

CIVIL SOCIETY

Findings

- During this reporting year, People’s Republic of China (PRC) authorities continued to restrict the already limited space for autonomous civil society and public participation, using regulations and harassment to suppress advocacy, expression, and assembly by unregistered religious groups, “illegal social organizations,” human rights defenders, and groups promoting labor rights, women’s rights, and the rights of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) people.
- The Ministry of Civil Affairs released its first-ever Five-Year Plan for the Development of Social Organizations (FYP). While the FYP authorizes “social organizations” to expand in the areas of social welfare and service provision, it constitutes “a grim blueprint for the [non-profit] sector’s development over the next five years,” according to an international expert.
- The government continued to constrain foreign non-governmental organization (NGO) activity under the 2017 PRC Law on the Management of Overseas Non-Governmental Organizations’ Activities in Mainland China (Foreign NGO Law). Freedom House observed that some foreign NGOs have decided to de-register due to the heavy annual administrative burdens imposed by the law. Five years into the implementation of the Foreign NGO Law, the space for universities and research institutions to work with foreign NGOs has been severely curtailed.
- In June 2022, authorities tried China Citizens Movement organizers and rights defenders **Ding Jiayi** and **Xu Zhiyong** in closed-door trials for “subversion of state power.” They have been held for over two years in connection with a private gathering of civil society advocates and scholars in December 2019. Public security officials also continued to hold in detention feminist and labor rights advocate **Li Qiaochu**, after she revealed that authorities had tortured Xu, and charged her with “inciting subversion of state power.”
- Online platforms for civil society organizing and expression were shut down, censored, subjected to pressure, and their individual users harassed in an ongoing effort to deprive civil society movements of space and resources.
- The LGBTQ community in China continued to face many challenges—including persistent stigma, widespread discrimination, and harassment. 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.
- The Chinese government has signaled a shift toward an emphasis on traditional gender roles and family structures and Chinese authorities intensified their censorship of LGBTQ-related media and squeezed the online advocacy space, causing once thriving organizations to shutter their operations after many years.

Civil Society

- In July 2021, LGBTQ groups at several Chinese universities were shut down. In August 2021, administrative officials at Shanghai University circulated surveys asking LGBTQ people to self-identify with no explanation as to what would be done with the information.
- In April 2022, the National Health Commission revised guidelines directly affecting the transgender community in what observers believe is an effort to comply with international standards. Additionally, in November 2021, the National Children's Medical Center and Children's Hospital of Fudan University in Shanghai municipality opened China's first child and youth transgender clinic, aimed at providing children and youth with mental health and other healthcare resources.

Recommendations

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

- Call on the Chinese government to release civil society advocates and staffers, in particular veteran human rights defenders **Xu Zhiyong**, **Ding Jiayi**, and **Chang Weiping**, feminist and labor rights advocate **Li Qiaochu**, journalist and gender rights advocate **Sophia Huang Xueqin**, labor rights advocate **Wang Jianbing**, and other civil society and rights advocates detained for peacefully exercising their human rights, especially their rights to freedom of expression, assembly, and association, guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.
- Encourage the Chinese government to revise its regulatory framework for civil society organizations, including the PRC Law on the Management of Overseas Non-Governmental Organizations' Activities in Mainland China and the PRC Charity Law, to conform with international human rights standards regarding freedom of association, assembly, and expression.
- Urge the Chinese government to abide by its international legal obligations with respect to Chinese citizens' freedom of association, assembly, and expression and cease the unlawful harassment and arbitrary detention of civil society advocates and the closing of civil society organizations and online accounts of advocates.
- Continue to fund, monitor, and support programs globally that promote human rights, democracy, and the rule of law in mainland China and Hong Kong.
- Facilitate the participation of Chinese civil society advocates and human rights defenders in relevant international forums. Work with U.S. allies and partners to counter PRC efforts to block civil society groups from obtaining consultative status at the United Nations. Support non-profit leadership and advocacy trainings for Chinese, Hong Kong, Tibetan, and Uyghur advocates who are now living outside of China and convene a periodic summit of stakeholders regarding the path forward for Chinese civil society, offline and online.

