

2024 ANNUAL REPORT

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

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2024

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

DECEMBER 2024

Printed for the use of the Congressional-Executive Commission on China



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IX

The Commission's executive branch members have participated in and supported the work of the Commission. The content of this Annual Report, including its findings, views, legal determinations, and recommendations, does not necessarily reflect the views of individual executive branch members or the policies of the Administration.

The Commission adopted this report by a vote of 18 to 0.[†]

[†]Voted to adopt: Representatives Smith, Mast, Steel, Zinke, Nunn, McGovern, Wexton, and Salinas; Senators Merkley, King, Duckworth, Brown, and Daines. Executive Branch Commissioners Zeya, Lago, Lee, Kritenbrink, and Rand.

Voted to abstain: Senators Rubio, Cotton and Sullivan.

Not Voting: Representative Wild and Senator Butler (Sen. Butler resigned from the Senate as of December 8, 2024).

II. Executive Summary

STATEMENT FROM THE CHAIRS

This reporting year the Congressional-Executive Commission on China (CECC, or Commission) focused on ongoing human rights abuses by the government of the People's Republic of China (PRC) and the Chinese Communist Party (CCP), particularly with regard to forced labor which runs throughout supply chains; the complicity of American and other Western corporations in such human rights abuses; and the PRC's efforts to deflect international criticism of its human rights record and to reinterpret international human rights norms.

The CECC continued to oversee implementation of the Uyghur Forced Labor Prevention Act (UFLPA), a signature piece of legislation that originated with the CECC Chairs and Ranking Members that has arguably been the most impactful law this century in terms of forcing companies to modify their behavior in order to be compliant with a human rights standard and curbing corporate subsidization of the CCP's tyranny.

The Department of Homeland Security (DHS), consistent with encouragement from the Chairs, expanded the number of entities for which importation into the United States is prohibited by the UFLPA during the reporting year, exercising an underutilized tool contained in the legislation. The Chairs nonetheless continue to urge DHS to do more in this regard and anticipate that the CECC will continue to push this issue in the next Congress.

Beyond forced labor, the CECC focused on complicity by U.S. and foreign corporations with CCP oppression. This scrutiny included the actions of one American corporation in particular, Thermo Fisher Scientific, whose DNA sequencers had been used by police in the Xinjiang Uyghur Autonomous Region and Tibet to compile DNA databases of Uyghurs and Tibetans, and could be used for organ transplantation amidst allegations of forced organ harvesting in the PRC.

The Commission also looked at the role of social audits in allowing corporations to give themselves a clean bill of health when it came to supply chains. These audits are intended to provide assurances that supply chains are free of forced labor and other concerns. But because of the lack of transparency and accountability, in reality such audits are often faulty and serve to obscure and whitewash corporate conduct and complicity.

The PRC's efforts to exert its influence in the U.N. system to alter international human rights norms could be seen during the PRC's Universal Periodic Review by the United Nations Human Rights Council at the beginning of 2024. The session saw the U.S. and like-minded countries raise questions about a series of human rights abuses, including the crushing of press freedom in Hong Kong and the forced repatriation from China of North Korean citizens, but also an almost equal number of nations glossed over violations of human rights or even endorsed some of the PRC's rights-abusing policies and praised its economic development achievements.

Yet even in areas where the PRC has acceded to global standards, such as on the environment, its actions show non-compliance. The PRC remained the world's leading emitter of carbon dioxide, while

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snuffling environmental protests and detaining those who sought to raise concerns.

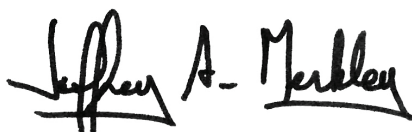
We believe that the work of the Commission and its dedicated staff is constructive in the effort to document the PRC's massive failures to comply with international human rights standards. We reaffirm our commitment to challenge those in government and the corporate world who would look the other way on violations of fundamental human rights in order to secure short-term political or economic gains.

For behind all the statistics of human rights abuses—black numbers on a white page—lie individuals, who have been deprived of rights that we take for granted. It is for these individuals to whom we dedicate our Annual Report, this year and every year.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Smith".

Representative Chris Smith
Chair

A handwritten signature in black ink, appearing to read "Jeffrey A. Merkley".

Senator Jeffrey A. Merkley
Co-Chair

OVERVIEW

In a series of hearings and other activities during this 2024 reporting year, the Congressional-Executive Commission on China (CECC) exposed the ongoing presence of forced labor in corporate supply chains and U.S. Government procurement sources; revealed how “audit washing”—the use of social compliance auditing firms to claim certification that factories and supply chains in the People’s Republic of China (PRC) are free of forced labor and other human rights violations—evades genuine scrutiny of supply chains; and sought greater use of mechanisms to combat importation of goods made with forced labor, such as the Uyghur Forced Labor Prevention Act (UFLPA).

In short, the CECC sought to shine a light on the subsidization of tyranny.

This theme was amplified at the first hearing of the reporting period, entitled *Corporate Complicity: Subsidizing the PRC’s Human Rights Violations*. It examined how multinational businesses, once considered a vanguard of the concept that economic integration would spur political liberalization in China, sometimes find themselves at risk of being complicit in human rights abuses in China in order to maintain access to the China market. The hearing named names, including the National Basketball Association, Raytheon, and Boeing.

Another revelatory public-facing event was an October 2023 hearing focused on forced labor in the PRC’s deep-sea fishing and fish processing industries, featuring research from The Outlaw Ocean Project detailing harsh conditions and minimal pay with minimal regard for safety.

The hearing, entitled *From Bait to Plate: How Forced Labor in China Taints America’s Seafood Supply Chain*, also included testimony that U.S. Government food procurement programs purchased some US\$200 million worth of seafood over a five-year period from tainted Chinese sources, including fish served on U.S. military bases and through the National School Lunch Program.

It appears that such government procurement may violate three U.S. laws—Section 307 of the Tariff Act of 1930 (banning all goods produced with forced labor), the UFLPA (banning goods made with Uyghur forced labor), and the Countering America’s Adversaries Through Sanctions Act, or CAATSA (banning goods made by North Korean forced labor). In light of this, CECC Chair Chris Smith and Co-Chair Jeff Merkley sent two letters to the Department of Homeland Security (DHS) Secretary Alejandro Mayorkas and other Cabinet secretaries asking that federal agencies take steps to comply with the laws, improve interagency coordination to stop imports of seafood made with forced labor, and to require that procurement officials at the relevant agencies ensure that such tainted seafood does not make its way to the plates of service members, veterans, and schoolchildren.

The CECC Chairs also encouraged robust implementation of the UFLPA, including an expansion of the “Entity List” of companies using forced labor in violation of the UFLPA, by the Forced Labor Enforcement Task Force (FLETF). The FLETF is chaired by DHS Under Secretary for the Office of Strategy, Policy, and Plans Robert

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Silvers and includes CECC Commissioner Thea Lee, Deputy Undersecretary for International Affairs at the Department of Labor. The FLETF has made seafood a high-priority sector for enforcement and added a seafood company, Shandong Meijia Group, to the Entity List.

The Commission also scrutinized forced labor in electric vehicle (EV) supply chains in a hearing entitled *From Cobalt to Cars: How China Exploits Child and Forced Labor in D.R. Congo*. It examined how child and forced labor in the Democratic Republic of Congo (D.R.C.) taints the extraction of cobalt, a metal that is a critical component in lithium-ion batteries used in EVs and other modern devices, including cell phones. Chinese entities control 80 percent of the cobalt output from the D.R.C., which has roughly four-fifths of the world's cobalt supply.

The hearing revealed not only forced and child labor in the sourcing of cobalt but accompanying environmental degradation. These concerns led CECC Chair Smith to introduce legislation designed to address this issue, including the China's Odious and Brutally Atrocious Labor Trafficking (COBALT) Supply Chain Act, H.R. 6909, and the Stop China's Exploitation of Congolese Children and Adult Forced Labor through Cobalt Mining Act, H.R. 7981, which passed out of the House Ways and Means Committee in April 2024.

Forced labor at the other end of the cobalt supply chain—the production of batteries in China—was among the examples referenced in a hearing on the widespread practice of “audit washing,” entitled *Factories and Fraud in the PRC: How Human Rights Violations Make Reliable Audits Impossible*. In practice, these audits serve as a fig leaf to cover up rather than expose human rights abuses, leading to a false impression in corporations' public shareholder reports that their supply chains are free of forced labor.

In a well-documented case, German automaker Volkswagen, in addition to committing import violations under the UFLPA, used Uyghur forced labor to build a test track in Turpan municipality, Xinjiang Uyghur Autonomous Region (XUAR). Observers have warned of the high risk of forced labor at a Volkswagen joint venture factory in the XUAR's Urumqi municipality. Giving insight into a deception endemic to the audit industry, auditors at the audit firm Löning Human Rights & Responsible Business publicly distanced themselves from an audit that had allowed Volkswagen to claim in December 2023 that there was “no indication of any human rights violations or wider issues around working conditions.”

