

I. Executive Summary

STATEMENT FROM THE CHAIRS

On July 1, 2021, Chinese President and Communist Party General Secretary Xi Jinping commemorated the 100th anniversary of the Chinese Communist Party with a pugnacious speech touting “the great rejuvenation of the Chinese nation,” promoting China as a “new model for human advancement,” and threatening that any country challenging China would be met by a “great wall of steel.” This Party-led governance model aims to achieve high-functioning authoritarianism in complete disregard of the human spirit. The Party mobilizes the government to silence any threats to its rule by systematically repressing internationally recognized human rights. Globally, the extensive use of economic coercion, strident “Wolf Warrior” diplomacy, and other efforts to amplify the official narratives give the lie to assurances in Xi’s July 1 speech that the Chinese government does not seek to bully others.

This year marked another anniversary: the 20th year of the Congressional-Executive Commission on China’s assiduous documentation of human rights and the rule of law in China. This report surveys a bleak landscape. In addition to detailing the genocide being perpetrated in the Xinjiang Uyghur Autonomous Region and the crushing of Hong Kong’s autonomy, the Commission has over the past year examined the Chinese government and Communist Party’s violations of China’s Constitution and domestic laws as well as numerous international human rights standards. Commission research also continues to record in its Political Prisoner Database more cases of political and religious imprisonment in China, deaths of political prisoners, and routine torture of detainees. The report also highlights myriad ways the people of China speak out, resist authoritarianism, and advocate for change. From the ongoing #MeToo movement to delivery drivers organizing on social media to Tibetan monks practicing their faith, the people continue to stand up to government repression.

The Commission plays an important role in building a bipartisan response to these abuses, and this report outlines practical recommendations for congressional and executive consideration that we hope will serve as a roadmap for action—together with allies and partners around the globe—to stand up for the victims of human rights abuses. In the 116th Congress, the Commission’s efforts advanced numerous legislative initiatives promoting human rights in China that were signed into law, including the Uyghur Human Rights Policy Act, the Hong Kong Human Rights and Democracy Act, the Protect Hong Kong Act, the Hong Kong Autonomy Act, and the Tibetan Policy and Support Act. In the 117th Congress, we plan to build on this work and advance legislation related to the repression of ethnic minorities, providing humanitarian safe haven for those fleeing persecution in China, and countering the Chinese government’s economic coercion.

The swift passage and enactment of the Uyghur Forced Labor Prevention Act will send an especially critical signal. This bipartisan legislation ensures that products tainted by the forced labor of oppressed minorities in China are not imported into the United States. American supply chains and businesses cannot be complicit

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in modern slavery. American consumers must not be put in the position of inadvertently purchasing the products of slave labor.

We believe the United States can be a force for good, both in our foreign policy and in setting an example by living up to universally recognized human rights standards at home. Just as we will not shy away from calling out the Chinese government and Communist Party's gross violations of these standards, we condemn the rise of anti-Asian hate crimes, including both verbal and physical abuse encouraged by xenophobic and racist rhetoric. We strive to be mindful in our own use of language to ensure that we do not abet discrimination, and we encourage our colleagues to do the same. Our criticism is not of the people of China, whom we stand with regardless of ethnic, religious, or other identity in their quest for fundamental human rights and dignity.

The Commission's task is to shine a light on the abuses described in this report and help foster collective action. Ultimately, we strive to lift up the human spirit in the face of those who would crush it. Few symbols better represent the spirit of global community than the Olympic Games. Tragically, the next Winter Olympic Games are scheduled to begin in Beijing in February in the shadow of some of the world's most egregious human rights abuses. This report should serve as a call to action and a message that the time for business as usual is over.

Sincerely,



Senator Jeffrey A. Merkley
Chair



Representative James P. McGovern
Co-Chair

OVERVIEW

As Beijing prepares to host the 2022 Winter Olympic Games, propaganda cannot divert the world's gaze from the horrors the Chinese government and Communist Party perpetrate against the Chinese people. In 2021, the U.S. State Department called the treatment of Uyghurs and other ethnic minority groups in the Xinjiang Uyghur Autonomous Region (XUAR) by its name: genocide. The members of the Congressional-Executive Commission on China (Commission) unanimously share this judgment and the view that the Chinese government's systematic violations of human rights and failure to fulfill its obligations under international treaties pose a challenge to the rules-based international order, requiring a consistent and coordinated response from the United States and its allies and partners.

Despite the concerted denial of access to the XUAR for independent human rights monitors and restrictions on journalists reporting in the region, the Commission found abundant evidence that Chinese authorities had committed **genocide** as outlined by the Convention on the Prevention and Punishment of the Crime of Genocide. Among other abuses, the Chinese government expanded the footprint of its system of mass internment camps and prisons, in which numerous deaths occurred, and systematically separated ethnic minority children from their families to be placed in state-run orphanages and boarding schools. The scale and nature of the persecution left no doubt about the government's intent to destroy ethnic minority groups and their way of life in the XUAR.

Many of the most egregious abuses in the XUAR targeted women. Disturbing reports emerged of the rape of ethnic minority women by mass internment camp officials and government employees of intrusive homestay programs. Acts of sexual violence further extended to an increase in forced sterilizations, intrauterine device insertions, and abortions intended to forcibly restrict births among ethnic minority women. Alarming, coercive measures employed against these populations led to a proportional drop in birth rates in the XUAR larger than in any other location in the world since 1950. This decline stood in stark contrast to government attempts to address a rapidly aging population and shrinking workforce by encouraging higher birth rates nationally, including through a new "three-child policy" announced in May 2021. The Party's emphasis on the need to "improve the quality" of the population raised concerns that these disparate population control policies amounted to eugenics.

The repression of Uyghurs, Kazakhs, and other ethnic minorities also relied on the pervasive and systematic use of **forced labor**, often under the guise of "poverty alleviation" programs that move individuals both inside and outside the XUAR. The prevalence of forced labor in a wide range of industries including cotton harvesting, solar panel production, apparel, electronics, and personal protective equipment implicated supply chains around the world. Some international businesses, seeking to avoid the reputational damage of complicity in crimes against humanity and recognizing the impossibility of performing reliable audits, took steps to distance their brands from association with production in the XUAR.

The U.S. Government, which since 2017 has listed China as one of the worst human trafficking offenders in the world, implemented a series of bans on the import of products linked to forced labor.

This past year, fears that national security legislation the Chinese government unilaterally imposed on **Hong Kong** in June 2020 would further crush Hong Kong's autonomy and destroy the "one country, two systems" model became reality. The security law's vague provisions were used to arrest more than a hundred people for political speech, assembly, and civic engagement. Demonstrating the sweeping extraterritorial reach of the law, the Chinese government invoked it to issue an arrest warrant for an American citizen and to investigate whether to bring charges against Danish politicians who assisted a pro-democracy campaigner in fleeing Hong Kong for Denmark.

The assault on Hong Kong's freedoms reached an unprecedented level. The Hong Kong government took a series of steps to deprive pro-democracy voices of the opportunity to compete in elections, including rewriting the rules for selecting Hong Kong's Chief Executive and Legislative Council, disqualifying nominees for office, and postponing elections. Pressure on independent media also escalated, epitomized not only by the raid and subsequent closure of the pro-democracy newspaper Apple Daily but also the overhaul of the city's public broadcaster, prosecution of a journalist who investigated allegations of police misconduct, and the adoption of policies to constrain the ability of independent journalists to operate freely.

In mainland China, authorities abandoned any pretense that the Chinese government respects religious beliefs and practices or ethnic minority cultures in its years-long campaign of "**sinicization**" requiring greater conformity with officially sanctioned interpretations of Chinese culture. In the Inner Mongolia Autonomous Region, authorities required a substantial reduction in the use of Mongolian-language instruction in schools in favor of Mandarin Chinese, leading to large-scale protests. For the first time, authorities appointed an official of Han Chinese ethnicity with no background in ethnic affairs to head the State Ethnic Affairs Commission.

Threats to religious freedom continued as officials demolished places of worship, denied participation in pilgrimages, intimidated parents and children to deter participation in religious gatherings, and forced some to renounce their beliefs. COVID-19 precautions were used as a pretext to prohibit religious activities, and religious believers continued to be arrested, with credible reports of torture in detention. Efforts to suppress Uyghurs and other Muslims in the XUAR included harsh treatment of Hui Muslims, the third-largest ethnic minority in China, and extended to Muslims elsewhere in China.

Tibetans remained another major target of cultural and religious repression. Contrary to Tibetan Buddhist practice and teachings, the Chinese government continued to insist on its own authority to select the next reincarnation of the Dalai Lama and labeled him a security threat, punishing Tibetans for expressing reverence for him. It has been over 11 years since the Chinese government last conducted negotiations with the Dalai Lama's representatives. Chinese authorities enforced heavy restrictions on

communications into and out of Tibetan areas, treating particularly harshly those who corresponded with Tibetans living outside China. In one notable instance, following the January 2021 death in custody of a Tibetan monk, authorities cracked down on the local community for sharing news of his death on social media.

The Chinese government took dramatic new steps in its **bullying** of critics globally. This campaign targeting governments, corporations, research institutions, academics, journalists, and others sought to chill the expression of political views on a range of issues. After leading researchers exposed evidence related to atrocities in the XUAR, the Chinese government subjected them to various forms of intimidation and harassment, including sanctions, threats against family members still in China, lawsuits, and the spread of defamatory materials on major social media platforms.

In response to actions highlighting human rights abuses in the XUAR and Hong Kong, the Chinese government sanctioned the Commission and two of its members, organizations that support civil society inside mainland China and Hong Kong, and a range of government officials, think tanks, businesses, and private citizens from the United States, Canada, the United Kingdom, and the European Union. The Chinese government also used “hostage diplomacy” to intimidate other governments, exemplified by the detention and March 2021 closed trial of two Canadian citizens on spurious charges.

The Chinese government continued to employ one of its most powerful tools for stifling free expression and shaping discussion of Chinese government actions in the United States and elsewhere: **economic coercion**. This pressure leverages the attraction of the Chinese market as well as the global economy’s deep ties to supply chains in China to punish critics and reward self-censorship. In recent years, the Chinese government levied import restrictions on products from countries with which China has bilateral tensions, including Norway, Australia, the Philippines, and South Korea. The Chinese government also repeatedly took or threatened to take economic measures against countries considering restrictions on the Chinese telecommunications national champion Huawei and against companies that sought to protect their supply chains from being tainted by the products of forced labor in the XUAR.

China’s economic development at home and promotion of its Belt and Road Initiative abroad continued to negatively impact the **environment** and **public health**. Most notably, the construction of coal-fired power plants led to an increase in carbon emissions and exacerbated air and water pollution.

