

## PUBLIC HEALTH

### *Findings*

- As the highly infectious Delta and Omicron variants of coronavirus disease 2019 (COVID-19) spread quickly in China this past year, the Chinese Communist Party and government's public health response continued to be shaped by Party General Secretary Xi Jinping's political priorities. Features of political influence included the Party's promotion of its "zero-COVID" policy as a success story to validate the Party's decisionmaking despite a growing chorus within and outside China that criticized a lack of planning for coexistence with the virus; lockdown management that employed disproportionately harsh public security measures and surveillance to "maintain stability"; actively promoting disinformation about COVID-19; and an ongoing lack of transparency in providing data needed by the international scientific community to more effectively handle COVID-19 through investigating SARS-CoV-2's origins and better preparing for a future infectious pathogen. Authorities used repressive tactics against individuals, including **Zhang Zhan** and **Fang Bin**, who provided unauthorized reports about the government's mishandling of the COVID-19 outbreak.
- International concern over the publication of genetic research by Chinese scientists using DNA samples taken from Uyghurs in China allegedly without obtaining informed consent sparked several genetics journals to investigate and retract several research papers.
- A case illustrating the vulnerability to human trafficking of women with developmental and mental health disabilities in China galvanized the public and pushed the government to prioritize aid to persons with psychosocial disorders in an anti-trafficking campaign, but domestic experts report a lack of systemic legal protections. Public security officials also continued to forcibly commit petitioners and other individuals whom authorities have deemed "disruptive" to psychiatric facilities in spite of clear provisions in the PRC Mental Health Law that prohibit this. Among the cases the Commission monitored this year were **Li Tiantian** and **Zhou Caifan**.
- Individual and organized public health advocacy continues in China, but the personal and professional risks of organized public health advocacy that authorities deem politically sensitive or even threatening, are evident in the ongoing or new detentions this past year of **Cheng Yuan** and **Wu Gejianxiong**, from the advocacy organization Changsha Funeng; **He Fangmei**, an advocate for victims of defective vaccines; and **Hu Xincheng**, a former investigative journalist and rights advocate.

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### *Recommendations*

Members of the U.S. Congress and Administration officials are encouraged to:

- Strengthen existing international technical assistance and exchange programs on emerging and zoonotic infectious diseases, and global public health preparedness and response. Expand information sharing, particularly drawing on the legal framework established in the International Health Regulations (IHR). Contribute to the international community's efforts to improve the IHR provisions and communications channels to effectively respond to public health emergencies.
- Urge the Chinese government to end the unlawful detention and official harassment of individuals in China who have shared opinions and information about COVID-19. Release or confirm the release of individuals detained, held in home confinement, or imprisoned for exercising freedom of expression, such as **Zhang Zhan** and **Fang Bin**. Amplify the work of Chinese citizen journalists, scientists, and medical professionals in documenting COVID-19 and other public health developments in China.
- Urge Chinese officials to focus attention on both effective implementation of laws and regulations that prohibit health-based discrimination in access to employment and education, and on the development of a barrier-free environment. Where appropriate, share with Chinese officials the United States' ongoing efforts to promote and enhance the rights of persons with disabilities and other health-based conditions. Expand the number of site visits and exchanges for Chinese non-governmental health advocates, universities, and state-affiliated social work agencies to meet with U.S. rights groups, lawyers, and state and Federal agencies to share best practices in outreach to, and services for, vulnerable communities. Release or confirm the release of **Cheng Yuan**, **Wu Gejianxiong**, **He Fangmei**, and **Hu Xincheng**, whom authorities detained for public health advocacy. Raise these cases in bilateral dialogues, as well as through multilateral mechanisms such as the UN Working Group on Arbitrary Detention.

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### *COVID-19*

The highly infectious Delta and Omicron variants of coronavirus disease 2019 (COVID-19) spread quickly in China this past year, intensifying the risk of SARS-CoV-2 to public health in China. With at least 45 municipalities in full or partial lockdown in April 2022, an estimated 373 million Chinese people were reportedly under some form of lockdown.<sup>1</sup> Article 12 of the International Covenant on Economic, Social and Cultural Rights prioritizes the right to health, whereby the “right of everyone to the enjoyment of the highest attainable standard of physical and mental health” includes the “prevention, treatment and control of epidemic . . . diseases.”<sup>2</sup> While the International Covenant on Civil and Political Rights allows governments to impose some restrictions on freedom of expression in cases of public emergency, such restrictions must meet “standards of legality, proportionality, and necessity.”<sup>3</sup> The People’s Republic of China’s (PRC) public health response continued to be shaped by Chinese Communist Party Secretary Xi Jinping’s political priorities. Features of the political influence included the promotion of the “zero-COVID” policy as a success story to validate the Party’s decisionmaking despite a growing chorus within and outside China that criticized a lack of planning for coexistence with the virus; lockdown management that employed disproportionately harsh public security measures and surveillance to “maintain stability”; actively promoting disinformation about COVID-19; and an ongoing lack of transparency in providing data needed by the international scientific community to more effectively handle COVID-19, through investigating SARS-CoV-2’s origins and better preparing for a future infectious pathogen.<sup>4</sup>