Of further concern, PRC authorities amended laws in part to discourage compliance with U.S. or foreign laws designed to promote responsible business practices. Such laws include the onerous Counterespionage Law that took effect in July 2023, and the PRC Law on Guarding State Secrets that took effect in May 2024. These legislative actions renewed concern, including in the business community, about potential arbitrary enforcement, as the laws provide a legal basis for preventing individuals from leaving China. This past year, PRC authorities imposed exit bans on two foreign businessmen under opaque circumstances: a senior executive from American risk advisory firm Kroll and a senior Hong Kong-based banker from Japanese financial services group Nomura Holdings.

The repressive atmosphere that has accompanied Xi Jinping's tenure as Chinese Communist Party General Secretary now extends to Hong Kong, where a pall has descended upon the once-active civil society as space for free expression and the exercise of civil and political rights in the special administrative region recedes.

The façade of an alternative system of political governance that was promised to last 50 years by the PRC signatories to the Sino-British Joint Declaration and guaranteed by the Basic Law—Hong Kong's mini-constitution—has withered away, as Hong Kong becomes nearly indistinguishable from any other neon-lit city on the Chinese mainland. Indeed, Hong Kong officials may now be more zealous than their mainland counterparts in enforcing national security laws. Coupled with convictions in the “Hong Kong 47” case, the trial of Jimmy Lai—business leader, champion of press freedom, and paragon of faith-based conscientious objection—underscores how civil rights are no longer protected, despite the traditional pomp displayed by wig-bedecked Hong Kong judges.

Likewise, the Hong Kong legislature's passage of the Safeguarding National Security Ordinance (also known as “Article 23” legislation) signaled that its government was mimicking central government state security initiatives—including the PRC's 2015 National Security Law and the 2024 legislation on protecting state secrets—reinforcing the chilling effect of the National Security Law that the central government imposed on the special administrative region in 2020. Expanding the scope of existing national security legislation, Article 23 continued to diminish the space for mediating institutions, a trend exemplified by recent events such as the closure of a Cantonese-language advocacy group whose founder's home was raided without a warrant in August 2023 and the relocation of *Radio Free Asia* outside of Hong Kong.

YouTube exemplified corporate acquiescence by removing the Hong Kong protest anthem “Glory to Hong Kong” from its platform in Hong Kong, ostensibly in compliance with a court injunction. The Chairs wrote to executives at YouTube and its parent company Google asking that the anthem be restored to the platform on the grounds that the injunction violated international human rights principles.

Another area of Commission inquiry and activity was transnational repression, the topic of a September hearing entitled *Countering China's Global Transnational Repression Campaign*, which featured Canadian parliamentarian Michael Chong, who himself had been a target of transnational repression due to his policy positions in support of Uyghurs.

One of the most shocking examples of Chinese Communist Party (CCP) transnational repression on American soil occurred in November 2023 during the Asia-Pacific Economic Cooperation (APEC) Leaders' Summit in San Francisco, attended in person by Communist Party General Secretary and President Xi Jinping. Those who came to peacefully protest ongoing human rights abuses in the PRC—from colonialist policies in Tibetan regions, the Inner Mongolia Autonomous Region, and the XUAR, to the mass relocation of populations due to environmentally problematic damming projects—were met by organized pro-CCP counter-protesters who surrounded

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the protesters and used “metal rods, flagpoles, closed umbrellas and pepper spray” to batter those seeking to exercise their fundamental rights, much of which was caught on video.

In December, the CECC Chairs held a press conference with activists who described the violence they experienced or witnessed protesting the summit, including Hong Kong Democracy Council’s **Anna Kwok**, Human Rights in China’s **Zhou Fengsuo**—who spoke of coordination between the attackers and the PRC’s San Francisco consulate—Students for a Free Tibet’s **Pema Doma**, the Uyghur American Association’s **Elfidar Iltebir**, and alleged beating victim **Kaiyu Zhang**.

The CECC Chairs subsequently wrote Attorney General Merrick Garland asking for a thorough investigation of the assaults at the APEC Summit by apparently CCP-aligned actors, and of the online intimidation of activists, inquiring as to the adequacy of law enforcement’s response and calling for protection of peaceful protesters’ civil rights.

Hong Kong activists abroad—including U.S.-based Kwok, **Frances Hui**, and **Joey Siu**, the latter also a U.S. citizen—were victims of transnational repression by the Hong Kong government. In addition, Chinese dissidents in the United Kingdom were surveilled by three men, including the office manager of the London Hong Kong Economic and Trade Office (HKETO); the three men were arrested by British authorities for their role in the surveillance.

CECC Chair Smith, Co-Chair Merkley and Ranking Members McGovern and Rubio introduced legislation to authorize the President to revoke the privileges and immunities of HKETOs and prohibit federal agencies from cooperating with HKETOs’ efforts to white-wash their record, on the grounds that special status for HKETOs is no longer merited following Hong Kong’s loss of autonomy and the role they play as additional propaganda and spy outposts of the PRC.

The Commission also witnessed the long-arm of transnational repression in Laos and Spain, where PRC authorities sought the forcible repatriation of critics of the Chinese Communist Party and government.

Human rights attorney **Lu Siwei**—who had angered the Chinese government by representing other rights lawyers and advocates and by offering to represent 12 Hong Kong dissidents who tried to flee to Taiwan in 2020—was detained in Laos by Lao authorities, presumably at the behest of PRC government actors.

Despite public and private interventions by the U.S. Government and like-minded countries pointing out the obligations of the government of Laos under international law—including an intervention by the CECC Chairman—Laos apparently buckled to pressure from the PRC, refouling Lu in September 2023.

A similar outcome was averted in Spain, where a prominent member of the Church of Almighty God, **Li Yanli**, whom Spanish authorities had slated for deportation, was able to file an eleventh-hour asylum application to delay her refoulement. As pointed out in Li’s asylum application, new religious movements such as the Church of Almighty God, or “Eastern Lightning,” and Falun Gong are often targeted in China for persecution and subjected to defamation.

Organ harvesting was the subject of a CECC hearing during the reporting period entitled *Stopping the Crime of Organ Harvesting—What More Must Be Done?* The hearing examined claims that Falun Gong adherents were early targets of this heinous practice and that predominantly Muslim Uyghurs in the XUAR have also been subject to this toxic form of human exploitation.

Questions raised at the hearing implicated an American corporation, Thermo Fisher Scientific, in the supplying of DNA kits to PRC police, allegedly facilitating the collection of biometric data for political identification and racial profiling, potentially qualifying the kits for U.S. export controls on the technology. One hearing witness said that the DNA kits could have implications for organ transplantation.

Relatedly, in response to the targeting of the Uyghur population, Chair Smith introduced with former CECC Commissioner Tom Suozzi a House companion bill, H.R. 8124, to Senators Rubio and Merkley's Uyghur Genocide Accountability and Sanctions Act, calling for a strategy to deter and disrupt forced organ harvesting in the XUAR. In addition, the U.S. State Department's 2024 Trafficking in Persons Report contained a section entitled "Trafficking in Persons for the Purpose of Organ Removal" as a highlighted "Topic of Special Interest."

In a February 2024 hearing, the Commission looked at how the PRC defiantly disregarded criticism of its human rights record at its review under the U.N. Human Rights Council's Universal Periodic Review (UPR). The PRC's marshalling of support from friendly governments and nongovernmental organizations was documented by CECC analysis that looked at the large number of pro-PRC submissions from UPR stakeholders. As one witness noted, "China's actions over the last decade show that the PRC has become intent on using its presence in the U.N. to alter international human rights norms and rewire the system in ways that will make it easier for states to escape scrutiny of their human rights records." This assessment can be seen as an extension of the vision outlined in the leaked document called the "Communiqué on the Current State of the Ideological Sphere," or more colloquially, "Document Number Nine," written in 2013 at the beginning of Xi Jinping's General Secretaryship and circulated among PRC leadership. Among its objectives was the strengthening of Party resolve in combating "universal values," or the view of people who "believe Western freedom, democracy, and human rights are universal and eternal." The witness concluded that "China is strongly motivated to continue this assault on the U.N. human rights regime because the ideals enshrined in the Universal Declaration of Human Rights present an existential threat to the CCP's continued one-party rule."

Likewise, at the United Nations and in its engagement with developing nations, the PRC has long put forward the concept of a "Community of Shared Future for Mankind" that prioritizes a state-centered approach to human rights, while subordinating the individual rights of its citizens to the matter of national interest.

This should drive home the magnitude of the challenge of monitoring and seeking accountability for human rights violations by the People's Republic of China. Chinese Communist Party leaders

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maintain that the rights that the people of China should be able to enjoy are those confined to an interpretation of human rights that serves the Party's political interests, rather than to the full range to which they are entitled under international human rights law and the Universal Declaration of Human Rights. This Commission remains committed to the principle that the people of China are entitled to the same rights as any other people in the world, and we will continue to report on the PRC's failure to respect both their rights and the underlying notion that they are allowed to have such rights.