The Chinese government’s technology-based authoritarianism underpins the most pervasive **surveillance state** the world has ever seen. Authorities embraced technologies such as artificial intelligence, blockchain, and cloud computing as part of the high-functioning authoritarianism the Chinese government seeks to promote around the world. These technologies also offer the government and Party an unprecedented degree of control, enabled by the collection of massive amounts of data from cell phones, DNA, security cameras, and more. China, projected to have 540 million surveillance cameras in use in 2021, continued to export these systems globally, enabling other authoritarian states.

The Chinese government and Communist Party intensified efforts to **control the media** domestically and the China narrative globally, tightening oversight and management of journalism in China and censoring content they found threatening or simply inconsistent with official views. For the third year in a row, the Reporters Without Borders Press Freedom Index ranked China 177th out of 180 countries, following its effective expulsion of more than 20 foreign journalists since August 2019. Both foreign reporters who remain and domestic reporters face persistent campaigns to discredit them, physical obstruction, exit bans, and even assault. Long-time observers of Chinese journalism now see little hope of reviving the investigative journalism that previously scored important scoops on public health emergencies, government corruption, and the environment. Citizen journalists who have taken up the slack were sentenced for reporting on topics deemed sensitive by the Chinese government and Communist Party.

The harm caused by the Chinese government and Communist Party's **active suppression and distortion of information around COVID-19** and its spread has been incalculable in terms of loss of life, economic opportunity, and trust in the government's ability to manage crises. Chinese authorities' obstruction of a full and transparent investigation into the initial outbreak by the World Health Organization severely impeded efforts to determine the origins of the pandemic, imperiling public health globally by making it more difficult to prevent future pandemics.

The space for **civil society**, already tightly restricted, narrowed even further. New limitations impeded the activities of non-governmental organizations, rights advocates, and citizens seeking redress for losses suffered during the COVID-19 outbreak as a result of government censorship and other rights violations. A crackdown on "illegal social organizations" marked a particularly severe stifling of civil society. The repression of civil society may also be a factor in the decline in the number of documented worker strikes for the third consecutive year, in local officials in Shanghai and Chengdu pressuring organizers of LGBTQ Pride activities and intimidating LGBTQ social venues, and in a substantial number of women's rights advocates reporting curtailment of their online activity following a coordinated campaign of harassment. Chinese workers remained unable to organize or join independent trade unions, and faced punishment if they attempted to do so, as seen in the detention of a delivery driver who attempted to organize workers in the gig economy.

While **women in China** continued to face discrimination and harassment, a new Civil Code that became effective in January 2021 codified, for the first time, the kinds of conduct that constitute sexual harassment. Nonetheless, indefinite delays in one of China's most prominent #MeToo cases may lead to fewer sexual harassment victims deciding to come forward. Moreover, several high-profile cases demonstrated the vulnerability of women to severe domestic violence and sparked public outrage and a call for better law enforcement and accountability for domestic violence perpetrators. In political life, women continued to be excluded from positions of power, with no women serving on the Politburo Standing Committee, only one woman serving on the 25-member Communist

Party Central Committee Political Bureau, and few women serving at senior levels of county, municipal, or provincial governments.

As the Party marked its 100-year anniversary in 2021, it launched a series of **ideological initiatives to reinforce central leadership**, demanded obedience from private enterprise, and undertook a widespread campaign to remove “illegal” and “inappropriate” books from schools and destroy religious books and media. Among other steps taken to require loyalty, the National People’s Congress amended its own governing law to further formalize its subservience to the Party, and the Supreme People’s Court required “Xi Jinping Thought” to “penetrate every lesson” in training for judges and candidates for judicial positions.

Despite official rhetoric touting “rule-based governance,” the Chinese government and Communist Party exercised political control using ill-defined criminal charges to suppress human rights advocacy and detain ethnic minorities, critics, and citizens who sought redress for damages caused by official actions. **Arbitrary and extralegal detention** continued unabated. The coordinated crackdown on human rights lawyers and advocates that began in mid-2015 now constitutes what a Chinese law expert called “a permanent, ongoing process.”

The violations of human rights, failure to uphold Chinese law, and contravention of international standards documented in this report illustrate the limitations of the Chinese government’s model of governance in meeting the needs of the Chinese people and in respecting fundamental rights both in China and globally. This trampling of the human spirit calls for the building of coalitions to reject authoritarianism and provide alternatives that fulfill the aspirations of all people. Only by working together can defenders of freedom achieve a better future.

KEY FINDINGS

FREEDOM OF EXPRESSION

- Chinese Communist Party General Secretary and President Xi Jinping stressed the importance of influencing global public opinion this past year in advance of the Party’s centenary in July 2021 and in response to the COVID-19 pandemic. The Party and government leveraged an international media infrastructure to spread positive propaganda about the Party and reduce criticism of senior officials. News and research reports this past year also examined the widespread dissemination of government and Party propaganda and disinformation via social media platforms within China and internationally, including content related to COVID-19.
- Party control of China Global Television Network (CGTN)—a satellite arm of China’s Party- and state-run broadcaster China Central Television (CCTV)—and the lack of independent editorial responsibility over CGTN’s material were central to the decision in February 2021 by the Office of Communications (Ofcom), the United Kingdom television regulator, to revoke CGTN’s license-holder permission to broadcast in the U.K.
- Reporters Without Borders’ World Press Freedom Index continued to rank China among the worst countries for press freedom in the world—177 out of 180 for the third year in a row. Chinese laws and regulations restrict the space in which domestic journalists and media outlets may report the news, overseen by a system of censorship implemented by various Party and government agencies. The Cyberspace Administration of China has a leading role in regulatory efforts; this past year, it revised provisions on social media use that targeted citizen journalists and “self-media,” the proliferation of which the government has labeled “chaotic.”
- The government has expelled—or effectively expelled through visa renewal denials and harassment—at least 20 foreign journalists since August 2019. Those who remain, according to a BBC reporter, face “the grim reality of reporting from China,” which includes official harassment, physical obstruction, surveillance, and discrediting.
- Chinese authorities continued to arbitrarily detain, and in some cases try and sentence, Chinese citizens for speech and expression protected by international human rights standards. In December 2020, authorities in Shanghai municipality sentenced citizen journalist **Zhang Zhan** to four years in prison because of her video reports in February 2020 from Wuhan municipality, Hubei province, the epicenter of the COVID-19 outbreak. In another case, as part of a nationwide crackdown that started in 2019, authorities reportedly detained dozens of teenagers and individuals in their twenties in connection with the website Esu Wiki, on which a photo had been posted of Xi Mingze, daughter of Xi Jinping. Authorities sentenced 24 of them to prison terms, the longest of which was the 14-year sentence given to **Niu Tengyu**.
- The international non-governmental organization Freedom House ranked China as the “worst abuser of internet freedom

for the sixth consecutive year” in its 2020 internet freedom assessment. This past year, the Chinese government counteracted the rising popularity of audio files and audio-only platforms that had created openings for speech and cross-border conversation. China’s first-ever five-year plan (2020–2025) for the “rule of law” likely will entail even more regulatory measures in information technology, which an observer suggested may be aimed at positioning China as a leading voice in international digital law rulemaking.

WORKER RIGHTS

- Chinese authorities continued to restrict the ability of civil society organizations to work on labor issues, by means such as detaining and harassing labor advocates across China. Examples include labor advocate **Chai Xiaoming**, who attempted to organize a trade union in 2018 and was tried for “inciting subversion of state power” in August 2020, and delivery worker and labor advocate **Chen Guojiang**, who conducted online advocacy highlighting the working conditions of delivery workers and was detained in February 2021. In addition, authorities continued to surveil and harass blogger and citizen journalist **Lu Yuyu** after he was released in June 2020.
- The Hong Kong-based non-governmental organization China Labour Bulletin (CLB), which compiles data on worker actions collected from traditional news sources and social media, documented 800 strikes and other labor actions in 2020. CLB estimates that they are able to document between 5 and 10 percent of total worker actions. Protests across China against wage arrears included employees of YouWin Education, workers in factories producing masks, and delivery workers. In addition, thousands of factory workers protested as part of a pay dispute with Pegatron, an electronics manufacturing company.
- The Chinese Communist Party-led All-China Federation of Trade Unions (ACFTU) remains the only trade union organization permitted under Chinese law, and workers are not allowed to establish independent unions. In a joint submission to the UN Committee on Economic, Social and Cultural Rights, the International Federation for Human Rights and China Labor Watch said that local unions under the ACFTU “are often unaware of labor violations, strikes, and accidents that have occurred within their respective jurisdictions, and they are reluctant to provide assistance to workers.”

CRIMINAL JUSTICE

- The criminal justice system remained a political instrument used for maintaining social order in furtherance of the Chinese Communist Party’s coercive rule. The government punishes criminal acts, but it also targets individuals who pursue universal human rights, particularly when they independently organize or challenge the Party’s authority.
- Government officials used extrajudicial and extralegal means—such as mass internment camps, “black jails,” and psychiatric hospitals—to detain members of ethnic minorities, po-

litical dissidents, and people who sought redress for damages caused by official actions.

- Arbitrary detention did not abate despite official rhetoric promoting “rule-based governance.” Authorities labeled rights advocates and dissidents as criminals, using provisions such as “endangering state security” and other vaguely defined offenses. Also, the government is increasingly arbitrarily detaining foreign citizens in an effort to exert diplomatic pressure on their countries.
- Legally recognized forms of detention—such as “retention in custody” and “residential surveillance at a designated location”—may lend a veneer of legality but were often arbitrarily applied and used by officials as cover for secret detentions. Reports emerged this past year indicating that officials had tortured individuals while holding them in these forms of detention.
- There also was evidence suggesting that authorities had used the criminal justice system for political purposes. In one case, authorities sentenced a financier to death for non-violent crimes and executed him within one month, during which two stages of judicial review allegedly were completed—one by the provincial high court and one by the Supreme People’s Court. While the exact reason behind the speedy execution was unclear, the Party’s disciplinary commission issued a memorandum saying that the execution could set an example of the consequences of rejecting the Party’s leadership.

FREEDOM OF RELIGION

- In the 2021 reporting year, the Chinese government further intensified a sweeping campaign to “sinicize” religion as directed by President and Communist Party General Secretary Xi Jinping. The main imperative of the campaign, wrote one expert, “is to homogenize Chinese Culture to make all parts conform to a Party-led nationalism and to use the full force of the state to control any dissenting voices.”
- Building upon the Regulations on Religious Affairs (2018) and the Measures on the Administration of Religious Groups (2020), the National Religious Affairs Administration implemented new Measures for the Administration of Religious Personnel, effective May 1, 2021. The new measures include plans to establish a database of clergy that records their basic information, rewards and punishments, travel for religious work, and religious activities. They require clergy to promote the “sinicization of religion” and to “adhere to the principle of independence and self-management of religion,” meaning religious personnel in China must resist “domination” or “infiltration” by “foreign forces,” reject unauthorized appointments to leadership positions made by foreign religious groups or institutions, and reject domestic or overseas donations that violate national regulations.
- Chinese authorities used the coronavirus disease 2019 (COVID-19) pandemic as a pretext to shut down religious sites and restrict religious activities, including online activities, even after other normal activities in society had resumed.

