

## FREEDOM OF RESIDENCE AND MOVEMENT

*Freedom of Residence*

During the Commission's 2016 reporting year, the Chinese government continued to unduly restrict the freedom of residence through use of the household registration (*hukou*) system established in 1958.<sup>1</sup> The *hukou* system classifies Chinese citizens as rural or urban, conferring legal rights and access to public services based on their classification.<sup>2</sup> Implementation of these regulations discriminates against rural *hukou* holders and migrants to urban areas by denying them equitable access to public benefits and services enjoyed by registered urban residents.<sup>3</sup> The *hukou* system contravenes international human rights standards guaranteeing freedom of residence and prohibiting discrimination on the basis of "national or social origin, . . . birth or other status."<sup>4</sup>

This past year, the Chinese central government and local authorities continued to implement reforms to the *hukou* system. In 2015, an estimated 292 million people lived outside of the locality where their *hukou* was registered.<sup>5</sup> The central government reiterated its intent for 100 million people to obtain urban *hukou* by 2020,<sup>6</sup> and provincial and local governments continued to issue implementing opinions on *hukou* system reform<sup>7</sup> in line with the State Council's July 2014 reform opinion.<sup>8</sup> As of August 2016, at least 29 province-level jurisdictions had issued proposals regarding local *hukou* reform planning.<sup>9</sup> These reform efforts did not generally remove the link between residence and provision of public benefits; under many province-level reform opinions, access to benefits remains tied to holding a local residence permit or *hukou*.<sup>10</sup>

As part of the Chinese government's *hukou* reforms, the State Council General Office issued an opinion in December 2015 on providing *hukou* to individuals (known as "illegal residents" or *heihu*) lacking one altogether.<sup>11</sup> The opinion lists eight categories of individuals who can apply for *hukou* under the new policy.<sup>12</sup> In January 2016, the Chinese government and state media reported that the new policy "had largely already addressed" *hukou* registration problems for 13 million people,<sup>13</sup> approximately 60 percent of whom are reported to be people born in violation of local population planning policies.<sup>14</sup> [For more information on the *hukou* system and population planning policy, see "Hukou Reform Addressing the Issue of 'Illegal Residents'" in Section II—Population Control.]

While central government plans relaxed the conditions required for migrants to apply for *hukou* in small- and medium-sized cities,<sup>15</sup> the criteria for applying for *hukou* in large cities remained restrictive.<sup>16</sup> For example, in August 2016, the Beijing municipal government issued provisional measures governing a points system by which migrants can apply for and obtain Beijing *hukou*.<sup>17</sup> Under the provisional measures, applicants receive points toward qualifying for *hukou* according to several factors, including length of residence in Beijing,<sup>18</sup> education level,<sup>19</sup> employment history,<sup>20</sup> and desired residential location.<sup>21</sup> The provisional measures also limit applicants' eligibility based on age,<sup>22</sup> contributions to social insurance,<sup>23</sup> compliance with population planning policy,<sup>24</sup> and criminal record.<sup>25</sup> The provisional measures additionally require applicants to already hold Beijing residence permits.<sup>26</sup> The provisional meas-

ures do not specify a minimum point value needed to obtain Beijing *hukou*, but allow local officials to determine the value each year “according to the population control situation.”<sup>27</sup> One expert criticized the provisional measures for discriminating against applicants with less education or working in low-skill fields.<sup>28</sup> Other experts had expressed pessimism about a draft of the measures issued in December 2015,<sup>29</sup> saying the points system benefited a small, relatively affluent population, leaving out poorer migrant workers who do not share the same qualifications.<sup>30</sup>

After issuing draft measures on residence permits in December 2014,<sup>31</sup> in November 2015, the State Council issued provisional regulations on residence permits.<sup>32</sup> The provisional regulations, effective from January 1, 2016, aim to “fully cover basic public services and benefits for the urban resident population,” including compulsory education, health services, and legal aid, among others.<sup>33</sup> The provisional regulations maintain the 2014 draft measures’ criteria<sup>34</sup> for how restrictive cities’ conditions for applicants may be, allowing larger cities to establish more stringent conditions for those applying for residence permits.<sup>35</sup>

Two articles from the 2014 draft measures were not included, however, in the provisional regulations.<sup>36</sup> The articles would have extended to residence permit holders benefits and services including educational assistance, elder care services, housing protections, and the right of children of permit holders to take college-entrance exams locally,<sup>37</sup> and would have allowed permit holders’ relatives to apply for local *hukou* if the permit holder met *hukou* application requirements.<sup>38</sup>

### *International Travel*

Article 12 of the International Covenant on Civil and Political Rights (ICCPR), which China has signed and committed to ratify, provides that “[e]veryone shall be free to leave any country . . .”<sup>39</sup> Under Article 12, countries may restrict this right, but only “to protect national security, public order,” and other select public interests.<sup>40</sup> Chinese laws provide officials the authority to prevent from leaving the country those deemed threatening to state security or whose “exit from China is not allowed.”<sup>41</sup> Chinese officials used this authority to arbitrarily keep government critics, rights defenders, advocates, and others from leaving China.<sup>42</sup>