#### ZERO-COVID POLICY: RHETORIC, IMPLEMENTATION, AND CRITICISM

The PRC’s zero-COVID policy entails prevention and control of the disease by employing mass testing, snap lockdowns, quarantine,<sup>5</sup> and limits on travel into China<sup>6</sup> and within China.<sup>7</sup> Party General Secretary Xi Jinping declared the policy a Party success story<sup>8</sup>—at the May 5, 2022, meeting of the Standing Committee of the Party Central Committee Political Bureau,<sup>9</sup> Xi reportedly asserted that the Party’s “nature” had determined the policy and that the Party’s “prevention and control policies have stood the test of history.”<sup>10</sup> Xi’s personal leadership also has been linked to the policy. According to a Beijing-based commenter, the policy is “. . . an unquestionable, unchallengeable policy that is closely tied to his political authority—and therefore there will be no flexibility when it comes to its implementation.”<sup>11</sup> Policy implementation was designated a top “political task” for local-level officials, and viral outbreaks resulted in Party disciplinary punishment, including job loss or a diminished prospect for promotion.<sup>12</sup>

Implementation of the policy<sup>13</sup> during the Commission’s 2022 reporting year exposed planning and emergency management shortcomings<sup>14</sup> and rights violations<sup>15</sup> not only in locations under full or partial lockdown such as Shanghai, Jilin, and Xi’an municipi-

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pality, but also in Hong Kong<sup>16</sup> and throughout mainland China.<sup>17</sup> The use of digital surveillance technology, as exemplified by the health code application (app) in the mainland, played an instrumental role in pandemic prevention and control.<sup>18</sup> Based on an individual's personal, health, biometric, and travel data, the app's QR code produced a color code to indicate that individual's level of risk and determines whether the user will have access to public spaces like parks and hospitals, as well as use of public transportation, or whether they should go into isolation or quarantine.<sup>19</sup> This collection by big data—including results of users' COVID-19 testing, real-time geolocation tracking, and contacts—is accessible by the government and has raised concerns that it will be used as a means of political control,<sup>20</sup> in spite of China's growing data privacy legal framework.<sup>21</sup> In mid-June 2022, for example, individuals planning to protest at a bank in Henan province that had frozen their savings discovered their QR code turned "red" before they left for Henan.<sup>22</sup> International athletes, foreign journalists, and other attendees of the 2022 Beijing Winter Olympic Games were required to install the My2022 app on smartphones to capture primarily health-related data, but a report by Citizen Lab, a technology and human rights monitoring group in Canada, identified an encryption flaw that left users' voice audio data vulnerable to misuse.<sup>23</sup> [For more information on this issue, see Section V—Governance.]

In addition to the tools of "digital authoritarianism" was "old-fashioned analog authoritarianism," as one scholar described it, "that relies on people-to-people contact and people-to-people pressure," requiring urban residential committee members to assist in coordinating COVID-19 testing, distributing food,<sup>24</sup> and responding to residents' needs.<sup>25</sup> Implementation resulted in food shortages;<sup>26</sup> fatalities related to hospitals unwilling or unable to admit patients with urgent conditions;<sup>27</sup> and instances of limited access to medical care<sup>28</sup> or deprivation of care for vulnerable elderly persons,<sup>29</sup> persons with chronic illness,<sup>30</sup> and young children.<sup>31</sup> Coercive implementation of isolation and quarantine controls to prevent community transmission included erecting fencing around residential buildings, housing blocks, and streets to prevent residents from leaving their homes,<sup>32</sup> and forcing COVID-positive residents to transfer to makeshift quarantine facilities at any time.<sup>33</sup> Video captured scenes of physical assault carried out by persons wearing white PPE gear, of public security officials using riot tactics against protesting community members, and other disproportionate uses of force.<sup>34</sup>

Countering the "unswerving" adherence to the policy<sup>35</sup> were comments by medical and legal experts, as well as social media users,<sup>36</sup> that the policy is not sustainable. In July 2021, Zhang Wenhong, a prominent virologist in Shanghai municipality, publicly raised concerns about the long-term sustainability of the policy given the likelihood that COVID-19 will be a long-term public health threat, but the substance of his comments was officially rebuked.<sup>37</sup> Another medical doctor in Shanghai was censored in April 2022 when he reportedly suggested a "middle road" between the policy and co-existence with the virus, based on his concern about the lack of medical treatment for patients with chronic illnesses and acute diseases.<sup>38</sup> He cited evidence of higher mortality rates