- Authorities in several provinces demolished or altered Buddhist, Taoist, and Chinese folk religious temples, sometimes beating local believers who resisted, and destroyed Buddhist literature and punished publishers.
- The Sino-Vatican agreement on the appointment of bishops signed in September 2018, and renewed in 2020, has led to the Holy See's approval of seven Chinese government-appointed bishops and the joint approval of five bishops as of July 1, 2021. In spite of the agreement, the contents of which remain secret, authorities subjected unregistered ("underground") Catholic clergy to detention, surveillance, and removal from active ministry for resisting pressure to sign an agreement of separation (i.e., "independence") from the Holy See and register with the government. Authorities also continued either to demolish church buildings or to "sinicize" them by removing crosses and other religious symbols, and canceled religious activities and pilgrimages under the pretext of COVID-19 precautions.
- As in previous years, authorities continued to detain Falun Gong practitioners and subject them to harsh treatment, with at least 622 practitioners sentenced for criminal "cult" offenses in 2020, according to Falun Gong news outlet Minghui. Minghui also reported that Chinese authorities continued to torture and mistreat practitioners, and that such abuse, sometimes occurring over several years, caused or contributed to the deaths of dozens of practitioners in 2020 and 2021.
- In addition to committing human rights violations against Uyghurs and other Muslims in the Xinjiang Uyghur Autonomous Region, Chinese authorities, in the name of "sinicizing Islam," expanded their suppression of Muslim groups throughout China to include the Hui, Utsul, and Dongxiang Muslims. Violations included demolishing or altering mosques, or placing surveillance cameras inside them; closing Islamic schools; and restricting Islamic preaching, clothing, and Arabic script.
- Authorities subjected registered Protestant churches to human rights violations similar to those committed against other religious groups and continued to raid and shut down religious gatherings, demolish or alter church buildings, and detain, prosecute, and sentence leaders of unregistered "house churches." Authorities sentenced one Christian online book-seller to seven years in prison.
- Authorities continued to use Article 300 of the PRC Criminal Law, which forbids "organizing and using a cult to undermine implementation of the law," to persecute members of spiritual groups deemed to be illegal or to be "cults" (*xiejiao*), including the Church of Almighty God, Jehovah's Witnesses, and the Association of Disciples.

ETHNIC MINORITY RIGHTS

- During this reporting year, the Chinese Communist Party and government carried out efforts to solidify their control over the cultural and religious identity of the country's ethnic minority groups, in contravention of the PRC Regional Ethnic Autonomy Law and international law. Authorities passed regula-

tions in the Xinjiang Uyghur Autonomous Region (XUAR) and the Inner Mongolia Autonomous Region (IMAR) promoting “ethnic unity,” a year after authorities passed similar regulations in the Tibet Autonomous Region (TAR), in what observers criticized as moves aimed at eradicating ethnic minority cultures. The Chinese Communist Party and government, led by President and Party General Secretary Xi Jinping, carried out policies to further the “sinicization” of religions practiced by ethnic minority groups, including Islam and Tibetan Buddhism.

- Officials in areas with large Hui populations continued to implement policies and restrictions limiting Hui Muslims’ ability to practice their religion and culture. Authorities demolished mosques serving Hui communities, placed Hui scholars and religious leaders under detention and surveillance, closed Arabic-language schools serving Hui students, and ordered the removal of religious inscriptions written in Arabic on Hui Muslims’ homes and businesses. There is evidence that authorities have begun using mass surveillance technologies and systems first implemented in the XUAR in other areas of the country with sizable Hui populations.

- In August 2020, authorities in the IMAR announced that schools throughout the region that previously offered instruction in the Mongolian language would be required, beginning in September, to implement a policy substantially reducing the amount of Mongolian-language instruction in elementary and secondary school classes and replacing it with Mandarin Chinese. Under the new policy, authorities would, using a phased approach, begin requiring teachers to use Mandarin Chinese to teach history, politics, and literature.

- Security authorities responded harshly to those who expressed opposition to the new language policy in the IMAR, including through detaining and beating protesters, issuing “wanted” notices on social media for protesters, and visiting the homes of parents to pressure them to sign pledges committing them to send their children to school. By mid-September 2020, many Mongol parents in the IMAR had begun sending their children back to school because of the threat of punishment by authorities.

POPULATION CONTROL

- Central government authorities rejected calls to end birth restrictions, even though experts raised demographic, economic, and human rights concerns about China’s population control policies. In the past, the Chinese government and Communist Party’s enforcement of birth limitation policies included forced abortion and sterilization. The Chinese government maintained a birth limit policy and announced a new three-child policy in May 2021. Experts urged the Chinese government to implement policies, including financial incentives and other forms of assistance, to encourage couples to have children. They said that if not adequately addressed, China’s decades-long birth limit policies and resultant demographic challenges could undermine China’s economy and political stability.

- New research found that beginning in 2015, and increasingly since 2017, Chinese authorities have used draconian population control measures targeting Uyghurs and other ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR), including detention in mass internment camps, the threat of internment, forced abortions and infanticide in hospital maternity wards, forced sterilizations, and heavy fines. Such measures resulted in “precipitous” birth rate declines of 48.74 percent in the XUAR as a whole from 2017 to 2019, and over 56 percent in one year (2017 to 2018) in counties with an indigenous population of 90 percent or greater.
- The Chinese government’s restrictive population control policies have exacerbated China’s sex ratio imbalance, which media reports linked to the trafficking of foreign women in China for purposes of forced marriage and commercial sexual exploitation.

HUMAN RIGHTS VIOLATIONS IN THE U.S. AND GLOBALLY

- During and prior to the Commission’s 2021 reporting year, the Chinese government and Communist Party, as well as individuals and entities acting with their encouragement or at their direction, conducted a global campaign to silence criticism or chill the expression of political views considered unacceptable by the Party on a range of issues, including events in Hong Kong, the Xinjiang Uyghur Autonomous Region (XUAR), and Taiwan.
- The effects of this campaign fell heavily on Uyghurs living outside China who chose to speak out about abuses in the XUAR. Uyghurs in the United States and elsewhere reported threats and intimidation as well as threats to family members still inside China.
- During this reporting period, the Commission noted increased efforts by the Party and government to harass and intimidate researchers, journalists, and think tanks overseas, especially those working on issues related to the XUAR.
- The Party and government continued to use informal, undeclared forms of extraterritorial economic coercion and intimidation to silence international criticism of its actions and avoid accountability for human rights violations, particularly the ongoing genocide in the XUAR. This economic coercion included undeclared economic sanctions against countries or individual foreign industries; threats to restrict foreign businesses’ or institutions’ access to China; and the use of state-controlled media outlets to signal to individuals, businesses, and institutions inside China which foreign targets merit retaliation.
- The Commission also observed increasing use of formal sanctions by the Chinese government to punish criticism of China, particularly criticism of Chinese government policies in the XUAR and Hong Kong. Among those China formally sanctioned during this reporting period were the Commission and two of its members.
- China’s new National Security Law for Hong Kong—passed by the National People’s Congress in June 2020—contains an

extraterritorial provision potentially criminalizing speech pertaining to Hong Kong, Tibetan areas of China, or the XUAR by persons outside Hong Kong. Following the law's passage, Hong Kong authorities issued a warrant for the arrest of a U.S. citizen for his support of pro-democracy protesters in Hong Kong.

- During this reporting period, the Chinese government and Communist Party continued a longstanding global campaign to discredit universal rights in international institutions, particularly by impeding or redirecting the work of United Nations human rights bodies, in what Human Rights Watch described in 2017 as “a systematic attempt to subvert the ability of the UN human rights system to confront abuses in China and beyond.” These activities seek to reshape international consensus around human rights in ways that diminish the power of the individual to seek redress from the state.
- During and immediately prior to this reporting period, the Commission noted the use or threat of economic coercion against countries considering restrictions on Chinese telecommunications firm Huawei. Countries that responded to concerns regarding potential violations of privacy and free expression rights and surveillance vulnerabilities facilitated by the use of Huawei internet equipment and infrastructure in their 5G networks were met with threats of economic retaliation by Chinese government officials, or pressure from their own business communities prompted by the fear of retaliation.

STATUS OF WOMEN

- Despite numerous policies, laws, and regulations aimed at promoting gender equality and eliminating gender-based discrimination, women in China continue to face forced abortion, sterilization, and serious discrimination in many domains, including employment, wages, education, and through the non-enforcement of laws and regulations intended to protect women's rights and interests. Some commentators expected that the already widespread problem of pregnancy-based workplace discrimination was poised to worsen after the government's announcement of its new three-child policy in May 2021.
- According to the List of Issues the UN Committee on the Elimination of Discrimination against Women sent to the Chinese government in March 2021 in advance of its upcoming review, women in China “remain seriously underrepresented in legislative bodies, decision-making positions and public institutions at both the central and local levels.”
- The Chinese Communist Party and government tightened control over feminists and others advocating for women's rights to freedom of expression and peaceful assembly and association. Little physical space remained for feminists to organize and protest during the reporting year, so their online presence and community became increasingly important. Many prominent feminists, however, were attacked online during the spring of 2021, and several popular social media platforms shut down their accounts. The Party and government likely played a role, either directly or indirectly, in this move to silence feminists' voices online.

- Although the Chinese government continues to take measures aimed at improving the implementation of the PRC Anti-Domestic Violence Law—such as the Supreme People’s Court’s release of 10 new “typical cases” warranting personal safety protection orders—protection orders are rarely issued and domestic violence remains a severe problem. Several high-profile cases highlighted the severity of the problem of domestic violence, and new research published in early 2021 relating to divorce courts’ handling of domestic violence claims underscored the failure of the legal system and law enforcement authorities to protect women’s rights and interests. Some observers in China have expressed concern that the new PRC Civil Code’s provision that requires couples seeking a divorce to first go through a 30-day “cooling-off period” could make the situation for women in abusive marriages even more precarious.
- Sexual harassment is widespread in China, and it was only with the recent adoption of the PRC Civil Code (effective January 1, 2021) that a specific definition of sexual harassment was codified, detailing the kinds of conduct that could be considered sexual harassment, creating liability for perpetrators, and obligating employers to institute measures to prevent and stop workplace sexual harassment. The challenges facing victims of sexual harassment who seek redress through the legal system were highlighted in the landmark #MeToo case brought by Zhou Xiaoxuan (also known as Xianzi), a former college intern at CCTV, against a popular CCTV host, Zhu Jun.
- Reports of gender-based violence against ethnic minority women in the Xinjiang Uyghur Autonomous Region (XUAR) continued to emerge during the reporting year. Uyghur and other Turkic Muslim women who were formerly detained in mass internment camps in the XUAR have reported being subjected to coercive birth control measures, including forced implantation of intrauterine devices (IUDs), forced sterilization, and forced abortion. The former detainees also described beatings, systematic rape, and other forms of abuse and torture.

