

II. Human Rights

FREEDOM OF EXPRESSION

International Standards on Freedom of Expression

The Chinese government and Communist Party continued to restrict expression in contravention of international human rights standards, including Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and Article 19 of the Universal Declaration of Human Rights.¹ According to the ICCPR—which China signed² but has not ratified³—and as reiterated in 2011 by the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, countries may impose certain restrictions or limitations on freedom of expression, if such restrictions are provided by law and are necessary for the purpose of respecting the “rights or reputations of others” or protecting national security, public order, public health, or morals.⁴ An October 2009 UN Human Rights Council resolution declared restrictions on the “discussion of government policies and political debate,” “peaceful demonstrations or political activities, including for peace or democracy,” and “expression of opinion and dissent” are inconsistent with Article 19(3) of the ICCPR.⁵ The UN Human Rights Committee specified in a 2011 General Comment that restrictions on freedom of expression specified in Article 19(3) should be interpreted narrowly and that the restrictions “may not put in jeopardy the right itself.”⁶

Reinforcing Party Control Over the Media

INSTITUTIONAL RESTRUCTURING OF PARTY AND GOVERNMENT AGENCIES

In March 2018, the Chinese Communist Party Central Committee issued a large-scale plan to restructure the functional authority and managerial responsibilities of Party entities and Chinese government agencies,⁷ provisions of which reinforced the Party’s ideological control of the press (including radio, television, and online platforms), publishing, and film.⁸ The plan, titled the “Plan for Deepening Reform of Party and Government Agencies” (Plan), placed the Party’s Central Propaganda Department (CPD) in a “leadership” role with direct management responsibilities for news media, publishing, and film.⁹ While the CPD and its lower level bureaus have long coordinated ideological messaging through media censorship and control,¹⁰ the CPD’s enhanced managerial role breaks with the “guiding hand” role that emerged in the post-Mao era during which the CPD was not to “engage in practical or administrative tasks.”¹¹ This break reflects Party efforts to rein in increasingly complex digital news, communications, and entertainment platforms¹² and its goals to disseminate a unified message about China within and outside of China,¹³ as well as to reduce bureaucratic barriers in the way of Party control.¹⁴ [For more information on the sweeping reorganization of Party and government institutions, see Section III—Institutions of Democratic Governance.] The Plan requires central-level institutional changes to be

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completed by the end of 2018,¹⁵ including the following items that concern freedom of expression:¹⁶

- Disbanding the State Administration of Press, Publication, Radio, Film and Television, the government agency that had been in charge of managing the press, film, and television.¹⁷ With the CPD's direct management of press, publication, and film via two newly named entities located within the CPD, the National News and Publishing Administration (also known as the National Copyright Office) and National Film Bureau, the Plan also established a functionally leaner agency to manage radio and television, the State Administration of Radio and Television;¹⁸
- Bringing together the three major broadcast news entities—China Central Television, China National Radio, and China Radio International—under a newly formed “mega” agency called China Media Group,¹⁹ to be known as Voice of China internationally.²⁰ The merged broadcast agency will be classified as a “public institution” (*shiyè danwèi*) under the State Council and directly subordinate to CPD “leadership”;²¹ and
- Elevating the Party's Central Cybersecurity and Informatization Leading Small Group to “Committee” status.²² According to experts associated with New America's DigiChina project, the upgrade represents an increase in power for this Party entity by adjusting a short-term policy mechanism (the leading small group) to a longer term “bureaucratic solution” (the committee) with centralized resources and authority over cyberspace and the digital economy.²³ The change may also serve to strengthen the Cyberspace Administration of China (CAC)—the government agency with oversight of cyberspace governance, including control of online news content.²⁴

MEDIA AS MOUTHPIECE: THE PARTY'S “VOICE”

