Hearing Before the Congressional-Executive Commission on China

"Control of Religion in China through Digital Authoritarianism"

Tuesday, September 13, 2022
Written Testimony of Dr. Emile Dirks
Postdoctoral Fellow at The Citizen Lab at the University of Toronto

Chairman Merkley, Chairman McGovern, and distinguished Members of the Commission, thank you for holding this hearing and inviting me to participate.

This testimony draws upon my doctoral research in the Department of Political Science at the University of Toronto, and my postdoctoral research at The Citizen Lab at the University of Toronto, on the surveillance and control of "target people" viewed by China's police as threats to social stability and national security, and police-led mass DNA collection programs implemented under the Xi Jinping administration. My testimony today reflects my own views as a researcher, and not necessarily those of The Citizen Lab.

Through my testimony, I wish to make three points concerning the control of religion through digital authoritarianism as they pertain to the policing of practitioners of banned faiths and the peoples of the Tibet Autonomous Region. One, that digital surveillance of practitioners of banned faiths is part of broader systems of police surveillance directed at a range of Chinese citizens viewed as threats to the party-state. Two, that in order for police to make full use of digital surveillance tools aimed at practitioners of banned faiths, China's police are compelled to collaborate with other local party-state offices. And three, that under the Xi Jinping administration, police-led programs of DNA collection once reserved for criminalized people have now expanded to target entire populations of ethnic and religious minorities, in particular to the people of the Tibet Autonomous Region.

Based on these three points, I make two recommendations. One, in order to better understand Chinese state surveillance and repression of religious practitioners, and in order to contribute to informed policy making, the United States government should increase funding to Mandarin and Cantonese Chinese language programs offered at universities and colleges. And two, in order to better understand the effect of Chinese state surveillance and repression on ethnic and religious minorities, and in order to contribute to informed policy responses, the United States government should fund the study at universities and colleges of minority languages spoken in China.

Point One: Digital Surveillance of Practitioners of Banned Faiths

I would like to begin by discussing how China's police categorize, register, and digitally surveil practitioners of banned faiths. Discussions of policing in China often separate crime control from political repression. My research suggests that, in practice, Chinese police do not draw a clear line between the two. Techniques of digital surveillance and control deployed against criminalized populations like users of drugs, for example, can be easily deployed against people seen as threats to the party-state like activists and petitioners.

Among those Chinese citizens who are targets of both crime control and political repression by China's police are practitioners of so-called "heterodox" (*xiejiao*) faiths. These faiths are defined by the

Supreme People's Procuratorate as faiths which “falsely use religion or qigong to deceive people, exercise control over their members, and harm society.”[1] Operating outside of China's system of five officially recognized religions, these groups include the Falun Gong, the Church of Almighty God, and the Unification Church, among others. Through the Ministry of Public Security and the Central Leading Group on Preventing and Dealing with Heterodox Faiths, the Chinese government has surveilled and repressed members of these faiths since the 1990s.[2]

As mentioned, practitioners of banned faiths are only one of many groups subject to state repression and surveillance. Those Chinese citizens perceived as potential threats to social stability or national security are referred to by the Ministry of Public Security as “target people” (*zhongdian renyuan*). Target people is a broad group and can include everyone from users of drugs, to former prison detainees and people in community corrections, to people with mental illnesses, to petitioners, to human rights advocates, to members of ethnic or religious minority communities. These people are among the most marginalized and vulnerable members of Chinese society. The total number of Chinese citizens police have registered as target people is unknown, though it likely runs in the millions. And a key component of day-to-day policing across China is surveilling and occasionally detaining target people.

Among those Chinese citizens registered as target people are practitioners of banned faiths. At the national level, the Ministry of Public Security’s 2007 Target Population Management Regulations lists as threats people suspected of participating in the activities of “heterodox faiths” or “using religion” to conduct illegal activities.[3] Provincial-level Public Security Bureaus also classify practitioners of banned faiths as target people. The 2010 Zhejiang Public Security Organ Target People Dynamic Control Work Standards lists members of the Falun Gong and “other heterodox faith organizations,” as well as petitioners linked to the Falun Gong and practitioners of banned faiths, as target people.[4] While Falun Gong practitioners are specifically named in the Zhejiang Standards, we know from reports on local government websites that local police also categorize practitioners of other banned faiths as target people.