KEY FINDINGS

FREEDOM OF EXPRESSION

- This reporting year, the People's Republic of China (PRC) continued to restrict online and in-person expression, censoring various forms of artistic, literary, historical, and entertainment content, in violation of the International Covenant on Civil and Political Rights (ICCPR), the Universal Declaration of Human Rights (UDHR), and China's Constitution.
- Freedom House's 2024 Freedom in the World report scored China 0 out of 4 for "free and independent media," and Reporters Without Borders (RSF) ranked China 172 out of 180 countries and territories in its *World Press Freedom Index*.
- The Chinese Communist Party continued to use Chinese news media as its mouthpiece to provide the Party's version of the news, signal and amplify policy priorities, and shape public opinion. Journalists at Party and state-run news outlets faced increased political pressure and censorship this past year to adhere to the Party line.
- Party efforts to control news media also continued to reach beyond China's borders. One program that expanded this past year was that of international communication centers (ICCs)—local and regional media groups within China acting as centers for external-facing propaganda.
- Authorities continued to harass, surveil, and restrict foreign journalists. The annual survey of the Foreign Correspondents' Club of China in 2024 revealed that foreign reporters face significant obstacles in China.
- This past year, many journalists, other media professionals, and "citizen journalists"—non-professionals who publish independently to circumvent official restrictions—remained in detention, prison, or subject to bail conditions as a result of their reporting. RSF again ranked China "the world's largest prison for journalists," as nearly a quarter of all journalists detained worldwide are in Chinese jails. Currently detained or imprisoned journalists include **Huang Xueqin, Yang Zewei, and Shangguan Yunkai**.
- This past year, Freedom House ranked China the "world's worst abuser of internet freedom" for the ninth year in a row. The PRC's Ministry of Public Security declared 2024 a "year of special operations against online rumors," targeting influencers and content creators who "stage photos maliciously or fabricate rumors" about politically sensitive issues.
- Government agencies implemented new regulations and pressured internet companies to tighten restrictions on online expression, including mandating "real name" registration for popular users.
- Authorities continued to harass, detain, and imprison people who participated peacefully in protests, demonstrations, and other gatherings, including demonstrations against opaque handling of school deaths and the demolition of Tibetan villages and monasteries.

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- The PRC intensified its efforts to exert control over educational and research institutions, impeding the free exchange of information and hindering international academic collaboration.

CIVIL SOCIETY

- During the Commission's 2024 reporting year, the Chinese Communist Party and government continued their efforts to control, co-opt, or dismantle civil society.
- In December 2023, the National People's Congress Standing Committee passed a series of amendments to the People's Republic of China (PRC) Charity Law of 2016. The amended law states that charity work must "uphold the leadership of the Chinese Communist Party," requires that charities report on any cooperation with foreign organizations, and makes it more difficult for registered organizations to assist unregistered organizations, many of which work in sensitive areas, with fundraising.
- PRC authorities continued to push for the consolidation of Party and government control over social organizations (SOs), co-opting SOs to serve their policy priorities and objectives.
- The Party and government continued to target so-called "illegal social organizations" (ISOs) through a coordinated effort at both the central and local levels. The Ministry of Civil Affairs, along with 10 other departments, launched a six-month-long "special campaign" in June 2023 that aimed to crack down on ISOs, with 1,100 organizations censured in 2023, according to official media.
- During the January 2024 session of the U.N. Human Rights Council's Universal Periodic Review of the Chinese government's human rights record, the PRC sought to "game" the process, using channels established for independent civil society participation to promote entities influenced or controlled by the government.
- Despite government efforts to comprehensively deter public dissent, Chinese citizens continued a pattern of organizing ad hoc protests during the reporting year, often gathering in the hundreds or thousands to protest perceived injustices.
- The Guangzhou Intermediate People's Court sentenced women's rights advocate **Sophia Huang Xueqin** to five years in prison, and labor rights advocate **Wang Jianbing** to three years and six months, on June 14, 2024 on charges of "inciting subversion of state power."
- During the reporting year, the Party and government detained or sentenced rights advocates involved in democracy efforts, including a former public security officer and those involved with the China Human Rights Watch group.
- During the Commission's 2024 reporting year, PRC authorities continued to suppress lesbian, gay, bisexual, transgender, and questioning (LGBTQ) advocacy groups, limit public space for LGBTQ-identifying persons to associate, and censor expressions of LGBTQ identity.

FREEDOM OF RELIGION

- During the Commission's 2024 reporting year, the Chinese Communist Party and government enacted legal provisions that strengthened control over religious practices, including the Measures for the Management of Venues for Religious Activities and the PRC Patriotic Education Law. Since 2018, the Chinese Communist Party and government have issued several key provisions to tighten control over religious activities.
- The five state-recognized religious bodies overseeing Buddhism, Taoism, Catholicism, Protestant Christianity, and Islam, each published updated Five-Year Plans for "sinicization." Individuals and religious sites were promoted as "models" of sinicization.
- During this reporting year, the Commission observed the Chinese government's efforts to "sinicize" Taoism, emphasizing Party control and alignment with Party ideology rather than religious identity. The government also continued to exert pressure on Buddhism to use historical reinterpretation to promote religious subordination to the Party.
- The Party cracked down on folk religious practices that it views as potentially undermining its authority.
- During this reporting year, four Catholic bishops were consecrated with mutual approval from both PRC authorities and the Holy See, the only appointments made since 2021, while about 40 dioceses remained without leadership. Authorities continued to hold Catholic clergy in detention or forcibly disappear them due to their refusal to join the Christian Council of China, including Catholic Bishop **Shao Zhumin** of the Diocese of Wenzhou in Zhejiang province.
- The PRC government continued its campaign to remove Islamic architectural elements from mosques or demolish them. These policies target Hui Muslims and aim to eradicate religious and cultural distinctiveness while promoting assimilation with Han Chinese culture. Experts commented that this year marked the conclusion of the nationwide mosque "sinicization" campaign, as the last major mosques in China lost their Arabic-style features.
- The Party exerted pressure on Hong Kong religious communities to conform to the "sinicization" policies of mainland China, including through continual trips between mainland China and Hong Kong. Experts on religious freedom and belief also noted the threat posed to the confidentiality of the Sacrament of Penance with the enactment of the *Safeguarding National Security Ordinance*.
- PRC authorities continued to violate Protestants' religious freedom through detention of leaders of unregistered churches, surveillance of activities and participants, and use other legal tools to control and punish church leaders. Authorities continued to order the removal of crosses and other Christian symbols from church buildings.
- During this reporting year, PRC authorities continued to monitor, detain, and imprison Falun Gong practitioners, Church of Almighty God members, and others for being members of

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“evil cults” (*xiejiao*, 邪教). In March 2024, the Commission held a hearing in which witnesses expressed concerns about possible forced organ removal from religious and ethnic minorities in China, including Falun Gong practitioners.

CRIMINAL JUSTICE

- The criminal justice system remained a political instrument used for maintaining social order in furtherance of the Chinese Communist Party’s authoritarian 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 arbitrarily detained religious practitioners, ethnic minorities, and rights advocates, including through extralegal means such as “black jails” and psychiatric facilities, or through criminal prosecution under offenses such as “picking quarrels and provoking trouble” or crimes endangering state security. Some detainees reported being mistreated or tortured. After entering the formal legal process, defendants sometimes faced prolonged pretrial detention, closed trials, and delayed sentencing.
- Reports of detainees being denied counsel and family visits, especially in political cases, continued to emerge. In the case of rights lawyer **Lu Siwei**, for example, officials denied a meeting request by the lawyer retained by Lu’s wife on grounds that the government already had appointed counsel for him. The unilateral appointment was said to be intended to allow the government to have full control over the proceedings in order to secure a conviction.

ACCESS TO JUSTICE

- While China’s Constitution recognizes certain universal human rights, the court system continued to lack any legal channel through which citizens can assert or protect these constitutional rights, thus failing to fulfill the obligation to provide enforceable legal remedies for rights violations committed by government officials.
- As courts in China slowed the rate of uploading judicial documents to the publicly accessible database, the Supreme People’s Court announced the creation of a parallel database that is accessible only to judicial personnel. This development prompted concerns that authorities planned to phase out the public-facing database, thereby reducing judicial transparency, which would have the effect of undermining the rule of law and judicial credibility.
- Developments this past year indicate that the petitioning system has been weakened. The petitioning system, is an extra-judicial channel through which citizens file grievances involving official misconduct, is being assimilated into the grassroots governance system overseen by the newly established Chinese Communist Party organ called the Social Work Department. One of the department’s missions is to implement the “Fengqiao Experience,” which is a way to exert granular social and

political control through neighborhood committees and other grassroots-level organizations.

- Petitioners continued to suffer retaliation from local officials who tried to suppress exposure of their wrongdoing. Mistreatment experienced by petitioners included criminal prosecution, forcible commitment to a psychiatric hospital, arbitrary detention, and torture.
- Rights lawyers likewise suffered mistreatment, including criminal prosecution, for their legal work. After completing their sentences, lawyers typically have their law license revoked and are subjected to surveillance, restrictions on domestic and international travel, repeated forced relocation, and punishment of their family members, such as denial of education. As a United Nations special rapporteur pointed out, preventing lawyers from fulfilling their legal duties to their clients may “open the door to systematic violations of the right to a fair trial and equality before the law” in certain kinds of cases.