The Party has historically ascribed a “mouthpiece” role to Chinese media,²⁵ and high-level official publications highlighted this obligation during the Commission's 2018 reporting year. In June 2018, the Central Propaganda Department issued the first collection of President and Party General Secretary Xi Jinping's talks about news media over the past five years,²⁶ including his February 2016 speech to state and Party news outlets that the media in China “are surnamed Party.”²⁷ The Plan to restructure Party and government agencies issued in March 2018 specified that the State Administration of Radio and Television shall “fully use broadcast news as the Party's mouthpiece”²⁸ and the combined broadcasting agency will “propagate the theories, political line, and policies of the Party.”²⁹ The official explanation for the new broadcasting agency's international name of Voice of China emphasized “telling China's story well” to international audiences.³⁰ International news reports juxtaposed the name Voice of China (*Zhongguo zhi sheng*) with the U.S. Government-funded broadcaster Voice of America (*Meiguo zhi yin*),³¹ though an unnamed source told Radio Free Asia that Voice of China likely is modeled on Russia's government-funded global broadcast platform RT in its authoritarian ambitions.³² The April 2018 appointment of Tuo Zhen, a Deputy Director of the Central Propaganda Department, as

editor-in-chief of the Party “mouthpiece” People’s Daily³³ recalled a January 2013 incident in which Tuo substituted an editorial that extolled the Party for a reform-oriented one at Southern Weekend,³⁴ one of the leading investigative newspapers in China at the time.³⁵ Positive coverage of Xi Jinping saturated domestic news this past year,³⁶ but a series of three editorials from July 2018 in People’s Daily censured “boastful” news reporting,³⁷ which some experts linked to incipient criticism³⁸ in China of the nationalistic rhetoric associated with Xi Jinping³⁹ amid growing concerns about U.S.-China trade issues.⁴⁰

Freedom of the Press

Reporters Without Borders continued to rank China among the five worst countries in the world for press freedom in its annual Press Freedom Index.⁴¹ Press freedom assessments this past year from Freedom House,⁴² the International Federation of Journalists,⁴³ and the Committee to Protect Journalists⁴⁴ similarly criticized the lack of press freedom in China. In a 2018 survey, Hong Kong journalists identified the Chinese central government as a major reason for a decline in press freedom in Hong Kong.⁴⁵ Although freedom of speech and the press are guaranteed in China’s Constitution,⁴⁶ the legal parameters for the protection of the news media in gathering and reporting the news are not clearly defined in the absence of a national press law.⁴⁷ Yet complex regulatory provisions allow officials to exert arbitrary control over journalists and news coverage in China.⁴⁸

Reports on adverse events, including accidents and disasters, are not out of bounds for official media, but as a commentator has noted, “selected party news outlets or government organs are deftly using state-controlled and social media tools to take the lead in shaping the Chinese government’s own version of these events.”⁴⁹ The government and Party often suppress critical reporting while “advancing a positive narrative” to broaden public support for official policies.⁵⁰ For example, this past year, censorship instructions limited the manner and scope of media reports on a November 2017 fatal fire in Beijing municipality,⁵¹ framing the subsequent forced evictions of thousands of non-local residents and large-scale building demolition⁵² as public health and fire safety measures.⁵³ To mark the 10th anniversary of the earthquake in Wenchuan county, Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, Sichuan province, state media praised the government’s rebuilding efforts and generosity to promote the Wenchuan government’s announcement of a day of “thanksgiving” rather than a day of mourning for the tens of thousands who died.⁵⁴ On the other hand, authorities have used official media as a “weapon” against government and Party critics, according to the international non-governmental organization Safeguard Defenders.⁵⁵ Safeguard Defenders highlighted the “active participation” of Chinese and Hong Kong media outlets involved in the broadcasts of televised—and likely coerced—“confessions” of wrongdoing by rights defenders, journalists, and Uyghurs, among others, which were aired between July 2013 and February 2018.⁵⁶

Ideological pressures, organizational changes, and financial concerns at news media outlets this past year contributed to the ongo-

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ing decline of Chinese investigative journalism.⁵⁷ A December 2017 academic survey on investigative journalism in China⁵⁸ reported a 58-percent fall in the number of domestic investigative journalists from 2011 to 2017, and a decrease in the number of media outlets with journalists doing front-line reporting from 74 in 2011 to 44 in 2017.⁵⁹ Journalism experts have attributed the decline to multiple factors, including regulatory and legal obstacles,⁶⁰ low wages,⁶¹ market competition from new digital platforms,⁶² and alleged corruption and ethical lapses.⁶³ In one incident reported this past year, some 40 editors and journalists from Legal Evening News reportedly quit in connection with organizational changes at the newspaper, including the closure of the paper's well-known investigative unit.⁶⁴ In a different incident, in July 2018, officials in Hunan province detained freelance journalist Chen Jieren and several of his family members and associates on suspicion of extortion and illegal business activity apparently in connection with Chen's criticism of a local official.⁶⁵ Three official media outlets subsequently denounced Chen's online work as spurious "supervision by public opinion,"⁶⁶ a term Chinese authorities previously have used to signify the functions of "watchdog" or investigative journalism.⁶⁷

