



# CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

2019 Annual Report—Executive Summary



ONE HUNDRED SIXTEENTH CONGRESS, FIRST SESSION  
NOVEMBER 18, 2019



### **Protests Continue Against Extradition Bill**

TAMAR, HONG KONG - JUNE 16: Protesters sit outside the Central Government Offices in Tamar after a march from Causeway Bay to the government offices on June 16, 2019 in Tamar, Hong Kong. Organizers estimate two million people took part in the march calling on the government to withdraw the bill. (Photo by Sam Tsang/South China Morning Post via Getty Images)



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# CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

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## Legislative Branch Commissioners

### House

James P. McGovern, Massachusetts, *Chair*  
Marcy Kaptur, Ohio  
Thomas Suozzi, New York  
Tom Malinowski, New Jersey  
Ben McAdams, Utah  
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Tom Cotton, Arkansas  
Steve Daines, Montana  
Todd Young, Indiana  
Dianne Feinstein, California  
Jeff Merkley, Oregon  
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## Executive Branch Commissioners

Department of Labor, To Be Appointed  
Department of Commerce, To Be Appointed  
At-Large, To Be Appointed  
At-Large, To Be Appointed

### Commission Staff

Jonathan Stivers, *Staff Director*  
Peter Mattis, *Deputy Staff Director*

Luke Adams, Elise Anderson, Steve Andrews, Mingzhi Chen,  
Scott Flipse, Megan Fluker, Sabrina Tsai Jennings, Amy Reger, Judy Wright

# STATEMENT FROM THE CHAIRS

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The Congressional-Executive Commission on China (Commission) was established by the U.S.-China Relations Act of 2000 (Public Law No. 106–286) as China prepared to enter the World Trade Organization. The Commission is mandated to monitor human rights and the development of the rule of law in China, and to submit an annual report to the President and Congress. The Commission is also mandated to maintain a database of political prisoners in China—individuals who have been detained or imprisoned by the Chinese government for exercising their internationally recognized civil and political rights, as well as rights protected by China’s Constitution and other domestic laws.

The Commission’s 2019 Annual Report covers the period from August 2018 to August 2019. The comprehensive findings and recommendations in this report focus on the Chinese government’s compliance with or violation of internationally recognized human rights, including the right to free expression, peaceful assembly, religious belief and practice, as well as any progress or regression on the development of the rule of law. As discussed in the subsequent chapters of this report, the human rights and rule of law conditions in China have continued to worsen this past year.

A part of the Commission’s mandate is the inclusion of recommendations for legislative and executive action. In addition to the recommendations contained in this report, the Commission drafted, edited, and provided support for numerous legislative initiatives over the last year, including those related to human rights in the Xinjiang Uyghur Autonomous Region, Hong Kong’s autonomy and rule of law, Tibet policy and human rights, the 30th anniversary of the 1989 Tiananmen protests, and the use of advanced technology to facilitate human rights abuses in China.

Over the past year, the Commission held congressional hearings on “Hong Kong’s Future in the Balance: Eroding Autonomy and Challenges to Human Rights,” “Tiananmen at 30: Examining the Evolution of Repression in China,” and “The Communist Party’s Crackdown on Religion in China.” The Commission also held a town hall event in New York City with the New York and New Jersey Tibetan communities. The Commission regularly conducts congressional briefings and meetings with non-governmental organizations, academics, legal professionals, and human rights advocates. The Commission’s Political Prisoner Database is an important tool for documenting political prisoners in China and providing publicly accessible information on individual cases for U.S. Government officials, advocates, academics, journalists, and the public.

As Legislative and Executive Branch decisionmakers seek a more effective strategy for promoting human rights and the rule of law in China, the Commission plays an essential role in reporting on conditions, raising awareness of human rights violations, and informing U.S. policy. We are grateful for the opportunity to serve as the Commission Chair and Co-Chair, and we appreciate the attention of the U.S. Congress and Administration to the issues highlighted in this report.

Sincerely,



Representative James P. McGovern

*Chair*



Senator Marco Rubio

*Co-Chair*

# OVERVIEW

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It has been three decades since China's People's Liberation Army was ordered to forcefully end the peaceful protests for political reform in Tiananmen Square and throughout China. The violent suppression of the 1989 Tiananmen protests was a key turning point in history as the Chinese government and Communist Party suspended experiments in openness and reform and strengthened a hardline approach to prevent the growth of independent civil society and reinforce their control over the people of China.

Since the Tiananmen crackdown, the Chinese government and Party have expanded a costly and elaborate authoritarian system designed to intimidate, censor, and even imprison Chinese citizens for exercising their fundamental human rights, including freedom of expression, peaceful assembly, and freedom of religion. Authorities targeted and imprisoned citizens calling for democratic reform—including Nobel Peace Prize laureate Liu Xiaobo, who took part in the Tiananmen protests and co-authored Charter 08, a political treatise that called for constitutional government and respect for human rights. In the years since Tiananmen, Liu Xiaobo spent a total of almost 16 years in detention and died in state custody in 2017.

After Xi Jinping became Chinese Communist Party General Secretary in 2012, and President in 2013, the space for human rights advocacy and political reform narrowed further as the Chinese government and Party exerted a tighter grip over governance, law enforcement, and the judiciary. Under President Xi's tenure, authorities launched a nationwide crackdown on the legal community and rights defenders; curtailed civil society, academia, and religious life; led an anti-corruption campaign that helped remove political opposition inside the Party; and eliminated term limits on the presidency, signaling Xi's intention to remain in power indefinitely.

During its 2019 reporting year, the Congressional-Executive Commission on China (Commission) found that the human rights situation has worsened and the rule of law continued to deteriorate, as the Chinese government and Party increasingly used regulations and laws to assert social and political control. The Chinese government continued its crackdown on "citizen journalists" who report on human rights violations, with mainstream Chinese journalists calling conditions in China an "era of total censorship." The abuse of criminal law and police power to target rights advocates, religious believers, and ethnic minority groups also continued unabated, and reporting on such abuses became increasingly restricted.

Further, the Chinese government has become more efficient in the use of advanced technology and information to control and suppress the people of China. Nowhere is this more of a concern

than in the Xinjiang Uyghur Autonomous Region (XUAR), where the Commission believes Chinese authorities may be committing crimes against humanity against the Uyghur people and other Turkic Muslims. Over the past year, Chinese authorities have expanded a system of extrajudicial mass internment camps in the XUAR. Although the true number of detainees has not been publicly reported, experts estimate one million or more Uyghurs, Kazakhs, Kyrgyz, Hui, and others currently are or have been detained and subjected to abuse and forced labor in mass internment camps.

Outside the camps, the Chinese government and Party have created a pervasive and high-tech surveillance system in the XUAR that some observers have called an "open-air prison." The system integrates facial recognition cameras and real-time monitoring of cell phones into an Orwellian policing platform that observes every aspect of life in the XUAR and allows Chinese officials to tighten their control of Uyghurs and other Turkic Muslims in the region. This surveillance system is implemented—often with the assistance of domestic and international businesses—using security personnel and surveillance technology that helps Chinese officials repress Uyghurs and others in the XUAR.

As the world commemorated the 30th anniversary of the Tiananmen Square Massacre in 2019, China's leaders not only refused to provide a full, public, and independent accounting of events, but also continued to prohibit any public mourning by the families of the victims and censored discussion of the events of 1989 in mainland China. Hundreds of thousands of people joined together in Victoria Park in Hong Kong to participate in a candlelight vigil on the Tiananmen anniversary.

In Hong Kong, millions of people took to the streets to protest the Hong Kong government's introduction of a bill to amend the city's extradition law, revisions that would put anyone in Hong Kong—including U.S. citizens—at risk of extradition to mainland China, where lack of due process and custodial abuses have been well documented. The protest on June 16, 2019, which organizers estimated had over two million participants, was spurred by the unwillingness of the Hong Kong government to formally withdraw the extradition bill. As protests continued throughout the summer, Hong Kong police used rubber bullets, tear gas, pepper spray, and water cannons against peaceful protesters. Although consideration of the extradition law amendments was suspended, protesters continued to call for the bill to be withdrawn and for accountability for the excessive use of force by the Hong Kong police and criminal gangs—who were suspected of working with police—against protesters.