for patients with diabetes during the 2020 lockdown in Wuhan municipality, Hubei province.<sup>39</sup> A Chinese study released in June 2022, moreover, found relatively low risks associated with the Omicron variant, prompting questions about the ongoing need for harsh measures.<sup>40</sup> Public comments on a policy shift toward co-existence with the virus, however, have been deemed by Chinese authorities to be a political critique of the policy rather than of a viable alternative public health approach.<sup>41</sup> Thus, following World Health Organization (WHO) Director-General Dr. Tedros Adhanom Ghebreyesus's comment on May 10, 2022, that the Chinese government's zero-COVID policy "will not be sustainable" given the changing nature of the virus as well as the existence of effective medical tools,<sup>42</sup> the Ministry of Foreign Affairs described that comment as "irresponsible."<sup>43</sup> At the same WHO event, another senior WHO official, Michael Ryan, stressed "show[ing] due respect to individual and human rights" by calibrating pandemic prevention measures in consideration of "the impact on society [and] the impact on the economy."<sup>44</sup> Two days before Ryan's comments, a law professor at East China University of Politics and Law had argued that "[p]andemic prevention needs to be balanced with ensuring people's rights and freedoms" in a critique of two coercive measures that he described as unconstitutional.<sup>45</sup> Other critiques raised by legal experts in China included the threat to personal data privacy posed by excessive use of surveillance and facial recognition technology in pandemic surveillance,<sup>46</sup> and the possible "normalization" of measures like nucleic acid (PCR) testing beyond an immediate need for pandemic prevention and control.<sup>47</sup>

### HARASSMENT AND DETENTION

Authorities used repressive tactics against individuals who provided unauthorized reports about the government's handling of the COVID-19 outbreak. While the International Covenant on Civil and Political Rights allows governments to impose some restrictions on freedom of expression in cases of public emergency, such restrictions must meet standards of legality, proportionality, and necessity.<sup>48</sup> The Chinese government's repression of activity related to free speech and access to information about COVID-19 violated those standards, as seen in the ongoing detentions this past year of citizen journalists **Zhang Zhan**<sup>49</sup> and **Fang Bin**.<sup>50</sup> Authorities detained Zhang in May 2020<sup>51</sup> and Fang in February 2020<sup>52</sup> in connection with their efforts to document the COVID-19 outbreak in Wuhan municipality, Hubei province. Similarly, in January 2022, a group of 11 Falun Gong practitioners were sentenced to prison terms of between two and eight years, partly in connection with having provided photos of street scenes in Beijing municipality in the early days of the epidemic in China to Epoch Times, an overseas media outlet affiliated with Falun Gong.<sup>53</sup> Rights Defense Network also reported on the use of confinement in a quarantine facility as a pretext to arbitrarily detain two petitioners from Fujian province in March 2022.<sup>54</sup>

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### CHINESE GOVERNMENT'S ONGOING LACK OF TRANSPARENCY REGARDING COVID-19 DATA

The Chinese government's refusal to provide requested data, together with its requirement that officials vet research papers on COVID-19 prior to submission to scientific journals,<sup>55</sup> has intensified the perception that the Chinese government is "withholding data on COVID-19's origins"<sup>56</sup> and is not cooperating with the WHO and the international community's efforts to identify the origins of SARS-CoV-2.<sup>57</sup> Scientific research on the origins of SARS-CoV-2 this past year concentrated on gathering more data about the sale of live wild animals at wet markets in Wuhan municipality, Hubei province, the epicenter of the COVID-19 outbreak in late 2019.<sup>58</sup> Further research requires access to genetic data and raw samples from Wuhan that the government failed to provide despite multiple requests from the WHO<sup>59</sup> and commentary by scientists.<sup>60</sup> Under the rubric of a new WHO advisory group established in October 2021 to study the origins of novel pathogens, including SARS-CoV-2,<sup>61</sup> WHO Director General Tedros also submitted requests to the Chinese government to provide raw data in February 2022, to no avail.<sup>62</sup> Moreover, the WHO advisory group reported in June 2022 that "there had not been any new data made available to evaluate the laboratory as a pathway of SARS-CoV-2 into the human population and recommend[ed] further investigations into this and all other possible pathways."<sup>63</sup>

### AMPLIFYING DISINFORMATION IN AN EFFORT TO INFLUENCE INTERNATIONAL OPINION

This past year, researchers continued to identify and analyze disinformation and propaganda efforts by PRC state media outlets and diplomats.<sup>64</sup> According to the ChinaPower project at the Center for Strategic and International Studies, a think tank in Washington, D.C., the PRC government's efforts have aimed to "[deflect] criticisms that China is to blame for the pandemic."<sup>65</sup> In September 2021, for example, a disinformation researcher at the University of Oxford documented the emergence of a new "cold chain" theory of COVID-19 origins in the social media accounts of PRC diplomats and official media outlets alleging that frozen imported lobsters from Maine were the source of COVID-19.<sup>66</sup> In another example, official media amplified a conspiracy theory that the United States had been pressuring the World Health Organization to blame China for the pandemic, based on a July 2021 post on the Facebook account of a Swiss biologist whom Facebook later found to be a fake persona created by a Chinese cybersecurity company.<sup>67</sup> ChinaPower found that international public opinion continued to hold China accountable for the COVID-19 pandemic and negative perceptions of China were widespread in many countries in spite of PRC disinformation and propaganda efforts since the outbreak in December 2019.<sup>68</sup>