HARASSMENT OF DOMESTIC JOURNALISTS

The Chinese government continued to be one of the worst jailers of journalists in the world, with estimates of individuals in detention or imprisoned ranging from 41⁶⁸ to more than 50.⁶⁹ Among the journalists detained or imprisoned in China are citizen journalists and volunteers who worked outside of mainstream state or official media, many of whom are of Uyghur ethnicity.⁷⁰ Citizen journalism⁷¹ in China provides information on local news and incidents that the government restricts or censors in most media, such as information on labor protests,⁷² migrants' concerns,⁷³ petitioning the government for redress of grievances,⁷⁴ and rights defense activities.⁷⁵ A PEN America report on social media censorship observed that the government's prohibition on mainstream journalists from publishing "unverified" reports on social media highlights the government's awareness that it is not fully able to control content posted by citizen journalists.⁷⁶

Ongoing harassment and detention of citizen journalists continued this past year,⁷⁷ and is contemporaneous with the suppression of civil society groups and human rights lawyers and defenders.⁷⁸ On September 1, 2017, for example, public security authorities from Zhuhai municipality, Guangdong province, detained Zhen Jianghua, executive director of the website Human Rights Campaign in China⁷⁹ that is known for monitoring human rights violations, including the harassment and criminal prosecution of rights defenders.⁸⁰ Authorities formally arrested Zhen on March 30, 2018, on the charge of "inciting subversion of state power."⁸¹ On August 10, 2018, the Zhuhai Intermediate People's Court reportedly tried Zhen without informing either Zhen's defense lawyers or his family members.⁸² Authorities also continued to detain Liu Feiyue and Huang Qi, founders of the websites Civil Rights & Livelihood Watch and 64 Tianwang, respectively, as part of the crackdown on rights monitoring websites and their founders and volunteers.⁸³ Liu's case went to court on August 7, 2018, without an immediate

court decision,⁸⁴ whereas authorities have postponed Huang's trial and refused him medical parole despite his deteriorating health.⁸⁵ Staff and volunteers from those two websites also remained in detention during this reporting year, including Ding Lingjie,⁸⁶ Jiang Chengfen,⁸⁷ Wang Jing,⁸⁸ Chen Tianmao,⁸⁹ and Yang Xiuqiong.⁹⁰

This past year, the Commission observed reports of censorship, disciplinary measures, dismissal, and detentions of mainstream journalists who covered financial or political issues, or whose reporting implied a lack of government action. Official media covered incidents of threats and a physical attack on reporters covering environmental pollution⁹¹ and an attack against another while reporting on hospital malfeasance.⁹² In February 2018, Southern Weekend, a market-driven newspaper based in Guangdong province, reportedly withdrew from publication two investigative reports about Hainan Airlines (HNA) Group—a private company with large debts, which the central government has placed under strict economic controls⁹³—and removed the magazine's editor-in-chief in connection to those reports.⁹⁴ On February 25, 2018, the English-language branch of state-run media agency Xinhua prematurely released the news about the proposed constitutional amendment to eliminate presidential term limits,⁹⁵ a change that effectively permits Xi Jinping to hold his leadership positions for life.⁹⁶ Senior officials reportedly considered the early announcement a “serious political error,” resulting in disciplinary measures for Xinhua staff.⁹⁷ Professional ramifications were not reported for the journalist whose unscripted “epic eye-roll”⁹⁸ in reaction to a lengthy question posed at a National People's Congress press conference in March 2018 received domestic and international coverage.⁹⁹ The Commission also observed reports of detentions of two journalists who reported on an absent dairy company executive¹⁰⁰ and a reporter who wrote about dozens of missing university students in Wuhan municipality, Hubei province.¹⁰¹