The 2019 Hong Kong protests are a manifestation of an unprecedented grassroots movement revealing deep discontent with the erosion of Hong Kong's autonomy. Under the "one country, two systems" framework based on the 1984 Sino-British Joint Declaration and established by Hong Kong's Basic Law, the Chinese government agreed to allow Hong Kong a "high degree of autonomy" with the "ultimate aim" of electing its Chief Executive and Legislative Council members by universal suffrage. Yet instead of making progress toward universal suffrage, Hong Kong authorities have prosecuted and sentenced pro-democracy leaders, disqualified and removed pro-democracy legislators from office, and introduced a new national anthem bill that would restrict free expression. In addition, mainland Chinese authorities continued to arbitrarily detain Hong Kong bookseller Gui Minhai, who was first abducted in 2015. Anson Chan, the former Hong Kong Chief Secretary and Legislative Council member, recently offered this insight: "If only Beijing would understand what makes Hong Kong tick, what are the values we hold dear, then they can use that energy to benefit both China and Hong Kong. Instead, they have this mentality of control."

In Tibet, the 60th anniversary of the Dalai Lama's escape into exile passed without any progress toward a genuine dialogue between the Chinese government and the Dalai Lama or his representatives. This past year, Chinese authorities continued to systematically repress the peaceful exercise of internationally recognized human rights and intensify their restrictions on the religious and cultural life of Tibetans. Access to the Tibet Autonomous Region (TAR) remained tightly controlled, with international journalists reporting that it was more difficult to visit the TAR than North Korea. In a white paper issued in March 2019, the Chinese government restated the claim that it has the sole authority to select the next reincarnation of the Dalai Lama, in violation of the religious freedom of the Tibetan Buddhist community.

Chinese authorities continued to aggressively target unregistered Christian churches this past year as part of the implementation of new regulations on religious affairs. In a troubling development, congregations with hundreds of worshipers were officially banned, including Zion Church and Shouwang Church in Beijing municipality; Rongguili Church in Guangzhou municipality, Guangdong province; and the Early Rain Covenant Church in Chengdu municipality, Sichuan province. Sources also reported Protestant church closures in Guizhou, Henan, Anhui, and Zhejiang provinces.

The Chinese government and Communist Party seek to legitimize their political model internationally while preventing liberal and universal values from gaining a foothold inside China. The Party's United Front Work Department and Central Propaganda Department are increasingly active beyond China's borders, working to influence public perceptions about the Chinese government and neutralize perceived threats to the

Party's ideological and policy agenda. These efforts focus heavily on shaping the mediums through which ideas about China, what it means to be Chinese, and Chinese government activities are understood. The practical effect of these efforts is the exportation of the Party's authoritarian values. On the ground, this takes multiple forms, such as interfering in multilateral institutions; threatening and intimidating critics of the Chinese government; imposing censorship mechanisms on foreign publishers and social media companies; influencing academic institutions and critical analysis of China's past history and present policies; and compelling American companies to conform to the Party's narratives and to convey those narratives to U.S. policymakers. Chinese government-led investment and development projects abroad, such as the Belt and Road Initiative, bring with them a robust non-democratic political agenda. Just as at home, the Chinese government tries to integrate economic development and political control to leverage the market without endangering the Party's authoritarian values.

The people of China continued to actively organize and advocate for their rights, despite the Chinese government's deepening repression. In the labor sector, non-governmental organizations and citizen journalists documented numerous worker strikes and other labor actions over the past year, despite an expanded crackdown on labor advocates and citizen journalists throughout the country. At Jasic Technology in Shenzhen municipality, Guangdong province, workers who attempted to set up a trade union were taken into custody in a crackdown starting in July 2018. Authorities also detained supporters of the Jasic workers, including university students, labor rights advocates, and citizen journalists, many of whom remained in detention as of August 2019. Earlier this year, Chinese internet technology workers launched a campaign against exploitative work hours—referred to as "996," a 9 a.m. to 9 p.m. schedule for six days a week common in many Chinese companies. Such long hours violate China's labor laws.

Women in China continued to face severe discrimination in hiring, wages, and promotions along with gender bias and sexual harassment in the workplace. Public pressure from advocacy campaigns, including a #MeToo-inspired movement, led Chinese officials to initiate policies to address sexual harassment and gender discrimination in employment. Nonetheless, inadequate enforcement and discriminatory laws persist.

Rising authoritarianism in China is one of the most important challenges of the 21st century. In the coming decades, global challenges will require a constructive Chinese role that respects and elevates the voices of over 1.3 billion people in China instead of suppressing them. U.S. foreign policy must prioritize the promotion of universal human rights and the rule of law in China, not only to respect and protect the basic dignity of the people of China, but to better promote security and prosperity for all of humanity.

# KEY FINDINGS

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## FREEDOM OF EXPRESSION

- The Chinese government and Communist Party continued to restrict freedom of expression and freedom of the press in contravention of international human rights standards.
- At the UN Human Rights Council's third Universal Periodic Review (UPR) of China's compliance with international human rights norms, non-governmental organizations (NGOs) reported that the Chinese government and Communist Party violated freedom of expression and freedom of the press. NGO stakeholders raised concerns about Chinese government influence over the UPR process.
- Conditions for journalism in China continued to deteriorate. Some professional Chinese journalists described current conditions for journalism as an "era of total censorship." In addition, the government's ongoing crackdown on "citizen journalists" who have founded or are associated with websites that document human rights violations continued, as seen in the detention of individuals focused on labor conditions, such as **Wei Zhili**, **Yang Zhengjun**, and **Ke Chengbing**. Foreign journalists faced multiple challenges from the government, including surveillance, harassment, and obstruction.
- The government and Party continued to link internet security to national security. This past year, authorities detained and prosecuted individuals who criticized government officials and policies online. Authorities also censored or distorted a range of news and information that the government deemed "politically sensitive," including the 30th anniversary of Tiananmen, rights conditions in the Xinjiang Uyghur Autonomous Region (XUAR), the protests in Hong Kong against proposed extradition legislation, and trade issues.
- Declining academic freedom in China linked to Party General Secretary and President Xi Jinping's reassertion of ideological control over universities was illustrated by reports of the internment of hundreds of predominantly Uyghur scholars in mass internment camps in the XUAR; the detentions of university students who advocated for labor rights; and the dismissal, suspension, and other forms of discipline imposed on faculty who criticized the government and Party.

## WORKER RIGHTS

- China's laws and practices continued to contravene international worker rights standards, including the right to create or join independent trade unions. The All-China Federation of Trade Unions, an organization under the direction of the Chinese Communist Party, remains the only trade union organization permitted under Chinese law.
- The Chinese government did not publicly report on the number of worker strikes and protests, and NGOs and citizen journalists continued to face difficulties in obtaining comprehensive information on worker actions. The Hong Kong-based NGO China Labour Bulletin, documented 1,702 strikes and other labor actions in 2018, up from 1,257 strikes and other labor actions in 2017. In March 2019, Chinese internet technology workers launched a campaign against "996"—a 9 a.m. to 9 p.m. schedule for six days a week common in many Chinese technology companies. The campaign began with a project on the Microsoft-owned software development platform Github that identified how the schedule violates provisions in Chinese labor laws. The project received over 200,000 stars indicating popular support.
- During the 2019 reporting year, Chinese authorities restricted the ability of civil society organizations to work on labor issues, and authorities expanded a crackdown on labor advocates across China. As of August 2019, authorities continued to detain over 50 workers and labor advocates, including **Fu Changguo**, **Zhang Zhiyu** (more widely known as Zhang Zhiru), and **Wu Guijun**.
- Chinese authorities and university officials monitored, harassed, and detained students and recent graduates who advocated on behalf of workers. Authorities detained approximately 50 supporters of workers who attempted to organize an independent union at Jasic Technology in Shenzhen municipality, Guangdong Province, including Peking University graduate **Yue Xin**. In October 2018, Cornell University's School of Industrial and Labor Relations suspended two student exchange programs with Renmin University due to "gross violations of academic freedom" in China. As of May 2019, Chinese authorities had detained 21 members of the Marxist Society at Peking University, including **Qiu Zhanxuan** and **Zhang Shengye**.

- Government data showed a continued decline in workplace deaths this past year, although Chinese workers and labor organizations expressed concern about inadequate safety equipment and training. In March 2019, a chemical explosion killed 78 people in Jiangsu province, the largest industrial accident in China since 2015.

culture. Authorities have expanded the “sinicization” campaign to target not only religions perceived as “foreign,” such as Islam and Christianity, but also Han Buddhism, Taoism, and folk religious beliefs.