Civil Society

- Urge the Chinese government to cooperate with the UN Committee on the Elimination of Discrimination against Women, with respect to recommendations within the Committee's mandate, in advance of a review of China's compliance with the human rights treaty within its remit. Specifically, urge the Chinese government to provide timely information regarding the List of Issues raised by various non-governmental organizations.
- Encourage the Chinese government to provide information about detailed measures taken to adopt comprehensive anti-discrimination legislation that protects LGBTQ people, among other groups, including protections under the PRC Anti-Domestic Violence Law.
- Continue funding, oversight, and evaluation of foreign assistance programs in China that support human rights advocacy, including for LGBTQ rights, as part of civil society programming. Ensure sufficient funding to support foreign assistance programs and consider boosting funding for programs outside of China that focus on rights advocacy, capacity building, and leadership training for Chinese lawyers and human rights advocates, including those who work with the LGBTQ community in China.
- Continue to arrange events at the UN Human Rights Council in Geneva and at UN Headquarters in New York on a variety of human rights violations, including violations of LGBTQ rights.

CIVIL SOCIETY

Introduction

PRC authorities have sought to deploy domestic civil society organizations to bolster community-level capacity and provide social welfare services for Chinese citizens where government reach is limited. The release in October 2021 of a five-year policy plan on the development of “social organizations”—the government’s term for civil society organizations—illustrates the PRC’s intent to better resource approved social organizations,¹ while ensuring that these groups follow the leadership of the Chinese Communist Party and adhere to government regulations and supervision.² Additionally, authorities have exerted pressure on tech and e-commerce entrepreneurs to make large charitable contributions to support state-run development priorities.³ In contrast to the official plan to expand civil society capacity to support Party and state-designated needs, authorities have shown little tolerance for non-governmental organizations (NGOs) and advocates that prioritize rights protection, political participation, and expression. The new five-year plan builds on previous official crackdowns and state-led campaigns, constituting “a grim blueprint for the [non-profit] sector’s development over the next five years,” according to an expert on Chinese civil society.⁴ Moreover, the Chinese government has also spearheaded opposition to the participation of international civil society at the United Nations in a coordinated effort to undermine multilateral UN human rights mechanisms and promote a concept of human rights focused on development and poverty alleviation rather than civil and political rights.

The 14th Five-Year Plan for the Development of Social Organizations

In an effort to channel civil society activity into areas that PRC officials have designated as beneficial, the Ministry of Civil Affairs (MCA) in October 2021 released the 14th Five-Year Plan for the Development of Social Organizations (FYP),⁵ the “first of its kind” for social organizations.⁶ In the past, five-year plans have been used by the government primarily for centralized economic planning.⁷ Among the FYP’s key priorities are the following:

- **Building capacity for social organizations.** To develop social organizations’ ability to support local governments by providing select community services,⁸ the FYP directs civil affairs bureaus to resource local “community social organizations” with funding, policy tools, and human capital.⁹ It also instructs them to help social organizations cultivate expertise in their service areas by improving their management, digital, and technical skills, and by developing more competitive branding and marketing.¹⁰
- **Comprehensively integrating Party-building within social organizations.** Party-building aims to increase the number of Party members and strengthen Party presence within an organization, increasing the likelihood that decision-making is influenced by Party priorities.¹¹ The FYP specifies that political criteria should be included in official evaluations

of social organizations' performance,¹² further codifying a trend toward centralizing the Party's role in social organizations by linking access to government contracts with Party-building.¹³

• **Bolstering administrative, legal, and enforcement mechanisms for the social organization sector.** The FYP seeks to “raise the threshold for entry” for social organizations by more closely supervising and standardizing the registration processes by which organizations are approved for legal status.¹⁴ It also strengthens law enforcement within the social organization sector by “streamlining channels for reporting” on social organizations; monitoring the sector for “illegal social organizations”; promoting a system for investigating and punishing reported illegal activity by social organizations; and “raising the cost” of such violations.¹⁵