HARASSMENT OF FOREIGN MEDIA OUTLETS AND JOURNALISTS

According to the Foreign Correspondents' Club of China (FCCC) 2017 survey, working conditions for foreign reporters in China generally deteriorated in 2017. The FCCC supported this claim with accounts of official harassment of reporters, news assistants, and sources; attempts to interfere with the coverage of issues that authorities deemed “sensitive”; restrictions on travel to areas along China's border and ethnic minority autonomous regions; and visa renewal delays and denials.¹⁰² At two press conferences following the release of the FCCC survey results,¹⁰³ however, a Ministry of Foreign Affairs spokesperson rejected the FCCC's findings.¹⁰⁴ Additionally, in a July 2018 statement in response to Swedish media coverage of the case of Hong Kong bookseller Gui Minhai, the Chinese ambassador to Sweden referred to the “so called” FCCC as an “unregistered illegal organization” and stated that it “lacks all legitimacy . . . and the reports it released are totally unreliable.”¹⁰⁵ [For more information on Gui Minhai, see text box titled “Hong Kong Bookseller Gui Minhai Detained Again” in Section VI—Developments in Hong Kong and Macau.]

Additional instances of official harassment against foreign journalists continued in 2018, with reports of temporary detentions,¹⁰⁶

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physical assaults,¹⁰⁷ and cancelling¹⁰⁸ or refusing to issue visas.¹⁰⁹ The government continued to block selected foreign media outlets' websites,¹¹⁰ and to obstruct some foreign media outlets from opening an office in China.¹¹¹ Chinese officials abroad reportedly visited headquarters of foreign media outlets to reprimand these outlets for reporting they deemed to be unfavorable to China.¹¹² Chinese authorities also detained China-based family members of journalists who report on China from abroad, acts that an American journalist described as aiming to “mute criticism of China across the world . . .”¹¹³ In September 2017, authorities in Guangzhou municipality, Guangdong province, reportedly took into custody Li Huaiping, wife of Chen Xiaoping—the editor-in-chief of a Chinese-language media outlet in New York—allegedly in connection with Chen's interviews with businessman Guo Wengui.¹¹⁴ Authorities in China also targeted six U.S.-based journalists who work for the Uyghur Service of Radio Free Asia (RFA), a news outlet in Washington, D.C., with the detention of more than two dozen of their family members who reside in the Xinjiang Uyghur Autonomous Region (XUAR).¹¹⁵ International advocacy groups and RFA linked the detentions in the XUAR to RFA Uyghur Service coverage of intensifying political control in the region.¹¹⁶ [For additional information on these detentions, see Section IV—Xinjiang.]

Sharpening Cyberspace Goals, Regulating Online News and Expression

Official statistics reported 772 million internet users in China as of December 2017, 97.5 percent of whom access the internet from mobile devices¹¹⁷ and use social media applications for communications, e-commerce, gaming, and video-streaming, among other functions.¹¹⁸ Senior government and Party officials linked control of cyberspace to social stability, national security, economic development, and global power ambitions.¹¹⁹ U.S.-based experts emphasized “the systems being put in place, . . . should be seen as a long-term effort to ensure that no online domain remains free from oversight.”¹²⁰ This past year, authorities continued to formulate new regulations¹²¹ to control and censor online news and media outlets, technology companies, and users of social media,¹²² and in the process, operationalize the PRC Cybersecurity Law.¹²³ A media expert in Hong Kong observed that new regulations to consolidate Party power over cyberspace and expand control over individual users of social media are “one of the most specific indications we have yet of the Party's atomization and personalization of censorship, of the way the relationship between propaganda and the public is being transformed by digital communications.”¹²⁴ Examples from these regulatory measures include the following:

- Under Article 4 of the Provisions on the Administration of Internet Public Account Information Services, both social media companies and individual users are responsible for a “correct orientation, promot[ing] socialist core values, actively cultivat[ing] healthy internet culture, and safeguard[ing] a wholesome internet environment.”¹²⁵
- The Provisions on the Administration of Internet Group Information Services stipulate in Article 9 that administrators

and creators of social media groups are responsible for managing the group chat, particularly the content expressed by members of their respective chat groups.¹²⁶ [For information on “legal education classes” about these provisions held at Tibetan Buddhist monasteries, see Section V—Tibet.]