GOVERNANCE

- The People’s Republic of China (PRC) continued to be an authoritarian Party-State that increasingly sought to exert comprehensive ideological control. Central authorities implemented Chinese Communist Party General Secretary Xi Jinping’s expansive notion of national security through legislative acts, potentially making repressive measures more enduring. Amended laws extended secrecy requirements to non-classified material under the vague and expansive concept of national security, exposing travelers and businesspersons to the risk of arbitrary enforcement.
- With a stated goal of improving administrative efficiency, local governments created “comprehensive administrative enforcement” units. These units, however, serve as a grassroots-level mechanism of social control under the grid system, which is a Party-devised method of managing and surveilling citizens. Local governments hired large numbers of grid workers and tasked them with non-political community services, as well as political duties including disseminating propaganda, surveilling, and collecting personal information of residents.
- With laws requiring political education, Party offices merged with college administrative offices to allow for more direct control over academic institutions’ delivery of political indoctrination to students. Political topics that became a requirement this past year included patriotism, Party history, and national defense.
- As Party propaganda emphasized “culture building” as a way to reduce ideological risks by unifying people’s beliefs, authorities implemented policies that aimed at erasing ethnic cultures to promote a single Chinese nationality. Such policies included replacing Uyghur buildings with ones that reflect Chinese culture, banning Mongolian-language instruction in schools, and punishing advocacy for the Tibetan language.
- Despite official rhetoric promoting constitutional enforcement, citizens continued to lack judicial or administrative means to

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assert their rights as enumerated in the PRC Constitution. At the same time, the government concealed or manipulated public data, undermining citizens' right to meaningfully participate in civic affairs.

ETHNIC MINORITY RIGHTS

- During the Commission's 2024 reporting year, Party and government officials championed the "integration" of ethnic minorities, continuing the implementation of policies contravening the rights of Uyghurs, Tibetans, Mongols, Hui, and other ethnic minorities to maintain their own languages and cultures.
- Reports indicate that authorities had altered, destroyed, or closed large numbers of mosques serving Hui communities in an effort to "sinicize" these communities and restrict their religious freedom, particularly in Gansu province and Ningxia Hui Autonomous Region. In February 2024, Radio Free Asia (RFA) reported that officials in Nagu town, Tonghai county, Yuxi municipality, Yunnan province, had installed pagodas in place of the dome and minarets they demolished the previous year at the local Najiaying Mosque. Authorities also replaced the Arabic-style dome and minarets on the Grand Mosque in Shadian subdistrict, Gejiu city, Honghe Hani and Yi Autonomous Prefecture, Yunnan, with a pagoda rooftop and pagoda towers.
- Officials in the Inner Mongolia Autonomous Region (IMAR) continued to implement policies suppressing the use of Mongolian as a language of instruction in schools. In September 2023, authorities largely completed the transition to a region-wide policy, begun in 2020, of enforcing instruction in Mandarin Chinese for all subjects from kindergarten through senior high school.
- Mongols originally from the IMAR who sought refuge in Mongolia reportedly experienced transnational repression from PRC authorities, against a backdrop of PRC pressure on Mongolian authorities to prevent criticism within Mongolia of the PRC's actions in the IMAR.

STATUS OF WOMEN

- Women's rights were the subject of recommendations during the fourth Universal Periodic Review of the People's Republic of China's (PRC) compliance with international human rights norms in January 2024. With legal provisions weakly implemented in China, rural and urban women are at risk of losing property rights, face gender discrimination at work, are vulnerable to gender-based violence, and have limited access to justice.
- At the October 2023 National Women's Congress, officials emphasized building families and the nation, and the role of the All-China Women's Federation in promoting family values to promote population growth.
- The Commission continued to monitor official harassment and detention of women's rights advocates, as well as women harassed and detained for political advocacy and religious belief. These included: **Huang Xueqin, Ye Haiyan, Rei Xia, Wu Qin, Xu Qin, and Tang Hui.**

- So-called “everyday feminism” is on the rise in China, but the overall environment for feminist advocacy in China is highly restricted in the wake of crackdowns on independent and grassroots civil society advocates and organizations, suspicion of women’s public participation, and the censorship of feminist websites and social media.
- Women’s political empowerment in China remains low, according to the World Economic Forum’s Global Gender Gap Report. Scholarly analysis published this past year concluded that the Party’s “commitment to gender equity and its quota policy have failed to integrate women meaningfully into the inner circles of power so that Chinese politics remains largely gendered.”
- A State Council assessment of the PRC Anti-Domestic Violence Law in August 2023 highlighted problems with implementation, such as a minimal use of mandatory reporting in cases of children harmed by domestic violence, the low number of protection orders and warnings issued by local courts and public security bureaus, the vulnerability of women with disabilities, inadequate funding, and a lack of legal knowledge among front-line personnel.

POPULATION CONTROL

- The Chinese Communist Party and government of the People’s Republic of China (PRC) continued to apply a birth limit policy, which violates international standards by seeking to control family size. An expert commented that the PRC three-child policy instituted in 2021, which permits and seeks to incentivize families to have up to but no more than three children, is a project to “[reassert] Party-State control over [the] population.”
- The pro-birth policy has not resulted in population growth, however, and PRC population trends are similar to those in other East Asian countries. The National Bureau of Statistics of China’s 2023 data revealed that the population declined in China for the second year in a row and that the total number of births in China declined for the seventh year in a row.
- Young people’s reluctance to marry and have children has been linked to a variety of factors, including the high cost of raising children in China, economic precarity, and gender inequality.
- Party leaders emphasized the importance of population growth during official speeches and events this past year. Pro-birth and marriage messaging was featured in official propaganda, municipal governments’ financial incentives, and judicial opinions. Measures passed in September 2023 incentivized childbirth for military personnel. Some legislative proposals focused on supporting women’s rights in the workplace.
- The legacy of the one-child policy (1980–2015) continues to have an impact on Chinese society, including human trafficking for the purpose of marriage and the commercial sex trade. Data published this past year showed on average, boy-preference for couples having a third child, with 133 boys born for every 100 girls, across China.

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- Chinese authorities' enforcement of population control policies has contributed to increasing socio-economic precarity for China's elderly population, including an underfunded pension system and the inability of adult children to provide traditional care for their elderly parents.

HUMAN TRAFFICKING

- The Outlaw Ocean Project, the *New Yorker*, and the Environmental Justice Foundation separately identified practices indicating forced labor in the Chinese seafood industry. The reporting found that International Labour Organization (ILO) indicators of forced labor were present onboard Chinese fishing vessels and that Turkic and Muslim workers from the Xinjiang Uyghur Autonomous Region (XUAR) and North Korea were likely subjected to forced labor in the seafood processing industry.
- Forced employment and poverty alleviation policies involving Turkic Muslims from the XUAR continued during the reporting year, and they are set to continue at least through 2025. Reports found that gold and aluminum were likely tainted by forced labor involving Uyghurs and other Turkic Muslims from the XUAR, and witnesses at a Commission hearing found that audits were unreliable when investigating instances of forced labor in and from the XUAR.
- Scamming organizations in Southeast Asia, including many run by Chinese nationals, continued to force individuals from China and other countries to work in compounds carrying out online scam operations targeting people around the world.
- In a March 2024 hearing held by the Commission, witnesses expressed concern that large-scale collection of the DNA of Uyghurs and others in the XUAR could be used to match organs for forced removal. Forced organ removal is considered a form of human trafficking by the U.N.

WORKER RIGHTS

- The recorded number of strikes and labor protests in the People's Republic of China (PRC) increased in 2023 for the first time since the peak of a "strike wave" that ended in 2016. The increase can primarily be attributed to the demand for money owed for back wages. A slowing economy has led to factory closures, causing bosses to leave without paying out back wages. This has contributed to a tenfold increase in the number of factories that experienced strikes between 2022 and 2023. Construction workers were denied pay as a tightening in the housing market led to the closure of or slowdown of work at construction sites. Police continued to suppress strike activity after being called in to disrupt at least 181 strikes in 2023.
- China's repression against labor rights activists has continued. In June of 2024 a court in Guangzhou municipality, Guangzhou province sentenced labor rights activist **Wang Jianbing** to three years and six months in prison. Additionally, in the first half of 2023, police were called in to 82 strikes, and detained workers at 7 of the strikes. The continued harassment of whistleblowers such as **Lu Yuyu** and **Tang Mingfeng**, even after

their release from prison, highlighted the difficulties faced by those who try to tell the truth about labor conditions in China.

- A system of normalized forced overtime among white-collar workers persisted despite China officially having an eight-hour workday, with the workweek not allowed to exceed 44 hours. In the technology industry, workers are expected to participate in an overtime practice referred to as “996,” from 9 a.m. to 9 p.m., six days a week. This overtime practice dovetails with age discrimination, as workers over 35 are perceived as unable to handle these long hours and are therefore subject to hiring discrimination.

- Inequality continues to be systematized through the *hukou* or household registration system. Urban *hukou* holders continue to be able to access considerably more benefits than rural *hukou* holders and migrant workers. In December 2023, the World Bank released a report that documented the unequal treatment of rural and urban residents when it comes to access to pensions sufficient to maintain a worker during retirement.

- The PRC continues to deny its workers the right to unionize. The official, Party-controlled union, the All-China Federation of Trade Unions (ACFTU), continues to be the sole representative of workers. In 2023, the ACFTU held its 18th Congress, during which it signaled further consolidation and centralization under the leadership of Party General Secretary Xi Jinping.

