqing Released on Bail Today” [Gongyi renshi guo bin, yang zhanqing jinri qubao huoshi], 11 July 15.
- ⁴² Vanessa Piao, “Pressure From Chinese Authorities Forces Ex-Detained Feminist To Shutter Organization,” *New York Times*, *Sinosphere* (blog), 5 June 15.

⁴³Sang Pu, “The Tyranny That Disregards the Law and Imprisons Gao Yu” [Jianjin gao yu de famang baozheng], *Stand News*, 21 April 15; Lin Feng, “NGOs Face Hard Times,” *Voice of America*, 11 March 15; Wuyue Huahao, “The Long Winter for Civil Society” [Gongmin shehui de manchang handong], 8090 Net, 14 May 15.

⁴⁴PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, art. 35.

⁴⁵International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, arts. 19, 21, 22; UN GAOR, Hum. Rts. Coun. 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, para. 153. China signed the ICCPR in 1998, and the Chinese government has stated its intent to ratify it. During the UN Human Rights Council’s Universal Periodic Review of the Chinese government’s human rights record in October 2013, China stated it is “making preparations for the ratification of ICCPR and will continue to carry out legislative and judicial reforms.”

⁴⁶UN General Assembly, 53rd Sess., Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society To Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders), A/RES/53/144, 8 March 99, art. 5(a–c).

⁴⁷Regulations on the Registration and Management of Social Organizations [Shehui tuanti dengji guanli tiaoli], issued and effective 25 October 98, art. 6; Temporary Regulations on the Registration and Management of Non-Governmental, Non-Enterprise Institutions [Minban feiqiye danwei dengji guanli xanzing tiaoli], issued and effective 25 October 98, arts. 6–7.

⁴⁸Teng Biao, “Review of Draft Overseas NGO Management Law and National Security Law” [Ping jingwai feizhengfu zuzhi guanli fa he guojia anquan fa cao’an], Independent Chinese PEN Center, 30 June 15.

⁴⁹“China’s NGOs and Civil Society (II): Numerous Forbidden Areas Prevent NGOs From Promoting Development of Civil Society” [Zhongguo de NGO yu gongmin shehui (er) jinqu linli zu’ai NGO tuidong gongmin shehui fazhan], *Radio Free Asia*, 11 November 14; Feng Renke and Li Linjin, “The Plight of Chinese Worker Rights Groups” [Zhongguo laogong weiquan NGO de kunjing], *Financial Times*, 2 March 15.

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⁵¹China Human Rights Watch, “China Human Rights Watch Registration Notice: MCA Illegally Rejects Third Application” [Zhongguo renquan guancha zhuce wengao: minzhengbu feifa jujue zhongguo renquan guancha disan ci zhuce shenqing], *Uphold the Constitution and Defend Rights Net*, 27 September 14; Zhang Jiarui and Pan Lu, “On Fourth Time in Beijing To Register, ‘China Human Rights Watch’ Refused by Authorities” [“Zhongguo renquan guancha” disi ci jin jing zhuce bei dangju jujue], *Rose China*, 24 March 15.

⁵²Wan Yanhai, “Wan Yanhai Special Column: Sounding the Alarm Bell Over Transition Institute’s ‘Illegal Business Activity’” [Wan yanhai zhuanlan: chuanzhixing “feifa jingying zui” qiaoxiang de jingzhong], *Storm Media*, 1 May 15.

⁵³See, e.g., He Qinglian, “An Analysis of Xi Jinping’s ‘High Pressure Cooker’ Style of Governance” [Jiexi xi jingping de “gaoyaguo” zhili moshi], *Human Rights in China Biweekly*, Vol. 154, 16 April 15. For a history of the legal changes that forced groups to register as businesses, see Wan Yanhai, “Wan Yanhai Special Column: Sounding the Alarm Bell Over Transition Institute’s ‘Illegal Business Activity’” [Wan yanhai zhuanlan: chuanzhixing “feifa jingying zui” qiaoxiang de jingzhong], *Storm Media*, 1 May 15.