• **Conducting robust supervision of social organizations.** Along with the MCA, the FYP tasks Professional Supervisory Units (government agencies or departments that serve as sponsors for some social organizations¹⁶), Party groups within organizations, law enforcement agencies, and others with monitoring and guiding social organizations' political, administrative, disciplinary, social, and financial activities.¹⁷

• **Guiding social organizations to serve PRC development goals.** The FYP directs the work of social organizations toward national strategic initiatives, such as rural revitalization and addressing challenges associated with China's aging population; regional development projects, such as those centered on the Yangtze and Yellow River deltas; and international initiatives, including promoting China's involvement in global governance.¹⁸

The FYP and other regulatory and policy documents issued since at least 2016 stress the “healthy” development of the social organization sector, including the need to make a distinction between national and community organizations.¹⁹ For example, the FYP reiterates the provision in the revised Regulations on the Registration and Management of Social Organizations that “strictly control[s]” the use of “China,” “Chinese,” “world,” or “international” in organization names.²⁰ Local “community social organizations” are directed to participate with “social workers” and “volunteers” “in community governance, offer social services, . . . [to] resolve community contradictions, and promote community harmony.”²¹ Some civil society experts have characterized the Chinese government's close oversight of civil society groups coupled with efforts to direct such groups to serve state objectives as “corporatist” rather than as constituting independent civil society.²²

In a speech delivered at the 2022 nationwide teleconference on social organization registration and management work, MCA Vice Minister Zhan Chengfu provided an authoritative interpretation of the FYP and its implications for social organization management in 2022, and highlighted areas where social organization activity would be welcome.²³ Zhan said that social organization work should focus on sectors such as employment, social service and welfare provision, rural revitalization, Tibet, “Xinjiang Aid” (an initiative directed by the central government that has been associated with forced labor²⁴), care for the elderly and disabled, and early

Civil Society

childhood education, most of these pertaining to either existing government campaigns or priority areas.²⁵ In addition to identifying preferred sectors, Zhan reiterated the importance of Party-building, localization, and supervision of social organizations, stating that MCA social organization management should “weave a tight web for social organization supervision.”²⁶ The FYP and Zhan’s interpretation reflect what one expert described as an “official preference for more direct control over the activities of civil society organizations in China.”²⁷

Foreign NGO Activity in China

During the Commission’s 2022 reporting year, the government continued to constrain foreign non-governmental organization (NGO) activity in China by imposing requirements under the PRC Law on the Management of Overseas Non-Governmental Organizations’ Activities in Mainland China (Foreign NGO Law), which is supervised by the Ministry of Public Security (MPS).²⁸ International experts have reported that foreign NGOs have experienced difficulty registering, maintaining registration, and operating freely under the law.²⁹ According to a 2022 Freedom House report, “the number of foreign NGOs that choose to deregister rather than attempt to comply with the law has increased each year” since the law’s 2017 implementation.³⁰ One international advocacy organization noted that suppression of foreign NGO activity continued to reflect China’s fraught relationship with the international community.³¹

The PRC has maintained space—however limited—for some foreign NGO activity. ChinaFile’s China NGO Project has documented the Chinese government’s tolerance for foreign NGO activity in preferred sectors, mirroring its approach to civil society more broadly.³² Trade and industry, education, health, and poverty alleviation are among the sectors with the highest number of registered foreign NGOs, while the government has limited registration in more sensitive sectors including LGBTQ rights, religion and ethnic affairs, human rights advocacy, and media groups.³³ While ChinaFile data showed that foreign NGO-supported projects in the education sector continued to receive approval, the space for universities and research institutions to work with foreign NGOs has been severely curtailed despite a “carve-out” in the law to protect scholarly exchange.³⁴