**Responding to Concerns over Ethics Standards and Human Rights Violations in the Use of Genomic Data in China**

Spurred by international concerns over violations of research integrity and human rights regarding the publication of genetic research by Chinese scientists using DNA samples taken from Uyghurs,<sup>69</sup> two genetics journals retracted three such articles in August, September, and December 2021 following additional inquiry.<sup>70</sup> The concerns included claims about the lack of consent from Uyghurs in the collection of their biometric data,<sup>71</sup> Chinese authorities' specific interest in genomic profiling of ethnic minority groups to advance state surveillance goals,<sup>72</sup> research on vulnerable minorities in the context of the Chinese government's official campaign of mass detention in the Xinjiang Uyghur Autonomous Region,<sup>73</sup> and the names of public security officials among the publication authors.<sup>74</sup> In a related development, the Intercept reported in August 2021 that 8 out of 25 board members from the journal *Molecular Genetics & Genomic Medicine* resigned over the publication of "a slew of controversial papers that critics fear could be used for DNA profiling and persecution of ethnic minorities in China," including Uyghurs, Tibetans, and Hui Muslims.<sup>75</sup> Given the role of ethics committees from the PRC Ministries of Public Security and Justice in approving genomic studies, scientists associated with the European Society for Human Genetics have advised that genetics journal publishers "conduct a mass reassessment of this literature and require further information on consent and ethical approvals in addition to considering whether the studies fulfil the basic ethical requirements for non-maleficence, beneficence, justice and veracity."<sup>76</sup> While some publishers have begun investigations, most of these papers have not yet been retracted.<sup>77</sup> In June 2022, the American Society of Human Genetics (ASHG) issued a statement that "[l]ong-standing ethical principles for genetics research help respect and protect research participants, and they are especially important for preventing harm to marginalized or vulnerable populations," and indicated that the ASHG would in future address ethics standards, including for publications.<sup>78</sup>

*Concerns over the Treatment of Persons with Severe Psychosocial Disabilities and Continuing Use of Forcible Psychiatric Commitment*

A video from late January 2022 showing a woman in Feng county, Xuzhou municipality, Jiangsu province, chained by her neck to a shed,<sup>79</sup> exposed her individual suffering and the far-reaching vulnerability to human trafficking of women with developmental and mental health disabilities in China.<sup>80</sup> The woman reportedly had symptoms of mental illness before being trafficked from Yunnan province to Jiangsu in the late 1990s.<sup>81</sup> After the video's release, authorities in Xuzhou brought her to a hospital where she was diagnosed with schizophrenia.<sup>82</sup> Widespread public criticism drew attention to the local government's apparent disregard for human trafficking<sup>83</sup> and the woman's abusive living conditions,<sup>84</sup> the inconsistencies in the official investigative reports about her background,<sup>85</sup> and lax criminal penalties for the "buyers" of trafficked persons.<sup>86</sup> Although both a nationwide anti-trafficking campaign launched in March 2022<sup>87</sup> and a ten-year anti-trafficking action

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plan issued in April 2021<sup>88</sup> specify the need to identify and assist trafficking victims among women with psychosocial disabilities, neither the campaign nor the action plan mentions engaging legal protections for disabled persons. The committee conducting the August 2022 review of China's compliance with the Convention on the Rights of Persons with Disabilities (CRPD)<sup>89</sup> previously signaled its concern about legal protections in a recommendation that the government “develop a comprehensive legal framework to protect women and children with disabilities, particularly those with intellectual or psychosocial disabilities, against all forms of exploitation, violence, abuse, abduction and trafficking”<sup>90</sup> under Article 16 of the CRPD.<sup>91</sup> [For more information about the case of the woman trafficked to Feng county, see Section VI—Human Trafficking, Population Control, and Status of Women.]

The Chinese government has committed to improving mental health services under the “right to health” in its National Human Rights Action Plan for 2021–2025,<sup>92</sup> which is in line with a long-term commitment to developing mental health policy, legal protection provisions, and greater national capacity for treatment.<sup>93</sup> The chained woman's experience nevertheless highlights gaps in access to treatment and services for persons with severe psychosocial disorders,<sup>94</sup> particularly in rural areas.<sup>95</sup> The heavy healthcare<sup>96</sup> and legal guardianship<sup>97</sup> responsibilities placed on family members, as well as broader societal stigmatization and institutional discrimination,<sup>98</sup> also are factors that exacerbate the precarity of their lives. The woman's experience also pointed to the ongoing use of shackling to restrain mentally ill persons.<sup>99</sup> In its 2020 report on the global prevalence of shackling persons with psychosocial disorders, Human Rights Watch cited Party-affiliated media reports from 2013 and 2015 that estimated 100,000 shackled persons in Hebei province alone.<sup>100</sup> Lawyer Huang Xuetao, the founder of an anti-discrimination non-governmental organization (NGO), commented that the government's failure to have ever sanctioned anyone for chaining up a person with mental illness is evidence that the personal liberty of persons with mental illness is unprotected.<sup>101</sup> Additionally, a disability rights advocate noted that mentally ill individuals are often unfairly perceived to be vectors of violence, when the reality is that they are more likely to be the victims of violence.<sup>102</sup> A concern over potential violent outbursts by persons with severe mental disorders as a risk to public safety was an element in an administrative lawsuit decision in one of ten “typical” disability rights public interest lawsuits issued by the Supreme People's Procuratorate and the Chinese Disabled Persons Federation in May 2022.<sup>103</sup>