It is these local police who are primarily responsible for interpreting directives from national, provincial, and municipal public security organs and identifying practitioners of banned faith in their jurisdiction. Once a practitioner is identified, police add them to databases of target people. These databases first appeared under the Hu Jintao administration (2002–2012), with one of the earliest database systems, the Dynamic Control System, focused on users of drugs.[5] The techniques of digital record keeping, information sharing, and surveillance developed as part of the Chinese government’s

1 “关于办理组织、利用邪教组织破坏法律实施等刑事案件适用法律若干问题的解释” [“Regarding interpretation on several issuesconcerning the application of law in handling criminal cases such as organizing and using cult organizations toundermine the implementation of the law”], 最高人民检察院, January 26, 2017, https://archive.md/nZ3KH

2 Cook, S. and Lemish, L., (2011), “The 610 Office: Policing the Chinese Spirit”, Jamestown China Brief, 11(17),https://archive.md/M4lz4; Cook, S., (2019), “The Learning Curve: How Communist Party Officials are Applying Lessons from Prior “Transformation” Campaigns to Repression in Xinjiang”, Jamestown China Brief, 19(3),https://archive.md/CExIy

3 “公安部重点人口管理规定”

4 “浙江省公安机关重点人员动态管控工作规范 (试行)”

5 Dirks, E. and Cook, S., “China’s Surveillance State Has Tens of Millions of New Targets”, Foreign Policy, October 21, 2019, https://archive.md/J8eRQ

repression of users of drugs later became a blueprint for databases used to catalogue and control a wider range of target people, including practitioners of banned faiths.

As a tool of Chinese state surveillance and repression of practitioners of banned faiths, police databases serve two purposes: 1) registering practitioners of banned faiths as target people and storing identifying information on them; and 2) facilitating community-based surveillance of registered individuals.

Data may include the individual's pseudonyms, physical characteristics, economic status, social circle, the areas which they frequent, record of offenses, manner of dress, and details about their faith. In some cases, biometric data, like facial and isis scans and DNA samples, are collected and stored. Based on this information, police can categorize the supposed risk posed by an individual from low to medium to high. Some database systems even allow police to categorize practitioners based on their purported "level of [spiritual] obsession."[6] It is unclear what guidelines, if any, inform how police grade the purported threat posed by a practitioner of a banned faith. Nor is it clear how a practitioner, once designated as a target person, can be unregistered. The authority to do so appears to rest solely with the police. Given the extensive powers enjoyed by China's police,[7] it seems possible that local police officers have wide remit to rank and (un)register practitioners of banned faiths however they or their superiors wish.

As a form of state surveillance, these databases can have severe repercussions for registered individuals. Once a practitioner is registered in a police database, their file as a target person is associated with their national ID card. These machine-readable ID cards allow personal data to be stored electronically. National ID cards are often required when conducting various on- and offline commercial transactions, like purchasing train, rail, or bus tickets, or booking a hotel room. The systems through which these commercial transactions are conducted are often connected to police-run database systems.

The integration of commercial and police-run database systems facilitates police surveillance of target people, including practitioners of banned faiths. For example, when a police-registered practitioner books into a hotel through the front desk computer system, local police may be alerted to their presence. On the basis of this information, police can decide to visit the hotel to interrogate, harass, or even detain the individual. By interdicting practitioners at hotels, guesthouses, and transport stations, police place severe restrictions on the ability of practitioners to travel freely and congregate with fellow worshippers. These techniques of control did not originate with the party-state's campaigns of repression against practitioners. Like other aspects of these database systems, the earliest form of these national ID card-linked surveillance systems were deployed against users of drugs in the mid-to-late 2000s.

Likewise, these same forms of surveillance continue to be deployed against a range of target people, including petitioners, human rights activists, and former prison detainees. Evidence from Xinjiang indicates that police have also designated vast numbers of Uyghur and other indigenous individuals as "target people."[8] And as elsewhere in China, police in Xinjiang have used comparable systems of digital surveillance as part of the Chinese government's campaign of repression against the people of

6 Dirks, E., (2019), "'Key Individuals Management' and the Roots of China's Anti-Muslim Surveillance System", Jamestown China Brief, 19(16), https://archive.md/ZAubi

7 Lubman, S., "Arrested, Detained: A Guide to Navigating China's Police Powers," Wall Street Journal, August 12, 2014, https://archive.ph/dqVDE

the region.[9] While these surveillance programs are a key aspect of state repression in Xinjiang, my research indicates that the roots of these programs lie outside Xinjiang and predate the current Xi Jinping administration.

