

## FREEDOM OF RESIDENCE AND MOVEMENT

*Freedom of Residence*

The Chinese government continued to largely enforce the household registration (*hukou*) system established in 1958.<sup>1</sup> The *hukou* system classifies Chinese citizens as either rural or urban, and confers legal rights and access to public services based on the classification.<sup>2</sup> While the *hukou* system has become less restrictive than in the past, it still acts as a “mechanism determining one’s eligibility for full citizenship, social welfare, and opportunities for social mobility.”<sup>3</sup> The implementation of these regulations discriminates against rural *hukou* holders who migrate to urban areas by denying them equal access to social benefits and public services enjoyed by registered urban residents.<sup>4</sup> The *hukou* system conflicts with international human rights standards guaranteeing freedom to choose one’s residence and prohibiting discrimination on the basis of “national or social origin[,] . . . birth or other status.”<sup>5</sup>

During the Commission’s 2014 reporting year, the Chinese government made uneven progress toward reforming the *hukou* system. In March 2014, Premier Li Keqiang reported to the National People’s Congress on the government’s plan for “people-centered urbanization,” saying that the government “will grant urban residency . . . to rural people who have moved to cities” and “will reform the household registration system . . . .”<sup>6</sup> The State Council and Central Committee of the Chinese Communist Party issued a plan in March 2014 that lays out the urbanization process from 2014 to 2020 and calls for, among other things, 100 million people to “settle in urban areas” by 2020.<sup>7</sup> Although the plan calls for increasing the proportion of Chinese living in urban areas to 60 percent of the total population by 2020, according to the plan, only 45 percent of the population will hold urban *hukou* status by that time.<sup>8</sup> Chinese state media reported that while 53.7 percent of China’s population lived in urban areas at the end of 2013, approximately 36 percent held an urban *hukou*.<sup>9</sup> A November 2013 Tsinghua University study, however, found the percentage of China’s population with urban *hukous* to be 27.6 percent.<sup>10</sup>

It remains unclear what steps the central and local governments will take to implement the urbanization plan. Government agencies and officials have said that relaxation of *hukou* restrictions will depend on city size, with the smallest cities “relax[ing] overall *hukou* restrictions,” while cities of over five million people will “strictly control the scale of population.”<sup>11</sup> In March 2014, Vice Minister for Public Security Huang Ming told reporters that restrictions on obtaining urban *hukous* in China’s largest cities will remain high to mitigate growing pressure on city resources.<sup>12</sup> In July 2014, in an opinion on *hukou* reform, the State Council announced that it would “[e]liminate the distinction between rural and non-rural household registration,”<sup>13</sup> although it did not provide details on what steps authorities would take to do so.<sup>14</sup> Similar reforms, previously implemented in several provinces and counties, have not completely eliminated the disparities between rural- and urban-registered residents.<sup>15</sup>

This past year, authorities continued to implement reforms of the *hukou* system in select areas, including Guangzhou, Beijing, and

Shanghai municipalities. In 2013, the Guangdong provincial government began to implement provisions allowing the children of migrants lacking urban *hukous* to enroll in vocational schools, and in 2016 these children will be eligible to take university entrance exams in Guangdong.<sup>16</sup> In 2014, Beijing began allowing, with some qualifying conditions, migrant workers' children to enroll in secondary vocational schools.<sup>17</sup> In 2014, the Shanghai municipal government continued to implement a points-based residential permit system in which migrants' children can enjoy the same educational opportunities as urban *hukou* holders if the parents meet several conditions, including age, education, and employment conditions.<sup>18</sup> These limited reforms, however, have not removed the connection between *hukou* status and access to education.<sup>19</sup> Moreover, the conditions for obtaining urban *hukous* are reportedly too onerous for many migrants to meet, given their levels of education and income.<sup>20</sup>

### *International Travel*

Chinese officials continued to deny citizens who criticize the government, those citizens' relatives, and ethnic minority groups, their internationally recognized right to leave the country. Article 12 of the International Covenant on Civil and Political Rights (ICCPR), which China has signed and committed to ratify, guarantees that "[e]veryone shall be free to leave any country . . . ." <sup>21</sup> Under Article 12, countries may restrict this right only in narrow circumstances to protect national security and certain other public interests.<sup>22</sup> Chinese law allows authorities to bar those who threaten state security from leaving the country,<sup>23</sup> but in practice Chinese authorities blocked rights defenders, advocates, and critics from leaving the country.<sup>24</sup>