- The Measures for the Administration of Content Management Practitioners Working for Internet News Information Service Providers require 40 hours of government-run training on “socialist values,” with at least 10 hours of company-run training on “Marxist news values.”¹²⁷

Censored Content

Chinese authorities continued to censor a broad range of news, academic and other publications, and social media discussion of topics which the government and Party deem to be politically “sensitive.”¹²⁸ The Commission observed reports about censorship of topics relating to the ethnic minority autonomous areas of Tibet¹²⁹ and Xinjiang;¹³⁰ Taiwan¹³¹ and Hong Kong;¹³² the spiritual movement Falun Gong;¹³³ and anniversaries of past events and persons.¹³⁴ In November 2017, Radio Free Asia (RFA) reported on censorship directives instructing local media to first seek permission from provincial-level propaganda bureaus before publishing reports on topics such as elder care, healthcare, housing issues, education, and the stock market.¹³⁵ Political perspectives that veered from the Party’s ideological mainstream also were subject to censorship.¹³⁶ In May 2018, authorities shut down Utopia, a website that espoused political positions aligned with Maoist or extreme “leftist” nationalism.¹³⁷ Similarly, in July 2018, authorities ordered the closure of liberal think tank Unirule’s office in Beijing municipality,¹³⁸ and early in 2017 had shut down several websites and social media accounts linked to Unirule.¹³⁹ Nevertheless, an essay written by a Tsinghua University professor that not only criticized Xi Jinping but also urged rectification of the 1989 Tiananmen protests was posted in late July to Unirule Perspectives, a Unirule website only available through circumvention tools.¹⁴⁰

Censorship of the news and social media commentary on the news was particularly intense this reporting year in connection with two major political events—the 19th National Congress of the Chinese Communist Party (19th Party Congress) in October 2017¹⁴¹ and the annual meetings (Two Sessions) of the National People’s Congress and its advisory body, the Chinese People’s Political Consultative Conference, in March 2018.¹⁴² Official censorship of both events restricted coverage of a wide range of political issues concerning policy, personnel changes in senior Party and government leadership, and constitutional amendments.¹⁴³ The lack of in-depth domestic coverage or government transparency in China led one foreign journalist to proclaim the impossibility of “know[ing] anything about high-level Chinese politics.”¹⁴⁴ China Digital Times (CDT), a U.S.-based Web portal which provides translations of leaked censorship directives from the Central Propaganda Department and other government entities, observed a decrease in the number of directives it received from contacts within China in 2017.¹⁴⁵ One factor of the decline, according to CDT, was the po-

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tential jeopardy media professionals with access to such information might encounter.¹⁴⁶

Citizens' Free Expression

PUBLIC OPINION PUSHES BACK

Social media platforms continued to be an everyday channel of expression for Chinese citizens, particularly a more socially and technically engaged younger generation,¹⁴⁷ to discuss concerns about a range of news events and public interest issues.¹⁴⁸ As China law scholar Eva Pils has argued, the Party's emphasis on control of expression through "persuasion, coercion and intimidation"¹⁴⁹ reflects, in part, the realization that it cannot entirely control public opinion.¹⁵⁰ This past year, social media users raised a broad range of concerns, such as sexual harassment on Chinese university campuses;¹⁵¹ racism on television;¹⁵² and the forced eviction of thousands of non-local residents from Beijing municipality.¹⁵³ Social media users objected to the removal of presidential term limits from China's Constitution, with many posts in protest of President and Party General Secretary Xi Jinping's consolidation of power.¹⁵⁴ In April 2018, Sina Weibo, a Twitter-like messaging platform, rescinded a plan¹⁵⁵ to censor LGBT content as part of an online "clean-up" campaign after drawing considerable public criticism online.¹⁵⁶ In contrast, following official censure of the humor shared among its users,¹⁵⁷ the technology company ByteDance shut down its popular application Neihan Duanzi,¹⁵⁸ and pledged to adhere to ideological values and regulatory standards.¹⁵⁹ [For more information on technology companies' compliance with censorship controls, see Section III—Commercial Rule of Law and Human Rights.]