⁵⁴Chinese Human Rights Defenders, “Silencing the Messenger: 2014 Annual Report on the Situation of Human Rights Defenders in China,” 15 March 15, 15.

⁵⁵Tom Phillips, “Fears of New Crackdown as China Holds Two Former Members of Rights Group,” *Guardian*, 15 June 15.

⁵⁶Didi Kirsten Tatlow, “For NGOs in China, a Sense of Party Creep,” *New York Times*, *Sinosphere* (blog), 3 June 15.

⁵⁷Stanley Lubman, “China Asserts More Control Over Foreign and Domestic NGOs,” *Wall Street Journal*, *China Real Time Report* (blog), 16 June 15.

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⁵⁹Yang Xiaohong and Song Jia, “Charity Waiting for Its Breakthrough” [Dengdai tuwei de cishan], *Chuansongmen*, 4 January 15.

⁶⁰Jiang Tao, “CASS Report: China’s Civil Society Organizations Face Five Predicaments” [Shekeyuan baogao: zhongguo minjian zuzhi mianlin wu da kunjing], *China News Net*, 25 December 14.

⁶¹Ministry of Civil Affairs, Implementation Plan for 2015 Central Government Financial Support for Social Organization Participation in Social Service Projects [2015 nian zhongyang caizheng zhichi shehui zuzhi canyu shehui fuwu xiangmu shishi fang’an], issued 29 October 14.

⁶²Ministry of Civil Affairs, Implementation Plan for 2014 Central Government Financial Support for Social Organization Participation in Social Service Projects [2014 nian zhongyang caizheng zhichi shehui zuzhi canyu shehui fuwu xiangmu shishi fang’an], issued 25 November 13, item 1; Ministry of Civil Affairs, Implementation Plan for 2013 Central Government Financial Support for Social Organization Participation in Social Service Projects [2013 nian

zhongyang caizheng zhichi shehui zuzhi canyu shehui fuwu xiangmu shishi fang'an], issued 13 December 12; State Civil Organization Administration, "Project Announcement of Central Government Financial Support for Social Organization Participation in Social Service Projects" [Zhongyang caizheng zhichi shehui zuzhi canyu shehui fuwu xiangmu lixiang gonggao], 20 April 12, reprinted in Hainan Province Social Organization Net, 27 September 12. The allocation was also 200 million yuan for 2012 to 2014.

⁶³ Ministry of Finance, Ministry of Civil Affairs, and State Administration of Industry and Commerce, "Government Service Procurement Management Measures (Interim)" [Zhengfu goumai fuwu guanli banfa (zanxing)], issued 15 December 14, effective 1 January 15, art. 14(2, 5).

⁶⁴ *Ibid.*, art. 6.

⁶⁵ Wang Ming, "Wang Ming: Government Procurement of Services Should Establish Social Accountability Mechanisms" [Wang ming: zhengfu goumai fuwu ying jianli shehui wenze jizhi], China Charity Alliance, 6 January 15.

⁶⁶ Xu Yongguang, "Planned Economy Mentality Melts Away Space for Growth of Social Organizations" [Jihua jingji siwei tunshi dalu shehui zuzhi shengzhang kongjian], Phoenix Weekly, 14 November 14.

⁶⁷ Li Guang, "Government Should Slow Procurement of Public Services" [Zhengfu goumai gonggong fuwu yi fanghuan], Phoenix Weekly, 22 November 14.

⁶⁸ Ministry of Finance, Ministry of Civil Affairs, and State Administration of Industry and Commerce, Government Service Procurement Management Measures (Interim) [Zhengfu goumai fuwu guanli banfa (zanxing)], issued 15 December 14, effective 1 January 15, art. 14(2, 5).

⁶⁹ Jude Howell, "Shall We Dance? Welfarist Incorporation and the Politics of State-Labour NGO Relations in China," London School of Economics Research Online, November 2014, 19.