Uyghurs and Tibetans in particular continued to face heavy restrictions on obtaining passports. According to the U.S. State Department, Uyghurs "were frequently denied passports to travel abroad," while authorities in Tibetan areas showed "unwillingness . . . to issue or renew passports for ethnic Tibetans."<sup>25</sup> Some Uyghurs reported that despite a new passport regulation in the Xinjiang Uyghur Autonomous Region (XUAR) intended to simplify the passport application process, they still faced discrimination and, in many cases, had to pay bribes in order to obtain passports.<sup>26</sup>

Article 12 of the ICCPR provides that "[n]o one shall be arbitrarily deprived of the right to enter his own country,"<sup>27</sup> while Article 13 of the Universal Declaration of Human Rights (UDHR) guarantees "[e]veryone . . . the right . . . to return to his country."<sup>28</sup> The Chinese government, including authorities in the Hong Kong Special Administrative Region, continued to deny the right to leave the country and the right of return to those expressing views the government perceives to be threatening, in violation of international standards. The Commission observed the following representative cases during the 2014 reporting year:

- In September 2013, Chinese authorities prevented human rights defender **Cao Shunli**<sup>29</sup> from traveling to Geneva to attend a human rights training at a meeting of the UN Human

Rights Council.<sup>30</sup> Chinese authorities criminally detained Cao, reportedly in connection with her advocacy for public participation in China's human rights reports to the United Nations.<sup>31</sup> Human rights organizations linked Cao's March 2014 death in a military hospital to Chinese authorities' denial of medical care while she was in detention.<sup>32</sup> [For more information on Cao Shunli, see Section II—Criminal Justice and Section III—Institutions of Democratic Governance.]

- In November 2013, Hong Kong authorities refused entry to **Wu'er Kaixi**, a 1989 student leader and democracy advocate who fled China after the 1989 Tiananmen protests, when he attempted to enter China through Hong Kong.<sup>33</sup> Authorities repeatedly have denied Wu'er entry into China, despite having previously issued an arrest warrant for him.<sup>34</sup> Wu'er sought to visit his elderly parents, who he claims have been denied passports by authorities, in violation of China's international treaty obligations.<sup>35</sup>

- In April 2014, Hong Kong authorities reportedly blocked rights advocate **Yang Jianli**<sup>36</sup> from entering Hong Kong. Yang reportedly holds a valid Chinese passport, although mainland Chinese authorities repeatedly have prevented him from entering China.<sup>37</sup> Yang was invited to visit Hong Kong by the pro-democracy organization Hong Kong Alliance in Support of Patriotic Democratic Movements in China to visit a new museum commemorating the 1989 Tiananmen protests.<sup>38</sup> Yang claimed that the Chinese central government directed Hong Kong authorities to refuse Yang entry to Hong Kong.<sup>39</sup>

- In June 2014, authorities in Shenzhen municipality, Guangdong province, sentenced rights advocate **Yang Kuang**<sup>40</sup> to eight months' imprisonment for "illegally crossing the border."<sup>41</sup> Yang, a Hong Kong resident, was returning to Hong Kong in December 2013 after visiting his wife in Henan province when Shenzhen authorities detained him.<sup>42</sup> Chinese authorities previously detained Yang and canceled his home-return permit after he attempted to visit the artist and poet Liu Xia at her home in Beijing municipality in March 2013.<sup>43</sup>

- During the reporting year, Chinese authorities prevented HIV/AIDS advocates from leaving the country to attend international AIDS conferences. In November 2013, Chinese authorities prevented **Yuan Wenli** from traveling to Thailand, reportedly by canceling her passport.<sup>44</sup> In July 2014, officials refused to allow **Ye Haiyan** to travel to Australia;<sup>45</sup> Ye reported that a government employee told her she was on a "red list" of those prohibited from leaving China.<sup>46</sup>