HUMAN TRAFFICKING

- Chinese government-sponsored forced labor is a form of human trafficking under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol). A March 2021 Jamestown Foundation report showed how authorities carried out forced labor programs not only for the economic benefit of participating companies, but also for the purpose of diluting the cultural and religious practices of ethnic minority residents of the Xinjiang Uyghur Autonomous Region (XUAR), as well as reducing their population density.
- Since 2017, the U.S. State Department has listed the Chinese government as one of the worst human trafficking offenders in the world. This year, for the second consecutive year, China was also listed as 1 of 11 countries that had a “government policy or pattern” of human trafficking.
- In June 2021, 12 UN human rights experts expressed concern over “credible information” that indicated that “specific

ethnic, linguistic or religious minorities held in detention” in China were targeted for forced organ removal.

- Government policies that contributed to the risk of human trafficking included the following:

- Government poverty alleviation programs;
- “Xinjiang Aid” programs;
- Restrictions on movement imposed by the household registration system;
- Chinese workers’ limited right to freedom of association;
- Population control policies;
- Repatriation of North Korean refugees in China to the Democratic People’s Republic of Korea; and
- Hong Kong government policies toward migrant domestic workers.

NORTH KOREAN REFUGEES IN CHINA

- During the Commission’s 2021 reporting year, the Chinese government continued to detain North Korean refugees in China and attempt to forcibly repatriate them to the Democratic People’s Republic of Korea (DPRK), where they face severe punishment, including torture, imprisonment, forced labor, and even execution. The forced 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.”

- The majority of North Korean refugees escape to South Korea via China and Southeast Asian countries. During the past year, however, border controls resulting from the COVID-19 pandemic dramatically reduced the flow of migrants to China, and onward to third countries. The South Korean government reported that about 229 North Korean refugees escaped to South Korea in 2020, a 78 percent drop from 2019, and a 92 percent drop from the 2009 peak.

- South Korean missionaries and organizations have played a crucial role in assisting and facilitating the movement of North Korean refugees in China. Chinese authorities’ crackdown on and expulsion of South Korean missionaries in recent years have undermined refugee rescue work carried out by the missionaries.

- 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 exposes them to the risk of being trafficked within China. The Chinese government may also be complicit in the forced labor of women sent by the DPRK government to work in 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 constitutes a violation of the PRC Nationality Law and the Convention on the Rights of the Child.

PUBLIC HEALTH

- The Chinese government and Communist Party’s public health response to the COVID-19 pandemic exposed authorities’ reliance on entrenched patterns of authoritarian control, not only through “cover-up and inaction” at the time of outbreak but also through ongoing “secrecy and top-down control” over scientific research and information sharing. Researchers this past year also documented the government and Party’s widespread promotion of propaganda and misinformation in China and globally in an attempt to shape a positive narrative about the government and Party’s response to the COVID-19 pandemic, as well as to promote misinformation about the origins of SARS-CoV-2.
- Authorities have harassed, detained, and in several cases prosecuted individuals who attempted to document the COVID-19 outbreak or advocate for victims of COVID-19. In December 2020, Shanghai municipality authorities sentenced citizen journalist **Zhang Zhan** to four years in prison for her efforts to document COVID-19 in Wuhan municipality, Hubei province, the epicenter of the outbreak. In May 2021, a court in Beijing municipality tried two anti-censorship advocates, **Cai Wei** and **Chen Mei**, in connection with archiving news reports about the COVID-19 outbreak and epidemic in China.
- Health officials in China reportedly began to vaccinate select groups using domestically produced COVID-19 vaccines in China in July 2020 under an emergency use program, while the vaccines were still undergoing clinical trials. As of June 2021, 622 million people had been at least partially vaccinated in China, covering about 45 percent of the country’s population. Numerous factors may have contributed to low vaccination rates, including the lack of publicly available information in China about COVID-19 vaccines, the distribution of the vaccines while they were still in experimental trials, and inequitable access to vaccinations.
- Although the Chinese government rejected calls for an independent, international investigation of the origins of SARS-CoV-2, a joint study with the World Health Organization (WHO) took place in January and February 2021. The government and Party obstructed the joint study during negotiations over its mandate, terms of reference, and timing; restricted access afforded the international experts while they were in China; and influenced findings in the final report of March 2021. The WHO Director-General, multiple governments, and international experts called for further investigation of the origins, including a rigorous examination of the hypothesis that the origins are linked to a lab incident in China. Moreover, the WHO Director-General in July 2021 noted that there had been a premature push to discount the lab theory. In July, the Chinese government categorically rejected the WHO’s proposal for a second-phase study that entails laboratory and market audits in Wuhan.
- The Chinese government and Communist Party’s crackdown on civil society engagement in public health advocacy, as well

as on rights defenders and journalists, begun in 2013, indirectly weakened the official response to the COVID-19 outbreak, resulting in serious consequences “not just for China, but for the world,” according to three longtime civil society advocates in a November 2020 article for the Diplomat. This past year, authorities detained lawyer **Chang Weiping** and two advocates for vaccine safety, **He Fangmei** and **Hua Xiuzhen**. **Cheng Yuan**, **Liu Dazhi**, and **Wu Gejianxiong** of Changsha Funeng—a non-governmental organization in Hunan province working to counter discrimination against persons with health conditions—remained in detention for alleged “subversion of state power” for a second year although a closed-door trial reportedly took place in September 2020.

THE ENVIRONMENT AND CLIMATE CHANGE

- During the Commission’s 2021 reporting year, Chinese citizens continued to face problems of water pollution and water scarcity. In its 2020 National Environmental and Ecological Quality Report, the PRC Ministry of Ecology and Environment found that 83.4 percent of tested surface water and 13.6 percent of tested groundwater in China was fit for human consumption. Nine provinces and municipalities in China suffer from water scarcity. In addition, the construction of dams along major rivers in China may have a negative impact on countries downstream.
- China continues to experience high levels of air pollutants, contributing to negative health effects including premature death. For example, exposure to air pollution in Beijing and Shanghai municipalities reportedly resulted in approximately 49,000 premature deaths in the first half of 2020.
- Although the official “Olympic and Paralympic Winter Games Beijing 2022 Carbon Management Plan” lists measures to reduce and offset carbon emissions among its main objectives, doubts remain as to whether measures to reduce air pollution will be sufficient to reduce the risk to Olympic athletes’ health, including from pollutants such as carbon, methane, and sulfur.
- Chinese citizens continued to raise concerns about the environment through street-level protests and other forms of public advocacy at the risk of being persecuted. Individuals detained for environmental advocacy during the 2021 reporting year included **Li Genshan**, **Zhang Baoqi**, and **Niu Haibo**. In addition, authorities briefly detained teenage advocate **Howey Ou Hongyi** after she staged a Global Climate Strike in Shanghai municipality.

BUSINESS AND HUMAN RIGHTS

- Chinese and international businesses continue to be at risk of complicity in—and of profiting from—the Chinese government and Communist Party’s increased use of forced labor to suppress ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR). As part of their efforts to dilute the population of Uyghurs in the XUAR, authorities systematically forced pre-

dominantly Muslim ethnic minority individuals, including Uyghurs and others, to engage in forced labor, both in the XUAR and in other parts of China. Reports of forced labor in cotton harvesting, solar panel production, and personal protective equipment production, as well as manufacturing in general, mean that the supply chains of many major brands may now be tainted with forced labor. Firms cannot rely on factory audits to ensure that their supply chains are free of forced labor in the XUAR; several due diligence organizations, labor experts, and U.S. Government agencies pointed to numerous problems with audits conducted in the XUAR.

- Chinese government restrictions on freedom of expression increased this past year, and companies were both targets and enablers of Chinese government censorship. During this reporting year, the Chinese messaging app **WeChat** censored content related to the COVID-19 pandemic; local governments and Party organizations hired private companies to help monitor and censor online public commentary; **Apple** removed apps from its app store that covered sensitive topics such as the Dalai Lama, Tiananmen Square, and Taiwan; and the Party and government threatened corporations with the loss of revenue or other forms of punishment if they voiced their support for addressing forced labor and other human rights violations in the XUAR. Following the backlash against Western brands who expressed concern over cotton produced in the XUAR, Chinese and international companies, including **Anta Sports, Asics, FILA, Kelme, Li Ning, Muji, and Peak**, publicly affirmed their continued use of cotton produced in the XUAR.

- Chinese companies continued to assist in the surveillance efforts of the government and Party. Reporting from IPVM and international media implicated Chinese companies such as **Alibaba, Bresee, Dahua, DeepGlint, Hikvision, Huawei, Kingsoft, Maiyuesoft, Megvii, SenseTime, Uniview, and Vikor** in the production of technology that can be used for profiling Uyghurs and targeting other marginalized communities in China. The Intercept found that **Oracle** provided surveillance technologies to public security bureaus throughout China.

- The lack of protection of Chinese workers under Chinese law and a lack of enforcement of the rights of Chinese workers allowed for continued abusive practices toward workers in the supply chains of Chinese and international companies. The Commission observed reports of the existence of International Labour Organization (ILO) indicators of forced labor in the supply chains of **Aldi, Apple, BYD** (which sold masks to the State of California), **Chicco, Costco, Fisher-Price, Lidl, Tomy, and Wuling Motors**. While corporations continue to rely on audits to vet factories in their supply chains, reporting by the South China Morning Post and Sourcing Journal found that fraudulent practices continued to make factory audits in China unreliable.

CIVIL SOCIETY

- The Chinese Communist Party and government became increasingly repressive during this reporting year, and thus the space for civil society, already tightly restricted, narrowed even further. The Party's focus on total control over Chinese society intensified in light of the Party's 100th anniversary, which was marked on July 1, 2021.
- The Ministry of Civil Affairs, together with 21 other Party and state ministries and departments, issued a new policy aimed at eliminating the tactics and remaining space that unregistered civil society organizations use to operate and survive. In conjunction with the March 2021 announcement of the policy in an order titled "Circular on Eliminating the Breeding Grounds for Illegal Social Organizations and Cleansing the Ecological Space for Social Organizations," the government launched a related campaign, scheduled to conclude before the July 1 Party centenary, that targeted five types of "illegal social organizations."
- Chinese civil society groups faced additional constraints from the government's implementation of the PRC Law on the Management of Overseas Non-Governmental Organizations' Activities in Mainland China and the Hong Kong National Security Law, which threatened to obstruct the ability of Hong Kong-based international non-governmental organizations to support rights-related programs and advocacy in mainland China.
- The government and Party continued to arbitrarily detain Chinese citizens who engaged in the peaceful exercise of their rights pursuant to the Universal Declaration of Human Rights and other international human rights standards. The government and Party intimidated and harassed other civil society advocates, including the teen climate activist Ou Hongyi (also known as Howey Ou), who left China for Europe in January 2021.
- Chinese government and Communist Party officials closed organizations and halted activities they had previously tolerated, signaling a greater tightening of civic space. For example, in August 2020, pressure and intimidation from local authorities led to the closure of ShanghaiPRIDE, the longest running gay pride festival and event platform in China. Civic space also decreased as a result of the COVID-19 pandemic.
- Civic space for women's rights advocacy further narrowed this year. In April 2021, a substantial number of feminist activists were effectively denied their main remaining platform in China when Weibo closed their accounts, likely with direct or tacit support from Chinese officials.
- The lesbian, gay, bisexual, transgender, and questioning (LGBTQ) community in China continued to face many challenges—including persistent stigma, widespread discrimination, harassment, and inequities in property rights. Chinese government authorities increased restrictions on LGBTQ advocacy and organizing, as they have done with other advocacy groups. Chinese law neither recognizes same-sex marriage nor otherwise protects same-sex relationships.