⁷⁰ Xiao Shu, "It's Not Necessary To Oppose All Things Foreign in the Public Interest Sphere" [Gongyi lingyu bubi fengyang bifan], Financial Times, 26 November 14; Song Zhibiao (Jiuwenpinglun), "Draft Law on Overseas NGO Management: Indiscriminately Pounding Mentors to Death" [Jingwai NGO fa an: luanquan dasi shifu], WeChat post, 9 May 15.

⁷¹ "China's NGOs and Civil Society (One): Besieged and Surviving in the Crevice" [Zhongguo de NGO yi gongmin shehui (yi) chongwei nanpo zai jiafeng zhong qiusheng], Radio Free Asia, 10 November 14; Jia Ping, "Jia Ping: A Chinese Example of Ineffective Control: Commentary on the Second Review Draft of the Draft Overseas NGO Management Law" [Jia ping: wuxiao guan zhi de zhongguo yangben—"jingwai feizhengfu zuzhi guanli fa" (cao'an dierci shen yu gao) pingshu], NGO Development Exchange Network (blog), 22 May 15; Wu Shan, "Setting Laws and Limits on Overseas NGOs" [Ligui jingwai NGO], Caijing, 25 May 15. According to Caijing, international funders spend several hundred million dollars in China each year working in more than 20 areas, including poverty aid, education, disability, and gender. See also Guo Hong, "Guo Hong: More Important Than Funding: Overseas NGOs Bring Beliefs and Ideas" [Guo hong: biqi zijin jingwai zuzhi dailai geng zhongyaode shi linian], NGO Development and Exchange Network (blog), 12 June 15. For example, in low-income areas in Daliangshan, Leibo county, Liangshan Yi Autonomous Preference, Sichuan province, overseas funding has been key in supporting poverty aid, harm reduction, and services for leprosy patients.

⁷² Wang Yong, "More Than 30,000 Social Organizations Throughout the Country Have Directly Registered" [Quanguo zhijie dengji shehui zuzhi yi chao 3 wan], China Philanthropy Times, 18 March 15.

⁷³ "Chinese Civil Society: Beneath the Glacier," Economist, 12 April 14; Kristie Lu Stout, "People Power in the People's Republic of China," CNN, 26 June 14. In 2014, the Economist estimated that there may be as many as 1.5 million unregistered groups while CNN reported an estimate by the Economist's Beijing Bureau Chief of close to 2 million. Li Fan, "The Current State of Civil Society in China" [Li fan: woguo gongmin shehui de xianzhuang], Tianze Economic Research Institute (Unirule), Biweekly Forum, 12 September 14. Li Fan, director of World and China Institute, a Chinese NGO research center, estimated that China may have up to 8 million unregistered social organizations, while Hu Xingdou, an economics professor at the Beijing Institute of Technology, and Xu Xin, a law professor at Beijing Institute of Technology, both questioned Li's estimate, saying that Li's definition of what constitutes an NGO was too broad. Shawn Shieh and Amanda Brown-Inz, "A Special Report: Mapping China's Public Interest NGOs," China Development Brief, 14 January 13. These estimates include groups such as quasi-governmental mass organizations, spun-off government units, business associations, recreational clubs, virtual groups, and rural mutual aid groups.

⁷⁴ Shawn Shieh and Amanda Brown-Inz, "A Special Report: Mapping China's Public Interest NGOs," China Development Brief, 14 January 13, 8.

⁷⁵ China Development Brief, "NGO Directory," last visited 1 June 15. See also Shawn Shieh and Amanda Brown-Inz, "A Special Report: Mapping China's Public Interest NGOs," China Development Brief, 14 January 13, 8; NGO2.0 and Chinese Public Interest Charity Research Center, Sun Yat-sen University, "Civil Society Public Interest Group Database Analytical Report" [Zhongguo minjian gongyi zuzhi jichu shujuku shuju fenxi baogao], April 2014. The criteria both directories employ to define NGOs are largely similar. The Civil Society Public Interest Group Database focused on voluntary, non-profit groups that are unaffiliated with the government, while the China Development Brief Directory focused on "voluntary, private, non-profit and self-governing" groups.