- Violations of the religious freedom of Hui Muslim believers continued to intensify, with plans to apply “anti-terrorism” measures currently used in the Xinjiang Uyghur Autonomous Region (XUAR) in the Ningxia Hui Autonomous Region (Ningxia)—a region with a high concentration of Hui Muslim believers. A five-year plan to “sinicize” Islam in China was passed in January 2019. Meanwhile, ongoing policies included measures requiring Islamic religious leaders and lay believers to demonstrate their political reliability.
- Chinese authorities continued to subject Protestant Christian believers in China belonging to both official and house churches to increased surveillance, harassment, and control. The Commission observed reports this past year of official bans of large unregistered churches, including Zion Church and Shouwang Church in Beijing municipality, Rongguili Church in Guangzhou municipality, Guangdong province, and Early Rain Covenant Church in Chengdu municipality, Sichuan province. After the PRC Ministry of Foreign Affairs signed an agreement with the Holy See in September 2018 paving the way for unifying the state-sanctioned and underground Catholic communities, local Chinese authorities subjected Catholic believers in China to increasing persecution by demolishing churches, removing crosses, and continuing to detain underground clergy.
- As in previous years, authorities continued to detain Falun Gong practitioners and subject them to harsh treatment, with 931 practitioners reportedly sentenced for criminal “cult” offenses in 2018. Human rights organizations and Falun Gong practitioners documented coercive and violent practices against practitioners during custody, including physical violence, forced drug administration, and other forms of torture.
- Bans on religious belief proliferated at the local level for students and various professionals. Party disciplinary regulations were revised to impose harsher punishment on members for manifestations of religious belief.

## CRIMINAL JUSTICE

- Chinese government and Communist Party officials continued to abuse criminal law and police power to punish government critics and “maintain stability” (*weiwen*) with the goal of perpetuating one-party rule. The Chinese government used the criminal law to target rights advocates, religious believers, and ethnic minority groups.
- The government continued to claim that it reserved the death penalty for a small number of crimes and only the most serious offenders. Amnesty International estimated that China carried out more executions than any other country. The death penalty disproportionately targeted ethnic and religious minorities, such as Muslim Uyghurs, for their religious beliefs.
- Authorities continued to use various forms of arbitrary detention to deprive individuals of their liberty this past year, contravening international human rights standards.
- Authorities held rights advocates, lawyers, petitioners, and others in prolonged pretrial detention, including under “residential surveillance at a designated location,” a form of incommunicado detention that can last up to six months, restricts access to counsel, and places detainees at risk of abuse by authorities.

## FREEDOM OF RELIGION

- Scholars and international rights groups have described religious persecution in China over the last year to be of an intensity not seen since the Cultural Revolution. Chinese Communist Party General Secretary Xi Jinping has doubled down on the “sinicization” of religion—a campaign that aims to bring religion in China under closer official control and into conformity with officially sanctioned interpretations of Chinese

Percentage of Worker Strikes and Other Labor Actions by Sector						
	Manufacturing	Construction	Transportation	Services	Other	Total Number Reported
2018	15.5% (263)	44.8% (763)	15.9% (270)	13.3% (227)	10.6% (180)	1,702
2017	19.7% (267)	38.1% (518)	8.6% (117)	15.2% (207)	10.8% (148)	1,257

Source: China Labour Bulletin. Note that the percentages indicate the percentage of total worker actions documented that year.



## ETHNIC MINORITY RIGHTS

- Authorities carried out the physical destruction and alteration of Hui Muslim spaces and structures, continuing a recent trend away from relative toleration of Hui Muslim communities. These changes narrowed the space for Hui Muslim believers to assert an ethnic and religious identity distinct from that of the dominant Han Chinese population.
- Mongol herders in the Inner Mongolia Autonomous Region protested and petitioned the government over the loss of traditional grazing lands. As in past reporting years, authorities detained some of the Mongol herders who peacefully protested.

## POPULATION CONTROL

- Central government authorities rejected calls to end birth restrictions, despite population experts and National People's Congress delegates voicing demographic, economic, and human rights concerns over the Chinese government's population control policies. The Commission continued to observe reports of Chinese authorities threatening or imposing punishments on families for illegal pregnancies and births, using methods including heavy fines, job termination, and abortion.
- The Chinese government's restrictive family planning policies have exacerbated China's aging society and sex ratio imbalance. Human trafficking for forced marriage and commercial sexual exploitation continue to be challenges that have worsened under the decades-long population control policies implemented by the Chinese government.

## SPECIAL TOPIC: MIGRANT NEIGHBORHOODS A TARGET OF ANTI-CRIME AND VICE CAMPAIGN

- An anti-crime campaign launched by central authorities in 2018 was used to target marginalized groups in China. Called the "Specialized Struggle to Sweep Away Organized Crime and Eliminate Vice," the stated aims of the three-year campaign include guaranteeing China's lasting political stability and further consolidating the foundation of Communist Party rule.
- The Commission observed reports of local governments invoking this anti-crime campaign in order to target petitioners (individuals who seek redress from the government), religious believers, village election candidates, and lawyers. Some local governments have also increased monitoring of internal migrant neighborhoods in the name of the anti-crime campaign.

## STATUS OF WOMEN

- Women in China face severe discrimination throughout their careers, from job recruitment and hiring to wages and promotions. Gender bias and sexual harassment in the workplace are major factors contributing to the employment gender gap, as well as national laws mandating parental leave and other entitlements for women but not men.
- Despite official repression, independent public advocacy for women's rights continued to influence public discourse and policy. Following significant public pressure via advocacy campaigns led by grassroots activists, Chinese officials initiated policies to address gender discrimination in employment, including creating a cause of action for disputes over employment discrimination and sexual harassment and a series of policies aimed primarily at punishing employers for discriminatory job recruitment practices. Nonetheless, inadequate enforcement and discriminatory laws and sexual harassment persist.
- Thirty percent of women have experienced some form of domestic violence, yet as of December 2018—nearly three years after the passage of the PRC Anti-Domestic Violence Law in March 2016—Chinese courts had issued only a total of 3,718 protection orders.

## HUMAN TRAFFICKING

- Chinese authorities subjected Uyghur Muslims and other ethnic minorities in the XUAR to forced labor in the production of food, textiles, and other goods.
- Women and girls from countries including Burma (Myanmar), Cambodia, Indonesia, North Korea, Pakistan, and Vietnam were trafficked into China for forced marriage and sexual exploitation; and individuals from Burma, Nepal, and North Korea were trafficked to China for the purpose of forced labor. Chinese nationals were trafficked outside of China to other parts of the world, including the United States.
- The government of the Democratic People's Republic of Korea (DPRK) reportedly continued to generate revenue by sending DPRK nationals to work in China under conditions that may constitute forced labor, in possible violation of UN sanctions.
- Hong Kong remained a destination for the trafficking of migrant domestic workers from Indonesia and the Philippines who face exploitative working conditions.

## NORTH KOREAN REFUGEES IN CHINA

- The Chinese government continued to detain North Korean refugees in China and repatriate them to the DPRK, where they face severe punishment, including torture, imprisonment, forced labor, and even execution. The repatriation of North Korean refugees violates China's obligations under international human rights and refugee law and may amount to "aiding and abetting crimes against humanity." This past year, Chinese and North Korean authorities reportedly imposed stricter border controls to deter North Korean refugees from escaping the DPRK.
- The majority of North Korean refugees leaving the DPRK are women. The Chinese government's refusal to recognize these women as refugees denies them legal protection and may encourage the trafficking of North Korean women and girls within China. Many children born to Chinese fathers and North Korean mothers remain deprived of basic rights to education and other public services, owing to their lack of legal resident status in China, which constitute violations of the PRC Nationality Law and the Convention on the Rights of the Child.

## PUBLIC HEALTH

- Food safety and vaccine safety scandals continued to emerge this past year, despite the Chinese government's attempts in the past decade to improve quality control. Analysts point to a lack of accountability, weak regulatory capacity and enforcement of laws, corruption, and government procurement systems that favor low-cost goods. The National People's Congress passed a new vaccine law in June 2019 aimed at strengthening vaccine supervision, penalizing producers of substandard or fake vaccines, and introducing compensation for victims of faulty vaccines.
- Despite strong regulations aimed at improving food and vaccine safety and punishments for companies and individuals found guilty of criminal acts, authorities also continued to detain citizens for speaking out and organizing protests, including victims and parents of children who received tainted vaccines.
- Chinese authorities reportedly continued to forcibly commit individuals to psychiatric facilities, including government critics and those with grievances against government officials and legal processes, even though the PRC Mental Health Law prohibits such abuses.