#### *Domestic Movement*

During the 2014 reporting year, the Commission continued to observe Chinese authorities restricting the freedom of movement of rights advocates and their families as a form of harassment.<sup>47</sup> Article 12 of the International Covenant on Civil and Political Rights provides that "[e]veryone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement . . . ."<sup>48</sup>

Xinjiang Uyghur Autonomous Region (XUAR) authorities reportedly restricted XUAR residents' freedom of movement by requiring those 16 years and older to obtain a document known as a "convenient contact card" if they move from the county-level jurisdiction in which they hold household registration to elsewhere in the XUAR for work, school, or medical treatment, among other reasons, and "rent a home in their new location of residence."<sup>49</sup>

Authorities increased restrictions on freedom of movement during politically sensitive periods in the 2014 reporting year, including the March meetings of the National People's Congress and Chinese People's Political Consultative Conference and the 25th anniversary of the 1989 Tiananmen protests.<sup>50</sup> Representative cases of restrictions on freedom of movement follow:

- Chinese authorities continued to detain **Liu Xia**,<sup>51</sup> an artist and poet, and the wife of imprisoned dissident Liu Xiaobo, at her home in Beijing municipality. Although Chinese authorities have not convicted Liu Xia of any crime, she reportedly has been detained at home since October 2010, with no access to the Internet or telephone.<sup>52</sup> Liu Xia's detention is illegal under both Chinese law and international standards.<sup>53</sup> In February 2014, a Beijing hospital refused to admit Liu Xia, who was suffering from heart disease and severe depression, due to "political factors,"<sup>54</sup> after which she unsuccessfully sought to leave China for treatment.<sup>55</sup>
- Chinese authorities reportedly continued to detain Bishop **Thaddeus Ma Daqin**<sup>56</sup> due to his public resignation from the Chinese Catholic Patriotic Association during his ordination as auxiliary bishop of the Shanghai diocese.<sup>57</sup> Authorities reportedly have held Ma in "soft detention," a form of extralegal detention, at the Sheshan Regional Seminary near Shanghai municipality.<sup>58</sup>
- In July 2014, public security authorities placed Tibetan writer and activist **Tsering Woesser** and her husband, writer Wang Lixiong, under extralegal "soft detention" at their home in Beijing.<sup>59</sup> Woesser received an invitation to visit the U.S. Embassy during the U.S.-China Strategic and Economic Dialogue, but "state security" reportedly prevented her from attending.<sup>60</sup> Chinese authorities previously refused to issue Woesser a passport, blocking her from leaving China to accept a U.S. State Department award.<sup>61</sup>
- In April 2014, public security authorities reportedly prevented **Mo Shaoping**, a human rights lawyer, from meeting with the German vice-chancellor in Beijing. Mo said that police told him they had orders "from above" to keep him from attending the event at the German embassy.<sup>62</sup> Political cartoonist Wang Liming said he attended the meeting but was the only attendee, as police had detained the other four invited guests.<sup>63</sup>

#### Notes to Section II—Freedom of Residence and Movement

<sup>1</sup>PRC Regulations on Household Registration [Zhonghua renmin gongheguo hukou dengji tiaolij], issued and effective 9 January 58.

<sup>2</sup>Kam Wing Chan, "Crossing the 50 Percent Population Rubicon: Can China Urbanize to Prosperity?" *Eurasian Geography and Economics*, Vol. 53, No. 1 (2012), 67.

<sup>3</sup>Ibid.

<sup>4</sup>Ibid.

<sup>5</sup>International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, arts. 2(1), 12(1), 12(3), 26; Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, arts. 2, 13(1).

<sup>6</sup>State Council, “Report on the Work of the Government,” 5 March 14, sec. 5.

<sup>7</sup>PRC Central People’s Government, “National New-Type Urbanization Plan (2014–2020)” [Guojia xinxing chengzhenhua guihua (2014–2020 nian)], reprinted in Xinhua, 16 March 14; “China Unveils Landmark Urbanization Plan,” Xinhua, 16 March 14.

<sup>8</sup>PRC Central People’s Government, “National New-Type Urbanization Plan (2014–2020)” [Guojia xinxing chengzhenhua guihua (2014–2020 nian)], reprinted in Xinhua, 16 March 14.