NGOs working in sectors with less operational latitude in mainland China have traditionally maintained a base in Hong Kong, but the enactment of the 2020 National Security Law (NSL) led many NGOs to depart.³⁵ On October 25, 2021, Amnesty International announced that it would be closing its local and regional offices in Hong Kong, saying that the NSL made it “effectively impossible” for human rights organizations to work “freely and without fear of serious reprisals.”³⁶ Amnesty based its China-focused efforts out of its office in Hong Kong—a common practice for international human rights NGOs—and the move will leave the organization “without a presence on Chinese soil” for the first time in 40 years.³⁷ Party-run media outlet Global Times called Amnesty’s departure a “fresh beginning,” citing anonymous “experts” who observed that under the NSL “there is no room for such NGOs with

the intention of subverting power through Western values.”³⁸ [For more information on the suppression of civil society in Hong Kong, see Section XI—Hong Kong and Macau.]

Stifling Civil Society at the United Nations

The Chinese government has continued to exert pressure on civil society organizations and deter civil society advocacy at the United Nations, where it has sought to shift discourse around human rights to focus on development rather than on civil or political rights.³⁹ PRC country representatives have blocked civil society groups from being granted consultative status.⁴⁰ According to one expert, these coordinated efforts to bar groups from participating in UN mechanisms are aimed at both asserting China’s claims of territorial sovereignty and also at stifling contributions from groups engaged in human rights and advocacy work.⁴¹ PRC diplomats have effectively stalled the applications of civil society groups for consultative status, at times reportedly by “comb[ing] through NGO materials for references to Taiwan and Tibet, and activities that [the Chinese government] may find objectionable.”⁴² One study found that “964 NGOs with applications . . . were deferred at least once . . . and in 25 percent of those instances, a question from the PRC caused the deferral.”⁴³ Moreover, the PRC, through its role on the UN Economic and Social Council, has worked to facilitate the involvement of China’s own government-organized non-governmental organizations (GONGOs).⁴⁴ As of July 2021, of the 75 “accredited NGOs from mainland China, Hong Kong and Macau operating in UN spaces,” at least 34 were GONGOs.⁴⁵ Several observers have expressed concerns that such activity represents a coordinated effort to undermine UN mechanisms intended to protect and uphold international human rights.⁴⁶

Government Suppression of Civil Society

This past year, the PRC continued to suppress human rights advocacy, civil society activity, and unregistered churches and organizations—through arbitrary detention, arrest, surveillance, and other means. Such actions violated international standards on freedom of speech, association, and assembly in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and contravened China’s Constitution, which provides for freedom of speech, assembly, association, and demonstration.⁴⁷ Official suppression included the following representative examples:

- **China Citizens Movement advocates.** Authorities continued to attack the civic participation and advocacy network China Citizens Movement (CCM, formerly the New Citizens’ Movement⁴⁸), promoted by rights defenders **Xu Zhiyong** and **Ding Jiayi**.⁴⁹ The CCM, which “attempted to popularize a new form of civic engagement,” was loosely constituted in order to bypass official repression and held open gatherings focused on cultivating participants’ identity as citizens.⁵⁰ On August 5, 2021, authorities in Linyi municipality, Shandong province, indicted Xu and Ding on the charge of “subversion of state power,” specifically citing their work for CCM, which included

Civil Society

holding a CCM-organized gathering in Fujian province in December 2019.⁵¹ Authorities also detained lawyer **Chang Weiping** in connection with the 2019 event, charging him with “subversion of state power.”⁵² In June 2022, the Linshu County People’s Court in Linyi reportedly tried Xu Zhiyong and Ding Jiayi in secret, barring family members from attending and preventing their lawyers from speaking under threat of disbarment.⁵³ As of June 2022, no verdicts had been announced.⁵⁴ In February 2022, the Linyi People’s Procuratorate indicted Xu’s fiancée, **Li Qiaochu**, a feminist and labor rights advocate, with “inciting subversion of state power” for her advocacy on behalf of Xu Zhiyong and Ding Jiayi.⁵⁵