The Commission observed the following representative cases during the 2016 reporting year:

- As part of a nationwide crackdown on human rights lawyers and rights advocates beginning in and around July 2015,<sup>43</sup> from July 2015 through January 2016, Chinese authorities prevented at least 24 rights lawyers from leaving the country because, according to authorities, their departure from China “could endanger state security.”<sup>44</sup> Authorities also prevented family members of some lawyers from leaving China.<sup>45</sup> Rights lawyer **Liu Xiaoyuan** reported that public security bureau officials in Nanchang municipality, Jiangxi province, refused his son a passport to study abroad.<sup>46</sup>
- In April 2016, **Chen Guiqiu**, wife of detained lawyer Xie Yang,<sup>47</sup> attempted to sue several government agencies after

authorities in Shenzhen municipality, Guangdong province, kept her from traveling to Hong Kong.<sup>48</sup> The Shenzhen Intermediate People's Court<sup>49</sup> and Guangdong High People's Court refused to accept her lawsuit.<sup>50</sup> The Shenzhen court did not provide a reason,<sup>51</sup> but two Guangdong court judges said they did not have jurisdiction over border control decisions because the decisions were part of a criminal investigation.<sup>52</sup>

- Chinese authorities continued<sup>53</sup> to restrict lawyers, rights advocates, and civil society representatives from leaving the country to participate in international human rights events. Officials prevented at least seven rights defenders from attending the November 2015 review of China's compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) in Geneva.<sup>54</sup> [For more information on ongoing repression of lawyers, see Section III—Access to Justice.]

- In February 2016, state news agency Xinhua reportedly prohibited a former employee, journalist **Yang Jisheng**, from traveling to the United States to receive a journalism award.<sup>55</sup> Yang was to attend an award ceremony recognizing his work documenting China's mass famine from 1958 to 1962.<sup>56</sup> His account of the famine, "Tombstone," is banned in mainland China.<sup>57</sup>

- Chinese authorities refused to allow disabled former lawyer and housing rights advocate **Ni Yulan** to travel to the United States in March 2016 to receive a U.S. State Department award recognizing her rights advocacy and work to promote the rule of law in China.<sup>58</sup> Ni said that authorities banned her from leaving the country because she had been in contact with rights lawyers who were detained in Tianjin municipality as part of the crackdown on rights lawyers and others beginning in and around July 2015.<sup>59</sup> Ni reported that after barring her from leaving China, authorities placed her and her husband under "soft detention" (*ruanjin*), a form of extralegal home confinement,<sup>60</sup> and pressured Ni's landlord and real estate agent to force them to move.<sup>61</sup>

- On August 6, 2016, Chinese customs officials in Guangdong reportedly prevented Falun Gong practitioner **Wang Zhiwen** from traveling to the United States, canceling his passport on orders from public security authorities.<sup>62</sup> Authorities detained Wang in 1999 in connection with a Falun Gong protest in Beijing municipality.<sup>63</sup> He served 15 years of a 16-year prison sentence on the charge of "organizing and using a cult to undermine implementation of the law" until his early release in October 2014, after which authorities reportedly kept Wang under constant surveillance.<sup>64</sup>

### *Domestic Movement*

During its 2016 reporting year, the Commission continued to observe reports of Chinese government officials punishing rights advocates and their families and associates, and targeting some members of ethnic minority groups by restricting their freedom of movement. Article 12 of the ICCPR provides that "[e]veryone lawfully within the territory of a State shall, within that territory, have the

right to liberty of movement . . .”<sup>65</sup> Authorities increased restrictions on freedom of movement during politically sensitive periods throughout the year.

In December 2015, shortly after the UN Committee against Torture’s review of China’s compliance with the Convention against Torture, organizers of an anti-torture conference for rights lawyers in the Guangxi Zhuang Autonomous Region canceled the event after police interference and harassment.<sup>66</sup>

During the March 2016 meetings of the National People’s Congress and the Chinese People’s Political Consultative Conference in Beijing,<sup>67</sup> Chinese authorities repeatedly intercepted petitioners who sought meetings in Beijing with government officials and temporarily restricted their movement, placed them under “soft detention,” or forcibly returned them to their places of residence.<sup>68</sup> Local authorities reportedly criminally or administratively detained many of the petitioners upon their return.<sup>69</sup> Authorities forced prominent journalist **Gao Yu** to leave Beijing during March 2016.<sup>70</sup> Gao is on medical parole while serving a five-year prison sentence on the charge of “leaking state secrets.”<sup>71</sup>

As in previous years,<sup>72</sup> before and during the June anniversary of the 1989 Tiananmen protests and their violent suppression, Chinese authorities held rights advocates, activists, and veterans of the 1989 protests in “soft detention” or forced them to leave their homes to prevent them from gathering and commemorating the protests.<sup>73</sup>