PUNISHING FREEDOM OF EXPRESSION

The Commission observed a wide range of cases that illustrated the Chinese government and Communist Party's violations of international human rights standards and provisions in China's Constitution on the right to freedom of expression discussed earlier in this section. In addition to freedom of speech concerns, the following cases intersect, respectively, with violations of the right to freedom of movement;¹⁶⁰ the right to freedom of association, including online association;¹⁶¹ the right to enjoy the use of one's own ethnic minority language;¹⁶² and—in connection to yet another case in which a Chinese advocate died while "released" on medical parole¹⁶³—the right to medical treatment while in detention.¹⁶⁴

- **Restricted overseas travel.** Authorities reportedly prevented novelist Jia Pingwa from traveling to New York City in January 2018 to attend the Modern Language Association's (MLA) annual conference.¹⁶⁵ An interview with Jia and a conference panel featuring his literary work in translation, including his previously banned novel "Ruined City," had been scheduled for the MLA conference.¹⁶⁶
- **Detentions.** In April 2018, public security authorities from multiple locations in China criminally detained 8 administrators of the National Tourism Chat Group—a group of more

than 100 members hosted on social media platform WeChat that reportedly organized humanitarian support for family members of political prisoners.¹⁶⁷ As of June 2018, authorities had formally arrested Guo Qingjun, one of the WeChat group's administrators.¹⁶⁸

- **Criminal sentence.** In May 2018, the Yushu (Yulshul) Intermediate People's Court in Yushu (Kyequdo) municipality, Yushu Tibetan Autonomous Prefecture, Qinghai province, sentenced Tashi Wangchug, a Tibetan language rights advocate, to five years in prison on the charge of "inciting separatism."¹⁶⁹ A New York Times video from November 2015 that portrayed his advocacy efforts reportedly was used in trial as evidence against him.¹⁷⁰ The Qinghai High People's Court in Xining municipality reportedly rejected Tashi Wangchug's appeal on August 13, 2018.¹⁷¹

- **Death while on medical parole.** Yang Tongyan (pen name: Yang Tianshui) died on November 5, 2017, of brain cancer while on medical parole.¹⁷² At the time of his death, Yang was nearing completion of a 12-year prison sentence on the charge of "subversion of state power" in connection to his writing and democracy activities.¹⁷³ Yang reportedly did not receive adequate medical care during his years in detention.¹⁷⁴ Like Liu Xiaobo,¹⁷⁵ authorities cremated Yang's body and buried him at sea.¹⁷⁶

DETENTIONS IN THE AFTERMATH OF LIU XIAOBO'S DEATH

The July 2017 death of writer and Nobel Peace Prize laureate Liu Xiaobo—while serving an 11-year prison sentence¹⁷⁷—continued to reverberate in the detentions of his widow Liu Xia and persons who attempted to honor his life. Liu Xia, an artist and poet, remained under forced confinement at home¹⁷⁸ until July 10, 2018, when she left China and traveled to Germany.¹⁷⁹ Numerous reports documented the worsening of Liu Xia's physical and emotional health¹⁸⁰ during the nearly eight years authorities held her in arbitrary, extrajudicial detention.¹⁸¹ While welcoming her release, rights advocates nevertheless expressed concern that Liu's freedom of speech outside of China might be compromised because the Chinese government did not allow her brother Liu Hui to leave China with her.¹⁸² In the months after Liu Xiaobo's death, authorities detained at least 14 persons who participated in "sea memorials" in memory of Liu Xiaobo¹⁸³ in Guangdong,¹⁸⁴ Fujian,¹⁸⁵ and Liaoning provinces.¹⁸⁶ Authorities also detained others who paid tribute to Liu Xiaobo, including poet Wu Mingliang¹⁸⁷ and his associate Peng Heping;¹⁸⁸ songwriters Xu Lin and Liu Sifang;¹⁸⁹ and artist and French citizen Hu Jiamin.¹⁹⁰

Notes to Section II—Freedom of Expression

¹International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 19; Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) on 10 December 48, art. 19.

²United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights (ICCPR), last visited 13 July 18. China signed the ICCPR on October 5, 1998.

³State Council Information Office, “National Human Rights Action Plan (2016–2020),” 29 September 16, sec. V; United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights, last visited 13 July 18.

⁴International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 19(3); UN Human Rights Council, Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Frank La Rue, A/HRC/17/27, 16 May 11, para. 24.

⁵Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development, adopted by Human Rights Council resolution 12/16, A/HRC/RES/12/16, 12 October 09, para. 5(p)(i).