Working with minimal external oversight, China's police appear free to use tools of digital surveillance to harass and repress practitioners of banned faiths as they see fit. And by designating practitioners of banned faiths as "target people" – that vast array of Chinese citizens police believe threaten social stability and national security – China's police further criminalize diverse forms of worship and further blur the lines between crime control and political repression.

Point Two: Surveillance of Practitioners Through Police and Party-State Collaboration

This description of the police's digital surveillance of practitioners of banned faiths paints a picture of limitless police powers. Yet discussions of digital authoritarianism risk overestimating how well these technologies work, and underestimating the importance of more prosaic forms of control. My research suggests that in order to surveil practitioners of banned faiths, police are compelled to supplement digital tools with boots-on-the-ground policing and inter-bureaucratic cooperation.

Despite considerable technical advances in China's domestic surveillance capabilities[10], existing systems do not always work as designed. Under the Xi Jinping administration, China's police are collecting ever greater amounts of data from the public. However, the recent leak of files on nearly one billion people from a Shanghai police-run database suggests that persistent issues with data security and accuracy remain.[11] What's more, local police are often strapped for time and resources. The Ministry of Public Security enjoys considerable political authority. Yet police capacity is not unlimited. Resource constraints, excessive demands from superiors, and poor pay and working conditions can undermine police performance.[12]

Technical issues and capacity limitations have also hampered the policing of target people, including the policing of practitioners of banned faiths. Police may be able to register practitioners and catalogue them in target people database system. However, police often lack the capacity to control practitioners in the community. There are often too many target people, or too many competing tasks, for the police to do so.

To overcome these challenges, police often rely on the cooperation of other party-state offices – including judicial officers, members of local Political and Legal Affairs Committees, and grid

8 Grose, T., "'Once Their Mental State Is Healthy, They Will Be Able to Live Happily in Society': How China's Government Conflates Uighur Identity with Mental Illness", ChinaFile, August 2,2019, https://archive.md/IqrSJ; Xu, V., Leibold, J., and Impiombato, D., (2021), The Architecture of Repression: Unpacking Xinjiang's Governance, Australian Strategic Policy Institute, https://archive.md/STwAq

9 "China's Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App", Human Rights Watch, May 1, 2019, https://archive.md/hDGuZ

10 Batke, J. and Ohlberg, M., "State of Surveillance," ChinaFile, October 30, 2020, https://archive.ph/MorFp

11 Arcesati, R. and Hmaidi, A., "Shanghai police-database breach exposes lax data protection," MERICS, July 20, 2022, https://archive.ph/dgrPh

12 Scoggins, S. and O'Brien, K., (2016), "China's Unhappy Police", Asian Survey, 56(2), 225-242; Zang, X. and Pratt, J., (2019), "Are Street-Level Bureaucrats in China Hardnosed Cops or Consultants? An Institutional Account of Policing Behavior in Autocracy", Journal of Contemporary China, 28(116), 232–244; Scoggins, S., (2020), Policing China: Street-Level Cops in the Shadow of Protest, (Ithaca: Cornell University Press)

management personnel – to surveil practitioners in the community. These party-state organs, working alone or with the police, make routine visits to the homes of known practitioners. These home visits play multiple, intersecting roles. Through these visits, party-state officials provide practitioners, many of whom are economically disadvantaged, with limited forms of social assistance, meant to alleviate socio-economic difficulties and demonstrate the party-state's care. Researchers have documented similar dynamics as part of the Chinese government's campaign of repression in Xinjiang.[13]

This approach, however, dates back even further and is rooted in broader shifts in the policing which began in the mid-2000s under the Hu administration. The failure of harsh "strike hard" policing to bring down crime rates led to a readjustment in crime control techniques. Rather than relying on detention alone, authorities adopted mixed approaches that combined repression with social assistance. This included the use of welfare services as a way to dissuade target people from continuing to engage in perceived threatening activities.[14] Such practices have continued and in some cases expanded under the Xi administration.