<sup>9</sup>Fu Guangyun, “Residence Permit: Reform or Buffer?” [Juzhu zheng: gaige haishi huanchong?], People’s Daily, 7 April 14.

<sup>10</sup>“Tsinghua University Investigation Shows China’s Household Registration Urbanization Rate Only 27.6 Percent” [Qinghua daxue diaocha xianshi zhongguo huji chengzhenhua lu jin wei 27.6%], China Youth Daily, reprinted in Xinhua, 5 November 13; Hu Jianhui, “Tsinghua Professor: China’s Hukou Urbanization Rate Only 27.6 Percent, Hukou Reform Lagging Behind” [Qinghua jiaoshou: zhongguo huji chengzhenhua lu jin 27.6% huji gaige zhihou], Legal Daily, reprinted in People’s Daily, 28 October 13.

<sup>11</sup>PRC Central People’s Government, “National New-Type Urbanization Plan (2014–2020)” [Guojia xinxing chengzhenhua guihua (2014–2020 nian)], reprinted in Xinhua, 16 March 14; An Baijie, “Hukou Reforms Target 2020: Official,” China Daily, 18 December 13; State Council, Opinion on Further Carrying Out Reform of the Household Registration System [Guowuyuan guanyu jin yi bu tuijin huji zhidu gaige de yijian], reprinted in PRC Central People’s Government, 30 July 14, paras. 4–7.

<sup>12</sup>Li Hongpeng, “Deputy Public Security Minister: With New Type Urbanization, ‘Not Much Hope’ To Settle in Megacities” [Gonganbu fubuzhang: xinxing chengzhenhua te da chengshi luohu “xiwang buda”], Mirror, reprinted in China News Service, 19 March 14; Liyan Qi, “Dashing the China Dream,” Wall Street Journal, China Real Time Report (blog), 20 March 14.

<sup>13</sup>State Council, Opinion on Further Carrying Out Reform of the Household Registration System [Guowuyuan guanyu jin yi bu tuijin huji zhidu gaige de yijian], reprinted in PRC Central People’s Government, 30 July 14, para. 9.

<sup>14</sup>Ibid.; “China Eases Internal Passport System in Urbanization Push,” Bloomberg, 30 July 14.

<sup>15</sup>Wang Su, “Closer Look: Unifying the Hukou System Is a Start, but It’s Just That,” Caixin, 31 July 14.

<sup>16</sup>Guangdong Provincial Department of Education et al., Implementing Measures for the Participation in Entrance Exams in Guangdong by Children Accompanying Migrant Workers (Trial) [Jincheng wugong renyuan suiqian zinu zai guangdong sheng canjia gaoxiao zhaosheng kaoshi shishi banfa (shixing)], issued and effective 27 November 13, reprinted in Education Examinations Authority of Guangdong Province.

<sup>17</sup>Beijing Education Examinations Authority, “Questions and Answers on the 2014 Higher Vocational School Entrance Examination Policy for Children Accompanying Migrant Workers in Beijing” [2014 nian jincheng wugong renyuan suiqian zinu zai jing canjia gaodeng zhiye xuexiao zhaosheng kaoshi zhengce wenda], 5 November 13.

<sup>18</sup>Shanghai Municipal People’s Government et al., Implementing Opinion Concerning the Enrollment of Children Accompanying Persons Who Migrate to Shanghai in Different Types of Local Schools at Various Levels [Guanyu lai hu renyuan suiqian zinu jiudu benshi geji gelei xuexiao de shishi yijian], issued 11 December 13, effective 1 January 14; Shanghai Municipal People’s Government, Trial Measures on Administering the Accumulation of Points for Shanghai Residential Permits [Shanghai shi juzhu zheng jifen guanli shixing banfa], issued 13 June 13, effective 1 July 13.