## THE ENVIRONMENT

- Environmental pollution remained a major challenge in China due to authorities' top-down approach to environmental

challenges, transparency shortcomings, and the suppression and detention of environmental advocates. The Chinese government's vision of environmental governance was articulated in the National Development and Reform Commission's work report for 2018, which states, "the government leads, enterprises are the main actors, and social organizations and the public participate." The role for the public in environmental protection, however, remained limited.

- In 2018, carbon dioxide emissions in China continued to increase, as Chinese state-owned banks funded international coal-fired power projects. While the Chinese government continued to report progress in environmental protection, a March 2019 ranking of air pollution in over 3,000 cities around the world, indicated that 57 of the 100 most polluted cities in 2018 (based on fine particulate concentrations) were in China.

## BUSINESS AND HUMAN RIGHTS

- Chinese domestic businesses and international businesses are increasingly at risk of complicity in the egregious human rights violations committed by the Chinese Communist Party and government. For example, in the XUAR, experts have documented the rapid expansion of a network of mass internment camps in which authorities have arbitrarily detained over a million individuals from predominantly Muslim ethnic minority groups. For example, the company **Hangzhou Hikvision Digital Technology** has supplied surveillance systems to the camps as part of a public-private partnership with XUAR authorities.
- The Commission observed numerous reports this past year of forced labor in the XUAR. One investigation found that materials from firms using forced labor in the XUAR had entered the supply chains of major international clothing companies, including **Adidas**, **H&M**, **Nike**, and **Patagonia**.
- Chinese security authorities continued to work with domestic companies to expand the reach and analytical power of government surveillance systems across China. Chinese technology firms **SenseTime**, **Megvii**, **CloudWalk**, **Yitu**, and **Tiandy** all reportedly sold technology to Chinese authorities for use in surveillance systems. The government used this technology to surveil rights advocates and others the government views as threats.

## CIVIL SOCIETY

- In the past few years, the Chinese government has harshly repressed human rights lawyers, women's rights advocates, labor rights defenders, citizen journalists, and petitioners. In conjunction with the continued implementation of legislative

and regulatory reforms passed in 2016 and the increased role and purview of the Party over all aspects of Chinese society, the space non-governmental organizations (NGOs) had to carry out human rights advocacy activities continued to shrink.

- The Chinese government highlighted overseas NGOs as threats to China’s “political security,” without defining the term. The Chinese government invoked this vague term to crack down on organizations working in human rights and rule-of-law advocacy.
- Chinese government efforts to label rights advocacy as driven by foreign interests made it increasingly difficult for individuals in China to organize and advocate for their rights. For example, Chinese authorities carried out a largescale nationwide crackdown on labor rights advocates that began in July 2018 when workers at the Jasic Technology factory in Shenzhen municipality, Guangdong province, attempted to organize a labor union and received widespread national support from university students and internet users. Authorities portrayed the labor protests as orchestrated by a “foreign-funded” NGO, and harassed, physically assaulted, detained, and prosecuted labor advocates and supporters.
- The Chinese government continued to suppress the rights of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) individuals in China. LGBTQ individuals faced a multitude of challenges, including a lack of legal protections. The Chinese government cracked down on organizations and rights defenders active on LGBTQ issues. Nevertheless, LGBTQ advocates supported online campaigns highlighting workplace discrimination and sexual harassment, and censorship. The Chinese government has not followed multiple recommendations from UN bodies regarding LGBTQ protections.

## INSTITUTIONS OF DEMOCRATIC GOVERNANCE

- China’s one-party authoritarian political system remained out of compliance with international human rights standards because authorities deprived citizens of the right to meaningfully participate in an electoral process and in public affairs in general.
- As General Secretary Xi Jinping continued to promote rule-based governance, the Chinese Communist Party passed a series of rules to formalize the manner and extent of the Party’s control over the government and society. These rules reinforced the all-encompassing authority of the Party and the centralized personal leadership of Xi Jinping. One set of rules formalized the Party’s longstanding control over the judiciary, the procuratorate, public security agencies, national security agencies, and judicial administration agencies.

- Central authorities also issued rules to regulate personnel management in the government by requiring civil servants to receive political indoctrination and by imposing political considerations as criteria for career advancement. In one instance, the Party Central Committee issued an opinion prohibiting officials from expressing views inconsistent with or “improperly discussing” the Party’s policy even outside of work hours.
- Citizens’ opportunities to participate in limited local elections diminished this past year. Chinese authorities reduced the frequency of elections for grassroots-level committees—from once every three years to once every five years—in order to synchronize with the terms of the corresponding Party offices, thereby “complementing the Party’s complete leadership.”
- On the international stage, China categorically denied responsibility for human rights violations despite evidence of human rights abuses. It further rejected recommendations to cease the practice of arbitrary detention and rejected calls to release political prisoners.

## ACCESS TO JUSTICE

- Chinese authorities continued to influence the judiciary, control the legal profession, and persecute human rights lawyers in violation of the International Covenant on Civil and Political Rights.
- Official media’s promotion of the Party’s absolute leadership over the judiciary had a negative impact on the overall judicial process. The Supreme People’s Court planned to amend past judicial interpretations to conform to the approved political ideology and not issue any new judicial interpretations unless the topic is specified by the Party. With respect to the legal profession, the Minister of Justice urged lawyers to “unify their thoughts” and to accept the Party’s complete leadership over their work.
- Authorities continued to view legal representation provided by human rights lawyers as a threat to the Party’s political security, as they continued to criminally prosecute them on charges such as “subversion of state power.” Authorities also restricted speech and movement of human rights lawyers, and in some cases stripped them of their law licenses.

## XINJIANG

- In the last year, authorities in the XUAR expanded a system of extrajudicial mass internment camps, arbitrarily detaining one million or more Uyghurs, Kazakhs, Kyrgyz, Hui, and others. Security personnel at the camps subjected detainees to torture, including forced ingestion of medication as well as punishment for behavior deemed religious; forced labor; overcrowding;

deprivation of food; and political indoctrination. Authorities transferred some detainees from mass internment camps in the XUAR to detention facilities in other parts of China, due to factors including overcrowding in camps within the XUAR and authorities' desire to conceal information on camp detainees. Some detainees reportedly died in camps due to poor conditions, medical neglect, or other reasons.

- Scholars and rights groups provided a strong argument, based on available evidence, that the “crimes against humanity” framework may apply to the case of mass internment camps in the XUAR. Article 7 of the Rome Statute of the International Criminal Court provides a list of 11 acts that may constitute “crimes against humanity” “when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.”
- Mass internment camp detainees reportedly included permanent residents of the United States and Australia. American officials stated in March 2019 that Chinese authorities may have detained several American residents in mass internment camps. As of August 2019, Chinese authorities reportedly detained ten or more Australian residents. In addition, at least five Australian children reportedly were unable to leave the XUAR due to restrictions on the freedom of movement of their parents in the XUAR.
- Authorities reportedly placed the children of mass internment camp detainees in the XUAR in orphanages, welfare centers, and boarding schools, often despite the willingness of other relatives to care for the children, raising concerns of forcible assimilation.
- XUAR government authorities continued to use surveillance technology and other measures to tighten state control over

ethnic minority groups in the region, and to identify individuals to detain in mass internment camps. A Human Rights Watch report documented authorities' continued use of a centralized system known as the “Integrated Joint Operations Platform” (IJOP) to compile and analyze information collected through mass surveillance mechanisms in the XUAR and to detect “abnormal” behaviors, targeting individuals for detention in camps or other types of restriction on movement.

## TIBET

- The Chinese government and Communist Party significantly tightened restrictions on access to the Tibet Autonomous Region (TAR) and other Tibetan areas in China for international journalists, non-governmental organizations (NGOs), foreign officials, scholars, and members of the Tibetan diaspora. Chinese authorities require all foreign visitors to the TAR to apply for a special permit. Tourists must be accompanied by government-designated tour guides, and are only allowed to see controlled sites. International journalists said that the isolation of the TAR is worse than that of North Korea, allowing the Chinese government to conceal human rights abuses and environmentally damaging large-scale activities, such as damming rivers and mining, and to promote the claim that Tibetans benefit from and support the Party and its actions.
- The government and Party intensified security and surveillance in the TAR and other Tibetan autonomous areas, using increasingly advanced technology, and continued an “anti-crime and vice campaign” to crack down on Tibetans suspected of organizing or participating in activities that authorities deem to be threatening to government control or “social stability.”