In some cases, these mixed approaches may have discouraged police from relying on brute force alone to deal with practitioners of banned faiths. Yet in the eyes of the police, practitioners remain potential threats to social stability. And as registered target people, even practitioners who receive social assistance remain targets of extensive state surveillance. In fact, party-state officials' visits to the homes of practitioners double as a form of surveillance and social control. Police and other party-state officials use home visits to search for evidence of ongoing worship or banned religious materials, or to convince practitioners to adhere to China's laws on religious practices. In other cases, authorities enlist the family members of know practitioners to help "educate" and monitor their kin.

These collaborations between the police and other party-state offices can also strengthen the previously discussed forms of digital surveillance. Through meetings with practitioners, party-state officials collect timely information which can be passed on to the police and added to target people databases. Reports sent to the police by other party-state officials or grid management personnel can also be used to reassess risk evaluations for known practitioners, identify leaders among faith congregations or where practitioners gather, and calculate the size of local faith groups. By taking on the task of gathering data for the police, these party-state workers further blur the lines between social support and social control.

The surveillance of practitioners of banned faiths is particularly pronounced during "sensitive periods" (*min'gan shiqi*) which include everything from national holidays like Spring Festival to meetings of the National People's Congress. During sensitive periods, police are put on heightened alert to prevent any incidents which might disrupt social stability and blemish the reputation of local, provincial, or national leaders. This includes tightening surveillance of target people, including practitioners of banned faiths. Police place practitioners on 24 hour surveillance and prevent practitioners from traveling outside their home area. To ensure the movement and activities of practitioners are thoroughly limited during sensitive periods, police rely heavily on the target people databases and national ID card-linked

13 Byler, D., "China's Government Has Ordered a Million Citizens to Occupy Uighur Homes. Here's What They Think They're Doing.", ChinaFile, October 24, 2018, https://archive.md/iyswq; Xu, V., Leibold, J., and Impiombato, D., (2021), The Architecture of Repression: Unpacking Xinjiang's Governance, Australian Strategic Policy Institute, https://archive.md/STwAq

14 Pan, J., Welfare for Autocrats: How Social Assistance in China Cares for Its Rulers, (Oxford: Oxford University Press, 2020)

surveillance systems previously discussed. And in cases where police believe practitioners pose a pronounced threat to social stability, police will detain them in extrajudicial black jails or in pretrial detention centres, where they are often subjected to torture and abuse.[15]

Police collaboration with other party-state offices to surveil practitioners of banned faiths in the community points to the limits of police capacity. Despite considerable authority, few external checks on their activities, and access to advanced forms of digital surveillance, local police are not all powerful. In order to surveil and control practitioners of banned faiths, police rely heavily on the cooperation of other party-state offices. These collaborations not only supplement local police capacity. They also transform other party-state officials into informants for the police, thereby strengthening police-run target people databases and national ID card-linked surveillance systems.

Point Three: Police-Led Mass DNA Collection in the Tibet Autonomous Region

Thus far, I have discussed features of policing religious minorities which have their roots in the Hu Jintao administration. These practices have continued under Xi Jinping, but they did not begin under his rule. There is, however, a particular form of surveillance which is unique to the Xi era. And that is the mass collection of biometric data from entire populations. Moving away from the discussion on police surveillance of practitioners of banned faiths, I would now like to discuss police-led mass DNA collection programs targeting entire populations of ethnic and religious minorities, and in particular the people of the Tibet Autonomous Region.

Like many countries around the world, China's police operate forensic DNA databases. Data stored in these databases are usually taken during the course of criminal or forensic investigations.[16] However, we know that police also collect DNA samples from people not accused of any particular criminal offense. These individuals include many target people like practitioners of banned faiths. Under the Xi Jinping administration, however, police DNA collection has expanded beyond criminal suspects, victims, and target people to include entire populations. This has included a national program to collect DNA samples from between 5-10% of China's male population, or between 35-70 million people.[17] Furthermore, for years researchers have known that authorities in Xinjiang have collected extensive biometric data – including DNA samples, iris and facial scans, and vocal and finger prints – from the region's people. Such programs rest on the authority's assumption that Uyghurs and other indigenous people could pose a threat to social stability, based solely on their ethnicity or religious convictions.[18]