Residents of some ethnic minority areas, in particular Uyghurs and Tibetans, faced strict controls on their freedom of movement. Authorities in parts of the Xinjiang Uyghur Autonomous Region (XUAR) reportedly placed some Uyghurs under surveillance and limited their ability to attend mosques.<sup>74</sup> XUAR authorities also abolished the “convenience contact card” system<sup>75</sup> that had restricted Uyghurs’ ability to freely move within the XUAR.<sup>76</sup> Reports in the past year indicated that authorities in Biru (Driru) county, Naqu (Nagchu) prefecture, Tibet Autonomous Region (TAR), placed heavy restrictions on Tibetan Buddhist monks and nuns, including banning them from traveling without prior government authorization.<sup>77</sup> Chinese authorities reportedly prohibited Tibetan residents of some western provinces from traveling to Lhasa municipality, TAR, in March 2016, around the anniversary of the 2008 Tibetan protests and the Dalai Lama’s 1959 flight from Tibet.<sup>78</sup> [For more information on government restrictions on Uyghurs and Tibetans, see Section IV—Xinjiang and Section V—Tibet.]

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

<sup>1</sup> PRC Regulations on Household Registration [Zhonghua renmin gongheguo hukou dengji tiaoli], 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; *China Labour Bulletin*, “Migrant Workers and Their Children,” last visited 15 July 16.

<sup>3</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; UN Committee on Economic, Social and Cultural Rights, Concluding Observations on the Second Periodic Report of China, Including Hong Kong, China, and Macao, China, adopted by the Committee at its 40th Meeting (23 May 2014), E/C.12/CHN/CO/2, 23 June 14, para. 15. See also Chun Han Wong and Laurie Burkitt, “China Moves To Normalize the Status of Millions of People on Margins,” *Wall Street Journal*, 10 December 15; *China Labour Bulletin*, “Migrant Workers and Their Children,” last visited 15 July 16.

<sup>4</sup> 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, 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>5</sup> National Bureau of Statistics of China, “Announcement of Major Data From 2015 National 1 Percent Population Sample Survey” [2015 nian quanguo 1% renkou chouyang diaocha zhuyao shuju gongbao], 20 April 16.

<sup>6</sup> State Council, Certain Opinions on Deeply Carrying Out New-Type Urbanization Construction [Guowuyuan guanyu shenru tuijin xinxing chengzhenhua jianshe de ruogan yijian], issued 2 February 16; State Council, Opinion on Further Carrying Out Household Registration System Reform [Guowuyuan guanyu jinyibu tuijin huji zhidu gaige de yijian], issued 24 July 14, para. 3. See also National People’s Congress, PRC Outline of the 13th Five-Year Plan for National Economic and Social Development [Zhonghua renmin gongheguo guomin jingji he shehui fazhan di shisan ge wu nian guihua gangyao], issued 17 March 16, sec. 8.

<sup>7</sup> See, e.g., Zhejiang Province People’s Government, Implementing Opinion on Further Carrying Out Household Registration System Reform [Zhejiang sheng renmin zhengfu guanyu jinyibu tuijin huji zhidu gaige de shishi yijian], issued 10 December 15, reprinted in *Jingning She Autonomous County People’s Government*, 25 December 15; Hainan Province People’s Government, Implementing Opinion on Further Carrying Out Household Registration System Reform [Hainan sheng renmin zhengfu guanyu jinyibu tuijin huji zhidu gaige de shishi yijian], issued 24 December 15, reprinted in *Sanya Municipal People’s Government*, 29 December 15.

<sup>8</sup> State Council, Opinion on Further Carrying Out Household Registration System Reform [Guowuyuan guanyu jinyibu tuijin huji zhidu gaige de yijian], issued 24 July 14, para. 15.

<sup>9</sup> “NDRC: 28 Provinces, Regions, and Municipalities Have Already Put Forward Concrete Proposals for Household Registration System Reform” [Fagaiwei: yi you 28 ge sheng qu shi chutai huji zhidu gaige de juti fang’an], *People’s Daily*, 19 April 16; Tibet Autonomous Region People’s Government, Implementing Opinion on Further Carrying Out Household Registration System Reform [Xizang zizhiqu renmin zhengfu guanyu jinyibu tuijin huji zhidu gaige de shishi yijian], issued 25 May 16. See also “29 Provincial Residence Permits Systems Set, Each Residence Permit’s Value Has Differences” [29 shengfen juzhuzheng zhidu luodi juzhuzheng hanjin liang ge you butong], *People’s Daily*, 29 January 16.

<sup>10</sup> See, e.g., Hubei Provincial People’s Government, Implementing Opinion on Further Carrying Out Household Registration System Reform [Sheng renmin zhengfu guanyu jinyibu tuijin huji zhidu gaige de shishi yijian], issued 6 September 15, reprinted in *Hubei Province People’s Government Information Transparency Directory*, paras. 9–10; Inner Mongolia Autonomous Region People’s Government, Implementing Opinion on Further Carrying Out Household Registration System Reform [Neimenggu zizhiqu renmin zhengfu guanyu jinyibu tuijin huji zhidu gaige de shishi yijian], issued 8 September 15, secs. 3(2), 4(2.6); Zhejiang Province People’s Government, Implementing Opinion on Further Carrying Out Household Registration System Reform [Zhejiang sheng renmin zhengfu guanyu jinyibu tuijin huji zhidu gaige de shishi yijian], issued 10 December 15, reprinted in *Jingning She Autonomous County People’s Government*, 25 December 15, sec. 4; Hainan Province People’s Government, Implementing Opinion on Further Carrying Out Household Registration System Reform [Hainan sheng renmin zhengfu guanyu jinyibu tuijin huji zhidu gaige de shishi yijian], issued 24 December 15, reprinted in *Sanya Municipal People’s Government*, 29 December 15, 3(9).