- **Guangzhou-based labor and women’s rights advocates.** On September 19, 2021, Guangzhou municipality, Guangdong province authorities took journalist and gender rights advocate **Sophia Huang Xueqin** and labor rights advocate **Wang Jianbing** into custody.⁵⁶ Authorities placed Huang and Wang under “residential surveillance at a designated location,” a form of incommunicado detention that can last up to six months, restricts access to counsel, and places detainees at risk of abuse by authorities.⁵⁷ Officials charged Huang and Wang with “inciting subversion of state power,” presumably for private gatherings held at Wang’s residence.⁵⁸

- **Protestant Christian church pastors and elders.** During this reporting year, Chinese authorities used “fraud” charges to hold, charge, or sentence multiple leaders of unregistered Protestant Christian churches, effectively criminalizing churches’ offering-based funding structures.⁵⁹ Prominent leaders charged include church elder **Zhang Chunlei**, whom authorities continued to detain on suspicion of “inciting subversion of state power” after initially arresting Zhang for “fraud”;⁶⁰ pastor **Hao Zhiwei**, whom authorities sentenced to eight years in prison for “fraud” in February 2022;⁶¹ and pastors **Yang Rongli** and **Wang Xiaoguang**, who were indicted on “fraud” charges in December 2021.⁶² [For more information on violations of Protestant leaders’ religious freedom, see Section III—Freedom of Religion.]

- **Digital censorship.** Chinese authorities engaged in repression of online organizing during this reporting year. Multiple online platforms for civil society organizing and expression were shut down, directly or indirectly, as a result of official pressure.⁶³ These included a women’s labor website,⁶⁴ likely in connection with a wave of shutdowns of feminist social media accounts by Weibo earlier in 2021 for alleged content violations,⁶⁵ and a number of LGBTQ social media accounts, also for alleged content violations.⁶⁶ In addition, official media targeted the Great Translation Movement, a decentralized international network that has worked to expose misinformation about the war in Ukraine, which Chinese officials have allowed to proliferate on the internet.⁶⁷ Party-run media outlet Global Times published articles in March and April 2022 that condemned the group, characterizing participants as “those unfriendly or even hostile toward China with the simple purpose of creating more waves of anti-China sentiment” and accused

it of attacking the Chinese government and conducting “public opinion and psychological warfare.”⁶⁸

Philanthropy and Charitable Giving

PRC authorities have urged wealthy Chinese, especially technology and e-commerce entrepreneurs, to increase charitable giving as part of Xi Jinping’s “common prosperity” program targeting economic inequality.⁶⁹ In August 2021, Xi gave a speech at a meeting of the Party’s Central Financial and Economic Affairs Commission where he stated that high income groups and businesses should be encouraged to contribute more to society.⁷⁰ Several of China’s most prominent executives publicly pledged to make significant contributions to charitable foundations (*jijinhui*, one of three types of “social organization” regulated by the government) and private trusts, or directly to causes associated with government priorities, with some donations announced in the days and weeks following Xi’s speech.⁷¹ According to one observer, these donations corresponded with an ongoing crackdown on the technology and e-commerce sectors.⁷² Moreover, one reporter observed that wealthy individuals could use donations as a “grand public gesture to signal that their priorities are aligned with the ruling party’s” in an attempt to avoid being targeted by authorities.⁷³ Experts commented that corporations and individuals largely directed funds toward state-linked initiatives and government-organized non-governmental organizations (GONGOs), thus bypassing grassroots NGOs and undercutting civil society and independent organizations.⁷⁴