Forensic scientists in China – often working in collaboration with the police – have also conducted genetic research concerning ethnic minority peoples. In 2017, the academic journal *Human Genetics*

15 Cook, S., (2017), The Battle for China's Spirit: Religious Revival, Repression, and Resistance under Xi Jinping, Freedom House, https://archive.ph/AxiAI

16 Bernotaite, A., (2020), "Building of the World's Largest DNA Database: The China Case," in P. Shrivastava, H. Ranjan Dash, J. A. Lorente, and J. Imam (eds.), Forensic DNA Typing: Principles, Applications and Advancements, (Singapore: Springer, 2020), 639-658

17 Dirks, E. and Leibold, J., (2020), Genomic Surveillance: Inside China's DNA Dragnet, Australian Strategic Policy Institute, https://archive.ph/JtUSD

18 "China: Police DNA Database Threatens Privacy," Human Rights Watch, May 15, 2017, https://archive.ph/CA4b9; Wee, S., "China Uses DNA to Track Its People, With the Help of American Expertise," The New York Times, February 21, 2019, https://archive.ph/6itC1; Leibold, J., (2019), "Surveillance in China's Xinjiang Region: Ethnic Sorting, Coercion, and Inducement," Journal of Contemporary China, 121(29), pp. 46-60; Wee, S. and Mozur, P., "China Uses DNA to Map Faces, With Help From the West," December 3, 2019, https://archive.ph/vkwDK

published an article on genetic diversity based on nearly 38,000 DNA samples collected by police-affiliated researchers from men, many of whom were Tibetan and Uyghur. The resulting pressure from academics led to the journal retracting the article in 2021. Incidents like this have raised concerns about the role some Chinese researchers have played in state surveillance of non-Han people.[19]

My research on a police-led program of mass DNA collection in the Tibet Autonomous Region (TAR) shows how police-led biometric surveillance programs operate in areas populated by ethnic and religious minorities.[20] Since 2016, police in the TAR have collected DNA samples from men, women, and children, outside of an ongoing criminal investigation. None of those people targeted for DNA collection appear to be criminal suspects or to belong to any particular category of target people, like users of drugs or petitioners. Police have collected DNA from people in fields, homes, schools, businesses, construction sites, and monasteries. Police have also targeted Buddhist monks for DNA collection, unsurprising given the long history of state surveillance and repression of the region's religious practitioners. And in other cases, police have collected DNA samples from children as young as elementary school age.

This multi-year campaign appears to cover the entirety of the TAR. My analysis suggests that police have engaged in mass DNA collection in all seven of the TAR's regions. Some public records provide precise figures for the number of DNA samples police have collected in a given area. These scale of data collection is striking. A February 2017 report from Zhagyab County indicated that police had collected more than 25,000 DNA samples, representing nearly half of Zhagyab's entire population. A January 2021 report from Qushui County in Lhasa suggested that authorities had collected DNA samples from nearly 10% of Lhasa's entire population.

The true size of the mass DNA database being built by police in the TAR is unknown. However, the aforementioned sources and other publicly available sources allow us to estimate its potential size. Based on my calculations, between June 2016 and July 2022, police may have collected DNA samples from between one quarter and one third of the TAR's population of 3.66 million, or between roughly 919,000 and 1.2 million DNA samples. If DNA collection continues, the final size of a finished mass DNA database may be even greater.

Police have provided a variety of justifications for this program, including fighting crime, finding lost people, and securing social stability. It is not clear which – if any – of these justifications reflects the primary motivation behind the campaign. As of yet, no single publicly accessible document is available to explain the true intentions, history, scope, and character of this police-led program of mass DNA collection. However, without external checks on police powers, police will be free to use the database for whatever purpose they see fit. DNA collection takes place alongside the collection of more extensive information, known as "basic information" (*jichu xinxi*), which can include everything from banking information, a person's known social circle, and work and family history. A completed mass DNA database, covering a portion of the TAR's population and combined with more extensive population data, could become a powerful tool in the arsenal of China's police to surveil and repress the indigenous people of Tibet.