Acts listed in Article 7 of the Rome Statute	Possible application to Turkic Muslims in the XUAR
(e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;	Arbitrary, prolonged detention of Uyghurs, Kazakhs, Kyrgyz, Hui, and others in mass internment camps in the XUAR since around April 2017;
(f) Torture;	Security personnel in mass internment camps in the XUAR subjected detainees to widespread torture, including through the use of electric shocks and shackling people in painful positions;
(h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3 [Article 7(3) of the Rome Statute], or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph [Article 7 of the Rome Statute] or any crime within the jurisdiction of the Court;	Security personnel have detained a million or more Uyghurs, Kazakhs, Kyrgyz, and Hui; enforced harsh, widespread restrictions on peaceful Islamic practices of XUAR residents; and subjected Turkic and Muslim XUAR residents to intense surveillance, checkpoints, intimidation, and involuntary biometric data collection.
(i) Enforced disappearance of persons.	Hundreds of intellectuals forcibly disappeared by authorities in the XUAR are among the million or more Uyghurs, Kazakhs, Kyrgyz, and Hui detained in mass internment camps.

- Authorities continued to restrict the religious freedom of Tibetan Buddhists under the “sinicization” campaign, which aims to bring religion in China under closer official control and into conformity with officially sanctioned interpretations of Chinese culture. Actions taken included mandatory political reeducation for religious leaders, large-scale evictions from influential monasteries, banning religious activities for youth, and replacing images of the Tibetan Buddhists’ spiritual leader, the Dalai Lama, with past and current Party leaders Mao Zedong and Xi Jinping.
- The Chinese government continued to pursue large-scale infrastructure and investment projects in the TAR and other Tibetan areas, including hydropower dams, mines, and the resettlement of Tibetan nomads, with no apparent representative input from the Tibetan population, independent environmental NGOs, or rights groups. These activities violate the social, economic, and cultural rights of Tibetans, such as their rights to housing and livelihood, and raised concerns among environmental scientists and advocates about their regional and global impact.
- The Panchen Lama, **Gedun Choekyi Nyima**, whom the Dalai Lama recognized in May 1995, reached his 30th birthday on April 25, 2019, while remaining incommunicado in government custody at an unknown location. Moreover, in violation of the religious freedom of Tibetan Buddhists, the Party continued to promote public appearances by its chosen Panchen Lama, Gyaltsen Norbu, including his first trip abroad to Thailand, and to a sacred Buddhist site, adding to speculation that Chinese officials will eventually attempt to use him in efforts to select the next Dalai Lama.

## DEVELOPMENTS IN HONG KONG AND MACAU

- The Commission observed a further erosion of Hong Kong’s autonomy and fundamental freedoms under the “one country, two systems” framework. The Hong Kong government sought to advance changes to the territory’s extradition law to allow the surrender of individuals to mainland China and to empower the Chief Executive to make decisions on fugitive arrangements on a case-by-case basis without a vetting process in the Legislative Council (LegCo). If passed, the bill would expose local and foreign citizens transiting, visiting, or residing in Hong Kong to the risk of being extradited to China.
- A series of mass protests against the extradition bill on the scale of tens of thousands to two million took place in Hong Kong beginning in March 2019, garnering widespread international attention and concern. Protests continued throughout the summer, despite the Hong Kong government’s decision to suspend—but not withdraw—consideration of the extradition bill. Protesters demanded that the government formally withdraw the extradition bill, create an independent commission to investigate reports of the excessive use of force by police during the protests, retract the characterization of the June 12 demonstrations as a “riot,” drop all charges against arrested anti-extradition bill protesters, and pursue democratic reforms to allow for universal suffrage in Hong Kong’s elections.
- Over the past year, the Hong Kong government continued to reject the candidacy of LegCo and local election nominees such as **Lau Siu-lai** and **Eddie Chu Hoi-dick** based on their political beliefs and associations, violating Article 21 of the Hong Kong Bill of Rights Ordinance, which guarantees the right to “vote and be elected at genuine periodic elections.”
- The Hong Kong government continued to pursue criminal charges against leaders and participants of public demonstrations, including the 2014 pro-democracy protests (“Umbrella Movement”). In April 2019, a Hong Kong court found nine leaders of the Umbrella Movement guilty of charges related to “public nuisance” and sentenced **Benny Tai Yiu-ting** and **Chan Kin-man** to one year and four months in prison and **Raphael Ho-ming Wong** and **Shiu Ka-chun** to eight months in prison.
- The Hong Kong government limited the freedoms of expression, association, and assembly by banning the pro-independence Hong Kong National Party (HKNP) and rejecting the visa renewal request of Financial Times Asia editor **Victor Mallet**, who hosted an event featuring **Andy Chan**, founder of the HKNP, months earlier. An event featuring dissident artist **Badiucao** was canceled over “safety concerns” after authorities from the Chinese government reportedly issued threats against the artist.
- Chinese government influence over the territory, and Hong Kong officials’ willingness to conform to the interests of the Chinese government, continued a trend of decreased autonomy observed over the past several years. This trend has implications for both the protection of the rights and freedoms of the people of Hong Kong and for the future of U.S. policy towards Hong Kong, which is premised on the territory’s status of autonomy.
- The Commission did not observe progress in Macau toward universal suffrage in the 2019 Chief Executive (CE) election. Former Macau Legislative Assembly president **Ho Iat Seng** won the uncontested election on August 25, 2019, because he was the only candidate able to garner enough nominations in the 400-member CE Election Committee.

# POLITICAL PRISONER CASES OF CONCERN

Members of Congress and the Administration are encouraged to consult the Commission’s Political Prisoner Database (PPD) for credible and up-to-date information on individual prisoners or groups of prisoners. The Cases of Concern in the Commission’s 2019 Annual Report highlight a small number of individuals whom Chinese authorities have detained

or sentenced for peacefully exercising their internationally recognized human rights. Members of Congress and the Administration are encouraged to advocate for these individuals in meetings with Chinese government and Communist Party officials. For more information on these cases and other cases raised in the Annual Report, see the Commission’s Political Prisoner Database.

## Name

## PPD Record No.

## Case Summary (as of August 2019)



**Abdughappar Abdurusul**  
2018-00645

### Date of Detention

July 2018

### Place of Detention

Unknown, but taken into custody while in Ghulja (Yining) city, Ili (Yili) Kazakh Autonomous Prefecture, Xinjiang Uyghur Autonomous Region (XUAR)

### Charge

Unknown

### Status

Sentenced to death

### Context

A 42-year-old businessman and philanthropist living in Ghulja, Abdughappar Abdurusul may have been detained for taking the Hajj pilgrimage independently, rather than through a Chinese government-organized group. His brother reported that officials sentenced Abdurusul to death in a mass trial without legal counsel and seized his family’s assets.

### Additional Information

Authorities also reportedly detained his wife, Merhaba Hajim,

in April 2018, and held her in a mass internment camp. She reportedly died in detention. In 2017, authorities detained their eldest son Abuzer, then 18, after he returned to China from studying in Turkey. Authorities also detained Abdurusul’s younger brother Abduqadir Abdurusul and his wife (name not reported) in or around July 2018. Details on their detentions were unavailable.



**Rahile Dawut**  
2018-00552

### Date of Detention

December 2017

### Place of Detention

Unknown, possibly held in a mass internment camp in the XUAR

### Charge

Unknown

### Status

Disappeared

### Context

Uyghur ethnographer Rahile Dawut disappeared and is believed to be held in a mass internment camp. Friends and other observers suggested authorities may have detained her due to her efforts

to preserve Uyghur culture and heritage, or her foreign connections. She formerly taught at Xinjiang University and is well regarded for her scholarly research on traditional Uyghur culture.

### Additional Information

At least one of Dawut’s graduate students also reportedly disappeared.



**Tashpolat Teyip**  
2019-00064

### Date of Detention

March 2017

### Place of Detention

Unknown location in the XUAR

### Charge

Possibly related to separatism

### Status

Sentenced to death with 2-year reprieve

### Context

Xinjiang University president Tashpolat Teyip disappeared in Beijing municipality as he prepared to fly to Germany to attend a conference. A Uyghur geographer who received international acclaim for his environmental research, authorities accused Teyip of being a “separatist,” together with 5 other Uyghur

intellectuals. Authorities reportedly cracked down on Teyip for being “two-faced,” a term Chinese officials use to refer to ethnic minority cadres who pretend to support the Chinese Communist Party. A student of Teyip said his custom of beginning public statements with a Uyghur greeting may have prompted authorities to target him.