⁷⁶ Deng Guosheng, "Why Can't We See the Function of Grassroots NGOs?" [Caogen zuzhi de zuoyong weishenme kanbujian?], China Philanthropy Advisors, 20 May 14.

⁷⁷ Brent Fulton, "How Many NGOs Does China Really Have?" China Source (blog), 7 July 14. The consultant cited reportedly defined "a basic degree of scale" for "independently run" organizations in terms of years of operation, staff size, and project implementation experience.

⁷⁸ Han Yan, "China's Public Interest Sector: Five Bumpy Years" [Zhongguo gongyi, gouyou kankan zhe wu nian], Social Entrepreneur Institute, 16 December 14.

⁷⁹“Whither Institutional Reform for Social Organizations in Light of Three Government Initiatives?” [San jian qi fa shehui zuzhi de zhidu gaige lu zai hefang?] NGO Development Exchange Network, 15 July 15.

⁸⁰“Jiusan Society Provincial Party Committee Proposal at the Second Meeting of the 11th Guangdong Province People’s Political Conference” [She shengwei tijiao sheng zhengxie shiyi jie erci huiyi ti’an], Jiusan Society Guangdong Province Party Committee, 22 January 14. The Jiusan Society, one of China’s “eight democratic parties” under the umbrella of the Chinese People’s Political Consultative Conference, submitted a proposal in 2014 to the Guangdong Political Consultative Conference noting that three sets of regulations currently constitute the legal framework for Chinese “social organizations,” but that actual practice has outpaced the regulations, and revisions are urgently needed.

⁸¹Ibid.

⁸²Zhang Mulan and Zhang Xuetao, “Voices About the Public Interest” [Naxie gen gongyi youguan de shengyin], China Philanthropy Times, 12 March 15.

⁸³Zhang Yuan, “Formulate Social Organization Law To Break Through Development Bottleneck” [Zhiding shehui zuzhi fa tupo fazhan pingjing], Legal Daily, 13 March 15.

⁸⁴Han Xu, “The Public Discusses Charity Law” [Zhongyi cishan fa], Southern Metropolitan Public Interest, 6 February 15. See Yu Lu, “Where Did All the NGOs Go? Five Questions on the Legislative Consultation for the ‘Charity Law’” [Minjian zuzhi qu nale? wuwen “cishan fa” lifa zixun], NGO Development Exchange Network, 19 March 15. Grassroots groups were as a rule not invited to closed-door meetings to discuss the Charity Law with the government, and were not privy to advance viewing of the draft law.

⁸⁵“Draft Charity Enterprises Law May Be Reviewed by Year-End; Will Specify Management and Use of Charity Assets and Disclosure Requirements” [Cishan shiye fa cao’an niandi youwang shenyi: jiang zhuanzhang guiding cishan caichan guanli shiyong he xinxi gongkai], Beijing Times, 11 March 15. Civil society observers refer to the draft law as the Charity Law, while the Chinese Government refers to it as the “Charity Enterprises Law.” See, e.g., Yu Lu, “Where Did All the NGOs Go? Five Questions on the Legislative Consultation for the ‘Charity Law’” [Minjian zuzhi qu nale? wuwen “cishan fa” lifa zixun], NGO Development Exchange Network, 19 March 15.

⁸⁶Bai Xin, “Charity Law Legislation Should Not Just Be About Poverty and Disaster Aid” [Cishan fa lifa buying zhishi fupin jikun], Sohu News, 17 March 15.

⁸⁷Guangzhou Municipal People’s Government, Guangzhou Municipality Measures for the Management of Social Organizations [Guangzhou shi shehui zuzhi guanli banfa], issued 30 October 14, effective 1 January 15.

⁸⁸Chen Xueyang, “From Pilots to Legislation: The Logic of China’s Reform” [Cong shidian dao lifa de zhongguo gaige luojil], Financial Times, 10 March 15.

⁸⁹For Guangzhou’s pilot status, see “Special Edition on the Development of Social Organizations in China,” China Philanthropy Times, 2013.