Status of LGBTQ Persons

Chinese government authorities continued to censor and suppress efforts by rights defenders and advocacy groups in the lesbian, gay, bisexual, transgender, and questioning (LGBTQ) community.⁷⁵ Estimates indicate that China is home to the world’s largest LGBTQ population, with around 70 million people identifying as belonging to the LGBTQ community.⁷⁶ Members of the LGBTQ community continue to face legal and societal discrimination and lack formal protection against discrimination under Chinese law.⁷⁷ In advance of the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) review, which China was initially scheduled for in October 2022, one LGBTQ organization pointed out the PRC government’s obligations to provide comprehensive anti-discrimination protections under Article 2, Recommendation 28.⁷⁸ China has not enacted anti-discrimination legislation to protect the rights of sexual and gender minorities despite having agreed to the UN Human Rights Council Working Group’s recommendation that China adopt legislation within one year of their 2018 Universal Periodic Review.⁷⁹

Although societal attitudes in China toward some LGBTQ issues are trending toward more acceptance, reporting indicates a decline in government and institutional support of LGBTQ organizations and rights.⁸⁰ Those in the LGBTQ community continued to face widespread discrimination,⁸¹ inadequate legal protections,⁸² and harassment.⁸³ Advocates for the LGBTQ community continued to bring challenges through the legal system to effect change for LGBTQ persons in China.⁸⁴

Civil Society

Status of LGBTQ Persons—Continued

Stigmatization and Declining Acceptance

LGBTQ-identifying people continued to face discrimination and violence⁸⁵ in their families, schools, employment, health care institutions, and public settings.⁸⁶ In a November 2021 Williams Institute report, scholar Andrew Flores concluded that China’s acceptance of LGBTQ people and rights “appears lower in 2020 than in 1990,”⁸⁷ echoing similar sentiments from LGBTQ advocates.⁸⁸ Commentary from officials and state-sponsored media outlets continued to promote stereotyping and stigmatization of those in the community.⁸⁹ In response to a journalist inquiring about LGBTQ representation on China’s 2022 Beijing Winter Olympic team, the head of the 2022 Beijing Athletes’ Commission reportedly said that they “welcome the representation of different groups of people.”⁹⁰ The continued crackdown on the LGBTQ community, however, raised concerns about the promotion of inclusivity and diversity promised at the Olympic Games.⁹¹ Some observers noted that athletes cited pressure from statements by Chinese officials, International Olympic Committee officials and coaches as reasons for not making public statements on sensitive issues like LGBTQ representation.⁹²

On September 2, 2021, China’s National Radio and Television Administration announced a ban on the broadcast of “sissy men” as part of a broader campaign of the government’s tightening of the entertainment and technology sectors and emphasis on traditional gender roles.⁹³ Additionally, Chinese regulatory authorities continued to censor LGBTQ-related content in popular media,⁹⁴ including the American sitcom “Friends,” where viewers had discovered LGBTQ references were removed from major story lines.⁹⁵ Some experts have noted that recent calls for the “de-feminization”⁹⁶ of male adolescents and government crackdowns in the technology and media sectors have had an adverse effect on marginalized communities such as the LGBTQ.⁹⁷

Regulatory activity by Chinese authorities indicate direct disapproval of those in the LGBTQ community.⁹⁸ The South China Morning Post reported in September 2021 that the state-backed National Press and Publication Administration issued new internal guidelines on video game content, which may make obtaining official approval more difficult for video games containing content that includes same-sex relationships, characters of ambiguous gender, and “effeminate males.”⁹⁹ [For more information, see Section III—Freedom of Expression.]

Suppression of the LGBTQ Community

This past year, the space for LGBTQ people and groups to gather online and in person continued to deteriorate.¹⁰⁰

- In July 2021, social media platform WeChat deleted more than a dozen accounts run by university students and others with LGBTQ-related content.¹⁰¹ Many accounts reported being “[in] violation” of internet regulations and saw prior posts and usernames deleted from the platform.¹⁰²