⁶UN Human Rights Committee, General Comment No. 34, Article 19, Freedom of Opinion and Expression, CCPR/C/GC/34, 12 September 11, para. 21.

⁷“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfa “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18.

⁸Chris Buckley, “China Gives Communist Party More Control Over Policy and Media,” New York Times, 21 March 18; Pei Li and Christian Shepherd, “China Tightens Grip on Media With Regulator Reshuffle,” Reuters, 21 March 18; “China’s Communist Party Takes (Even More) Control of the Media,” Asia Society, ChinaFile, 11 April 18.

⁹“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfa “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18, sec. 1(11)–(12); “Major Reshuffle at SAPPRFT, Tight Unification Under Central Propaganda Department” [Zhongguo guangbo dianshi da xipai zhongxuanbu yanmi da yitong], Radio Free Asia, 21 March 18; David Bandurski, “When Reform Means Tighter Controls,” University of Hong Kong, Journalism & Media Studies Centre, China Media Project, 22 March 18.

¹⁰Anne-Marie Brady, *Marketing Dictatorship: Propaganda and Thought Work in Contemporary China* (Lanham, MD: Rowman & Littlefield, 2008), 13–15, 19, 24–25; David Shambaugh, “China’s Propaganda System: Institutions, Processes and Efficiency,” *China Journal*, No. 57 (January 2007), 25, 28–29.

¹¹Anne-Marie Brady, *Marketing Dictatorship: Propaganda and Thought Work in Contemporary China* (Lanham, MD: Rowman & Littlefield, 2008), 14–16.

¹²“China’s Communist Party Takes (Even More) Control of the Media,” Asia Society, ChinaFile, 11 April 18.

¹³*Ibid.* See also Xia Kangjian, “Three Outlets Merging Into One Consistent With Broadcasting Trends” [San tai hebing shunying chuanbo guilu], *People’s Daily*, Central Kitchen, 27 March 18.

¹⁴“Major Reshuffle at SAPPRFT, Tight Unification Under Central Propaganda Department” [Zhongguo guangbo dianshi da xipai zhongxuanbu yanmi da yitong], Radio Free Asia, 21 March 18; Rogier Creemers et al., “China’s Cyberspace Authorities Set To Gain Clout in Reorganization,” *New America*, DigiChina (blog), 26 March 18.

¹⁵“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfa “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18, sec. 8.

¹⁶Bill Ide and Brian Kopezynski, “China’s Communist Party Tightens Grip on Media, Message,” *Voice of America*, 29 March 18; “China’s Communist Party Takes (Even More) Control of the Media,” Asia Society, ChinaFile, 11 April 18.

¹⁷“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfa “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18, sec. 3(35).

¹⁸*Ibid.*; “Major Reshuffle at SAPPRFT, Tight Unification Under Central Propaganda Department” [Zhongguo guangbo dianshi da xipai zhongxuanbu yanmi da yitong], Radio Free Asia, 21 March 18.

¹⁹“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfa “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18, sec. 3(36); “Actually, ‘Central Radio and Television Network’s Official English Name Is This!’” [Yuanlai, “zhongyang guangbo dianshi zongtai” de guanfang yingwen ming shi zhege!], 16 April 18; “Major Reshuffle at SAPPRFT, Tight Unification Under Central Propaganda Department” [Zhongguo guangbo dianshi da xipai zhongxuanbu yanmi da yitong], Radio Free Asia, 21 March 18; “Creation of Comprehensive Central Broadcast Agency, Removing Central TV and Radio Organizational Structures” [Zujian zhongyang guangbo dianshi zongtai, chexiao yangshi, yangguang deng jianzhi], Xinhua, reprinted in *The Paper*, 21 March 18.

²⁰“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfa “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18, sec. 3(36); “China Creates World’s Largest Propaganda Apparatus ‘Voice of China’” [Zhongguo dazao quanqiu zui da xuanchuan jiqi “zhongguo zhi sheng”], Radio Free Asia, 21 March 18; Keith Zhai, “China Approves Giant Propaganda Machine To Improve Global Image,” *Bloomberg*, 20 March 18; Emily Feng, “China To Create Global Broadcast Champion,” *Financial Times*, 21 March 18.