PUBLIC HEALTH

- The People’s Republic of China (PRC) authorities’ response following the COVID-19 outbreak in Wuhan municipality, Hubei province, and throughout the COVID-19 pandemic has been characterized by a lack of transparency and problematic reporting. In October 2023, the government considered draft revisions to the PRC Law on the Prevention and Control of Infectious Diseases, including amendments that would strengthen reporting of infectious disease outbreaks within China.

- During the Commission’s 2024 reporting year, PRC authorities continued to suppress criticism of the Chinese Communist Party and government about the PRC’s response to the COVID-19 outbreak and pandemic and have promoted a narrative of “success”.

- Several Chinese citizens based in Shanghai municipality faced official harassment and detention in connection with their efforts to document the COVID-19 pandemic and protest harsh lockdown measures including: **Chen Pinlin, Ji Xiaolong, Rei Xia, and Zhang Zhan.**

- Although there have been sporadic efforts to punish corruption in the healthcare sector in the past, during this reporting year, Xi Jinping’s anticorruption “battle” engulfed the sector in a nationwide crackdown.

- The State Council passed new “Regulations on Human Organ Donation and Transplantation” that were presented as a means to strengthen oversight and management of the organ allocation and distribution system. A group of transplant surgeons and ethicists expressed skepticism that the PRC had ended

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abuses in its organ transplant system, noting China's failure to adhere to WHO Guiding Principles—including a lack of accountability, allegations of forced organ harvesting, and falsified data on organ transplantation.

- PRC authorities continued to use forcible psychiatric commitment as a tool of political control and repression in China, according to a Chinese nongovernmental organization including in the cases of: **Wu Yanan**, **Wang Yuping**, and **Song Zaimin**.

THE ENVIRONMENT

- China remained the world's leading emitter of carbon dioxide (CO₂) emissions in 2023. China's CO₂ emissions continued to grow in January and February of 2024, followed by a 3-percent decrease in March, the first decline since the discontinuation of the zero-COVID policy in the country.

- International media and observers detailed trends in China's coal sector that may impede the country's progress towards meeting its 2025 targets under the Paris Agreement.

- At the 2023 United Nations Climate Change Conference (COP28), China did not sign on to the Global Renewables and Energy Efficiency Pledge. Experts speculate that China chose to refrain from signing in part due to the pledge's references to phasing out fossil fuels and coal.

- Extreme weather events that observers have linked to climate change affected cultural heritage, food and water security, and public health in China. 2023 was described as the country's "historic warmest year," and July 2024 as "the hottest single month in the history of observation."

- PRC authorities repressed environmental advocates. This past year, officials detained environmental advocate and blogger **Hu Nengke**, known as "Hu Laoshi" (Teacher Hu), for exposing corruption committed by officials in Gushi county, Xinyang municipality, Henan province, which included allowing companies to violate environmental regulations. In addition, PRC authorities deployed armed police to peaceful protests in Anqing municipality, Anhui province and detained more than 1,000 Tibetans for voicing their opposition to the Kamthog (Gangtuo) hydropower dam in Derge (Dege) county, Kardze (Ganzi) Tibetan Autonomous Prefecture, Sichuan province.

- The PRC's dams, island-building initiatives, and giant clam harvesting contributed to environmental degradation in the Indo-Pacific region.

BUSINESS AND HUMAN RIGHTS

- Companies that do business in, source from, or work with companies in the Xinjiang Uyghur Autonomous Region (XUAR) are at risk of complicity in human rights abuses being committed by the Chinese Communist Party and government. Reports of corporate involvement in mass atrocities in the XUAR implicate the apparel, automotive, mining, seafood, solar, tomato, and tourism industries.

- Reports and congressional testimony continued to highlight evidence of the unreliability of social compliance audits

conducted in the People's Republic of China (PRC), especially in the XUAR. In December 2023, German car manufacturer Volkswagen commissioned Löning Human Rights & Responsible Business to conduct an audit of its joint venture factory in the XUAR. Although the automaker claimed the audit found no signs of forced labor, human rights experts and advocates raised concerns that social compliance audits are neither equipped nor designed to accurately identify state-imposed forced labor in the region.

- Chinese and international technology companies are linked to the Chinese government's data collection, surveillance efforts, and censorship. Reports from this past year found the following:
 - Accelerated Nuclear DNA Equipment, with the support of Chinese security equipment vendor Beijing GAC World Trade, sold DNA testing machines to public security bureaus across China.
 - Chinese biotechnology firm WuXi AppTec transferred a client's data and intellectual property from the U.S. to China without consent.
 - PRC authorities censored content on Apple's App Store by directly requesting that Apple remove specific apps, by setting complex rules for app developers, and by creating localized versions of select apps to restrict access to global versions, among other tactics.
 - Google's YouTube blocked access to more than 30 videos of the popular pro-democracy protest anthem "Glory to Hong Kong" for viewers in Hong Kong.
- Recent PRC legislation expanded the scope of laws authorizing government control of information, prompting businesses to self-censor or take other precautionary measures. The Commission observed businesses implementing heightened precautionary measures, including 1) encouraging use of burner phones; 2) withdrawing operations from China; 3) limiting access to international databases; and 4) working from home.
- As of May 2024, the U.S. State Department's China Travel Advisory warns travelers about the "arbitrary enforcement of local laws, including in relation to exit bans, and the risk of wrongful detentions." According to reporting from September 2023, Chinese authorities blocked a senior executive from American risk advisory firm Kroll and a senior Hong Kong-based banker from Japanese financial services group Nomura Holdings from leaving mainland China.

NORTH KOREAN REFUGEES IN CHINA

- Shortly after the border reopening in the summer of 2023, the People's Republic of China (PRC) began to repatriate North Korean refugees, many of whom were women. In October 2023, the PRC government facilitated the return of 500 to 600 North Korean refugees. International condemnation followed, and concerns were raised this past year at the United Nations by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (DPRK) and by the Republic of Korea (South Korea) government, among others.

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- Despite Chinese authorities' continual denials, there have been reports of abuse and torture of North Korean refugees who were repatriated since the border reopening. According to media reports, seven female refugees who were repatriated in October 2023 died due to serious human rights violations that occurred at two detention sites in the DPRK, including at least one case of reported suicide.
- North Korean workers dispatched from North Korea to earn foreign currency in China are overwhelmingly women and are vulnerable to sexual abuse and exploitation. Despite recent media reports and an international outcry over human rights violations in seafood processing plants, Chinese companies employed additional workers, defying international sanctions banning the hiring of workers from North Korea.
- North Korean trafficking victims, mostly women who had been residing in China before the outbreak of coronavirus disease 2019 (COVID-19), remain highly marginalized. Chinese authorities denied them access to essential healthcare and social services. The number of North Korean women being trafficked into China has decreased due to strict border controls. In a couple of cases heavy sentences were meted out for trafficking of North Korean women.

TECHNOLOGY-ENHANCED AUTHORITARIANISM

- The People's Republic of China (PRC) continued to rely on a National Anti-Fraud Center (NAFC) app to collect data and access personal information, monitor online activity, and potentially aggregate data for surveillance. While use of the app is prevalent across China, the Tibet Autonomous Region was a focal point for surveillance, leading individuals to engage in self-censorship, reducing cultural expression, and reinforcing control and conformity.
- Chinese leader Xi Jinping proposed the Global Artificial Intelligence Governance Initiative, which emphasizes sovereignty while potentially limiting human rights. Domestically, the Chinese government has issued regulations that further ensure that artificial intelligence (AI) is aligned with Chinese Communist Party values, and Chinese academics have posited a need to guard against "Western values."
- Chinese entities demonstrated competency in using AI to create social media content aimed at manipulating public opinion. First Voice, an opinion unit of Chinese state-owned media outlet *China Global Television Network* (CGTN), used AI to generate a series of animated videos on X and YouTube, called "A Fractured America," showing fake strikes and riots happening across America because of income inequality and a lack of accountable democracy. Meanwhile, a research report revealed the first use of an AI-generated human by a Chinese company in an influence campaign.
- An online propaganda and disinformation operation employing a network of social media accounts (or "bots") linked to the Chinese government, called "Spamouflage," continued to make posts on social media favorable to the Chinese government and

hostile to opinions contrary to PRC policy. The Canadian government attributed the posting of “thousands” of comments in English and French on Facebook and X accounts of Members of Parliament to the operation.