<sup>19</sup>Beijing Education Examinations Authority, “Questions and Answers on the 2014 Higher Vocational School Entrance Examination Policy for Children Accompanying Migrant Workers in Beijing” [2014 nian jincheng wugong renyuan suiqian zinu zai jing canjia gaodeng zhiye xuexiao zhaosheng kaoshi zhengce wenda], 5 November 13; Shanghai Municipal People’s Government et al., Implementing Opinion Concerning the Enrollment of Children Accompanying Persons Who Migrate to Shanghai in Different Types of Local Schools at Various Levels [Guanyu lai hu renyuan suiqian zinu jiudu benshi geji gelei xuexiao de shishi yijian], issued 11 December 13, effective 1 January 14; Shanghai Municipal People’s Government, Trial Measures on Administering the Accumulation of Points for Shanghai Residential Permits [Shanghai shi juzhu zheng jifen guanli shixing banfa], issued 13 June 13, effective 1 July 13; Guangdong Provincial Department of Education et al., Implementing Measures for the Participation in Entrance Exams in Guangdong by Children Accompanying Migrant Workers (Trial) [Jincheng wugong renyuan suiqian zinu zai guangdong sheng canjia gaoxiao zhaosheng kaoshi shishi banfa (shixing)], issued and effective 27 November 13, reprinted in Education Examinations Authority of Guangdong Province.

<sup>20</sup>Human Rights in China, “Parallel Submission in Advance of the Review of the People’s Republic of China’s Second Report on its Implementation of the International Covenant on Economic, Social and Cultural Rights,” 17 March 14, paras. 15–22.

<sup>21</sup>International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12(2).

<sup>22</sup>Ibid., art. 12(3).

<sup>23</sup>PRC Passport Law [Zhonghua renmin gongheguo huzhao fa], issued 29 April 06, effective 1 January 07, art. 13(7); PRC Exit and Entry Control Law [Zhonghua renmin gongheguo chujing rujing guanli fa], issued 30 June 12, effective 1 July 13, art. 12(5).

<sup>24</sup>See, e.g., Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “Country Report on Human Rights Practices—2013, China (Includes Tibet, Hong Kong and

Macau,” 27 February 14; “50 Shanghai Rights Defenders Issue Three Demands to Guangzhou Baiyun District Court” [50 ming shanghai weiquanzhe xiang guangzhou baiyun qu fayuan fachu 3 dian yaoqiu], Radio Free Asia, 5 January 14; Rights Defense Network, “Rights Defenders Xu Dali Told on Way to US at Pudong Airport Passport Canceled” [Weiquan renshi xu dali fu mei zai pudong jichang bei gaozhi huzhao bei zhuxiao], 16 November 13; Rights Defense Network, “Nanjing 1989 Student Li Yong Refused Hong Kong-Macau Travel Permit” [Nanjing bajiu xuesheng li yong bei ju ban gang’ao tongxingzheng], 19 December 13; Rights Defense Network, “Human Rights Defenders Ou Biaofeng Prevented From Leaving Country at Luohu Customs” [Hunan weiquan renshi ou biaofeng zai luohu haiguan bei xianzhi chujing], 12 January 14; Rights Defense Network, “Independent Chinese PEN Center Writer Tai Ping Prevented by Luohu Customs From Leaving Country” [Duli zhongwen bi hui zuojia tai ping bei luohu haiguan xianzhi chujing], 13 January 14; Rights Defense Network, “Linyi, Shandong, Forced Demolition Victim Lu Qiumei Under Strict Control After Getting US Visa” [Shandong linyi qiangchai shouhairan lu qiumei banli fu mei qianzheng hou zao yanmi jiankong], 3 May 14; Rights Defense Network, “Military Author Xin Ziling Forbidden From Leaving Country To Visit Family Because of Publishing Political Essay” [Jundui zuojia xin ziling yin fabiao zhenglun wenzhang bei jin chuguo tanqin], 21 May 14.

<sup>25</sup>Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “Country Report on Human Rights Practices—2013, China (Includes Tibet, Hong Kong and Macau),” 27 February 14.

<sup>26</sup>“Passport Application Process ‘Not Easy’ for Uyghurs,” Radio Free Asia, 20 November 13; “Uyghurs Applying for Passports Face One Difficulty After Another, Intermediary Companies Get Rich Processing Documents” [Weizu shenqing huzhao nan shang jia nan zhongjie gongsi jie ban zheng liancai], Radio Free Asia, 13 November 13.