### USE OF FORCIBLE COMMITMENT AS A “STABILITY MAINTENANCE” TOOL

The PRC Mental Health Law (MHL) provides protections against wrongful involuntary admission and treatment at psychiatric facilities,<sup>104</sup> provisions that were aimed, in part, to prevent the forced commitment to psychiatric facilities of people without mental illness (*bei jingshenbing*).<sup>105</sup> Civil Rights & Livelihood Watch (CRLW), a Chinese NGO, has documented public security officials' use of *bei jingshenbing* against petitioners and persons whom Chinese authorities deem to be engaged in “disruptive” activity and



speech.<sup>106</sup> CRLW underscored the PRC's pervasive use of forcible psychiatric commitment as a "stability maintenance" tool in its 2020 report on the use of *bei jingshenbing*,<sup>107</sup> and stressed that the extent of forcible commitment is difficult to estimate due to government information control.<sup>108</sup> Two cases from this past year are illustrative of its use:

- **Jiangxi province.** Government staff in Anyuan district, Pingxiang municipality, Jiangxi, involuntarily admitted **Zhou Caifan** to a local hospital's psychiatric unit in August 2021,<sup>109</sup> even though she did not meet the criteria in the MHL that stipulate involuntary admission in cases of harm to oneself or others.<sup>110</sup> Prior to being hospitalized, Zhou had petitioned the Pingxiang bureau of letters and visits about her sister's death.<sup>111</sup>
- **Hunan province.** When schoolteacher **Li Tiantian** refused to retract or apologize for her online support of a college professor's skepticism of the official estimate of deaths during the 1937 Nanjing Massacre,<sup>112</sup> public security officers in Yongshun county, Xiangxi Tujia and Miao Autonomous Prefecture, Hunan, held Li at a psychiatric facility for seven days in December 2021.<sup>113</sup>

#### *Suppression of Public Health Advocacy*

Authorities have "hollow[ed] out" grassroots civil society organizations that have worked on public health advocacy, observed China Digital Times in an introduction to an essay by disability rights advocate Xie Renci<sup>114</sup> about the lack of accessible public spaces for persons using wheelchairs.<sup>115</sup> Individual and organized advocacy continues in China,<sup>116</sup> but the personal and professional risks of organized public health advocacy that authorities deem politically sensitive or even threatening were evident in the ongoing detention of **Cheng Yuan**<sup>117</sup> and **Wu Gejianxiong**,<sup>118</sup> a founder and staff member, respectively, of the NGO Changsha Funeng that works to counter health discrimination.<sup>119</sup> **He Fangmei**, the founder of a group advocating for the child victims of defective vaccines, has been frequently harassed and detained by authorities since 2018 when her daughter became disabled through a faulty vaccine.<sup>120</sup> Authorities took He into custody again in October 2020 when she was seven months' pregnant.<sup>121</sup> She gave birth while in detention.<sup>122</sup> This past year, she reportedly was tried on the charges of "bigamy" and "picking quarrels and provoking trouble," and is thought to be held at the Xinxiang Municipal Public Security Bureau Detention Center, in Henan province.<sup>123</sup> Former investigative journalist and petitioners' rights advocate **Hu Xincheng** was traveling throughout the country to collect signatures for a public health campaign advocating for free medical care in cases of serious illness before authorities detained him in December 2021.<sup>124</sup> Authorities arrested Hu on the charge of "advocating terrorism or extremism and inciting implementation of terrorist activities" on January 9, 2022,<sup>125</sup> illustrating the government's hardline approach to non-governmental advocacy despite high-level policy plans this past year on the issue of healthcare reform.<sup>126</sup>

## Notes to Section VIII—Public Health

<sup>1</sup>“370 Mil. People Under Some Form of Lockdown in China Due to COVID,” *Kyodo News*, April 16, 2022.

<sup>2</sup>International Covenant on Economic, Social and Cultural Rights, adopted by UN General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force January 3, 1976, art. 12(1), (2)(c); United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Economic, Social and Cultural Rights, accessed July 15, 2022. China signed the convention on October 27, 1997, and ratified it on March 27, 2001. See also Office of the UN High Commissioner for Human Rights, CESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12), adopted at the Twenty-second Session of the Committee on Economic, Social and Cultural Rights, August 11, 2000, para. 16.

<sup>3</sup>International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 19; United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights, accessed July 15, 2022. China has signed but not ratified the ICCPR. Daphne Eviatar, “Human Rights Guidelines for the Fight Against COVID-19,” *Just Security* (blog), March 27, 2020; UN Human Rights Council, Disease Pandemics and the Freedom of Opinion and Expression, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, A/HRC/44/49, April 23, 2020, paras. 16, 20, 63(e–f).

<sup>4</sup>Maria D. Van Kerkhove, Michael J. Ryan, and Tedros Adhanom Ghebreyesus, “Preparing for ‘Disease X,’” editorial, *Science* 374, no. 6566, October 13, 2021: 377.