Name

PPD Record No.

Case Summary (as of August 2019)



**Sanubar Tursun**  
2019-00071

**Date of Detention**  
Late 2018

**Place of Detention**  
Unknown, possibly held in a mass internment camp in the XUAR

**Charge**  
Unknown

**Status**  
Unknown

**Context**  
Renowned Uyghur singer Sanubar Tursun disappeared inside China in late 2018. In November 2018, concerts she had been scheduled

to perform in France in February 2019 were canceled, after her international contacts could no longer reach her. Authorities may have sentenced Tursun to 5 years in prison, but sources were unable to confirm this.



**Bonkho Kyi**  
2012-00261

**Date of Detention**  
November 2015

**Place of Detention**  
A prison in Wenchuan (Lunggu) county, Aba (Ngaba) Tibetan & Qiang Autonomous Prefecture (T&QAP), Sichuan province

**Charge**  
Unknown

**Status**  
Sentenced to 7 years

**Context**  
Between October and December 2015, public security officials in Aba (Ngaba) county, Aba T&QAP, detained at least 8 Tibetans accused of involvement in organizing observances of the Dalai Lama's 80th birthday, including Bonkho Kyi,

who had helped organize a public picnic to celebrate the birthday.

**Additional Information**  
Other Tibetans in Aba county detained for commemorating the Dalai Lama's 80th birthday included Argya Gya (Akyakya), Tsultrim (Tsuite), and Tsultrim, all of whom remained in detention.



**Tashi Wangchug**  
2016-00077

**Date of Detention**  
January 27, 2016

**Place of Detention**  
Dongchuan Prison, Qinghai province

**Charge**  
Inciting separatism

**Status**  
Sentenced to 5 years

**Context**  
Tibetan language rights advocate and entrepreneur Tashi Wangchug (also spelled Wangchuk) shared information online calling on the Qinghai provincial government to improve bilingual education and hire more bilingual civil servants. Authorities used as evidence in Tashi Wangchug's

trial a short New York Times documentary that featured his attempts to file a lawsuit over the lack of sufficient Tibetan-language education.



**Bian Lichao**  
2015-00171

**Date of Detention**  
February 25, 2012

**Place of Detention**  
Shijiazhuang Prison, Hebei province

**Charge**  
Unknown

**Status**  
Sentenced to 12 years

**Context**  
Public security officials detained middle school teacher and Falun Gong practitioner Bian Lichao, allegedly because he made DVDs and other materials to promote the

Falun Gong-connected the Shen Yun performance arts group.

**Additional Information**  
In 2014, authorities also detained Bian's wife, daughter, and another relative in connection with Bian's daughter's attempts to visit him in prison.



**Gao Zhisheng**  
2005-00291

**Date of Detention**  
August 2017

**Place of Detention**  
Beijing municipality (unconfirmed). Authorities disappeared Gao while holding him at his family's home in Jia county, Yulin municipality, Shaanxi province.

**Charge**  
Unknown

**Status**  
Disappeared

**Context**  
The reason for Gao's current detention is unknown. Since August 2006, authorities have held Gao—a former lawyer whose

license was suspended in 2005—under various forms of detention, reportedly for representing farmers in land expropriation cases and for writing open letters condemning persecution of Falun Gong practitioners and Christians. Authorities reportedly tortured Gao during detention.

Name

PPD Record No.

Case Summary (as of August 2019)



**Huang Qi**  
2004-04053

**Date of Detention**  
November 28, 2016

**Place of Detention**  
Mianyang PSB Detention Center,  
Sichuan province

**Charges**  
Illegally providing state secrets to  
foreign entities, intentionally leaking  
state secrets

**Status**  
Sentenced to 12 years

**Context**  
Huang Qi is a citizen journalist  
and founder of the website 64  
Tianwang, which reported on  
petitioners and other human rights  
issues in China. Huang previously  
served prison sentences for post-  
ing articles online about the 1989  
Tiananmen protests and Falun

Gong, and for aiding the parents  
of children who died in the 2008  
earthquake in Sichuan.

**Additional Information**  
Authorities have refused requests  
for medical parole despite Huang's  
life-threatening kidney disease.  
Authorities have also detained  
Huang's 85-year-old mother, Pu Wen-  
qing, in confinement at home and at a  
hospital since December 2018.



**Jiang Wei**  
2018-00366

**Date of Detention**  
November 9, 2015

**Place of Detention**  
Liaoning Women's Prison,  
Liaoning province

**Charge**  
Unknown

**Status**  
Sentenced to 12 years

**Context**  
Jiang is a Falun Gong practitioner  
who has been detained multiple  
times for her beliefs. Previously,  
authorities ordered Jiang to serve 3  
years at a reeducation-through-lab-  
or camp in 1999, subjecting  
her to electric shocks and other  
physical abuse. In 2004, authori-  
ties sentenced Jiang to 8 years in  
prison, and later committed her to  
a psychiatric hospital.

**Additional Information**  
Jiang has reportedly endured mal-  
treatment while in prison, including  
abusive language, beatings, and  
15 days of solitary confinement.  
While in solitary, she was kept in a  
cell too small to stand in. She was  
also forced to eat and defecate in  
the cell, which was infested with  
flies and mosquitoes.



**Li Yuhan**  
2017-00361

**Date of Detention**  
October 9, 2017

**Place of Detention**  
Shenyang No. 1 PSB Detention  
Center, Liaoning province

**Charges**  
Picking quarrels and provoking  
trouble, fraud

**Status**  
Pretrial detention

**Context**  
A lawyer, Li previously represented  
rights lawyer Wang Yu, whom  
authorities detained in a crackdown  
on human rights legal professionals  
that began in mid-2015.

**Additional Information**  
Li suffers from various health con-  
ditions, including heart disease,  
hypertension, and hyperthy-  
roidism. Staff at the detention

center reportedly instructed other  
inmates to urinate on her food,  
denied her hot water for showers,  
denied her medical treatment, and  
threatened to beat her to death. In  
March 2018, Li went on a hunger  
strike to protest the mistreatment,  
which prompted detention center  
officials to force-feed her.



**Qin Yongmin**  
2004-02138

**Date of Detention**  
January 9, 2015

**Place of Detention**  
Guanghua Prison, Hubei province

**Charge**  
Subversion of state power

**Status**  
Sentenced to 13 years

**Context**  
A longstanding democracy advocate,  
Qin Yongmin previously served 8  
years in prison for his participation  
in the Democracy Wall movement  
and 12 years in prison for his role in  
co-founding the China Democracy  
Party. He also co-founded the NGO  
China Human Rights Watch (also  
known as "Rose Group"). A 2018  
court decision noted the 2012 publi-

cation in Hong Kong of Qin's writings  
on peaceful democratic transition.

**Additional Information**  
Authorities detained Qin's wife, Zhao  
Suli, around the same time as Qin.  
After more than 3 years of "enforced  
disappearance," Zhao returned to  
her Wuhan home around February  
2018. Authorities continued to restrict  
Zhao's activities after her release.





**Wang Yi**  
2018-00615

**Date of Detention**

December 9, 2018

**Place of Detention**

Chengdu PSB Detention Center, Sichuan province

**Charges**

Inciting subversion of state power, illegal business activity

**Status**

Pretrial detention

**Context**

Authorities detained Early Rain Covenant Church pastor and founder Wang Yi one day before officially banning the unregistered Protestant church located in Chengdu municipality, Sichuan. Wang's detention took place amid a broad crackdown on unregistered churches in China.

**Additional Information**

In addition to Wang, authorities

detained at least 100 Early Rain members beginning in December 2018. Authorities continued to surveil many of the members even after releasing them, including Wang's wife, Jiang Rong. Church members reported that while in detention they were force-fed unknown medication and were coerced to confess or to falsely accuse Wang and other church leaders of wrongdoing.



**Yue Xin**  
2018-00665

**Date of Detention**

August 24, 2018

**Place of Detention**

Unknown

**Charge**

Unknown

**Status**

Disappeared

**Context**

Beginning in July 2018, authorities took into custody over 60 individuals connected to factory workers' attempts to form a labor union at Jasic Technology (Jasic) in Shenzhen municipality, Guangdong province. On August 19, Peking University graduate Yue Xin published an open letter calling on central authorities to permit the workers to unionize. On August 24, police detained Yue Xin and about

50 individuals who had gathered in Shenzhen to show support for the detained Jasic workers.