<sup>11</sup> State Council General Office, Opinion on Resolving Issues of Hukou Registration for Individuals Without Hukou [Guowuyuan bangongting guanyu jiejie wu hukou renyuan dengji hukou wenti de yijian], issued 31 December 15; Chun Han Wong and Laurie Burkitt, “China Moves To Normalize the Status of Millions of People on Margins,” *Wall Street Journal*, 10 December 15; Liu Jingyao, “Resolving ‘Illegal Resident’ Problems Manifests People-Centered Concept” [Jiejue “heihu” wenti zhangxian yi ren wei ben linian], *Xinhua*, 15 January 16.

<sup>12</sup> State Council General Office, Opinion on Resolving Issues of Hukou Registration for Individuals Without Hukou [Guowuyuan bangongting guanyu jiejie wu hukou renyuan dengji hukou wenti de yijian], issued 31 December 15, sec. 2.

<sup>13</sup> Liu Jingyao, “Resolving ‘Illegal Resident’ Problems Manifests People-Centered Concept” [Jiejue “heihu” wenti zhangxian yi ren wei ben linian], *Xinhua*, 15 January 16; “State Council Information Office Press Conference Text Record Regarding Implementation of the Universal Two-Child Policy and Reform and Improvement of Family Planning Service Management” [Guoxinban jiu shishi quanmin liang hai zhengce gaige wanshan jihua shengyu fuwu guanli de youguan qingkuang juxing fabuhui wenzi shilu], *National Health and Family Planning Commission*, 11 January 16.

<sup>14</sup> Wang Ling, “Barriers to Resolving the Problem of Illegal Residents: Some Areas Require Social Compensation Fee Payments Before Hukou Registration” [Jiejue heihu wenti yuzu: bufen diqu bu jiao shehui fuyang fei cai luohu], *First Financial*, reprinted in *Sina*, 10 March 16.

<sup>15</sup> State Council, Opinion on Further Carrying Out Household Registration System Reform [Guowuyuan guanyu jinyibu tuijin huji zhidu gaige de yijian], issued 24 July 14, paras. 4–5; Xinpings Guan, “Paulson Policy Memorandum: How To Better Support China’s Migrant Population,” Paulson Institute, November 2015, 7.

<sup>16</sup> “Except for a Few Megacities, Household Registration Restrictions To Be Completely Relaxed” [Chu ji shaoshu chaoda chengshi quanmian fangkai luohu xianzhi], *Beijing News*, 25 January 16; “29 Provincial Residence Permits Systems Set, Each Residence Permit’s Value Has Differences” [29 shengfen juzhuzheng zhidu luodi juzhuzheng hanjin liang ge you butong], *People’s Daily*, 29 January 26.

<sup>17</sup> Beijing Municipality People’s Government, Beijing Municipal Measures for Management of Obtaining Household Registration by Points (Provisional) [Beijing shi jifen luohu guanli banfa (shixing)], issued 11 August 16, effective 1 January 17.

<sup>18</sup> *Ibid.*, art. 5(2).

<sup>19</sup> *Ibid.*, art. 5(3).

<sup>20</sup> *Ibid.*, art. 5(5).

<sup>21</sup> *Ibid.*, art. 5(4).

<sup>22</sup> *Ibid.*, art. 4(2).

<sup>23</sup> *Ibid.*, art. 4(3).

<sup>24</sup> *Ibid.*, art. 9. See also Beijing Municipality People’s Government, Beijing Municipal Measures for Management of Obtaining Household Registration by Points (Draft for Solicitation of Comments) [Beijing shi jifen luohu guanli banfa (zhengqiu yijian gao)], issued 10 December 15, art. 4(4). The draft measures required applicants to comply with family planning policies, while the provisional measures allow successful applicants to bring with them only those children born according to family planning policies.

<sup>25</sup> Beijing Municipality People’s Government, Beijing Municipal Measures for Management of Obtaining Household Registration by Points (Provisional) [Beijing shi jifen luohu guanli banfa (shixing)], issued 11 August 16, effective 1 January 17, arts. 4(4), 5(9). Article 4(4) prohibits individuals with a criminal record (*xingshi fanzui jilu*), while article 5(9) subtracts points from applicants with a record of administrative detention (*xingzheng juliu chufa*) in Beijing.

<sup>26</sup> *Ibid.*, art. 4(1).

<sup>27</sup> *Ibid.*, art. 8.

<sup>28</sup> Wang Luyi, “Lu Ming: Household Registration Points Policy Must Continue To Improve” [Lu ming: jifen luohu zhengce xuyao jixu gaijin], *Caixin*, 12 August 16.