⁹⁰Guangzhou Municipal People’s Government, Guangzhou Municipality Measures for the Management of Social Organizations [Guangzhou shi shehui zuzhi guanli banfa], issued 30 October 14, effective 1 January 15, art. 42, item 3.

⁹¹Ibid., art. 52. Article 52 of the Guangzhou Measures does not specify from which entity or entities NGOs are required to get permission to hold activities.

⁹²Ibid., art. 53.

⁹³Li La, “Guangzhou Definition of ‘Illegal Social Organization’ May Change” [Feifa shehui zuzhi dingyi huo shan’gai], Southern Metropolitan Daily, 6 November 14. The measures that went into effect on January 1, 2015, do not contain the provision in question.

⁹⁴Chinese Human Rights Defenders, “Silencing the Messenger: 2014 Annual Report on the Situation of Human Rights Defenders in China,” March 2015, 17.

⁹⁵“China’s NGOs Face Hard Times” [Duli NGO zai zhongguo zao handong], Voice of America, 11 March 15.

⁹⁶National People’s Congress Standing Committee, PRC Counterterrorism Law (Draft), [Zhongguo renmin gongheguo fan kongbu zhuyi fa (cao’an)], 3 November 14.

⁹⁷National People’s Congress Standing Committee, PRC Overseas Non-Governmental Organizations Management Law (Draft) (Second Reading Draft) [Zhonghua renmin gongheguo jingwai feizhengfu zuzhi guanli fa (cao’an) (erci shenyi gao)], 5 May 15.

⁹⁸National People’s Congress Standing Committee, PRC Counterterrorism Law (Draft), [Zhongguo renmin gongheguo fan kongbu zhuyi fa (cao’an)], 3 November 14, art. 95.

⁹⁹Ibid., chap. 3, art. 21.

¹⁰⁰Human Rights Watch, “China: Draft Counterterrorism Law a Recipe for Abuses: Major Overhaul Needed for Law To Conform with International Legal Obligations,” 20 January 15.

¹⁰¹Donald Clarke, “China’s Draft Law on Overseas NGOs,” China Law Prof (blog), 13 May 15. The word “overseas” includes Hong Kong. An Zijie, “Hong Kong NGO Conference: Feedback on ‘Overseas Non-Governmental Organizations Management Law (Draft)’ (Second Reading Draft)” [Xianggang NGO yantaohui: guanyu “jingwai feizhengfu zuzhi guanli fa (cao’an)” (erci shenyi gao) de yijian fankui], NGO Development Exchange Network, reprinted in China Development Brief, 25 May 15. Hong Kong groups convened a conference on May 25, 2015, to discuss recommendations on revising the law.

¹⁰²National People’s Congress Standing Committee, PRC Overseas Non-Governmental Organizations Management Law (Draft) (Second Reading Draft) [Zhonghua renmin gongheguo jingwai feizhengfu zuzhi guanli fa (cao’an) (erci shenyi gao)], 5 May 15, arts. 7, 11–12, 19–20. For an English translation, see China Development Brief, “CDB English Translation of the Overseas NGO Management Law (Second Draft),” 21 May 15.

¹⁰³Ibid., art. 5; Ibid.

¹⁰⁴Ibid., art. 59; Ibid.

¹⁰⁵Ibid., arts. 5, 6, 18, 59; Ibid.

¹⁰⁶Ibid., art. 38; Ibid.

¹⁰⁷ Ibid., art. 26; Ibid.

¹⁰⁸ Ibid., art. 32; Ibid.

¹⁰⁹ Ibid., art. 35; Ibid.

¹¹⁰ Ibid., art. 36–37; Ibid.

¹¹¹ Ibid., art. 24; Ibid.

¹¹² Ibid., art. 15; Ibid.

¹¹³ Ibid., arts. 29, 37; Ibid.

¹¹⁴ Ibid., art. 49; Ibid.

¹¹⁵ Ibid., art. 50; Ibid.