**Additional Information**

Authorities continued to hold at least 32 individuals in detention in connection with the Jasic protests as of December 7, 2018. In January 2019, Yue Xin and other student supporters of Jasic workers appeared in a video giving what appeared to be forced confessions.



**Zhang Haitao**  
2015-00343

**Date of Detention**

June 26, 2015

**Place of Detention**

Shaya Prison, XUAR

**Charges**

Inciting subversion of state power; stealing, spying, purchasing, and illegally providing

state secrets and intelligence for overseas entities

**Status**

Sentenced to 19 years, upheld on appeal

**Context**

In June 2015, authorities in Urumqi municipality, XUAR, reportedly

launched a "clean-up of individuals active on the internet" campaign as part of a "stability maintenance" effort in the region, detaining Zhang in connection to his online criticism of the government's ethnic minority policies.



**Zhang Zhiyu**  
(more widely known as Zhang Zhiru)  
2019-00117

**Date of Detention**

January 20, 2019

**Place of Detention**

Detention center in Bao'an district, Shenzhen municipality, Guangdong province

**Charge**

Gathering a crowd to disturb social order

**Status**

Formally arrested, awaiting trial

**Context**

Zhang Zhiyu (more widely known as Zhang Zhiru) was one of five labor advocates whom authorities detained in January 2019. These detentions appear to be part of an ongoing crackdown on grassroots labor advocacy. Zhang is the director of the Chunfeng Labour

Dispute Service Center, which he founded in 2007, and has been involved in many landmark labor disputes.

In addition, members of Congress and the Administration are encouraged to advocate for the increasing number of individuals prosecuted and imprisoned in connection with their promotion of

democracy or human rights in Hong Kong. For more information on the following case and related cases, see Section VI—Developments in Hong Kong and Macau in the 2019 Annual Report.

**Name** **Case Summary (as of August 2019)**



**Chan Kin-man**

Photo credit: VOA

**Date of Detention**

Began serving sentence April 24, 2019

**Place of Detention**

Pik Uk Prison, Sai Kung, New Territories, Hong Kong

**Charges**

Conspiracy to commit public nuisance, incitement to commit public nuisance, incitement to incite public nuisance

**Status**

Sentenced to 1 year and 4 months, appeal filed

**Context**

Professor Chan Kin-man of the Chinese University of Hong

Kong, Professor Benny Tai of the University of Hong Kong, and Reverend Chu Yiu-ming initiated the peaceful “Occupy Central with Love and Peace Campaign” in 2013, demanding universal suffrage for the 2017 Chief Executive (CE) election and 2020 Legislative Council elections. In response to the National People’s Congress Standing Committee August 2014 decision that the CE would not be elected by universal suffrage in 2017, Chan and others mobilized supporters to protest the decision in what is now known as the “Umbrella Movement,” during which protesters occupied the Central district in Hong Kong for 79

days, demanding electoral reform and universal suffrage.

**Additional Information**

Hong Kong authorities pursued charges related to public nuisance against nine pro-democracy advocates for their activities in the Umbrella Movement. In 2019, a Hong Kong court found them guilty on April 9, and on April 24, sentenced Chan Kin-man and Benny Tai to 1 year and 4 months in prison, and Chu Yiu-ming to 1 year and 4 months, suspended for 2 years. On August 15, 2019, Tai was released on bail pending appeal.

# GENERAL RECOMMENDATIONS TO CONGRESS AND THE ADMINISTRATION

As the Chinese government and Communist Party continue to erode the rule of law in China and the human rights of the Chinese people, the U.S. Government should develop coordinated policies that reflect that pressing for greater transparency, reciprocity, and adherence to universal standards is necessary to advance American interests and the interests of Chinese citizens eager for peace, rights protections, the rule of law, and genuine political reform. A shared commitment to universal human rights and the rule of law—and willingness to act in their defense—is the foundation for the cooperative alliances, security partnerships, and multi-lateral consultative mechanisms underpinning U.S. power since the end of World War II. The Commission makes the following recommendations for consideration by Congress and the Administration:

## Develop a Whole-of-Government Approach to Human Rights in China

In order to ensure that the U.S. Government can strategically address a more authoritarian China, the President should issue a policy directive to develop a comprehensive strategy embedding human rights, rule of law, and democratic governance into the critical mission strategies of all U.S. Government entities interacting with the Chinese government. This strategy should include expanding efforts within the U.S. Government to counter disinformation, coercive political influence operations, and censorship efforts, particularly those targeting diaspora communities. As the Administration develops this strategy, attention should be paid to messaging and programs that address the rights violations that affect the largest number of Chinese citizens, particularly workers, families, religious believers, ethnic minority groups, internet users, women, and rural residents; avoid fostering an atmosphere of unfair suspicion of Chinese-Americans who are often targets of coercive political influence operations; and inform Chinese nationals of their civil rights while living, studying, or working in the United States.

## Address Abuses in the Xinjiang Uyghur Autonomous Region (XUAR)

The Administration should aggregate policy responses within the U.S. Government to address gross human rights violations in the XUAR, including by:

- Using Global Magnitsky Human Rights Accountability Act sanctions to hold accountable Chinese business entities and

officials complicit in the mass internment and surveillance of Uyghurs and other Turkic Muslim minorities and to encourage like-minded allies to issue their own sanctions.

- Controlling sales of new and emerging technologies, including facial recognition systems, machine learning, and biometric and artificial intelligence technologies, by placing the XUAR government and security agencies on the U.S. Department of Commerce’s “Entity List.”
- Requesting an open debate or, at the very least, an Arria-formula briefing at the UN Security Council on the XUAR, and initiating or signing on to joint statements on the XUAR at the UN Human Rights Council.
- Creating guidelines for counterterrorism and law enforcement cooperation with China and other countries in the Shanghai Cooperation Organization to ensure that the U.S. Government does not condone or assist in Chinese authorities’ crackdown on domestic political dissent or restrictions on internationally recognized human rights.
- Working with Congress to pass legislation that provides information and new authorities, including export controls and limitations on U.S. Government procurement from China, that will allow a more robust approach to the Chinese government’s atrocities in the XUAR, including through passage of the Uyghur Human Rights Policy Act of 2019 (S. 178/H.R. 649).

## Hold Chinese Government Officials Accountable for Abuses

In addition to the list-based sanctions of the Global Magnitsky Act, the Administration should strategically use the mechanisms available in the International Religious Freedom Act of 1998, the Victims of Trafficking and Violence Protection Act of 2000, the North Korea Sanctions and Policy Enhancement Act of 2016, and the Admiral James W. Nance Foreign Relations Authorization Act of 2000 to levy financial sanctions against or deny U.S.-entry visas to Chinese officials complicit in human rights violations, including severe religious freedom restrictions and human trafficking.

## Update the “Tiananmen Sanctions”

Congress should strengthen existing sanctions prohibiting the sale of “crime control and detection” equipment to the Chinese government to include related services and training, as well as add

language identifying and controlling the technology needed for mass surveillance, the creation of predictive policing platforms, and the gathering of sensitive electronic or biometric information.

### **Condition Access to U.S. Capital Markets**

The Administration should identify and list Chinese companies and entities with a presence in U.S. capital markets that have provided material support or technical capabilities to facilitate human rights abuses in China—including in the XUAR—and strengthen disclosure requirements at the Securities and Exchange Commission to alert American investors to the presence of such Chinese entities in U.S. capital markets.

### **Address the Erosion of Hong Kong's Autonomy**

The Congress should pass the Hong Kong Human Rights and Democracy Act of 2019 (S. 1838/H.R. 3289), which requires an annual certification of Hong Kong's autonomy to spur regular discussions on how to maintain Hong Kong's special trade and economic status under U.S. law. The bill also provides tools to hold accountable Hong Kong and Chinese government officials who suppress freedom of expression and assembly or undermine the rule of law.

### **Update the Tibetan Policy Act**

The Congress should update the Tibetan Policy Act of 2002 to clarify in U.S. policy that the reincarnation of the Dalai Lama is an exclusively religious matter that should be made solely by the Tibetan Buddhist faith community. The legislation should make clear that Chinese officials who interfere in the process of recognizing a successor or reincarnation of the Dalai Lama will be subject to targeted financial, economic, and visa-related sanctions like those in the Global Magnitsky Act. The Administration should heed the guidance from Congress on the implementation of the Reciprocal Access to Tibet Act of 2018 and use the sanctions available in the act against Chinese officials responsible for denying Americans access to Tibetan regions.