19 Moureau, Y., "Crack down on genomic surveillance," Nature, December 3, 2019, https://archive.ph/cz8nx; Hvistendahl, M., "Mass resignations at scientific journal over ethically fraught China genetics paper," The Intercept, August 4, 2021, https://archive.ph/OBj4l

20 Dirks, E., "Mass DNA Collection in the Tibet Autonomous Region from 2016–2022," The Citizen Lab, September 13, 2022, https://archive.ph/VCSIj

This program of mass DNA collection signals an escalation in state surveillance of ethnic and religious minority communities in China under the Xi Jinping administration. Researchers have known for years about how authorities in Xinjiang have conducted a program of mass biometric data collection targeting the region's Uyghur and other indigenous people. My research suggests that a similar police-led campaign of mass DNA collection has been ongoing in the Tibet Autonomous Region since 2016. Given the history of Chinese state surveillance and repression of the indigenous people of Tibet, and the virtually unchecked power of China's police, it is likely that this program of mass DNA collection will become one more tool of social control wielded by the Chinese state against ethnic and religious minorities.

Recommendations

My testimony today has highlighted three key components of Chinese state surveillance and repression of religious and ethnic minority communities in China: that practitioners of banned faiths are surveilled alongside other "target people;" that police collaborate with other party-state offices to surveil these practitioners; and that police are now engaged in a mass DNA collection program targeting the indigenous people of the Tibet Autonomous Region.

These programs of digital surveillance, inter-bureaucratic cooperation, and mass biometric data collection targeting China's religious minority communities are well-documented, both by myself and other researchers. However, it is only through the careful analysis of primary sources that researchers have been able to document these programs. And analysis of these primary sources is only possible if researchers are capable of reading Chinese.

Language proficiency is therefore fundamental to informed analysis and, by extension, informed and effective policy making. However, according to some reports, the study of foreign languages at U.S. universities and colleges is declining.[21] This includes enrollment in Chinese studies, which have reportedly been dropping since the late 2010s.[22] While declining enrollment in Chinese language programs is attributable to numerous factors, it suggests a worrying disengagement from the world beyond the United States' borders. If this trend is not reversed, it could have negative long-term consequences on the United States government's capacity to understand China's party-state, including Chinese state surveillance and repression of religious practitioners, and craft effective policies in response.

Therefore, my recommendations to the Commission are as follows:

One: in order to deepen the United States government's understanding of Chinese state surveillance and repression of China's religious practitioners and ethnic and religious minority communities, and in order to develop informed and effective policies in response, the United States government should increase federal funding for Mandarin and Cantonese Chinese language programs at universities and colleges. Increased funding for these programs would help train new researchers capable of analyzing timely developments in Chinese state activities, including the surveillance and repression of religious practitioners. The work of these researchers would in turn

21 Flaherty, C., "L'œuf ou la Poule?," Inside Higher Ed, March 19, 2018, https://archive.ph/mKqal
22 Mooney, P., "American students lose interest in China studies," Nikkei Asia, April 15, 2017, https://archive.ph/ZWlII

contribute to informed and effective policy making pertaining to the United States relationship with China, as well as to the important ongoing work of this Commission.

Two: in order to deepen the United States government's understanding of the effect of Chinese state surveillance and repression on religious and ethnic minority communities, and in order to develop informed and effective policies in response, the United States government should increase federal funding for language programs at universities and colleges focused on minority languages spoken in China. These minority languages include Uyghur, Mongolian, Kazakh, and various Tibetan languages and dialects, among others. Increasing funding to the study of minority languages spoken in China would signal the United States government's willingness to defend the rights and interests of China's diverse language communities, a subject covered in a previous hearing by the Commission.[23] Increased funding would also help train researchers capable of understanding the impact of Chinese state policies on ethnic and religious minority communities, and communicating this understanding to policy makers, including members of this Commission. This in turn would contribute to more informed and effective policy making pertaining to the United States government's relationship with China and China's diverse peoples.

Increased funding for language studies will lay a strong foundation for future research into Chinese state programs, including the control of religion through digital authoritarianism.

Thank your for the opportunity to testify today. I look forward to your questions and comments.

23 "Growing Constraints on Language and Ethnic Identity in Today's China", Congressional-Executive Commission on China, April 5, 2022, https://archive.ph/Jz7JT