<sup>27</sup>International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12(4).

<sup>28</sup>Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 13(2). Article 2 of the UDHR states that “[e]veryone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as . . . national or social origin . . . birth or other status.” Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution of 10 December 48, art. 2.

<sup>29</sup>For more information on Cao Shunli, see the Commission’s Political Prisoner Database record 2009-00195.

<sup>30</sup>Sui-Lee Wee, “Chinese Police Detain Activist Ahead of U.N. Human Rights Review,” Reuters, 30 September 13; “Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law,” Congressional-Executive Commission on China, 2 April 14.

<sup>31</sup>“Chinese Activists Face Arrests, Travel Bans Before U.N. Forum: Experts,” Reuters, 16 October 13; Chinese Human Rights Defenders, “Cao Shunli & Her Legacy,” last visited 8 September 14.

<sup>32</sup>Amnesty International, “China: Authorities Have ‘Blood on Their Hands’ After Activist’s Death,” 14 March 14; Front Line Defenders, “Chinese Government Responsible for the Death of Cao Shunli,” 14 March 14; Chinese Human Rights Defenders, “Cao Shunli & Her Legacy,” last visited 8 September 14.

<sup>33</sup>Clifford Coonan, “Wu’er Kaixi: The Chinese Dissident Who Can’t Get Himself Arrested—Not Even To Go Home and See His Sick Parents,” Independent, 25 November 13.

<sup>34</sup>Perry Link, “Paying a Price To Cross China’s Border,” Washington Post, 20 December 13; Clifford Coonan, “Wu’er Kaixi: The Chinese Dissident Who Can’t Get Himself Arrested—Not Even To Go Home and See His Sick Parents,” Independent, 25 November 13; CECC, 2009 Annual Report, 10 October 09, 164.

<sup>35</sup>Clifford Coonan, “Wu’er Kaixi: The Chinese Dissident Who Can’t Get Himself Arrested—Not Even To Go Home and See His Sick Parents,” Independent, 25 November 13; International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12. Although Chinese law allows authorities to deny passports to those whose “leaving China will do harm to the state security or result in serious losses to the benefits of the state,” article 12(3) of the ICCPR only permits narrow restrictions on the right to leave the country. For more information, see PRC Passport Law [Zhonghua renmin gongheguo huzhao fa], issued 29 April 06, effective 1 January 07, art. 13(7); PRC Exit and Entry Control Law [Zhonghua renmin gongheguo chujing rujing guanli fa], issued 30 June 12, effective 1 July 13, art. 12(5).

<sup>36</sup>For more information on Yang Jianli, see the Commission’s Political Prisoner Database record 2004-04961.

<sup>37</sup>“Holding Valid Chinese Passport. Dr. Yang Jianli Again Refused Entry to Hong Kong” [Chi youxiao zhongguo huzhao de yang jianli boshi zaici bei jujue rujing xianggang], Radio Free Asia, 20 April 14; Nora Boustany, “Hong Kong Bars Chinese Dissident,” Washington Post, 7 August 08; Jeffie Lam, “Tiananmen Square Activist Refused Entry to Hong Kong To Attend June 4 Museum Opening,” South China Morning Post, 21 April 14; CECC, 2009 Annual Report, 10 October 09, 164.

<sup>38</sup>“Holding Valid Chinese Passport. Dr. Yang Jianli Again Refused Entry to Hong Kong” [Chi youxiao zhongguo huzhao de yang jianli boshi zaici bei jujue rujing xianggang], Radio Free Asia, 20 April 14.

<sup>39</sup>Jeffie Lam, “Tiananmen Square Activist Refused Entry to Hong Kong To Attend June 4 Museum Opening,” South China Morning Post, 21 April 14.

<sup>40</sup>For more information on Yang Kuang, see the Commission’s Political Prisoner Database record 2014-00138.