- Chinese law does not protect sexual and gender minorities, and a growing number of lawsuits brought by LGBTQ individuals claiming employment discrimination have been filed to raise public awareness and push for change. Despite the narrowing of civil society space in China generally, during this reporting year, LGBTQ legal advocacy organizations held trainings for lawyers, and a non-profit foundation was created to provide legal aid to LGBTQ individuals. In early 2021, LGBTQ advocates expressed concern that a new rule targeting “self-publishing” online could lead to self-censorship and impact the ability to organize online for LGBTQ rights.
- LGBTQ individuals continued to be subjected to “conversion therapy,” and other forced, involuntary or otherwise coercive or abusive treatments,” which the UN Committee against Torture recommended that China ban in a non-binding report.

INSTITUTIONS OF DEMOCRATIC GOVERNANCE

- The Chinese Communist Party’s efforts to extend control over all sectors of society violate citizens’ right to fully participate in public affairs. As the Party’s dominance permeates society, the space for institutions of democratic governance diminishes, thereby weakening citizens’ ability to hold authorities accountable for human rights violations.
- In anticipation of its centenary, the Party further strengthened its members’ political alignment with Party General Secretary Xi Jinping by launching a series of political campaigns with the aim of removing disloyal members from the Party and from political-legal bodies such as the judiciary and procuratorate. For example, the police force, generally regarded as a government body, is overtly being politicized as Xi Jinping conferred on it a new flag with a design symbolizing the Party’s leadership.
- The Communist Party Central Committee Political Bureau issued regulations governing the operations of the Party Central Committee. The rules required the Committee, which is one of the two highest political bodies in China, to protect Xi Jinping’s position as the core leader, despite the Committee’s constitutional duty to appoint the General Secretary, a position currently held by Xi.
- The Party declared that it had eliminated absolute poverty as part of its centenary goal of building a moderately prosperous society. Said declaration, however, does not address poverty and widening income disparity relative to China’s overall economic status. Furthermore, centrally imposed economic development plans aiming to alleviate poverty have had negative effects particularly in ethnic minority communities, where environmental damage and forced relocations have harmed their way of life and rendered some homeless.

ACCESS TO JUSTICE

- To the extent that citizens rely on courts to protect their rights against state encroachment, political pressure on the court system undermines their ability to access justice. The

Chinese Communist Party (Party) goes beyond mere influence and expressly requires absolute loyalty and obedience from the courts.

- Five years after the nationwide, coordinated crackdown on human rights lawyers and advocates, authorities continued to persecute them by such means as imprisonment, detention, and revocation of law licenses.
- The Supreme People's Court required judges and candidates for judicial positions to undergo training that emphasizes political ideology and loyalty. Requiring that Party General Secretary Xi Jinping's ideology "penetrate every lesson," the training goes beyond legal skills to include areas such as public opinion manipulation and strategies to mobilize the masses.
- Central authorities' proposal to further expand legal aid services will not necessarily increase citizens' ability to access justice. For example, citizens from Wuhan municipality, Hubei province, faced harassment, and the court rejected their filings alleging that the government mishandled the COVID-19 outbreak.

XINJIANG

- In 2021, the U.S. State Department found that China had committed genocide and crimes against humanity against Uyghurs and other ethnic and religious minority groups in the Xinjiang Uyghur Autonomous Region (XUAR). The State Department found that acts constituting genocide and crimes against humanity included arbitrary detention, forced abortion and forced sterilization, rape, torture, forced labor, and the violation of freedom of religion, expression, and movement. Parliamentarians in the United Kingdom, Canada, the Netherlands, Lithuania, and the Czech Republic have also determined that Chinese authorities committed genocide in the XUAR. Independent experts on international law also found that authorities had committed genocide and crimes against humanity against Turkic and Muslim peoples in the XUAR.
- International researchers and journalists found evidence during this reporting year that authorities continued to expand detention facilities, including mass internment camps, and built new camps and other detention facilities in recent years, including as recently as January 2020. Reports published this past year indicated that XUAR officials continued to sentence many Turkic and Muslim individuals to prison, often following their detention in a mass internment camp. Observers noted that the recent expansion and construction of prisons, the transfer of prisoners to locations outside the XUAR, and the phenomenon of deferred sentences indicate that the scale of imprisonment in the past several years has been so great that it has overwhelmed the existing prison infrastructure in the XUAR.
- Officials carried out some of the most egregious acts of persecution of ethnic minorities in the XUAR against women. According to survivor and witness testimony, as well as researchers' analysis of official documents and other sources, ethnic minority women in the XUAR have been subjected to rape and

sexual abuse in mass internment camps and as a result of intrusive state-mandated homestay programs.

- Researchers' analyses of population statistics and other documents published by the Chinese government showed that an increase in forced sterilization, intrauterine device (IUD) insertions, and abortions among ethnic minority women, together with an increased rate of detention among ethnic minority populations, led to significant decreases in natural population growth among ethnic minority communities. According to a report published by the Australian Strategic Policy Institute, proportionally, birth rates may have dropped more in the XUAR than in any other location in the world since 1950 between 2017 and 2019—a decline “more than double the rate of decline in Cambodia at the height of the Khmer Rouge genocide.”

- Reports published during the past year described authorities' systematic separation of ethnic minority children in the XUAR from their families and their forcible placement in state-run orphanages, welfare centers, and boarding schools. This forcible displacement of children has been carried out in violation of the PRC Law on the Protection of Minors and the United Nations Convention on the Rights of the Child. According to international media reports, many of the children placed in these facilities had at least one parent in detention.

TIBET

- The Commission did not observe any interest or progress on the part of Chinese Communist Party and government officials in resuming formal negotiations with the Dalai Lama's representatives. The last round of negotiations, the ninth, was held in January 2010.

- The Party and government continued to restrict, and seek to control, the religious practices of Tibetans. Officials in Tibetan areas of China continued to enforce restrictions on religious observance or expressions of faith, including by prohibiting individuals from participating in religious events or celebrating holidays.

- The Party and government continued to assert control over the processes of selection and recognition of Tibetan Buddhist reincarnated teachers, including the Dalai Lama. The Dalai Lama and Tibetan Buddhist leaders outside China maintained that the decision to reincarnate, or not, belongs only to the individual in question and members of the Tibetan Buddhist religious community.

- For the first year since 2010, the Commission did not observe any reports of Tibetan self-immolations. A previously unreported self-immolation brought the number of Tibetan self-immolations since 2009 reportedly focusing on political or religious issues to 151. Shurmo self-immolated in a September 2015 protest and died the same day in the hospital.

- In August 2020, top Communist Party leadership convened the Seventh Tibet Work Forum in Beijing municipality. Communist Party leaders attended the two-day symposium, where in an address Party General Secretary and President Xi

Jinping said that the Party's policies on Tibet were "completely correct" and called for the continued "sinicization" of Tibetan Buddhism and increased efforts to shape public opinion to support Party policy on "ethnic unity."

- In contravention of international human rights standards, security officials continued to punish residents of Tibetan areas of China for the exercise of their protected rights, including expression of religious belief, protest against or criticism of government or Party policies, and free speech. Notable cases this past year included those of songwriter **Khadro Tseten**, sentenced to seven years in prison for writing a song praising the Dalai Lama; **Rinchen Tsultrim**, a Bon monk imprisoned for his online writing about Tibetan culture and politics; and **Tenzin Nyima** (or Tame), a 19-year-old Tibetan Buddhist monk who died in January 2021 after severe mistreatment in official custody.

DEVELOPMENTS IN HONG KONG AND MACAU

- Despite repeatedly professing to uphold the "one country, two systems" model, central authorities continued to disregard and effectively nullify Hong Kong's high degree of autonomy, such as by unilaterally passing election reforms for the selection of the Chief Executive and Legislative Council members without any meaningful participation by Hong Kong residents. Among other changes, one election reform reconstituted the election committee by diluting or eliminating seats that traditionally favor the pro-democracy camp.

- Hong Kong authorities continued to enforce the National Security Law (NSL), resulting in over a hundred arrests, the majority of which were for peaceful assembly or engaging in political activities. In January 2021, for example, police arrested more than 50 pro-democracy advocates in connection with their organization of, or participation in, the July 2020 primary election, which was in practice an informal opinion poll designed to improve coordination among pro-democracy candidates to increase the chance of attaining a majority in the Legislative Council. The Hong Kong government, however, alleged that the arrestees had endangered national security.

- The Hong Kong government repressed the media, such as by raiding a pro-democracy newspaper and detaining its founder, and by overhauling the governance of the city's public broadcaster and prosecuting one of its journalists in connection with her investigation into allegations of police misconduct. The Hong Kong Police Force also revised its operational guidelines and adopted a narrower definition of "journalist," which had the effect of excluding many independent journalists from restricted areas and exposing them to potential criminal liability.

- The Hong Kong government exercised unprecedented supervision and suppression of internet activity under the authorities of the NSL. On January 13, 2021, the Hong Kong Broadband Network blocked public access to HKChronicles, a website promoting pro-democracy viewpoints. On January 28, 2021, the Hong Kong Internet Registration Corporation Limited, a company designated by the government to administer

internet domain name registration, enacted a revised “acceptable use” policy that enables it to reject website registration requests that may “promote any illegal activity.” On February 12, 2021, internet service providers blocked access in Hong Kong to the Taiwan Transitional Justice Commission website. Additionally, major technology companies including Facebook, Twitter, WhatsApp, and Google have stopped reviewing requests for user data from Hong Kong authorities.

- As obligated by the NSL, the Hong Kong government must promote “national security education in schools and universities.” The government implemented a national security-focused curriculum and regulated speech in schools, prohibiting students from singing a protest anthem or expressing political demands. It also instituted a review process for liberal studies textbooks, resulting in the deletion or modification of content concerning the 1989 Tiananmen protests, separation of powers, and the demand for universal suffrage.