<sup>29</sup> Beijing Municipality People’s Government, Beijing Municipal Measures for Management of Obtaining Household Registration by Points (Draft for Solicitation of Comments) [Beijing shi jifen luohu guanli banfa (zhengqiu yijian gao)], issued 10 December 15.

<sup>30</sup> Wang Shan, “Points of No Return,” *News China*, April 2016; Jamie Martinez, “Despite Policy Reforms, Barriers to Obtaining Hukou Persist,” *The Diplomat*, 27 February 16; Sun Wenjing, “Nie Riming: Who Benefits From Beijing’s ‘Choose the Best’ Points Systems for Settling?” [Nie riming: beijing “xuanba zhi” jifen luohu huji shei], *Caixin*, 11 December 15.

<sup>31</sup> State Council Legislative Affairs Office, Measures for Management of Residence Permits (Draft for Solicitation of Comments) [Juzhuzheng guanli banfa (zhengqiu yijian gao)], issued 4 December 14.

<sup>32</sup> State Council, Provisional Regulations on Residence Permits [Juzhuzheng zanxing tiaoli], issued 26 November 15, effective 1 January 16.

<sup>33</sup> *Ibid.*, arts. 1, 12, 13.

<sup>34</sup> State Council Legislative Affairs Office, Measures for Management of Residence Permits (Draft for Solicitation of Comments) [Juzhuzheng guanli banfa (zhengqiu yijian gao)], issued 4 December 14, art. 16.

<sup>35</sup> State Council, Provisional Regulations on Residence Permits [Juzhuzheng zanxing tiaoli], issued 26 November 15, effective 1 January 16, art. 16.

<sup>36</sup> State Council Legislative Affairs Office, Measures for Management of Residence Permits (Draft for Solicitation of Comments) [Juzhuzheng guanli banfa (zhengqiu yijian gao)], issued 4 December 14, arts. 14, 15; State Council, Provisional Regulations on Residence Permits [Juzhuzheng zanxing tiaoli], issued 26 November 15, effective 1 January 16.

<sup>37</sup> State Council Legislative Affairs Office, Measures for Management of Residence Permits (Draft for Solicitation of Comments) [Juzhuzheng guanli banfa (zhengqiu yijian gao)], issued 4 December 14, art. 14.

<sup>38</sup> *Ibid.*, art. 15.

<sup>39</sup> 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. 12(2).

<sup>40</sup> *Ibid.*, art. 12(3).

<sup>41</sup> PRC Passport Law [Zhonghua renmin gongheguo huzhao fa], passed 29 April 06, effective 1 January 07, art. 13(7); PRC Exit and Entry Administration Law [Zhonghua renmin gongheguo chujing rujing guanli fa], passed 30 June 12, effective 1 July 13, art. 12(5).

<sup>42</sup> See, e.g., “After Refusing To Allow Activist Home, China Now Bans Him From Leaving,” *Radio Free Asia*, 6 October 15; “China Slaps Exit Ban on Wife, Son of Defected Former Journalist,” *Radio Free Asia*, 7 December 15.

<sup>43</sup> CECC, 2015 Annual Report, 8 October 15, 50–51, 272.

<sup>44</sup> Rights Defense Network, “Feng Zhenghu: Citizen’s Right To Leave Country—33 Lawyers and Others Prevented From Leaving Country and Rights Defense Work” [Feng zhenghu: gongmin chujing quan—33 ming lushi deng ren bei xianzhi chujing ji weiquan biaoqian], 5 February 16; PRC Exit and Entry Administration Law [Zhonghua renmin gongheguo chujing rujing guanli fa], passed 30 June 12, effective 1 July 13, art. 12(5).

<sup>45</sup> Rights Defense Network, “Feng Zhenghu: Citizen’s Right To Leave Country—33 Lawyers and Others Prevented From Leaving Country and Rights Defense Work” [Feng zhenghu: gongmin chujing quan—33 ming lushi deng ren bei xianzhi chujing ji weiquan biaoqian], 5 February 16.

<sup>46</sup> Liu Xiaoyuan, “Lawyer Liu Xiaoyuan: My Son Has Also Been Unable To Obtain a Passport To Study Abroad” [Liu xiaoyuan lushi: wo de haizi ye bu neng ban huzhao chuguo liuxue], Human Rights Campaign in China, 15 October 15. For more information on Liu Xiaoyuan, see the Commission’s Political Prisoner Database record 2011-00355.

<sup>47</sup> For more information on Xie Yang, see the Commission’s Political Prisoner Database record 2015-00295.

<sup>48</sup> Rights Defense Network, “Explanation for July 9 Detained Lawyer Xie Yang’s Wife and Professor Chen Guiqiu Being Restricted From Leaving Country” [709 bei bu lushi xie yang qizi chen guiqiu jiaoshou bei xianzhi chujing de shuoming], 6 April 16; Rights Defense Network, “Chen Guiqiu, Wife of July 9 Lawyer Xie Yang, Sues PSB and Other Agencies Over Restriction on Leaving Country” [709 xie yang lushi qizi chen guiqiu jiu bei zuzhi chujing qisu gong’anbu deng jigou], 11 April 16.