<sup>41</sup>“Yang Kuang Sentenced to Eight Months in Prison” [Yang kuang bei pan ruyu 8 ge yue], Radio Free Asia, 12 June 14; “Yang Kuang Sentenced by Shenzhen to Eight Months in Prison

for Crossing Border” [Yang kuang yin yuejing bei shenzhen pan jian ba ge yue], Ming Pao, 12 June 14; “Yang Kuang’s Case of ‘Illegally Crossing the National Border’ To Be Scheduled for Sentencing, Supporters Intercepted En Route” [Yang kuang “touyue guo bianjing” an zeqi xuanpan shengyuan renshi tuzhong zao lanjie], Radio Free Asia, 14 April 14.

<sup>42</sup>Rights Defense Network, “Court Record for Hong Kong Democracy and Human Rights Activist Yang Kuang, Accused of ‘Illegally Crossing Border’ [Xianggang minzhu weiquan renshi yang kuang beikong “touyue bianjing zui” tingshen jishi], 16 April 14; He Hui Feng, “Hong Kong Activist Pledges To Continue Human Rights Fight at Trial in Shenzhen,” South China Morning Post, 15 April 14.

<sup>43</sup>Ibid.

<sup>44</sup>Bill Smith, “China Quashes Campaign To Probe Blood-Selling Scandal,” Business Recorder, 30 November 13.

<sup>45</sup>Sophie Richardson, “Dispatches: Clipping a Sparrow’s Wings in China,” Human Rights Watch, 15 July 14; Patrick Boehler, “Sex Worker Rights Activist Ye Haiyan Says She Is Barred From Leaving China,” South China Morning Post, 16 July 14.

<sup>46</sup>Patrick Boehler, “Sex Worker Rights Activist Ye Haiyan Says She Is Barred From Leaving China,” South China Morning Post, 16 July 14.

<sup>47</sup>See, e.g., “Sentence Completed and After Two Weeks of Soft Detention, Tan Zuoren Returns to Chengdu To Continue Work on His Investigative Report of the Sichuan Earthquake” [Tan zuoren xingman bei ruanjin liang zhou hou fan rong, jiang jixu wancheng chuan zhen diaocha baogao], Radio Free Asia, 16 April 14; Rights Defense Network, “Hangzhou Rights Lawyer Wang Cheng and Family Forcibly Expelled From Hangzhou by State Security” [Hangzhou renquan lushi wang cheng yijia bei guobao qiangxing “quzhu” chu hangzhou], 13 April 14; Rights Defense Network, “Before Trial of Liu Ping and Two Others Begins, Many Xinyu Rights Defenders Under Soft Detention” [Liu ping san junzi an kaiting qian xinyu duo ming weiquan renshi bei ruanjin], 26 October 13; Rights Defense Network, “Petitioner Min Xianguo Held in Soft Detention for 11 Hours by Wanggou Public Security Bureau Because of Xi Jinping Visit to Linyi” [Fangmin min xianguo yin xi jingping dao linyi bei wanggou paichusuo ruanjin 11 xiaoshi], 26 November 13; Rights Defense Network, “With Xu Zhiyong Trial About To Begin, Many Have Personal Freedom Restricted” [Xu zhiyong an kaiting zaiji, duo ren bei xianzhi renshen ziyou], 21 January 14.

<sup>48</sup>International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12(1).

<sup>49</sup>Wang Xiaojun, “Urumqi: It’s a Rumor You Will Be Sent Back if You Leave Xinjiang Without a Convenient Contact Card” [Wulumuqi: chu jiang budai bian min lianxi ka jiang bei qianfan shu yaoyan], China News, 5 August 14.