<sup>5</sup>“Ask the Experts: How Does China’s Dynamic Zero-COVID Policy Impact the Global Economy?,” London School of Economics, *China Dialogues* (blog), March 29, 2022.

<sup>6</sup>Giulia Interesse, “China Eases Travel Requirements: New Guidelines from May 19, 2022,” Dezan Shira & Associates, *China Briefing*, May 19, 2022.

<sup>7</sup>Ken Moritsugu and Emily Wang, “China’s ‘Zero-COVID’ Restrictions Curb May 1 Holiday Travel,” *Associated Press*, May 1, 2022.

<sup>8</sup>Nectar Gan, “Xi Jinping Sends Warning to Anyone Who Questions China’s Zero-Covid Policy,” *CNN*, May 6, 2022.

<sup>9</sup>Qi Zhongxi, Dong Ruifeng, and Hu Zhe, “Jianjue zhu lao yiqing fangkong pingzhang jianjue gonggu zhu yiqing fangkong chengguo—zhuajin zhuashi yiqing fangkong zhongdian gongzuo shuping” [Resolutely build a barrier for pandemic prevention and control, resolutely consolidate pandemic prevention and control achievements—grasp tightly and securely to commentary on the key points of pandemic prevention and control work], *Xinhua*, May 6, 2022; Nectar Gan, “Xi Jinping Sends Warning to Anyone Who Questions China’s Zero-Covid Policy,” *CNN*, May 6, 2022.

<sup>10</sup>Qi Zhongxi, Dong Ruifeng, and Hu Zhe, “Jianjue zhu lao yiqing fangkong pingzhang jianjue gonggu zhu yiqing fangkong chengguo—zhuajin zhuashi yiqing fangkong zhongdian gongzuo shuping” [Resolutely build a barrier for pandemic prevention and control, resolutely consolidate pandemic prevention and control achievements—grasp tightly and securely to commentary on the key points of pandemic prevention and control work], *Xinhua*, May 6, 2022; Nectar Gan, “Xi Jinping Sends Warning to Anyone Who Questions China’s Zero-Covid Policy,” *CNN*, May 6, 2022.

<sup>11</sup>Nectar Gan, “Xi Jinping Sends Warning to Anyone Who Questions China’s Zero-Covid Policy,” *CNN*, May 6, 2022.

<sup>12</sup>William Zheng, “Dozens of Chinese Officials Punished over Latest Wave of Covid-19 Cases,” *South China Morning Post*, March 22, 2022.

<sup>13</sup>“Ask the Experts: How Does China’s Dynamic Zero-COVID Policy Impact the Global Economy?,” London School of Economics, *China Dialogues* (blog), March 29, 2022.

<sup>14</sup>Anne Yang Stevenson, “China’s Governance Implosion,” *Forbes*, April 13, 2022; “China City Mayor Apologizes over COVID-19 Lockdown Response,” *Reuters*, June 14, 2022.

<sup>15</sup>Human Rights Watch, “Human Rights Dimensions of COVID-19 Response,” March 19, 2020.

<sup>16</sup>Timothy McLaughlin, “What Happened to Hong Kong?,” *Atlantic*, March 17, 2022.

<sup>17</sup>Rachel Liang, “Overshadowed by Shanghai, Millions Caught in China’s Forgotten Lockdowns,” *Wall Street Journal*, May 6, 2022.

<sup>18</sup>Phoebe Zhang, “China’s Covid-19 Health Code: Algorithms Weigh on Lives and Freedoms, Leaving Some Confused and Miserable,” *South China Morning Post*, April 4, 2022.

<sup>19</sup>Paul Mozur, Raymond Zhong, and Aaron Krolik, “In Coronavirus Fight, China Gives Citizens a Color Code, with Red Flags,” *New York Times*, July 26, 2021.

<sup>20</sup>“[Tiewan qingling] Minzhong ge ren xinxi jin shou dashujuku baokuo Gang’ao diqu siyin wusuo dunxing” [Iron-fisted zero clearance] Everyone’s complete information is stored in a big data database, including from Hong Kong and Macao, with privacy nowhere to be found], *Radio Free Asia*, January 27, 2022.

<sup>21</sup>Jeffrey Knockel, “Cross-Country Exposure: Analysis of the MY2022 Olympics App,” Citizen Lab, Munk School of Global Affairs & Public Policy, University of Toronto, January 18, 2022.

<sup>22</sup>Engen Tham, “China Bank Protest Stopped by Health Codes Turning Red, Depositors Say,” *Reuters*, June 16, 2022.

<sup>23</sup>Jeffrey Knockel, “Cross-Country Exposure: Analysis of the MY2022 Olympics App,” Citizen Lab, Munk School of Global Affairs & Public Policy, University of Toronto, January 18, 2022.

<sup>24</sup>See, e.g., “3 Shanghai Officials Sacked over COVID-19 Response,” *Associated Press*, April 8, 2022; Ryan Woo, “Capital of China’s Jilin Province Apologizes for Food Shortages Due to COVID Curbs,” *Reuters*, March 29, 2022; Greg James, “Xi’an Residents Face Shortages of Food and Critical Supplies as Lockdown Continues,” *SupChina*, December 29, 2021.