<sup>49</sup> Rights Defense Network, “Chen Guiqiu, Wife of July 9 Lawyer Xie Yang, Sues PSB and Other Agencies Over Restriction on Leaving Country” [709 xie yang lushi qizi chen guiqiu jiu bei zuzhi chujing qisu gong’anbu deng jigou], 11 April 16; Rights Defense Network, “Shenzhen Intermediate People’s Court Rejects Chen Guiqiu’s (Wife of Lawyer Xie Yang) Materials for Administrative Lawsuit Over Restriction on Leaving Country, Trampling on the ‘Administrative Procedure Law’” [Shenzhen shi zhongji fayuan ju shou chen guiqiu (xie yang lushi de qizi) yin bei zu chujing xingzheng susong cailiao jianta “xingzheng susong fa”], 11 April 16.

<sup>50</sup> Rights Defense Network, “Lawyer Zhang Lei: Guangdong High People’s Court Rejects Chen Guiqiu’s (Wife of Lawyer Xie Yang) Suit Over Exit Ban Against Public Security Bureau, Shenzhen Border Inspection, and Other Agencies” [Zhang lei lushi: guangdong sheng gaoji fayuan ju jue shouli chen guiqiu (xie yang lushi qizi) qisu gong’anbu, shenzhen bianjian deng jigou zuzhi chujing yi an], 18 April 16.

<sup>51</sup> Rights Defense Network, “Shenzhen Intermediate People’s Court Rejects Chen Guiqiu’s (Wife of Lawyer Xie Yang) Materials for Administrative Lawsuit Over Restriction on Leaving Country, Trampling on the ‘Administrative Procedure Law’” [Shenzhen shi zhongji fayuan ju shou chen guiqiu (xie yang lushi de qizi) yin bei zu chujing xingzheng susong cailiao jianta “xingzheng susong fa”], 11 April 16.

<sup>52</sup> Rights Defense Network, “Lawyer Zhang Lei: Guangdong High People’s Court Rejects Chen Guiqiu’s (Wife of Lawyer Xie Yang) Suit Over Exit Ban Against Public Security Bureau, Shenzhen Border Inspection, and Other Agencies” [Zhang lei lushi: guangdong sheng gaoji fayuan ju jue shouli chen guiqiu (xie yang lushi qizi) qisu gong’anbu, shenzhen bianjian deng jigou zuzhi chujing yi an], 18 April 16.

<sup>53</sup> CECC, 2015 Annual Report, 8 October 15, 166.

<sup>54</sup> UN Committee against Torture, Concluding Observations on the Fifth Periodic Report of China, adopted by the Committee at its 1391st and 1392nd Meetings (2–3 December 2015), CAT/C/CHN/CO/5, 3 February 16, para. 38; “Rights Lawyer Confirms Civil Society Representatives Forbidden To Attend Torture Hearing” [Wei quan lushi zhengshi minjian daibiao bei jin chuxi kuxing lingxun], Radio Free Asia, 18 November 15; Rights Defense Network, “Lawyers Zhang Keke, Lin Qilei Not Allowed by ‘Border Control’ To Leave Country, Border Inspection Police Refuse To Issue Any Written Documents” [Zhang keke lushi, lin qilei lushi zao “bianjing kongzhi” buzhun chujing bianjian jingcha ju bu chuju renhe shumian falu wenjian], 10 November 15. The vice-chair of the UN Committee against Torture questioned the “endangering state security” justification Chinese authorities reportedly gave for preventing their travel. UN Committee against Torture, Summary Record of the 1368th Meeting, CAT/C/SR.1368, 20 November 15, para. 92; Nick Cumming-Bruce, “China Faces Sharp Questioning by UN Panel on Torture,” New York Times, 17 November 15.

<sup>55</sup> Tom Phillips, “Chinese Journalist Banned From Flying to U.S. To Accept a Prize for His Work,” Guardian, 15 February 16; “Yang Jisheng Blocked From Traveling to U.S. To Accept Award” [Yang jisheng bei zu fu mei lingjiang], Radio Free Asia, 16 February 16.

<sup>56</sup> Nieman Foundation for Journalism, “Chinese Author Yang Jisheng Wins Louis M. Lyons Award for Conscience and Integrity in Journalism,” Harvard University, 7 December 15; Tom Phillips, “Chinese Journalist Banned From Flying to U.S. To Accept a Prize for His Work,” Guardian, 15 February 16; “Yang Jisheng Blocked From Traveling to U.S. To Accept Award” [Yang jisheng bei zu fu mei lingjiang], Radio Free Asia, 16 February 16.

<sup>57</sup> Michael Forsythe, “Chinese Writer Says He’s Forbidden From Traveling to U.S. for Harvard Prize,” New York Times, 16 February 16; Tom Phillips, “Chinese Journalist Banned From Flying to U.S. To Accept a Prize for His Work,” Guardian, 15 February 16.