<sup>50</sup>See, e.g., Civil Rights and Livelihood Watch, “CRLW Founder Liu Feiyue Confirmed Detained” [Minsheng guan cha fuzeren liu feiyue zhengshi bei juliu], 5 March 14; Rights Defense Network, “Zhenjiang, Jiangsu Petitioners Kidnapped, Taken Away in Beijing Before Two Sessions” [Lianghui qian jiangsu zhenjiang fangmin zai beijing zao bangjia daizou], 4 March 14; Rights Defense Network, “Shandong Petitioner Min Xianguo Has Freedom Restricted Due to ‘Two Sessions’” [Shandong fangmin min xianguo yin “lianghui” bei xianzhi ziyou], 3 March 14; Rights Defense Network, “Because of ‘Two Sessions’ June Fourth Victim Qi Zhiyong Held in Soft Detention by Police at Home in Beijing” [Yin “lianghui” beijing liu si shangcanzhe qi zhiyong zao jingfang ruanjin jiazhong], 2 March 14; Andrew Jacobs, “Chinese Artist Detained Before Tiananmen Anniversary,” New York Times, Sinosphere (blog), 9 May 14; “Pu Zhiqiang and Others Incommunicado After June Fourth Discussion Forum; Ding Zilin Prohibited From Returning to Beijing” [Pu zhiqiang deng ren ‘liu si’ yantaohui hou shilian ding zilin bei jin hui beijing], Voice of America, 5 May 14; Human Rights in China, “China Escalates Persecution Before 25th Anniversary of June Fourth,” 8 May 14; Rights Defense Network, “As June Fourth Approaches, Ji’an Rights Defender Li Hongwei and Husband Detained” [Liu si linjin, ji’an weiquan renshi li hongwei fufu bei juliu], 27 May 14; Rights Defense Network, “Xi’an Democracy Activist Yang Hai Taken Away on Vacation, Guiyang Rights Defenders Under Strict Control” [Xi’an minzhu renshi yang hai bei daizou luyou, guiyang weiquan renshi zao yankong], 27 May 14; Rights Defense Network, “June Fourth Stability Maintenance—Guangzhou State Security Drive Sign Brother Liu Hui Back to Shaanxi” [Liu si weiwen guangzhou guobao jiang ju pai ge liu hui gan hui shaanxi], 3 May 14.

<sup>51</sup>“Detainee Liu Xia Hospitalized as Health Reportedly Worsens,” Congressional-Executive Commission on China, 27 March 14. See also the Commission’s Political Prisoner Database record 2010-00629 for additional information on Liu Xia’s case.

<sup>52</sup>Desmond M. Tutu and Jared Genser, “The Ordeal of China’s Liu Xia,” Wall Street Journal, 30 March 14.

<sup>53</sup>PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, art. 37; PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts. 234, 238; Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 9; 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. 9.

<sup>54</sup>“Liu Xia Has Heart Attack, the Hospital Refused To Accept Her; Hong Kong Group Shaves Head for Liu Xia” [Liu xia xinzang bing fa zao yiyuan juque gang tuanti qingren jie titou cheng liu xia], Radio Free Asia, 14 February 14; “Detainee Liu Xia Hospitalized as Health Reportedly Worsens,” Congressional-Executive Commission on China, 27 March 14.

<sup>55</sup>“Jailed Nobel Dissident’s Wife Seeks Treatment in Beijing Hospital,” Radio Free Asia, 20 February 14.

<sup>56</sup>For more information on Thaddeus Ma Daqin, see the Commission's Political Prisoner Database record 2013-00336.

<sup>57</sup>"New Shanghai Bishop To Leave CPA Posts," UCA News, 7 July 12.

<sup>58</sup>Sui-Lee Wee, "Special Report—The Bishop Who Stood Up to China," Reuters, 1 April 14; "Shanghai Bishop in Soft Detention, Brainwashed for 17 Months" [Shanghai zhujiao zao ruanjin xinao 17 yue], Apple Daily, 25 December 13.

<sup>59</sup>"Woeser Released From House Arrest" [Weise bei jiechu ruanjin], Voice of America, 10 July 14.

<sup>60</sup>Edward Wong, "Tibetan Writer Says Invitation to U.S. Embassy Preceded House Arrest," New York Times, Sinosphere (blog), 9 July 14.

<sup>61</sup>Gillian Wong, "Denied Passport, Tibet Poet Can't Receive US Award," Associated Press, 8 March 13; CECC, 2013 Annual Report, 10 October 13, 107.

<sup>62</sup>"China Prevents Prominent Human Rights Lawyer Mo Shaoping From Meeting German Minister," Reuters, reprinted in South China Morning Post, 24 April 14.

<sup>63</sup>Rights Defense Network, "German Vice-Chancellor Visits China, Invites Five Citizen Representatives To Meet, Four of Whom Have Freedom Hindered" [Deguo fu zongli lai hua yuehao huijian 5 wei gongmin daibiao, si wei bei xianzhi ziyou], 24 April 14.