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 2021 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 July 2021)
<p>Sun Qian 2021-00391</p>	<p>Date of Detention: February 19, 2017 Place of Detention: Beijing Municipality No. 1 PSB Detention Center Charge(s): Organizing or using a cult to undermine implementation of the law Status: Sentenced to 8 years Context: Police detained Sun Qian, a Canadian citizen, health technology company executive, and Falun Gong practitioner, in a February 2017 raid on her Beijing home. In the raid, police seized Falun Gong materials. Following a September 2018 trial, the Chaoyang District People’s Court sentenced her on June 30, 2020, to 8 years in prison in connection with her practice of Falun Gong. Additional Information: Authorities prevented Sun from obtaining legal counsel of her choice by pressuring her lawyers to withdraw from the case, and abused her in custody by shackling her for extended periods and pepper spraying her. Upon sentencing, Sun allegedly renounced her Canadian citizenship under duress.</p>

Name PPD Record No.	Case Summary (as of July 2021)
<p>Tashpolat Teyip 2019-00064</p>	<p>Date of Detention: March 2017 Place of Detention: Unknown location in the Xinjiang Uyghur Autonomous Region (XUAR) Charge(s): Separatism, possibly bribery Status: Unclear; possibly sentenced to death with two-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. Additional Information: In a January 3, 2020, press conference, however, XUAR authorities said that Urumqi police had detained Teyip in May 2018 on suspicion of accepting bribes, and that his case had gone to trial before the Urumqi Intermediate People’s Court in June 2019. His current status is unclear.</p>
<p>Li Yuhan 2017-00361</p>	<p>Date of Detention: October 9, 2017 Place of Detention: Shenyang Municipal No. 1 PSB Detention Center, Liaoning province Charge(s): Picking quarrels and provoking trouble, fraud Status: Formally arrested, awaiting trial 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 conditions including heart disease, hypertension, and hyperthyroidism. Staff at the detention center reportedly urinated on her food, denied her hot water for showering, denied her medical treatment, and threatened that they would beat her to death. In March 2018, Li went on a hunger strike to protest mistreatment, which prompted detention center officials to force-feed her. Detention center officials have blocked her lawyer from meeting her since January 2020, citing the COVID-19 pandemic.</p>

Name PPD Record No.	Case Summary (as of July 2021)
<p>Yu Wensheng 2014-00387</p>	<p>Date of Detention: January 19, 2018 Place of Detention: Xuzhou Municipal PSB Detention Center, Jiangsu province Charge(s): Inciting subversion of state power Status: Sentenced to 4 years Context: On January 18, 2018, rights lawyer Yu Wensheng published an open letter calling for democratic reforms to China's Constitution, including subordinating the Communist Party to constitutional and legal oversight. The next day, Beijing police detained him outside his home. Later that month authorities sent him to Xuzhou, where he was placed under "residential surveillance at a designated location." In May 2019, his wife received a phone call informing her that Yu had been tried several days prior, though neither she nor Yu's lawyers were notified beforehand. The court sentenced Yu over a year later, in June 2020.</p>
<p>Erkin Tursun 2019-00190</p>	<p>Date of Detention: March 2018 Place of Detention: Ghulja (Yining) city, Ili (Yili) Kazakh Autonomous Prefecture, XUAR Charge(s): "Harboring criminal[s]", "inciting national enmity and discrimination" Status: Sentenced to 19 years and 10 months Context: In March 2018, Ghulja county police detained Erkin Tursun, a Uyghur television producer and journalist for a state broadcaster, later transferring him to the custody of Ghulja city authorities. His detention was reportedly related to an award-winning program he produced in 2017 that covered poverty among Uyghur children. In November 2019, the Chinese government told the UN Working Group on Enforced or Involuntary Disappearances that Tursun had been sentenced in May 2018 to 19 years and 10 months' imprisonment for "harboring criminal[s] and inciting national enmity and discrimination." Additional Information: In late 2017, Ghulja authorities detained Tursun's wife Gulnar Telet and held her at a mass internment camp (exact location unknown). She may have been released in 2019.</p>
<p>Renagul Gheni 2021-00393</p>	<p>Date of Detention: Unknown date in 2018 Place of Detention: Cherchen (Qiemo) county, Bayangol (Bayinguoleng) Mongol Autonomous Prefecture, XUAR Charge(s): Unknown Status: Sentenced to 17 years Context: After Uyghur painter and art teacher Renagul Gheni's sister lost touch with her in 2018, she later learned that authorities detained Renagul on an unknown date the same year and held her in a mass internment camp. Her sister reported that authorities later sentenced Renagul to 17 years in prison for praying at their father's funeral and possessing a Quran.</p>

Name PPD Record No.	Case Summary (as of July 2021)
<p>Wang Yi 2018-00615</p>	<p>Date of Detention: December 9, 2018 Place of Detention: Jintang Prison, Chengdu municipality, Sichuan province Charge(s): Inciting subversion of state power, illegal business activity Status: Sentenced to 9 years 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. Authorities refused to allow the lawyer hired by Wang's family to represent him at his December 2019 trial and sentencing. Reports this past year described his deteriorating health and said that his cellmates kept him under surveillance. Additional Information: In addition to Wang, authorities detained at least 100 Early Rain members beginning in December 2018. Among those whom authorities released, many remained under surveillance, including Wang's wife Jiang Rong. Church members reported that while in detention they were force-fed unknown medication and coerced to confess or to falsely accuse Wang and other church leaders of wrongdoing.</p>
<p>Khadro Tseten 2020-00165</p>	<p>Date of Detention: April 26, 2019 Place of Detention: Rebgong (Tongren) county, Malho (Huangnan) Tibetan Autonomous Prefecture (TAP), Qinghai province Charge(s): Subversion of state power, leaking state secrets Status: Sentenced to 7 years Context: Authorities in Tsekhog (Zeku) county, Malho TAP, detained three Tibetans in April 2019 for their involvement in making or sharing online a song praising the Dalai Lama. In 2020, an unidentified court sentenced lyricist Khadro Tseten to 7 years in prison and singer Tsego to 3 years, but reportedly released the third person, an unidentified woman who shared the song on WeChat. Khadro Tseten and Tsego were reportedly held in Rebgong county after sentencing.</p>

Name PPD Record No.	Case Summary (as of July 2021)
<p>Rinchen Tsultrim 2020-00311</p>	<p>Date of Detention: August 1, 2019 Place of Detention: Mianyang Prison, Sichuan province Charge(s): Inciting separatism Status: Sentenced to 4 years or 4 years, 6 months Context: In August 2019, police in Ngaba (Aba) county, Ngaba (Aba) Tibetan and Qiang Autonomous Prefecture, Sichuan, detained Rinchen Tsultrim, a monk at Nangzhig Monastery, in connection with posts he made on WeChat about political and religious issues in Tibet. In March 2020, the Ngaba State Security Bureau revealed that he was under investigation for “inciting separatism.” In March 2021, authorities told Rinchen Tsultrim’s family that he had been sentenced; sources variously reported a prison sentence of 4 years, or 4 years and 6 months. Additional Information: Prior to his detention, local authorities warned and briefly detained Rinchen Tsultrim after he shared information in WeChat groups and mailed books within Tibet that he had received from abroad.</p>
<p>Niu Tengyu 2021-00062</p>	<p>Date of Detention: August 22, 2019 Place of Detention: Sihui Prison, Zhaoqing municipality, Guangdong province Charge(s): Picking quarrels and provoking trouble; infringing on citizens’ personal information; illegal business activity Status: Sentenced to 14 years Context: In August 2019, public security officials took into custody 20-year-old coder Niu Tengyu and held him in Maoming municipality, Guangdong, as part of a major crackdown on users of the internet site Esu Wiki on which personal information of two relatives of Party General Secretary Xi Jinping allegedly had been published. The court sentenced Niu to serve a total of 14 years in prison and fined him 130,000 yuan. Additional Information: From December 10, 2019 to January 22, 2020, authorities held Niu under “residential surveillance at a designated location” to investigate him on a charge of endangering state security. Authorities tortured Niu, including use of the “tiger bench,” hanging him by his arms, burning his genitals, pouring saline solution over his injuries, and causing permanent injury to his right hand.</p>

Name PPD Record No.	Case Summary (as of July 2021)
<p>Joshua Wong Chi-fung 2021-00009</p>	<p>Date of Detention: November 23, 2020 Place of Detention: Shek Pik Prison, Hong Kong, SAR Charge(s): Unauthorized assembly; conspiracy to commit subversion Status: Sentenced to 13.5 months, awaiting further trial Context: Hong Kong authorities have detained Joshua Wong Chi-fung multiple times since 2014 based on at least six sets of factual allegations related to his activism. In one such detention, Wong was remanded to custody on November 23, 2020, after pleading guilty to the charges of organizing, inciting others to take part in, and knowingly taking part in an unauthorized assembly. The charges were related to a protest that took place near the police headquarters in June 2019. On December 2, 2020, the West Kowloon Magistrates' Courts sentenced Wong to 13.5 months in prison. While in prison, Wong was arrested by police in January 2021 for "conspiracy to commit subversion," citing his participation in the non-binding primary election held in July 2020, in which pro-democracy activists tried to improve coordination among themselves in the upcoming Legislative Council election, thereby gaining a majority there.</p>
<p>Zhang Zhan 2020-00175</p>	<p>Date of Detention: May 19, 2020 Place of Detention: Shanghai Women's Prison Charge(s): Picking quarrels and provoking trouble Status: Sentenced to 4 years Context: On May 14, 2020, unknown individuals "disappeared" citizen journalist Zhang Zhan in Wuhan municipality, Hubei province, the epicenter of the COVID-19 outbreak, in connection with her efforts to document the epidemic on WeChat, Twitter, YouTube, and other social media platforms. The Pudong New District People's Court in Shanghai municipality tried and sentenced Zhang on December 28, 2020. Additional Information: After the trial, her then-lawyer Zhang Keke said that Zhang had gone on a hunger strike and appeared to have "lost a significant amount of weight and was almost unrecognizable from even just a few weeks before."</p>