<sup>58</sup> “Chinese ‘Woman of Courage’ Faces Eviction, Travel Ban Ahead of Award,” Radio Free Asia, 28 March 16; Office of Global Women’s Issues, U.S. Department of State, “Biographies of 2016 Award Winners,” 28 March 16. For more information on Ni Yulan, see the Commission’s Political Prisoner Database record 2005-00285.

<sup>59</sup> “Chinese ‘Woman of Courage’ Faces Eviction, Travel Ban Ahead of Award,” Radio Free Asia, 28 March 16. See also CECC, 2015 Annual Report, 8 October 15, 50–51, 272.

<sup>60</sup> “Ni Yulan Still Being Suppressed, Again Placed Under Soft Detention After Forced Travel” [Ni yulan xu shou daya bi qian hou fu zao ruanjin], Radio Free Asia, 19 April 16; Megha Rajagopalan and Michael Martina, “Chinese Authorities Hold Disabled Rights Lawyer Under House Arrest,” Reuters, 25 April 16.

<sup>61</sup> “Ni Yulan Again Placed Under Soft Detention by Authorities, Friend Detained Three Hours for Visiting Her” [Ni yulan zai zao dangju ruanjin hao you tanshi bei ju san xiaoshi], Radio Free Asia, 20 April 16.

<sup>62</sup> Leo Timm, “Steps Away From Freedom, American Family Loses Bid To Rescue Father From China,” Epoch Times, 18 August 16; “United States Calls on China To Allow Falun Gong

Practitioner To Leave Country” [Meiguo huyu zhongguo yunxu yi ming falun gong xueyuan ziyou chujing], Voice of America, 12 August 16. See also Office of Press Relations, U.S. Department of State, “Daily Press Briefing—August 11, 2016,” 11 August 16. For more information on Wang Zhiwen, see the Commission’s Political Prisoner Record 2004-02191.

<sup>63</sup>Tian Jing and Tang Rui, “After 15 Years of Unjust Imprisonment, Wang Zhiwen Released, Returns Home, but Still Monitored” [Yuanyu 15 zai wang zhiwen bei shifang huijia reng zao jianshi], New Tang Dynasty Television, 26 October 14.

<sup>64</sup>“United States Calls on China To Allow Falun Gong Practitioner To Leave Country” [Meiguo huyu zhongguo yunxu yi ming falungong xueyuan ziyou chujing], Voice of America, 12 August 16; Tian Jing and Tang Rui, “After 15 Years of Unjust Imprisonment, Wang Zhiwen Released, Returns Home, but Still Monitored” [Yuanyu 15 zai wang zhiwen bei shifang huijia reng zao jianshi], New Tang Dynasty Television, 26 October 14.

<sup>65</sup>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. 12(1).

<sup>66</sup>“Chinese Police Ban Anti-Torture Conference by Rights Lawyers,” Radio Free Asia, 11 December 15.

<sup>67</sup>See, e.g., Civil Rights & Livelihood Watch, “Shanghai Authorities Carry Out Two Sessions Clearances, Gao Xuekun and Other Petitioners Detained or Put in Soft Detention” [Shanghai dangju wei lianghui qingchang gao xuekun deng duo ming fangmin bei juliu huo ruanjin], 28 February 16; Civil Rights & Livelihood Watch, “Two Sessions Begin, Zhangzhou, Fujian, Petitioner Li Honghua Held Under Stability Control Conditions at Home” [Lianghui zhaokai fujian zhangzhou fangmin li honghua bei wenkong zai jia], 6 March 16; Civil Rights & Livelihood Watch, “People From Qianjiang Municipality, Hubei Province, in Soft Detention for Two Sessions Again Go to Beijing” [Hubei sheng qianjiang shi lianghui ruanjin renyuan zaici dao jing], 26 March 16.

<sup>68</sup>See, e.g., “Two Sessions Petitioner Interceptions Begin February 11, Decrease in Petitioners in Beijing” [Lianghui jie fang chusi kaishi zai jing fangmin jianshao], New Tang Dynasty Television, 15 February 16; Rights Defense Network, “Two Sessions Stability Maintenance, Hebei Petitioner Zhao Chunhong Held in Black Jail” [Lianghui weiben, hebei nu fangmin zhao chunhong bei guan hei jianyu], 4 March 16; Civil Rights & Livelihood Watch, “Xu Nailai and His Daughter in Soft Detention in Tianjin Hotel Because of Two Sessions Convening” [Xu nailai funu yin lianghui zhaokai bei ruanjin zai tianjin yi jia binguan], 4 March 16; Civil Rights & Livelihood Watch, “Zhanjiang Municipality, Guangdong, Petitioner Chen Jianmei Held in Baoding, Hebei, Hotel” [Guangdong zhanjiang shi fangmin chen jianmei bei guanya zai hebei baoding binguan], 4 March 16; Rights Defense Network, “Changsha, Hunan, Rights Defender Xie Fulin Sent Back After Legally Going to Beijing To Petition” [Hunan changsha weiqian renshi xie fulin yifa dao beijing shangfang bei qianhui], 4 March 16; Rights Defense Network, “Rights Defense Bulletin: Wuxi Citizens Decipher Origin of ‘Zero Petitioning’ in Wuxi During 2016’s National ‘Two Sessions’—Encirclement and Interception, Extralegal Detention, Detention in Black Jails, Paying To Shut Down Accounts, Trafficking Petitioners” [Weiquan jianbao: wuxi gongmin jiemi 2016 nian quanguo “lianghui” qijian wuxi “ling shangfang” youlai—weizhui dujie, wangfa juliu, guan hei jianyu, huaqian xiaohao, fanmai fangmin], 3 April 16.