¹¹⁶ Human Rights in China, “HRIC Law Note: Draft Law on Foreign NGOs Undermines Chinese Civil Society and China’s International Engagement,” 21 May 15; Human Rights Watch, “Submission by Human Rights Watch to the National People’s Congress Standing Committee on the Second Draft of the Foreign Non-Governmental Organizations Management Law,” 1 June 15; Amnesty International, “China: Submission to the NPC Standing Committee’s Legislative Affairs Commission on the Second Draft Foreign Non-Governmental Organizations Management Law,” June 2015, 3–4. These organizations noted China’s obligation to ensure freedom of association under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 20(1); International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 22. See also UN Human Rights Council, Report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Maina Kiai, A/HRC/23/39, 24 April 13.

¹¹⁷ Amnesty International, “China: Submission to the NPC Standing Committee’s Legislative Affairs Commission on the Second Draft Foreign Non-Governmental Organizations Management Law,” June 2015, 3. Amnesty International notes that article 35 of the PRC Constitution guarantees that Chinese citizens “enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.” PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, art. 35.

¹¹⁸ Teng Biao, “Review of Draft Overseas NGO Management Law and National Security Law” [Ping jingwai feizhengfu zuzhi guanli fa he guojia anquan fa cao’an], Independent Chinese PEN Center, 30 June 15; Yao Yao, “Yao Yao: Public Security Supervises, Overseas NGOs Stuck: On the Expulsion of Overseas NGOs Management Law (1)” [Yao yao: gong’an jianguan jingwai zuzhi yanfu—ping quzhu jingwai feizhengfu zuzhi guanli fa (yi)], NGO Development Exchange Network, 18 May 15; Maya Wang, Human Rights Watch, “China Tightens Screws on Civil Society,” Dispatches (blog), 8 May 15; National People’s Congress Standing Committee, PRC Overseas Non-Governmental Organizations Management Law (Draft) (Second Reading Draft) [Zhonghua renmin gongheguo jingwai feizhengfu zuzhi guanli fa (cao’an) (erci shenya gao)], 5 May 15, art. 7.

¹¹⁹ Teng Biao, “Review of Draft Overseas NGO Management Law and National Security Law” [Ping jingwai feizhengfu zuzhi guanli fa he guojia anquan fa cao’an], Independent Chinese PEN Center, 30 June 15; Yao Yao, “Yao Yao: Public Security Supervises, Overseas NGOs Stuck: On the Expulsion of Overseas NGOs Management Law (1)” [Yao yao: gong’an jianguan jingwai zuzhi yanfu—ping quzhu jingwai feizhengfu zuzhi guanli fa (yi)], NGO Development Exchange Network, 18 May 15; Maya Wang, Human Rights Watch, “China Tightens Screws on Civil Society,” Dispatches (blog), 8 May 15.

¹²⁰ New Citizens Movement, “Legal Proposal on Suspension of ‘Overseas Non-Governmental Organization Management Law’” [Guanyu zanting zhiding “jingwai feizhengfu zuzhi guanli fa” de falu jianyi shu], 3 June 15; “NGO Figure: Overseas NGO Management Law Is an Example of Ineffective Governance” [NGO renshi: jingwai NGO guanli fa shi wuxiao guanzhi yangban], Voice of America, 4 June 15.

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¹²⁵ Andrew Jacobs, “Foreign Groups Fear China Oversight Plan,” New York Times, 17 June 15.

¹²⁶ Ira Belkin and Jerome A. Cohen, “Will China Close Its Doors?” New York Times, 1 June 15; Donald Clarke, “China’s Draft Law on Overseas NGOs,” Chinese Law Prof Blog, 13 May 15; Carl Minzner, Teng Biao, Isabel Hinton, and Zhou Dan, “L’Eggo My NGO! A Draft Law Designed To Counter the Influence of Foreign Organizations May Choke Chinese Civil Society Instead,” Foreign Policy, 19 May 15; Is Academic Freedom Threatened by China’s Influence on U.S. Universities?, Hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, 25 June 15, Testimony of Jeffrey S. Lehman, Vice Chancellor, NYU Shanghai.

¹²⁷ Simon Denyer, "Proposed Chinese Security Laws Rattle U.S. and European Businesses," Washington Post, 10 June 15.