Status of LGBTQ Persons—Continued

- In August 2021, students at Shanghai University reported that school officials were circulating a survey to identify LGBTQ and any “non-heterosexual” persons.¹⁰³ The survey reportedly included demands for information on students’ “ideological positions” and “psychological conditions.”¹⁰⁴ It was unclear how the information would be used.¹⁰⁵
- According to an August 2021 report, as early as March 2021, users of the Chinese social media platform QQ began reporting censorship of LGBTQ-related terms such as “gay,” “lesbian,” and “LGBTQ,” with some receiving a content warning indicating that their search was “harmful.”¹⁰⁶ After the publication of the story, QQ reportedly resumed allowing LGBTQ-related usernames but continued to censor and show no results for group chats that use LGBTQ-related terms.¹⁰⁷
- In February 2022, OutRight Action International, an LGBTQ rights advocacy NGO, described the ongoing and coordinated effort to target LGBTQ organizations and people by official Chinese entities as “unprecedented.”¹⁰⁸ Since 2016, Chinese authorities have been issuing restrictions on the depiction of LGBTQ-related content in television, film, and online, and have canceled LGBTQ-themed events and purged LGBTQ content online.¹⁰⁹

In response to persistent censorship¹¹⁰ and the difficulty of operating in conformity with official government regulations,¹¹¹ LGBTQ advocacy groups have become increasingly inactive.¹¹² Some organizations in the community reportedly have decided to rebrand and refocus their efforts in order to remain operational.¹¹³

In November 2021, Guangzhou-based LGBTQ legal advocacy organization LGBT Rights Advocacy China declared that it would be suspending all activities indefinitely, providing further evidence of the shrinking space for LGBTQ advocacy.¹¹⁴ While the organization did not specifically cite reasons behind its sudden closure, the group changed its name at least once in the hope that its work would be less of a target for Chinese authorities amid the crackdown on non-governmental groups.¹¹⁵ The influential advocacy group had been responsible for a number of high-profile legal challenges aimed at acquiring greater rights for the LGBTQ community.¹¹⁶

Developments Impacting the Transgender Community

In April 2022, Chinese authorities signaled a change in the treatment of transgender people when the National Health Commission updated transgender diagnosis language and requirements for gender reassignment surgery (GRS).¹¹⁷ Among the changes were the addition of “gender dysphoria” (*xingbie jiaolu*) and “gender incongruence” (*xingbie buyizhi*) as diagnostic labels, in keeping with international diagnosis standards.¹¹⁸ The National Health Commission also lowered the age for gender reassignment surgery from 20 to 18 and removed a requirement that individuals obtain two irreversible surgeries before changing identity documents.¹¹⁹

Civil Society

Status of LGBTQ Persons—Continued
<p>In November 2021, the National Children’s Medical Center and Children’s Hospital of Fudan University in Shanghai municipality opened China’s first child and youth transgender clinic.¹²⁰ The multidisciplinary outpatient clinic reportedly aims to combine “professional assessment, diagnosis, psychotherapy and necessary drug intervention by multidisciplinary doctors” in order to improve children and youths’ family relations, academic performance, and broader societal interactions.¹²¹</p>

Notes to Section III—Civil Society

¹Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(6–8).

²Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(1, 3–5, 8).

³Xi Jinping zhuchi zhaokai zhongyang caijing weiyuanhui dishi ci huiyi qiangdiao zai gaozhiliang fazhan zhong cujin gongtong fuyu tongchou zuo hao zhongda jinrong fengxian fangfan huajie gongzuo Li Keqiang Wang Yang, Wang Huning, Han Zheng chuxi” [Presiding over the convocation of the tenth meeting of the Central Financial and Economic Affairs Commission, Xi Jinping emphasized promoting common prosperity amid high-quality development, forestalling major financial risks; Li Keqiang, Wang Yang, Wang Huning, and Han Zheng participated] *Xinhua*, August 17, 2021; Tom Mitchell and Sun Yu, “China’s Xi Calls for Wealth Redistribution and Clampdown on High Incomes,” *Financial Times*, August 18, 2021; Yvonne Lau, “China’s Big Tech Billionaires Up Philanthropic Giving as Beijing Cracks Down,” *Fortune*, August 6, 2021; Edward White, Tom Mitchell, Sun Yu et al., “Jack Ma and the Chinese Tech Titans’ Mission to Give Away Billions,” *Financial Times*, August 29, 2021.