²¹“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfa “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18, sec. 3(36).

²²Ibid., sec. 1(4); Zheng Yanzhi, “‘Small Groups’ Become ‘Commissions,’ It’s Transcendence as Much as Status Elevation!” [“Xiaozu” bian “weiyuanhui,” jishi shengge, gengshi shenghua!], People’s Daily, 29 March 18.

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¹⁸³Chinese Human Rights Defenders, “Repression & Resilience: Annual Report on the Situation of Human Rights Defenders in China (2017),” February 2018, 18, 23; Rights Defense Network, “Yu Qiyuan’s Statement Prior Detention: I Firmly Believe, That in the Near Future, This Land That Gave Birth to Me and Raised Me, Must Bid Farewell to More Than 4,000 Years of Authoritarian Rule, With a New Nation of Freedom and Democracy Becoming a Part of World Civilization!” [Yu qiyuan bei bu qian shengming: wo jianxin, bujiu de jianglai, zhe pian sheng wo yang wo de tudi, bijiang gaobie si qian duo nian de zhuanzhi tongzhi, yi ge ziyou minzhu de xin guojia jiang mairu shijie wenming zhi lin!], 25 May 18.

¹⁸⁴For more information on these cases, see the Commission’s Political Prisoner Database records 2015-00315 on Huang Yongxiang, 2015-00316 on Wei Xiaobing, 2017-00317 on He Lin, 2017-00318 on Liu Guangxiao, 2017-00319 on Li Shujia, 2017-00320 on Qin Mingxin, 2017-00321 on Wang Meiju, 2017-00322 on Ma Qiang, 2017-00327 on Zhuo Yuzhen, 2018-00010 on Li Xuewen, 2018-00012 on Zhan Huidong, 2018-00389 on Yu Qiyuan, and 2018-00390 on Li Zhaoqiang.

¹⁸⁵Rights Defense Network, “Sichuan Rights Defender Li Yu Detained After Seaside Memorial for Liu Xiaobo in Fujian, Still in Detention” [Sichuan weiquan renshi li yu zai fujian haiji liu xiaobo bei zhuabu xian reng bei jiyu], 27 July 17.

¹⁸⁶“Two Dalian Mourners at Liu Xiaobo’s Sea Memorial Released, Liu Xia’s Whereabouts Still Unknown” [Dalian liang ming liu xiaobo daonianzhe huoshi liu xia yiran xialuo buming], *Voice of America*, 31 July 17.

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¹⁸⁷“Guangdong Poet Langzi and Peng Heping Released” [Guangdong shiren langzi ji peng heping huo shi], Radio Free Asia, 23 September 17; “Guangzhou Poet Langzi Criminally Detained on Suspicion of Commemorating Liu Xiaobo” [Guangzhou shiren langzi she jinian liu xiaobo shiji bei xingju], Radio Free Asia, 22 August 17; Yaxue Cao, “From Sea to a Sea of Words: Poet Ensnared as China Shuts Down Commemoration of Liu Xiaobo,” China Change, 14 September 17. For more information on Wu Mingliang (legal name of poet Langzi), see the Commission’s Political Prisoner Database record 2017-00314.

¹⁸⁸“Guangdong Poet Langzi and Peng Heping Released” [Guangdong shiren langzi ji peng heping huo shi], Radio Free Asia, 23 September 17; Civil Rights & Livelihood Watch, “For Help in Introducing Poet Langzi to Printing Plant, Guangzhou Peng Heping Criminally Detained” [Yin bang shiren langzi jieshao yinshua chang guangzhou peng heping bei xingju], 2 September 17. For more information on Peng Heping, see the Commission’s Political Prisoner Database record 2017-00315.

¹⁸⁹“Chinese Songwriter Formally Arrested for Song About Late Liu Xiaobo,” Radio Free Asia, 14 November 17. For more information, see the Commission’s Political Prisoner Database record 2017-00310 on Xu Lin and 2017-00311 on Liu Sifang.

¹⁹⁰“France Couple in China Unreachable After Liu Xiaobo Tribute,” BBC, 22 December 17; “Artist Held in China Over Tribute to Nobel Winner Liu Xiaobo Is Released,” Agence-France Presse, reprinted in Japan Times, 25 December 17.