TIBET

- The Commission did not observe any interest from People’s Republic of China (PRC) officials in resuming formal negotiations with the Dalai Lama’s representatives, the last round of which, the ninth, was held in January 2010.
- The PRC continued to restrict, and seek to control, the religious practices of Tibetans, the majority of whom practice Tibetan Buddhism. As part of the broader policy of “sinicizing” religion, PRC authorities in Tibetan areas issued prohibitions on forms of religious worship, including during important religious events or around the times of politically sensitive anniversaries, limited access to religious institutions and places of worship, including Tibetan Buddhist monasteries and temples, and otherwise unduly restricted Tibetans’ freedom of religion and belief. The PRC continued to assert control over the process of selection and recognition of Tibetan Buddhist reincarnated teachers, including the Dalai Lama.
- The Commission did not observe reports of Tibetan self-immolations occurring during the 2024 reporting year, the second year since 2021 in which no self-immolations were reported to have occurred.
- PRC authorities maintained a system of residential boarding schools in Tibetan areas that observers fear could constitute a serious threat to Tibetan society and the intergenerational transmission of culture and language.
- Large-scale protests broke out in February 2024 in Derge (Dege) county, Kardze (Ganzi) Tibetan Autonomous Prefecture, Sichuan province, due to official plans for construction of a hydroelectric dam on the Dri Chu (Jinsha) River that will submerge at least two villages and six monasteries, one of which, Wontoe Monastery, contains well-preserved 13th-century murals. Security personnel detained approximately 1,000 Tibetans in connection with the protests; many were later released, but local authorities escalated surveillance and monitoring of local communities in the following months.
- In contravention of international human rights standards, officials punished residents of Tibetan areas for exercising protected rights, including the expression of religious belief, expressing criticism of PRC policies, and sharing information online. Notable cases this past year included those of writer **Pema**, a monk and teacher at Kirti Monastery, who in a lone protest held a portrait of the Dalai Lama and called for the Dalai Lama’s return to Tibet and religious freedom for Tibetans; **Semkyi Drolma**, detained for her participation in discussion groups about Buddhism on the social media platform WeChat, and later sentenced to one year and six months in prison for “leaking state secrets”; and **Tenzin Sangpo**, a senior monk at

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Derge's Wontoe Monastery detained in February 2024 as part of the anti-dam protests.

XINJIANG UYGHUR AUTONOMOUS REGION

- Research published this past year indicated that the rate of imprisonment for Turkic and Muslim individuals in the Xinjiang Uyghur Autonomous Region (XUAR) was disproportionately high compared to China's overall prison population. According to analysis published by the Uyghur Human Rights Project (UHRP) in April 2024, based on official figures, Uyghurs and members of other non-Han Chinese ethnic groups in the XUAR constituted 34 percent of the number of people estimated to be formally imprisoned in China, although these groups make up only one percent of the country's population. UHRP's analysis estimates that members of ethnic minority groups in the XUAR are formally imprisoned at more than 47 times the rate of Han Chinese people in the region, with 1 in every 26 ethnic minority XUAR residents imprisoned.
- During this reporting year, authorities in the XUAR maintained a system of forced labor that involved Turkic and Muslim individuals, shifting from a system involving former mass internment camp detainees to one that generally involves people who have not been detained. According to observers, officials use forced labor programs to tighten political and social control over Uyghur and other communities in the XUAR. Official data show that authorities planned to transfer at least one million "surplus laborers" through the "poverty alleviation" program in 2023—a figure that did not include all types of forced labor transfers—and that this figure included a significant increase in the number of cross-provincial labor transfers.
- New regulations took effect this reporting year in the XUAR that tightened limits on the religious practices of Muslim residents in the region. In December 2023, the XUAR People's Congress amended the Xinjiang Uyghur Autonomous Region Regulations on Religious Affairs (RRA), which took effect on February 1, 2024. The revised regulations focus on the need to "sinicize" religious practices and venues, in line with government efforts to "sinicize" religious worship nationwide in recent years, and tighten restrictions on the establishment, construction, and renovation of places of worship. Human Rights Watch wrote that according to the text of the revised RRA, "[r]eligious venues are to be, effectively, training grounds that promote the values of the Chinese Communist Party to the people."
- Reports emerged this past year showing that Chinese authorities have continued implementing policies that infringe upon Uyghurs' rights to maintain their own language and culture. In June 2024, Human Rights Watch published research findings, which it produced together with the Norway-based organization Uyghur Hjelp, showing that between 2009 and 2023, Chinese officials had changed the names of more than 600 villages traditionally inhabited by Uyghurs into names that removed their cultural or religious significance. In September 2023, three U.N. special rapporteurs issued a press release expressing "grave

concern” over reports of a “significant expansion” of the boarding school system in the XUAR. The three experts expressed concern over the fact that the boarding schools into which Uyghur children are placed provide little to no instruction in the Uyghur language, and that these children are pressured to speak and learn only Mandarin Chinese.

HONG KONG AND MACAU

- As the Chinese Communist Party and government increasingly interfered with Hong Kong’s affairs in violation of the “one country, two systems” principle, the Hong Kong government continued to implement various repressive policies purportedly to protect national security. The arbitrary application of national security laws has led to the imprisonment of dissidents and activists, further eroding fundamental freedoms in the city.
- Ongoing criminal prosecution on charges involving national security and sedition against individuals who peacefully exercised their rights included news media executives **Jimmy Lai** and **Chung Pui-ken**, human rights lawyer **Chow Hang-tung**, and student activist **Joshua Wong Chi-fung**.
- Hong Kong police issued warrants of arrest on at least 13 exiled activists and offered rewards for information leading to their arrest. These individuals advocated for democratic reform and for imposing financial sanctions on Hong Kong and People’s Republic of China (PRC) officials who perpetrated human rights violations. A group of United Nations (U.N.) experts expressed serious concern over the case, saying that the Hong Kong government was punishing people for political speech.
- Some foreign judges on Hong Kong’s highest court resigned, with one of them explaining the factors that had profoundly compromised the rule of law: 1) The National Security Law severely limited judges’ freedom of action; 2) the National People’s Congress Standing Committee could overturn judges’ decisions; and 3) authorities were intent on quashing even peaceful dissent.
- The Hong Kong government’s application to order unspecified social media companies to take down a popular protest song was granted by an appellate court, which reversed a lower court that denied the application based on protection of civil liberties considerations.
- Annual vigils commemorating the violent suppression of the 1989 Tiananmen protests were no longer held. In past years, authorities initially denied applications to hold the vigils on public health grounds. More recently, no such applications have been made because the organizing group dissolved after its core leaders became political prisoners.
- Allegations emerged this year of physical and sexual violence taking place at a juvenile detention facility. Prison guards reportedly abused political prisoners and sometimes did so using other inmates as proxies. Avenues through which abuse could be reported were ineffective because abusers exploited security camera blind spots and victims were too afraid to step forward publicly to file complaints.

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HUMAN RIGHTS VIOLATIONS IN THE U.S. AND GLOBALLY

- The People's Republic of China (PRC) continued a multifaceted campaign of transnational repression against Hong Kongers, Tibetans, Uyghurs, journalists, Chinese university students, and others to stifle dissent and intimidate individuals in emigrant and diaspora communities. Examples include the issuance of HK\$1,000,000 (US\$127,600) bounties on 13 overseas activists, intelligence-gathering efforts in diaspora communities, and the harassment of China-based relatives of overseas targets.
- The PRC's transnational repression efforts were observed leading up to, during, and after the November 2023 Asia-Pacific Economic Cooperation (APEC) Summit in San Francisco, California.
- This reporting year, the Commission observed reports of PRC authorities forcibly repatriating overseas Chinese citizens **Lu Siwei** and **Yang Zewei**, also known as Qiao Xinxin, through extrajudicial means.
- The PRC targeted foreign politicians and governments by attempting to influence democratic elections and shape public opinion abroad about the Chinese Communist Party and government, including in Canada, the Solomon Islands, and Taiwan.
- PRC authorities continued to make efforts to influence processes and procedures within the U.N. system to limit public awareness of China's human rights abuses in the international community. This past year, reports detailed the PRC's efforts to influence and impede the U.N. Human Rights Council's Universal Periodic Review (UPR) and several U.N. Special Procedures.

POLITICAL PRISONER DATABASE

The Commission's 2024 Annual Report provides information about Chinese political and religious prisoners¹ in the context of specific human rights and rule-of-law abuses. Many of the abuses result from the Chinese Communist Party and government's application of policies and laws. The Commission relies on the Political Prisoner Database (PPD), a publicly available online database maintained by the Commission, for its research, including the preparation of the Annual Report, and routinely uses the database as a resource to prepare summaries of information about and support advocacy for political and religious prisoners for Members of Congress and Administration officials. The Commission invites the public to read about issue-specific Chinese political imprisonment in sections of this Annual Report and to access and make use of the PPD at <https://www.ppdcecc.gov>.

The Commission seeks to provide users with prisoner information that is reliable and up to date. Commission staff members aim to provide objective analysis of information about individual prisoners and about events and trends that drive political and religious imprisonment in China, and work on an ongoing basis to create, maintain, and update records of political and religious imprisonment in the PPD. Each record describes the type of human rights violation by Chinese authorities connected to the prisoner's detention. These include, among others, violations of the right to peaceful assembly, freedom of religion, freedom of association, and freedom of expression, including the freedom to advocate for peaceful social or political change and to criticize government policy or government officials.

When the PPD was first launched, the Dui Hua Foundation, based in San Francisco, and the former Tibet Information Network, based in London, shared their extensive experience and data on political and religious prisoners in China with the Commission to help establish the database. The Commission relies on its own staff research for prisoner information, as well as on information provided by nongovernmental organizations (NGOs), groups that specialize in promoting human rights and opposing political and religious imprisonment, and other public sources of information.