⁴Shawn Shieh, “The 14th Five Year Plan for Social Organizations and the Future of Civil Society in China,” *NGOs in China* (blog), January 4, 2022.

⁵Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021.

⁶Shawn Shieh, “The 14th Five Year Plan for Social Organizations and the Future of Civil Society in China,” *NGOs in China* (blog), January 4, 2022.

⁷“What Is China’s Five-Year Plan?,” *Economist*, March 4, 2021; Qun Wang, “14th Five-Year Plan for Social Organization Development: China’s Nonprofit Sector in Transition,” *Nonprofit Policy Forum*, June 13, 2022, 1–2.

⁸Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(7).

⁹Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(8).

¹⁰Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(6).

¹¹Holly Snape and Weinan Wang, “Finding a Place for the Party: Debunking the ‘Party-State’ and Rethinking the State-Society Relationship in China’s One-Party System,” *Journal of Chinese Governance* 5, no. 4 (2019): 477–502.

¹²Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(1).

¹³Ge Xin and Jie Huang, “Party Building in an Unlikely Place,” *Journal of Contemporary China* 31, no. 135 (2022): 13. In one study, researchers found that by giving more weight to Party-building in the government’s evaluative criteria for rating organizations, social organizations were incentivized to develop and cultivate Party groups within their organizations in order to secure a favorable rating from local authorities. Organizations with higher ratings were more likely to secure government-funded contracts.

¹⁴Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(3).

¹⁵Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(4).

¹⁶International Center for Not-For-Profit Law, *China Philanthropy Law Report*, updated May 2021, 18–20.

¹⁷Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(4–5). See also Shawn Shieh, “The 14th Five Year Plan for Social Organizations and the Future of Civil Society in China,” *NGOs in China* (blog), January 4, 2022.

¹⁸Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], issued October 8, 2021, sec. 3(8).

¹⁹Chinese Communist Party Central Committee General Office and State Council General Office, *Guanyu Gaige Shehui Zuzhi Guanli Zhidu Shehui Zuzhi Jiankang Youxu Fazhan de Yijian* [Opinion on the Reform of the Social Organization Management System and Promotion of the Healthy and Well-Ordered Development of Social Organizations], issued August 21, 2016, sec. 5(3). In 2021 the MCA issued the “Circular on Eliminating the Breeding Grounds for Illegal Social Organizations and Cleansing the Ecological Space for Social Organizations,” which specifically targeted organizations’ use of language denoting national scope. For prior coverage, see CECC, *2021 Annual Report*, March 2022, 231.

²⁰Ministry of Civil Affairs, *Shehui Tuanti Dengji Guanli Tiaoli* [Regulations on the Registration and Management of Social Organizations], issued October 25, 1998, revised February 6, 2016, art. 10; Ministry of Civil Affairs, “‘Shisi Wu’ Shehui Zuzhi Fazhan Guihua” [“14th Five-Year” Plan for the Development of Social Organizations], October 8, 2021, sec. 3(3). Organization names using “China” or “nation” are generally reserved for Party-run “mass organizations,” which use the prefix “All-China,” such as the All-China Women’s Federation and the All-China Federation of Trade Unions. Professional organizations like the All China Lawyers Association and the All China Writers Association are similarly permitted to use “All China” in their organizational names.

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Civil Society

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²⁸ *Zhonghua Renmin Gongheguo Jingwai Feizhengfu Zuzhi Jingnei Huodong Guanli Fa* [PRC Law on the Management of Overseas Non-Governmental Organizations’ Activities in Mainland China], passed April 28, 2016, effective January 1, 2017; Office of the UN High Commissioner for Human Rights, “China: Newly Adopted Foreign NGO Law Should Be Repealed, UN Experts Urge,” May 3, 2016.

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Civil Society

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Civil Society

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Civil Society

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