<sup>25</sup>“The Forever Lockdown—COVID-19 and the Closing of China” [Webcast], Hauser Symposium: China’s Domestic Evolution, Council on Foreign Relations, March 23, 2022, 43:20–43:44. See also CECC, *2020 Annual Report*, December 2020, 204.

<sup>26</sup> See, e.g., “3 Shanghai Officials Sacked over COVID-19 Response,” *Associated Press*, April 8, 2022; Ryan Woo, “Capital of China’s Jilin Province Apologises for Food Shortages Due to COVID Curbs,” *Reuters*, March 29, 2022; Greg James, “Xi’an Residents Face Shortages of Food and Critical Supplies as Lockdown Continues,” *SupChina*, December 29, 2021.

<sup>27</sup> See, e.g., “Violinist Shunping Chen Has Died, Aged 71,” *Violin Channel*, April 20, 2022; Christian Shepherd, “Tales of Anguish Emerge from China’s Locked-down Xian, as Hospital Staffers Are Fired over Woman’s Treatment,” *Washington Post*, January 6, 2022; Natasha Khan, “Shanghai Nurse’s Death Fuels Skepticism over Cost of China’s Covid-19 Measures,” *Wall Street Journal*, March 25, 2022.

<sup>28</sup> Human Rights Watch, “China: Treatment for Non-Covid Illnesses Denied,” April 6, 2022.

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<sup>111</sup>Right Defense Network, “Jiangxi Pingxiang weiquan renshi Zhou Caifan yin shangfang bei qiangzhi song jingshenbing yuan ‘zhiliao’” [Zhou Caifan, a rights defender from Pingxiang, Jiangxi, was forcibly committed to a psychiatric hospital for “medical treatment” because of petitioning], August 20, 2021.

<sup>112</sup>David Bandurski, “Struggling for Historical Truth,” *China Media Project*, December 20, 2021.

<sup>113</sup>Rights Defense Network, “Hunan Yongshun xian huaiyun jiaoshi Li Tiantian zao dangju qiangzhi song jingshenbing yuan pohai shijian yinfa quan wang guanzhu zhong renquan hanweizhe fu Yongshun xian weiquan jin Li Tiantian huoshi” [Incident of persecution in which Li Tiantian, a pregnant teacher from Yongshun county, Hunan, was forcibly sent to psychiatric hospital by authorities draws the attention of the entire internet, a group of human rights defenders go to Yongshun for rights defense, today Li Tiantian was released], December 26, 2021; Chris Buckley, “Fury in China After an Outspoken Teacher Disappears,” *New York Times*, December 23, 2021; Huang Huizhao and Wang Lijun, “Hunan jiaoshi Li Tiantian shilian, zeng cheng bei ‘qiangxing guanjin’ jingshenbing yuan” [Hunan teacher Li Tiantian out of contact, said that she was “being forcibly held” in a psychiatric hospital], *Caixin*, December 22, 2021. For more information on Li Tiantian, see the Commission’s Political Prisoner Database record 2022-00001.

<sup>114</sup>“Quanna jiaoyu ‘zhumeng’ xingdong: rang wo de zhaopian rao diqu yi quan” [Inclusive education “build a dream” activity: Let my photo travel around the earth], *People’s Daily*, December 4, 2017.

<sup>115</sup>Xie Renci, “Zai Zhongguo, 8500 wan ren bu gan chumen” [In China, 85 million people fear going out of doors], WeChat, December 3, 2021, 6:55 a.m.; “Translation: China’s Invisible Disabled Community,” *China Digital Times*, February 18, 2022. Xie’s essay described the lack of accessible public spaces for persons using wheelchairs, despite legislation from 2012 that established accessible building standards. Xie also wrote about the deaths of two disability rights activists in 2019 and 2021 who fell to their deaths because of a dangerously substandard sidewalk curb and the unmarked entrance to an underground parking garage, respectively.

<sup>116</sup>See, e.g., New Coronavirus Claims Legal Advisory Panel, “Wei Shanghai fengcheng sinan ji shouhai jiating tigong fayuan xiezhu ge an weiquan ji jiti shenqing guojia peichang” [Providing legal assistance to individual and collective applications for state compensation to the families of those who died and were harmed during the Shanghai lockdown], April 28, 2022, reprinted in Rights Defense Network, April 30, 2022.

<sup>117</sup>Rights Defense Network, “Changsha gongyi an Cheng Yuan yi bei rujian Hunan Jinshi Jianyu, Wu Gejianxiong yi bei mimi song zhi Hunan Hengzhou Jianyu, qinshu yu ‘ji mingxinjian pei tamen duguo zuojian de he’an” [Changsha public interest case Cheng Yuan has already been incarcerated at Jinshi Prison, Hunan; Wu Gejianxiong has been secretly sent to Hengzhou Prison, Hunan; family members call for “sending postcards to help them survive the darkness of their prison sentence”], October 11, 2021. For more information on Cheng Yuan, see the Commission’s Political Prisoner Database record 2019-00300.