Name PPD Record No.	Case Summary (as of July 2021)
<p>Jimmy Lai Chee-ying 2020-00323</p>	<p>Date of Detention: February 28, 2020 Place of Detention: Stanley Prison Charge(s): Collusion with a foreign country or with external elements to endanger national security; conspiracy to defraud Status: Sentenced to 14 months, awaiting further trial Context: Since February 2020, Hong Kong authorities have detained Jimmy Lai Chee-ying based on at least five sets of factual allegations related to his activism. Separately on February 28 and April 18, 2020, police arrested Lai on charges of “unauthorized assemblies” that took place in August and October 2019, releasing him on bail on the same day on both occasions. In April 2021, the West Kowloon Magistrates’ Courts convicted Lai, sentencing him to 14 months in prison. On June 11, 2020, police arrested Lai on charges of participating in and inciting others to participate in unauthorized assembly relating to a vigil on June 4, 2020, that commemorated the 1989 Tiananmen protests. On August 10, 2020, Hong Kong police took Jimmy Lai Chee-ying into custody on suspicion of “conspiracy to defraud” and “collusion with a foreign country or with external elements to endanger national security” under the National Security Law (NSL). Lai is the founder of Apple Daily, which media sources have described as a pro-democracy publication. On the same day, police also detained nine other individuals, including Lai’s two sons and other democracy advocates and newspaper executives. While in prison, Lai was arrested in February 2021 on allegations that he had helped 12 political activists escape from Hong Kong to Taiwan.</p>
<p>Li Genshan 2020-00248</p>	<p>Date of Detention: September 9, 2020 Place of Detention: Zhongwei municipality, Ningxia Hui Autonomous Region Charge(s): Picking quarrels and provoking trouble, extortion, illegally hunting or killing precious wildlife Status: Formally arrested, awaiting trial Context: Zhongwei police criminally detained environmental advocate Li Genshan on September 9, 2020, alongside two fellow volunteers, in connection with their advocacy work. By the end of the month, police had detained 14 individuals in total as part of the case, and formally charged eight of them, including Li. Li and several of those detained were volunteers with the Zhongwei Mongolian Gazelle Patrol Team, which sought to protect local wildlife. Li and other members of the patrol team had previously reported corporations for environmental destruction and local forestry police for allegedly protecting poachers.</p>

Name PPD Record No.	Case Summary (as of July 2021)
<p>Carol Ng Man-ye 2021-00489</p>	<p>Date of Detention: January 6, 2021 Place of Detention: Lo Wu Correctional Institution, Hong Kong, SAR Charge(s): Subversion Status: Formally arrested, awaiting trial Context: On January 6, 2021, in an operation involving over 1,000 officers, Hong Kong police arrested 53 individuals on suspicion of violating the National Security Law. The arrests were connected to their involvement in a non-binding primary election held in July 2020, which aimed at securing a majority in the Legislative Council by improving coordination among candidates in the pro-democracy camp. On January 7, police arrested two other individuals who were serving time for prior convictions, bringing the total number of arrestees to 55. Carol Ng was among those detained on January 6. She quit the Labour Party and resigned as the chairperson of the Hong Kong Confederation of Trade Unions shortly after she was formally charged with “subversion” in March.</p>
<p>Chen Guojiang 2021-00061</p>	<p>Date of Detention: February 25, 2021 Place of Detention: Chaoyang District PSB Detention Center, Beijing Charge(s): Picking quarrels and provoking trouble Status: Formally arrested, awaiting trial Context: Shortly before delivery worker and labor advocate Chen Guojiang’s detention, he called for work stoppages by delivery workers to protest delivery platforms’ withholding of New Year bonuses from drivers. Since 2019, Chen has posted videos to social media highlighting the precarious working conditions of delivery workers, and he ran multiple WeChat discussion groups with membership totaling over 14,000 delivery workers. Additional Information: After a previous call for a work stoppage, authorities detained Chen for 26 days in October 2019.</p>

GENERAL RECOMMENDATIONS TO CONGRESS
AND THE ADMINISTRATION

The Commission makes the following recommendations for Administration and congressional action, recognizing that a shared commitment to the rule of law and international standards of human rights is the foundation on which international security, democratic governance, and prosperity are built.

• **End Forced Labor Imports.** Global supply chains remain at significant risk of containing goods made with forced labor, particularly with the expansion of the Chinese government’s “labor transfer” programs in the Xinjiang Uyghur Autonomous Region (XUAR). Congress must take a zero-tolerance approach to the importation of goods suspected to be made with forced labor. Congress should pass the Uyghur Forced Labor Prevention Act (S. 65/H.R. 1155), which prohibits goods made with forced labor in the XUAR, or by entities using forced labor transferred from the XUAR, from entering the U.S. market. In addition, the Administration should:

- Continue to issue Withhold Release Orders (WROs) through U.S. Customs and Border Protection pursuant to 19 CFR § 12.42(e) targeting companies complicit in the use of forced labor, including those companies using forced labor in the mining and production of polysilicon, a key component in the manufacturing of solar panels;
- Increase appropriations for U.S. Customs and Border Protection to enforce the prohibition on importation of goods produced with forced labor, including through expanding the existing forensic verification-of-origin testing technology, which can identify trace amounts of cotton and other products and link it to the XUAR;
- Sanction individuals engaged in significant labor trafficking under section 111 of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7108); and
- Issue a report on the U.S. Government’s procurement process and forced labor with the aim of excluding any companies engaged in the production of goods using the forced labor of ethnic minorities or other persecuted groups in China.

• **Stop Atrocity Crimes.** The Administration, building on its determination that genocide is occurring in the XUAR, should work with Congress to hold Chinese officials and other entities accountable for genocide and crimes against humanity, including by providing legal and technical assistance to groups documenting horrific human rights abuses and by supporting victims seeking damages for human trafficking and atrocity crimes. In addition, the Administration should:

- Continue to use available sanctions authorities, including those provided by the Global Magnitsky Human Rights Accountability Act (Title XII, Subtitle F of Public Law No. 114–328; 22 U.S.C. § 2656 note) and the Uyghur Human Rights Policy Act (22 U.S.C. 6901 note);
- Issue new export regulations defining the human rights and national security interests prohibiting the sale of emerging technologies including facial recognition systems, machine

learning, and biometric and artificial intelligence technology, particularly those used for mass surveillance and social control;

- Expand the Commerce Department’s Entity List of companies assisting the Chinese government in committing atrocities and other severe human rights abuses in the XUAR;
- Coordinate with allies and partners to advocate for the creation of a mandate for a United Nations special rapporteur on the XUAR, or other mechanisms to address the Chinese government’s egregious human rights abuses, and the formation of a UN Commission of Inquiry on the XUAR; and
- Request an open debate or, at the very least, an Arria-formula briefing on the XUAR at the UN Security Council.

• **Support Victims of Persecution.** As long as the Chinese government’s human rights abuses continue unabated, Congress and the Administration should ramp up efforts to protect those fleeing persecution, prioritizing steps to:

- Remove barriers to Hong Kong residents in receiving U.S. visas, particularly those attempting to exit Hong Kong for fear of political persecution, and extend Priority 2 refugee status to these individuals;
- Extend Priority 2 refugee status to Uyghurs and other Muslim ethnic minorities and expand use of the T-visa provided for in the Trafficking Victims Protection Act of 2000 (22 U.S.C. Chapter 78) to assist in investigations of both labor trafficking and sexual violence against women in the XUAR;
- Engage with countries with significant populations of Uyghurs and other ethnic minorities fleeing persecution to press those countries to refrain from deporting ethnic minorities to the People’s Republic of China, to protect ethnic minorities from intimidation by Chinese authorities, and to protect their freedoms of assembly and expression; and
- Ensure that sufficient funding and authorities are available for psychological and medical support for victims of genocide and crimes against humanity, particularly in countries of first asylum, through programs authorized by the Torture Victim Protection Act (Public Law No. 102–256).

• **Support the People of Hong Kong.** The Administration should work with allies and partners at the UN and other multilateral organizations on statements and other actions, including additional sanctions required by the Hong Kong Human Rights and Democracy Act (Public Law No. 116–76), related to the Hong Kong government’s dismantling of Hong Kong’s autonomy and rights protections and the Chinese government’s violation of the 1984 Sino-British Joint Declaration, an international treaty. In addition:

- The Administration should continue to prohibit sales of police equipment and crowd-control technology to the Hong Kong police, as provided by Public Law No. 116–77, and Congress should pass legislation to extend this ban permanently unless the President certifies that Hong Kong is again sufficiently autonomous to justify special treatment under U.S. law;
- The Administration should implement sanctions against financial institutions as well as individuals determined to be “in-

volved in the erosion of certain obligations of China with respect to Hong Kong” as stipulated in the Hong Kong Autonomy Act of 2020;

- The Administration should use newly appropriated funding to support non-governmental organizations working to promote the rule of law, human rights, civil society development, and democratic freedoms in Hong Kong; and

- Members of Congress should work with fellow parliamentarians on draft laws modeled after the Hong Kong Human Rights and Democracy Act (Public Law No. 116–76) and the Hong Kong Autonomy Act (Public Law No. 116–149).

- **Leverage the 2022 Olympics to Demand Human Rights Improvements.** The Administration and Members of Congress should publicly characterize the Chinese government’s egregious human rights abuses, including genocide, and the flouting of international standards as a betrayal of the Olympic Charter and spirit. The International Olympic Committee (IOC), the U.S. Olympic and Paralympic Committee (USOPC), and corporate sponsors and broadcasters of the Olympics should be pressed to use their leverage to address human rights abuses in China, including those surrounding the Olympic Games. Specifically, the Administration and Congress should:

- Call on the IOC to postpone and reassign the 2022 Winter Olympics if the Chinese government does not end its atrocities in the XUAR, undertake demonstrable improvements in human rights throughout the country, and restore autonomy to Hong Kong;

- Urge The Olympic Partner (TOP) Programme corporate sponsors, consistent with the UN Guiding Principles on Business and Human Rights, to publicize their human rights due diligence regarding the 2022 Beijing Olympics and take public steps to distance their brands from the 2022 Winter Olympics;

- Ask the U.S. Olympic and Paralympic Committee to protect American athletes from having to wear or consume products made with forced labor and to educate its officials and athletes about human rights conditions in China, the risk of censorship and surveillance of U.S. athletes during the Olympic Games, and the use of forced labor in the production of Olympic uniforms, gear, and souvenirs;

- Ask NBCUniversal whether it will give global prime-time coverage during the Olympics to stories about genocide, crimes against humanity, and other gross human rights abuses committed by the Chinese government; and

- Create a strategy to coordinate with other governments on a diplomatic boycott and other measures to counter Chinese government propaganda efforts around the 2022 Winter Olympics if the IOC refuses to postpone or move the Games from Beijing.

- **Limit Malign Influence Operations.** The economic coercion and malign political influence operations conducted by the Chinese government and Communist Party—part of an increasing global threat posed by authoritarian governments’ attempts to stifle basic freedoms and make the world safe for their repressive forms of

governance—pose significant challenges to the United States and countries around the world. To address these challenges, the Administration and Congress should work together to:

- Establish an interagency “China Censorship Monitor and Action Group” to address the impacts of censorship and intimidation of American citizens, legal residents, and companies, and consider expanding such a group globally with allies and partners;
- Develop a multi-stakeholder action plan and code of conduct with universities, foundations, think tanks, film production companies, publishers, non-governmental organizations, and state and local governments so that their interactions with foreign governments or entities uphold standards of academic freedom, corporate ethics, and human rights;
- Require U.S. colleges and universities to publicly report all foreign gifts, contracts, and in-kind contributions that exceed \$50,000 in any single year;
- Condition certain Federal assistance to U.S. universities, colleges, and school districts upon their making public their contracts or agreements establishing Confucius Institutes or Confucius Classrooms and on their having clear provisions protecting academic freedom and the civil rights of their Chinese employees and teachers, and granting full managerial authority to the college, university, or school district;
- Increase appropriations to expand Chinese language curriculum development and instruction in American high schools and colleges;
- Require U.S. think tanks and other non-governmental organizations to disclose foreign grants and gifts as part of their tax filings to maintain non-profit status; and
- Update and expand the requirements of the Foreign Agents Registration Act (FARA) to cover individuals and other entities lobbying on behalf of foreign governments, entities, or organizations working on educational or scientific pursuits in order to address their efforts to acquire technologies banned under U.S. export controls and their efforts to limit academic freedom by acting through organizations like the Chinese Students and Scholars Association and Confucius Institutes.