POLITICAL PRISONERS

Overview. As of June 30, 2024, the PPD contained 11,199 records of political or religious imprisonment in China. Of those, 2,764 records were considered "active detentions," referring to records of political and religious prisoners currently known or believed to be detained or imprisoned, or under coercive controls. There were 8,435 records of prisoners who are known or believed to have been released, who were executed, who died while imprisoned or soon after release, or who escaped. The Commission notes that there are considerably more cases of current political and religious detention in China than are contained in the PPD.

Ethnic Group. Of the active detentions, 1,693 contained information on the prisoners' reported or presumed ethnicity. Of those, 790 were Tibetan, 502 were Uyghur, 309 were Han, 35 were Kazakh,

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27 were Mongol, and 9 were Hui. Of the 1,071 prisoners without recorded ethnicities, many were likely Han.

Religion. Of the 2,764 records of prisoners known or believed to be detained, 1,686 contained information on the prisoner’s religious affiliation. 678 were Tibetan Buddhists, 497 were Falun Gong practitioners, 245 were Muslim, 86 were Protestants, 22 were adherents of Mentu Hui, 18 were Jehovah’s Witnesses, 17 were Yi Guan Dao members, 36 were members of the Church of Almighty God (also known as Eastern Lightning), and 15 were Catholic.

Sex. Of the 2,764 records of prisoners known or believed to be detained, 1,710 were of male prisoners, 761 were of female prisoners, and 293 records did not contain information on the prisoner’s sex.

Sentencing. Of the 2,764 records of prisoners known or believed to be detained, 1,441 pertain to individuals serving prison sentences. Of those 1,441 prisoners, 1,347 were serving fixed-term sentences, 63 were serving life sentences, 24 were sentenced to death with a two-year reprieve, and 7 were sentenced to death.

Place of Detention. The table below shows the number of active detentions in each province-level administrative division:

Xinjiang Uyghur Autonomous Region	611	Hunan province	45
Sichuan province	397	Jiangxi province	42
Tibet Autonomous Region	244	Shanxi province	39
Guangdong province	171	Jilin province	39
Qinghai province	153	Shaanxi province	36
Gansu province	86	Shanghai municipality	26
Liaoning province	84	Yunnan province	26
Heilongjiang province	84	Fujian province	25
Beijing municipality	81	Zhejiang province	20
Shandong province	73	Chongqing municipality	19
Hong Kong SAR	72	Ningxia Hui Autonomous Region	17
Henan province	67	Tianjin municipality	13
Hebei province	66	Guizhou province	12
Anhui province	57	Guangxi Zhuang Autonomous Region	10
Hubei province	53	Hainan province	1
Jiangsu province	49	Macau SAR	0
Inner Mongolia Autonomous Region	46		

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 2024 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 urged to advocate for these individuals in meetings with Chinese Communist Party and government 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 June 30, 2024)
<p data-bbox="174 613 342 693">Wang Jianbing 王建兵 2021-00517</p>  <p data-bbox="178 913 338 1014">Sophia Huang Xueqin 黄雪琴 2019-00454</p> 	<p data-bbox="386 613 971 1024"> Date of Detention: September 19, 2021 Place of Detention: Guangzhou Municipal No. 1 PSB Detention Center in Guangdong province Charge(s): Inciting subversion of state power Status: Wang: sentenced to three years and six months; Huang: sentenced to five years Context: On September 19, 2021, public security authorities in Guangzhou took into custody journalist and gender rights advocate Sophia Huang Xueqin and labor rights advocate Wang Jianbing. Authorities placed Huang and Wang under “residential surveillance at a designated location”—a form of incommunicado detention that leaves detainees vulnerable to torture and abuse—and formally arrested them on October 27 for “inciting subversion of state power.” Authorities held Wang in solitary confinement for five months and did not permit him to meet with his lawyer. In September 2023, the Guangzhou Intermediate People’s Court tried Huang and Wang in a closed hearing and sentenced them on June 13, 2024. </p> <p data-bbox="386 1024 971 1236"> Additional Information: Wang worked on rural development, youth education initiatives, advocacy on behalf of persons with disabilities, and labor rights, and is a strong supporter of China’s #MeToo movement. The U.N. Working Group on Arbitrary Detention deemed his detention arbitrary in 2022. Authorities previously detained Huang on suspicion of “picking quarrels and provoking trouble,” possibly in connection with her coverage of sexual harassment in China and her reporting on the 2019 pro-democracy demonstrations in Hong Kong. </p>

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Name PPD Record No.	Case Summary (as of June 30, 2024)
<p data-bbox="183 250 331 328">Yu Wensheng 余文生 2014-00387</p>  <p data-bbox="199 543 315 620">Xu Yan 许艳 2023-00110</p> 	<p data-bbox="387 250 972 356">Date of Detention: April 14, 2023 Place of Detention: Yu: Suzhou No. 1 PSB Detention Center; Xu: Suzhou No. 4 PSB Detention Center Charge(s): Picking quarrels and provoking trouble Status: Detained, awaiting trial Context: On April 14, 2023, police in Beijing municipality detained lawyer Yu Wensheng and his wife, activist Xu Yan, as they headed to a meeting with European Union diplomats. The next day, police verbally read a criminal detention notice to their son saying that both were held on suspicion of “picking quarrels and provoking trouble” but did not provide a written copy. Police reportedly stationed personnel in Yu and Xu’s home with their son and told their lawyers that Yu did not want a lawyer, and that Xu had chosen two others. On May 21, Yu’s brother reported that authorities had formally arrested Yu and Xu but had not given him an arrest notice or allowed him to photograph one. He also said that police warned lawyers not to represent the couple. Additional Information: Authorities previously detained Yu from 2014 to 2015 in connection with his support for pro-democracy protests in Hong Kong, and from 2018 to 2022 he served a four-year prison sentence for “inciting subversion of state power” due to his advocacy of political reform.</p>
<p data-bbox="183 857 331 956">Tonyee Chow Hang-tung 鄒幸彤 2021-00514</p> 	<p data-bbox="387 857 972 1009">Date of Detention: June 4, 2021 Place of Detention: Tai Lam Centre for Women, Hong Kong SAR Charge(s): Inciting others to join an unauthorized assembly; inciting subversion of state power; failure to comply with notice to provide information Status: Detained Context: On June 4, 2021, Hong Kong police arrested Tonyee Chow Hang-tung, alleging that she had incited others to join a candlelight vigil commemorating the 1989 Tiananmen protests, which police had declined to authorize on public health grounds. Police released her on bail but arrested her again on June 30, accusing her of inciting others to join an unauthorized assembly on July 1, the anniversary of Hong Kong’s handover. Chow is a rights lawyer and was previously vice chair of the NGO Hong Kong Alliance that organized June 4th vigils annually. In September, police arrested Chow and several other Hong Kong Alliance members for failing to surrender documents relating to the organization’s operations, additionally charging her with “inciting subversion of state power” under the National Security Law (NSL). Chow has been sentenced to a total of 22 months in prison for two charges relating to unauthorized assembly. In December 2022, the Hong Kong High Court overturned a 15-month sentence related to the unauthorized assembly, but in January 2024, the Hong Kong Court of Final Appeal overturned the acquittal. In May 2024, Chow was arrested under the provisions of the new Safeguarding National Security Ordinance (“Article 23” legislation) for publication of seditious materials. Additional Information: In May 2023, the U.N. Working Group on Arbitrary Detention held that Chow’s detention was arbitrary and called on Hong Kong authorities to release her.</p>



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Name PPD Record No.	Case Summary (as of June 30, 2024)
<p>Xu Qin 徐秦 2016-00015</p> 	<p>Date of Detention: February 9, 2018 Place of Detention: Yangzhou Municipal PSB Detention Center in Jiangsu province Charge(s): Inciting subversion of state power Status: Sentenced to four years Context: Police in Gaoyou city, Yangzhou, detained veteran rights defender Xu Qin in February 2018 on suspicion of “picking quarrels and provoking trouble” in apparent connection with her advocacy on behalf of other rights advocates, including detained lawyer Yu Wensheng. In March, police placed Xu under “residential surveillance at a designated location” and accused her of “inciting subversion of state power.” After releasing Xu on bail in September, authorities maintained her bail conditions for three years. In November 2021, she was taken back into custody and formally arrested for “inciting subversion.” Xu’s lawyer reported that in June 2022, she was paralyzed and in a wheelchair. The Yangzhou Intermediate People’s Court sentenced her in March 2024 to four years in prison. Additional Information: A former Communist Party member, Xu was detained previously in 2016 in connection with a planned gathering of petitioners in Beijing municipality. Xu has been a member of the rights defense organizations China Human Rights Watch and Rose China, whose founder, Qin Yongmin, is serving a 13-year prison sentence for his democracy advocacy.</p>
<p>Yang Zewei 杨泽伟 2023-00171</p> 	<p>Date of Detention: May 31, 2023 Place of Detention: Hengyang Juvenile PSB Detention Center in Hengyang municipality, Hunan province Charge(s): Inciting subversion of state power Status: Formally arrested, awaiting trial Context: On May 31, 2023, Chinese police officers, in cooperation with Laotian police officers, abducted free speech activist Yang Zewei, also known as Qiao Xinxin, from his home in Vientiane, Laos. On July 7, 2023, Hengyang police formally arrested Yang for “inciting subversion of state power” and held him at the Hengyang Juvenile PSB Detention Center. Additional Information: Yang Zewei worked as a journalist for outlets such as Radio Free Asia before moving to Laos. In March 2023, he launched an online campaign to advocate against internet censorship in China.</p>