<sup>118</sup>Chinese Human Rights Defenders, “Chinese Authorities Must Release Three NGO Staff Sentenced by Changsha Intermediate Court, End Crackdown on Rights Advocacy,” July 23, 2021. For more information on Wu Gejianxiong, see the Commission’s Political Prisoner Database record 2019-00302.

<sup>119</sup>UN Human Rights Council, Working Group on Arbitrary Detention, Opinions adopted by the Working Group on Arbitrary Detention at its eighty-seventh session, 27 April–1 May 2020 Opinion No. 11/2020 concerning Cheng Yuan, Liu Dazhi and Wu Gejianxiong (China), A/HRC/WGAD/2020/11, June 5, 2020, paras. 5, 20, 21.

<sup>120</sup>Civil Rights & Livelihood Watch, “Yimiao shouhai jiazhang He Fangmei bei daibu” [He Fangmei, parent of a faulty vaccine victim, is arrested], April 30, 2019; “Zhuanlan: Wangluo boyi: Tuite dalai qiji: Henan yimiao shouhai baobao zhi jia He Fangmei cheng suqiu jiao gei Renda daibiao” [Exclusive: Online game: Twitter brings about a miracle: He Fangmei, of Henan’s vaccine victim babies’ home, says she gave appeal to NPC deputies], *Radio Free Asia*, May 27, 2020.

<sup>121</sup>Rights Defense Network, “‘Yimiao Baobao zhi Jia’ weiquan tuanti faqiren He Fangmei zao qiangpo shizong yi da 1 nian 5 ge duo yue” [Founder of “Tainted Vaccine Babies’ Home” rights defender group He Fangmei has been forcibly disappeared for more than 1 year and 5 months], March 24, 2022. For more information on He Fangmei, see the Commission’s Political Prisoner Database record 2019-00185.

## Public Health

<sup>122</sup> Civil Rights & Livelihood Watch, “He Fangmei qiuzhong chanzi lushi wufa huijian” [He Fangmei gives birth while imprisoned, lawyer has no way of meeting with her], June 18, 2022; “Shizong jin liang nian yimiao zhi can weiquan jiazhang He Fangmei qinren ku qiu xialuo” [Relatives of He Fangmei, rights defender and the parent of child disabled by vaccine and who has been disappeared for nearly two years, cry out in search of her whereabouts], *Radio Free Asia*, June 17, 2022.

<sup>123</sup> “Shizong jin liang nian yimiao zhi can weiquan jiazhang He Fangmei qinren ku qiu xialuo” [Relatives of He Fangmei, rights defender and the parent of child disabled by vaccine who has been disappeared for nearly two years, cry out in search of her whereabouts], *Radio Free Asia*, June 17, 2022; Civil Rights & Livelihood Watch, “He Fangmei qiuzhong chanzi lushi wufa huijian” [He Fangmei gives birth while imprisoned, lawyer has no way of meeting with her], June 18, 2022.

<sup>124</sup> Rights Defense Network, “Hubei Wuhan meiti ren, jizhe, zuojia, ‘dabing mianfei yiliao ni wo meiri yi hu’ yundong tuiguangren Hu Xincheng zao qiangpo shizong 36 tian” [Hu Xincheng, a media personality, journalist, and writer from Wuhan, Hubei, and a campaigner for “free healthcare for catastrophic illness, with you and me, every day another voice calls [for it]” has been forcibly disappeared for 36 days], January 9, 2022. For more information on Hu Xincheng, see the Commission’s Political Prisoner Database record 2022-00015.

<sup>125</sup> Rights Defense Network, “Zhiming meitiren, jizhe, zuojia ‘dabing mianfei zhiliao ni wo meiri yihu’ yundong tuiguangren Hu Xincheng zao Shanxi Taiyuan jingfang daibu” [Hu Xincheng, a media personality, journalist, writer, and campaigner for “free healthcare for catastrophic illness, with you and me, every day another voice calls [for it]” arrested by police in Taiyuan, Shanxi], January 13, 2022; Rights Defense Network, “Hubei Wuhan meitiren, jizhe, zuojia, ‘dabing mianfei yiliao ni wo meiri yi hu’ yundong tuiguangren Hu Xincheng zao qiangpo shizong 36 tian” [Hu Xincheng, a media personality, journalist, and writer from Wuhan, Hubei, and a campaigner for “free healthcare for catastrophic illness, with you and me, every day another voice calls [for it]” has been forcibly disappeared for 36 days], January 9, 2022.

<sup>126</sup> Xi Jinping, “Zhashi tuidong gongtong fuyu” [Strongly promote common prosperity], *Seeking Truth*, October 15, 2021; Jin Honglei, “Youhua shehui baozhang zhidu tuijin gongtong fuyu” [Optimizing the social security system and promoting common prosperity], *Beijing Daily*, reprinted in *Xinhua*, September 28, 2021; “China Pledges Funds to Boost Infectious Disease Prevention,” *Reuters*, July 2, 2021.