• **Defend Values While Not Abetting Anti-Asian Discrimination or Chinese Propaganda.** The Administration and Congress should create public messaging strategies that communicate clearly to both domestic and international audiences the nature and scope of the Chinese government and Communist Party’s challenges to international law and universal human rights standards. These strategies must clearly differentiate the peoples and cultures of China from the Chinese government and Communist Party. The Party has sought to exploit protests in the United States, such as those against anti-Asian discrimination, as well as xenophobic rhetoric, to further its objectives. Poorly designed and communicated U.S. efforts regarding Chinese government policies can fuel propaganda and can also lead to intolerance or harassment of people of Chinese descent and other Asian American and Pacific Islander communities, which can frustrate our ability to craft a domestic consensus for a China policy grounded in the principles of human

rights and the rule of law. U.S. officials should always be clear that they stand for human rights and the rule of law, and against discrimination and intolerance of any kind. In addition, the Administration and Congress should work together to:

- Instruct the Department of Justice and the Federal Bureau of Investigation to protect U.S. citizens and residents of Asian and Chinese descent, and Chinese nationals living or studying in the United States, from undue foreign interference and surveillance and ensure that their civil rights are safeguarded, including freedom from coercion or intimidation, freedom of expression, and the freedom of religion; and
- Extend to any U.S. citizen a private right of action to pursue civil litigation for wrongful employment termination or demotion for expressing opinions critical of the Chinese government or Communist Party or for supporting human rights in the People's Republic of China.

• **Address Digital Authoritarianism.** The Chinese government is developing technology and utilizing artificial intelligence (AI) in an effort to expand mass surveillance and social control of its citizens while exporting this technology globally in an effort to undermine democratic institutions. The Administration should work with Congress and like-minded allies and partners to strengthen the current multi-stakeholder internet governance structure and, where appropriate, to:

- Develop a set of global principles for the use of AI-driven biometric surveillance to ensure that this emerging technology protects privacy and human rights;
- Launch a digital infrastructure initiative that uses the bipartisan BUILD Act (Public Law No. 116-342) to make information and communications technology a greater priority for overseas development assistance;
- Champion, with allies and partners, high-standard internet governance principles that support the freedom of expression and the protection of user privacy; and
- Expand and focus foreign assistance projects on internet freedom and media literacy to help users circumvent China's "Great Firewall," provide digital security training for civil society advocates, and identify and counter foreign government propaganda efforts.

• **Condition Access to U.S. Capital Markets.** Congress should ask the relevant executive branch departments and agencies to identify and list Chinese companies and entities that have provided material support or technical capabilities that violate U.S. laws and facilitate human rights abuses in China, including in the XUAR and Tibetan areas of the People's Republic of China. In addition, Congress should require the Securities and Exchange Commission to strengthen disclosure and auditing requirements for any listed Chinese companies in U.S. capital markets to ensure that American retirement and investment dollars do not fund companies with links to the Chinese government's security apparatus or other malevolent behavior that undermines U.S. interests, or to genocide.

- **CFIUS Expansion.** Congress should amend the Foreign Investment Risk Review Modernization Act (Public Law No. 115–232, sec. 1701 et seq.) to trigger a Committee on Foreign Investment in the United States (CFIUS) review of any foreign company seeking to acquire U.S. assets controlling biometric information of Americans or technology to more efficiently collect and process biometric information. In addition, in coordination with the Department of Justice, CFIUS should report for FARA registration any lobbying firm or other entity accepting funding from a Chinese entity linked to the Chinese government or Communist Party for the purpose of acquiring U.S. companies or technology.

- **Protect Tibetan Identity, Religion, Language, and Culture.** The Administration should use the tools available in the Tibetan Policy and Support Act of 2020 (Public Law No. 116–260, sec. 341 et seq.) to help protect Tibetan culture and identity and Tibet’s religious and linguistic diversity from efforts to dilute or destroy them, including through sustained diplomatic efforts to curtail interference in the selection of Tibetan religious leaders and a future 15th Dalai Lama. Members of Congress and Administration officials should interact regularly with the leaders of the Central Tibetan Administration and with parliamentarians globally to build international coalitions to protect Tibetan human rights.

- **Gain Access to Tibet.** The Administration should implement the Reciprocal Access to Tibet Act (Public Law No. 115–330) by issuing robust annual reports, and sanctions for officials responsible for closing off access to Tibetan areas to diplomats, journalists, academics, and tourists. Members of Congress should encourage parliamentarian colleagues globally to pass legislation seeking greater access to Tibet.

- **Develop a Whole-of-Government Human Rights Strategy.** The Administration should issue a policy directive to develop a comprehensive strategy embedding human rights, the rule of law, and democratic governance and development goals into the critical mission strategies of all U.S. Government entities interacting with the Chinese government, both bilaterally and through international organizations, and start an interagency process for implementation to be led by the Under Secretary of State for Civilian Security, Democracy, and Human Rights and the Assistant Secretary of State for Democracy, Human Rights, and Labor.

- **Strengthen International Organizations.** The Administration should compete for influence with the Chinese government in international organizations where rules are being formulated for the international community, including the International Telecommunication Union, the International Labour Organization, Interpol, the World Intellectual Property Organization, and the World Health Organization (WHO). In particular, the Administration should coordinate with like-minded allies and partners to strengthen common positions on internet freedom, human rights norms, and human rights violations and raise these issues repeatedly with Chinese government officials at the UN and other international bodies, including the Human Rights Council, and during reviews of State Parties’ compliance with relevant treaties, such as the Committee against Torture (CAT). In addition, the Administration and Congress should work together to:

- Promote representation by leading democracies at UN standards setting and human rights bodies, particularly by coordinating with like-minded countries to advance candidates for leadership positions and support robust staffing at all levels of the organizations;
- Establish an annual report on the Chinese government's malign influence operations in international organizations that details any actions that undermine the principles and purpose of the UN and its various agencies, particularly those related to human rights, internet governance, law enforcement, global health, environmental protection, the development of norms on artificial intelligence and biometric surveillance, labor, standards setting, and freedom of navigation; and
- Support the WHO's efforts to conduct a transparent and credible investigation into the origins of SARS-CoV-2, including a forensic investigation of relevant laboratories in Wuhan, and strengthen the International Health Regulations (IHR) to make clearer the obligations of member states and the consequences for those that fail to provide timely and transparent information about infectious disease outbreaks, including by creating a regular periodic review for compliance of member states with the IHR.

• **Develop Creative Human Rights Programming.** The Administration and Members of Congress should publicly and more broadly support Chinese legal reformers, civil society, independent journalists, human rights defenders, and labor, religious freedom, and democracy advocates, and provide material and other means of support for them. The Administration should work with Congress to:

- Authorize and appropriate funds 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 and in Hong Kong;
- Support educational and cultural exchange programs, particularly those not in areas that are sensitive for military and security reasons, in order to preserve these exchanges as a valuable resource and to maintain positive influence channels with the Chinese people; and
- Develop creative public messaging and programs that prioritize the rights violations that affect the largest numbers of Chinese citizens—workers, families, religious believers, internet users, women, and rural residents.

• **Create a Special Advisor for Political Prisoners.** The Administration should consider creating the position of Special Advisor for Political Prisoners within the State Department's Bureau of Democracy, Human Rights, and Labor and create a diplomatic strategy to gain the release of political and religious prisoners, including unjustly detained American citizens and long-term permanent residents of the United States abroad. The Special Advisor can also serve as a resource to former political prisoners seeking guidance on their travels abroad. The Administration should also work to end the Chinese government's unacceptable use of "exit bans."

- **Advocate for Political Prisoners.** Members of Congress and Administration officials at the highest levels should raise specific political prisoner cases in meetings with Chinese government officials. Experience demonstrates that consistently 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. Members of Congress are encouraged to consult the Commission’s Political Prisoner Database for reliable information on cases of political and religious detention in China, and to “adopt” individual prisoners and advocate on their behalf through the Tom Lantos Human Rights Commission’s Defending Freedoms Project.

- **Support Allies Facing Economic Coercion.** The Chinese government has used the threat and execution of trade restrictions and predatory infrastructure loans as leverage to punish countries critical of its human rights record or to pressure countries to change policies viewed as harmful to Chinese interests. The Administration should build a global coalition against China’s coercion, to reduce vulnerability to economic pressure and impose costs on the Chinese government for this type of action. The Administration should provide to Congress a strategy for reducing the threat of trade restriction actions or other economic coercion to include:

- Plans to work in concert with allies and partners at the World Trade Organization or other international financial institutions to challenge boycotts and trade restrictions that undermine the integrity of the rules-based global economic order;
- Legal authorities needed to create a global reserve fund to assist companies, industries, and municipalities affected by targeted economic coercion;
- Identification of trade barriers that need to be revised either to impose retaliatory tariffs on Chinese imports as part of joint action with allies and partners or to buy products targeted by the Chinese government for trade restriction actions; and
- A plan to deploy expert economic response teams to assist countries facing economic coercion or challenges related to debt, human rights, or environmental protection as a result of Belt and Road Initiative projects.

The Commission's mandate is to monitor the behavior of the People's Republic of China against international human rights standards. It is the state that incurs obligations under international law, and thus it is the government that bears responsibility thereunder for the private activities of persons or entities, including parties. Given the Party's increasingly tight control of the Chinese political system, there is decreasing practical difference between party and government when discussing the wielding of power in China. As a matter of monitoring human rights, the Commission must be clear in its reporting both that the Party exercises power over the government and that the government bears the obligation to uphold such rights.

The Commission faces a similar challenge in characterizing Xi Jinping. His power derives from his position as General Secretary of the Chinese Communist Party and as Chairman of the Central Military Commission. Xi Jinping also has the title of "zhuxi," a largely ceremonial post that carries little power but one that makes him head of state. While the U.S. Government translates this title as "President," some Commissioners view it as inaccurate or inappropriate to use this title.

This Annual Report seeks to reflect the Party-state dynamics by listing the Party as the primary actor in cases where it is appropriate to do so. Descriptions of the Party, government, and their leadership do not reflect judgments of the Commission regarding the legitimacy of these entities and individuals. The Commission will continue to evaluate characterizations of the aforementioned leadership dynamics in future annual reports to conform to standards of accuracy, relevance, and consistency with common practice among the community of interest.