<sup>69</sup>See, e.g., Civil Rights & Livelihood Watch, “Xin’an County, Henan, Petitioner Pei Zhanying Criminally Detained for Going to Beijing To Petition During Two Sessions” [Henan xin’an xian fangmin pei zhanying lianghui qijian jin jing shangfang bei xingju], 20 March 16; Rights Defense Network, “As Two Sessions Draw Near, Shanghai Casts Wide Net and Detains 4 Rights Defenders; Ding Deyuan Ordered To Serve 7 Days’ Administrative Detention” [Lianghui jiangjin, shanghai dasi juliu 4 wei renquan hanweizhe ding deyuan bei chu xingzheng juliu 7 ri], 23 February 16. For more information, see the Commission’s Political Prisoner Database records 2016-00245 on Pei Zhanying and 2016-00054 on Ding Deyuan.

<sup>70</sup>“Gao Yu ‘Forced To Travel’ During Two Sessions” [Gao yu lianghui qijian “bei luyou”], Radio Free Asia, 18 March 16; “Veteran Chinese Journalist Gao Yu Seen ‘on Vacation’ in Yunnan,” Radio Free Asia, 17 March 16. For more information on Gao Yu, see the Commission’s Political Prisoner Database record 2004-05037.

<sup>71</sup>Chris Buckley, “China To Release Journalist Gao Yu From Prison Over Illness,” New York Times, 26 November 15; Jun Mai, “Jailed Chinese Journalist Gao Yu Granted Medical Parole After Appeal in State Secrets Case,” South China Morning Post, 27 November 15.

<sup>72</sup>See, e.g., CECC, 2014 Annual Report, 9 October 14, 111; CECC, 2015 Annual Report, 8 October 15, 166–67.

<sup>73</sup>See, e.g., “On Eve of June Fourth, Beijing Scholars’ Dinner Obstructed, Daughter of Xie Tao and Others ‘Under Guard’” [Liusi qianxi beijing xueshe jucan shouzu xie tao zhi nu deng duo ren bei “shanggang”], Radio Free Asia, 20 May 16; “China Clamps Down on Memorial Events Ahead of Tiananmen Crackdown Anniversary,” Radio Free Asia, 26 May 16; “As June Fourth Approaches, Many Places Strengthen Monitoring, Yu Shiwen Plans Hunger Strike Protest” [Liusi linjin gedi jiaqiang jiankong yu shiwen ni jueshi kangyi], Radio Free Asia, 27 May 16; Civil Rights & Livelihood Watch, “As June Fourth Approaches, Sun Dongsheng, Li Xuehui Forced To Leave Beijing, Shanghai’s Chen Baoliang Criminally Detained” [Liusi linjin sun dongsheng, li xuehui bei po li jing shanghai chen baoliang bei xingju], 3 June 16; Rights Defense Network, “Xu Yonghai: I Spent These Last Few Days Around June Fourth 2016 in Soft Detention” [Xu yonghai: wo zai ruanjin zhong duguo 2016 nian liusi zhe ji tian], 6 June 16.

<sup>74</sup>“Controls on Uyghur Villages, Mosques Continue Into New Year,” Radio Free Asia, 6 January 16; Andrew Jacobs, “Xinjiang Seethes Under Chinese Crackdown,” New York Times, 2 January 16.

<sup>75</sup>Yao Tong, “Xinjiang Introduces a Series of Initiatives To Resolve Outstanding Problems Among the Masses” [Xinjiang chutai yi xilie jucuo jieju qunzhong fanying tuchu wenti], Xinjiang Daily, reprinted in Tianshan Net, 30 March 16.

<sup>76</sup>Andrew Jacobs, "Xinjiang Seethes Under Chinese Crackdown," *New York Times*, 2 January 16; Bai Tiantian, "Xinjiang To End 'Convenience Contact Cards,'" *Global Times*, 31 March 16; CECC, 2014 Annual Report, 9 October 14, 111.

<sup>77</sup>Tibetan Centre for Human Rights and Democracy, "Mass Expulsion of Nuns and Land Grabbing in Tibet's Diru County," 13 October 15; Tibetan Centre for Human Rights and Democracy, "Document Exposes Intensification of State-Sanctioned Religious Repression in Troubled Tibetan County," 9 November 15. See also Bureau of Democracy, Human Rights and Labor, U.S. Department of State, "Country Reports on Human Rights Practices for 2015: China (Includes Tibet, Hong Kong, and Macau)," 13 April 16, 88.

<sup>78</sup>"Tibetans in Chinese Provinces Blocked From Travel to Lhasa in March," *Radio Free Asia*, 24 March 16.