### **Voice Support for Human Rights in China**

Members of Congress and Administration officials, especially the President, should regularly meet with Chinese civil society and human rights defenders, Hong Kong civil society, the Dalai Lama and other Tibetans in exile including the Central Tibetan Administration, members of the Uyghur diaspora, and other human rights advocates and non-governmental organizations. It is also essential that the President of the United States express support for human rights and democracy in China.

### **Address Digital Authoritarianism**

Because the growth of digital authoritarianism is one of the most urgent national security and human rights challenges associated with the Chinese government's foreign policy, the Administration and the Congress should work together to:

- Lead a global effort with allies and partners to develop a set of principles for Artificial Intelligence (AI) development and usage to ensure the protection of human rights, including the right to privacy.
- Launch a digital infrastructure initiative that makes information and communication technology development a priority for U.S. foreign assistance programs, including through implementation of the BUILD Act of 2018.

### **Counter Internet Censorship**

The Administration should develop a comprehensive interagency action plan to promote internet freedom through the funding and wide distribution of effective technologies that provide the greatest possible access to the internet within China and globally. The plan could include actively opposing the Chinese government's efforts to establish a new international norm of "internet sovereignty," expanding digital security training for civil society advocates, and transparently employing congressionally mandated funding to circumvent China's "Great Firewall." In addition, the Administration should develop talking points for U.S. Government officials—including those engaged in trade negotiations—that consistently link freedoms of press, speech, and association to U.S. and Chinese interests, noting how censorship prevents the free flow of information on issues of public concern, including public health and environmental crises, food safety problems, and corruption.

### **Promote Transparency in University and Think Tank Funding**

As part of any amendment to the U.S. Higher Education Act of 1965, Congress should require U.S. colleges and universities to publicly report all foreign gifts, contracts, and in-kind contributions that exceed \$10,000 per year from a single foreign government, institution, or group of institutions. U.S. think tanks and other non-governmental organizations should be required to publicly disclose all foreign grants and gifts as part of their tax filings to maintain non-profit status.

### **Counter Foreign Malign Influence**

The Administration should provide to Congress a strategy to address the strategic challenge posed by the Chinese government's intensified use of disinformation, propaganda, economic intimidation, and political influence operations to weaken commitments to

universal human rights and promote the Chinese Communist Party's political-economic model globally. The Administration should develop an action plan to counter the Chinese government's "sharp power" efforts globally, monitoring and controlling foreign influence operations and providing information about the Chinese ministries, entities, and individuals engaged in foreign influence operations and their connections with entities of the Chinese Communist Party or government. The Congress should pass the "Countering the Chinese Government's and Communist Party Political Influence Operations Act" (S. 480/H.R. 1811) that, among other priorities, clarifies that U.S. Government policy and statements should clearly differentiate between the Chinese people and culture and the Chinese government and Communist Party, ensuring that central Chinese government and Party political influence operations do not lead to the targeting of Chinese-Americans or the Chinese diaspora.

### **Expand the Mandate of the Foreign Agents Registration Act (FARA)**

The Administration and the Congress should work together to expand the mandate of the Foreign Agents Registration Act of 1938 (FARA) to bring oversight and transparency to issue areas beyond foreign representation and address the challenges the United States faces today, which include incidents of Chinese Students and Scholar Associations working with Chinese embassies and consulates in the United States, Confucius Institutes and Classrooms at U.S. universities and high schools, and American companies accepting funding from Chinese sources to acquire technologies prohibited by U.S. export controls.

### **Develop a Non-Governmental Code of Conduct**

The Administration should work with U.S. non-governmental organizations and academic institutions to formulate a code of conduct for interacting with Chinese government-affiliated entities to assist them in navigating the challenges of working effectively in China and to counter influence operations that are manipulative, coercive, or corrupting of democratic institutions and to help protect human rights and academic freedom.

### **Prioritize Reciprocity**

The Administration, as part of ongoing trade discussions, should seek a rules-of-the-road agreement that will correct longstanding diplomatic, investment, media, and cultural and academic exchange imbalances in U.S.-China relations and provide to Congress a strategy for pursuing reciprocity more generally in U.S.-China relations, particularly to ensure that U.S.-based media outlets and non-governmental organizations have the same freedom to operate, publish, and broadcast afforded to a growing number of Chinese government-sponsored and funded

think tanks, academic institutions, and media entities in the United States.

### **Expand Global Alliances to Advance Human Rights**

International responses to human rights have the greatest impact when the U.S. Government exercises effective diplomatic leadership with our allies and partners. The Administration should send to Congress a multilateral human rights diplomacy strategy on China, to coordinate responses when the Chinese government uses multilateral institutions to undermine human rights norms and closes off discussion of its failure to uphold its international obligations. The Administration should also consider as part of such strategy:

- Creating a public mechanism for coordinating human rights diplomacy and technical assistance programs with like-minded allies that includes the meaningful participation of experts and non-governmental organizations from all participating countries.
- Expanding funding for capacity-building initiatives for rights and rule-of-law advocates in settings outside China, given growing restrictions on the funding of civil society organizations inside China.
- Forming a multinational human rights dialogue where the U.S. Government invites countries without human rights dialogues with China (or those whose human rights dialogues have been canceled by the Chinese government) to participate in or observe formal discussions with the Chinese government.
- Coordinating public statements, diplomatic demarches, and public diplomatic efforts to condemn detentions of political and religious prisoners and other serious human rights abuses in China, and creatively communicate these efforts to the Chinese people.

### **Prioritize an End to Torture and Arbitrary Detention Through Diplomatic Engagement**

The Administration should prioritize an end to torture in detention and all forms of arbitrary detention in China and raise these issues in all bilateral discussions and in multilateral institutions of which the U.S. and China are members. The Administration should create public diplomacy campaigns and support media efforts to raise global awareness about the detention of political and religious prisoners in "black jails," psychiatric institutions, compulsory drug detoxification centers, police and state security detention centers, and mass internment camps in the XUAR. In addition, the Administration should consider funding non-governmental projects that

assist individuals with submissions to the UN Working Group on Arbitrary Detention, in order to provide actionable information to the UN High Commissioner for Human Rights and UN system of Special Procedures, and to accumulate evidence on Chinese officials complicit in the torture and arbitrary detention of political and religious prisoners.

### **Take Meaningful Action to Address Human Trafficking**

To respond to China’s “Tier 3” designation for failing to meet minimum standards for addressing human trafficking, the Administration should use all the tools available in the Victims of Trafficking and Violence Protection Act of 2000 and the Girls Count Act of 2015, including individual sanctions for officials and entities complicit in human trafficking. In addition, the Administration should send Congress a strategy to address forced labor in the XUAR, including by publicly identifying Chinese businesses profiting from such labor, assisting corporations to identify forced labor goods from the XUAR in global supply chains, and expanding the use of the “reasonable suspicion” standard found in the Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA) to stop goods made with forced labor from entering the United States.

### **Protect North Korean Refugees**

The Administration should employ the tools available in the North Korean Human Rights Act of 2004 and the North Korea Sanctions and Policy Enhancement Act to expand efforts to

channel uncensored news and information into North Korea and to North Korean asylum seekers in China, including through defector communities, and to impose secondary sanctions on Chinese corporations, individuals, or banks that profit from North Korean forced labor and those assisting the North Korean government in avoiding international sanctions. The Special Representative for North Korea at the Department of State should provide Congress with a strategy to protect North Korean refugees in China, implement the recommendations of the Commission of Inquiry on Human Rights in North Korea, and close existing prison labor camps and other forms of arbitrary detention in North Korea and in China where refugees are detained.

### **Advocate for Specific Political Prisoners**

Members of Congress and Administration officials at the highest levels should raise specific prisoner cases in meetings with Chinese government officials. Experience demonstrates that consistently and prominently raising individual prisoner cases—and the larger human rights issues they represent—can result in improved treatment in detention, lighter sentences or, in some cases, release from custody, detention, or imprisonment. The Administration should consider creating a Special Advisor for Religious and Political Prisoners to coordinate interagency resources on behalf of political and religious prisoners in China and globally. Members of Congress are encouraged to “adopt” individual prisoners and advocate on their behalf through the Tom Lantos Human Rights Commission’s “Defending Freedoms Project.”



Peaceful anti-extradition bill protesters in Hong Kong on the afternoon of July 1, 2019.

Photo credit: Daniel Garrett



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