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Name PPD Record No.	Case Summary (as of June 30, 2024)
<p data-bbox="202 248 314 331">Lu Siwei 卢思位 2021-00269</p> 	<p data-bbox="387 248 972 742">Date of Detention: July 28, 2023 Place of Detention: Xindu District PSB Detention Center Charge(s): Illegally crossing the border Status: Released on bail, awaiting trial Context: On July 28, 2023, authorities in Laos detained Lu Siwei, a disbarred Chinese rights lawyer, near the Thai border as he was traveling from China via Thailand to the United States, where his wife and daughter live. In September, Lao officials transferred Lu back to the custody of PRC officials, who detained him on suspicion of “illegally crossing the border” and held him at the Xindu District PSB Detention Center in Chengdu municipality, Sichuan province. On October 28, 2023 authorities released Lu on bail pending trial. Additional Information: Lu Siwei has represented clients including rights lawyers and advocates and offered to work for one of 12 Hong Kong activists detained in August 2020 while attempting to flee to Taiwan. In 2017 he called on the National People’s Congress to investigate torture allegations among individuals detained in the 2015 “709” crackdown on rights lawyers and advocates. In January 2021, Sichuan authorities disbarred Lu, and in May 2021 he was banned from leaving China.</p>
<p data-bbox="202 765 314 874">Pema པམ་ 白玛 2024-00106</p> 	<p data-bbox="387 765 972 1046">Date of Detention: March 26, 2024 Place of Detention: Unknown location believed to be in Ngaba (Aba) Tibetan and Qiang Autonomous Prefecture, Sichuan province Charge(s): Unknown Status: Detained Context: Pema, a monk and teacher at Ngaba’s Kirti Monastery, was detained on March 26, 2024, after a solo protest in which he held a portrait of the Dalai Lama and called for the Dalai Lama’s return to Tibet and religious freedom for Tibetans. Following Pema’s detention, police stepped up restrictions in the area around Kirti Monastery and inquired into Pema’s contacts from his WeChat account.</p>
<p data-bbox="174 1109 339 1218">Rahile Dawut راھىلە داۋۇت 热依拉·达吾提 2018-00552</p> 	<p data-bbox="387 1109 972 1518">Date of Detention: December 2017 Place of Detention: Unknown location in the Xinjiang Uyghur Autonomous Region (XUAR) Charge(s): Unknown charge related to endangering state security Status: Sentenced to life imprisonment Context: Uyghur ethnographer Rahile Dawut disappeared in December 2017 and was believed to have been held in a mass internment camp. In July 2021, sources confirmed that she had been sentenced to prison on unknown charges. Later reporting confirmed that she had been tried in 2018 and sentenced to life imprisonment on a charge related to “endangering state security” and that the XUAR High People’s Court rejected her appeal. Friends and other observers suggested that authorities may have detained her due to her efforts to preserve Uyghur culture and heritage, or due to her foreign connections. She formerly taught at Xinjiang University and is well regarded for her scholarly research on traditional Uyghur culture.</p>

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Name PPD Record No.	Case Summary (as of June 30, 2024)
<p>Lang Dongyue 郎东月 2024-00071</p> 	<p>Date of Detention: December 14, 2021 Place of Detention: Zhangjiakou PSB Detention Center Charge(s): Unknown Status: Sentenced to nine years Context: On December 14, 2021, police took into custody Falun Gong practitioner Lang Dongyue in Huailai county, Zhangjiakou municipality, Hebei province. Police initially detained her in a police station and later transferred her to the Zhangjiakou PSB Detention Center in early 2021. In or around July 2023, the Xuanhua District People's Court in Zhangjiakou sentenced Lang to nine years in prison and imposed a fine of 15,000 yuan. The Zhangjiakou Intermediate People's Court later rejected Lang's appeal. Additional Information: Authorities had previously detained Lang at least five times beginning around 1999, during which time she was reportedly subjected to torture.</p>
<p>Zhou Songlin 周松林 2024-00125</p> 	<p>Date of Detention: November 30, 2023 Place of Detention: A PSB detention center in Hefei municipality, Anhui province Charge(s): Fraud Status: Detained Context: On November 30, 2023, public security officials in Hefei municipality, Anhui province, raided the homes of leaders and staff of the unregistered Ganquan Church. Fourteen individuals from the church initially were taken into custody, and while most were released shortly thereafter, among those criminally detained was the church's pastor, Zhou Songlin. Authorities criminally detained him and four others on suspicion of "fraud." Additional Information: In recent years, PRC authorities have used "fraud" charges against unregistered churches, effectively criminalizing churches' offerings-based funding structures.</p>

Notes to Section II—Political Prisoner Database

¹The Commission treats as a political prisoner an individual detained or imprisoned for exercising their human rights under international law, such as peaceful assembly, freedom of religion, freedom of association, and freedom of expression, including the freedom to advocate for peaceful social or political change, and to criticize government policy or government officials. (This list is illustrative, not exhaustive.) In most cases, prisoners documented in the PPD were detained or imprisoned for attempting to exercise rights guaranteed to them by China's Constitution and law, or by international human rights standards, or both. Chinese security, prosecutorial, and judicial officials sometimes seek to distract attention from the political or religious nature of imprisonment by convicting a de facto political or religious prisoner under the pretext of having committed a generic crime. In such cases, defendants typically deny guilt, but officials may attempt to coerce confessions using torture and other forms of abuse, and standards of evidence are poor. A defendant may authorize someone to provide their legal counsel and defense, as the PRC Criminal Procedure Law guarantees in Article 33, yet officials may deny the counsel adequate access to the defendant, restrict or deny the counsel's access to evidence, and not provide the counsel adequate time to prepare a defense.

GENERAL RECOMMENDATIONS TO CONGRESS
AND THE ADMINISTRATION

The Commission makes the following recommendations for actions by the Administration and Congress.

Enforce Forced Labor Import Restrictions. Congress and the Administration should provide sufficient resources to enforce laws prohibiting the importation of goods produced with forced labor, including the Uyghur Forced Labor Prevention Act (UFLPA; Public Law No. 117-78); enable the Forced Labor Enforcement Task Force (FLETF) to expand the UFLPA’s “Entity List,” and for the Department of Homeland Security (DHS) to hire analysts with Chinese language skills. In addition,

- The Administration should—
 - Employ available funds for technologies to assist in UFLPA enforcement, such as DNA traceability and secure supply chain mapping tools, and software, to better analyze packages entering the U.S. via the de minimis duty-free shipping loophole;
 - Focus enforcement efforts on small-parcel imports that enter the United States under the de minimis threshold, including by considering placing e-commerce sites like Temu on the UFLPA “Entity List” as some reportedly operate in China not only as online marketplaces, but as vertically integrated manufacturers and retailers responsible for sourcing goods;
 - Continue to expand the UFLPA “Entity List” aggressively so that importers have clear guidelines for supply chain management and better understand which companies are employing labor within, and transferred from, the Xinjiang Uyghur Autonomous Region (XUAR);
 - Direct the U.S. Department of Defense, the U.S. Department of Agriculture, and other federal agencies to end procurement of seafood processed in the Chinese provinces of Liaoning and Shandong, given evidence that such processed seafood is tainted by the forced labor of Uyghurs and North Koreans;
 - Issue clear guidelines through the Office of Management and Budget’s Office of Federal Procurement Policy directing all federal agencies to prohibit procurement of goods made with forced labor, particularly seafood processed in China;
 - Expand the ability of the U.S. Department of Justice’s Trade Fraud Task Force to investigate and prosecute international trade-related crimes, particularly those committed by entities violating the UFLPA in high-priority enforcement sectors or by entities seeking to obscure forced labor in existing supply chains, including through the transshipment of goods; and
 - Encourage foreign governments and legislatures to adopt their own national legislation or regulations modeled on the UFLPA; and
- Congress should—
 - Pass legislation amending the Tariff Act of 1930 (19 U.S.C. Chapter 4) to reform, reduce, or eliminate the de minimis threshold for duty-free shipments into the United States to prevent companies from circumventing the import restrictions required by the law;

- Consider legislation to expand the “rebuttable presumption” under the UFLPA that goods were made with forced labor to high-priority enforcement sectors beyond the XUAR, including 1) the fishing sector to target Chinese maritime fleets engaged in “illegal, unregulated, or unreported” fishing and 2) the importation of lithium-ion batteries made with cobalt mined and processed using forced or child labor. Congress should pass H.R. 6909 and H.R. 7981 (118th Cong.), both of which address labor abuse in the cobalt mining industry;
- Consider legislation or other legislative action to require certification that federal vehicle purchases are free of parts made with forced labor or containing materials mined with forced or child labor, including by providing complete supply chain mapping for the vehicles and their parts;
- Consider passing legislation, such as the Uyghur Forced Labor Disclosure Act (H.R. 4840), to require issuers of securities to publicly disclose their supply or production chain related to the XUAR or to companies involved in labor transfers involving Uyghurs or other persecuted groups; and
- Seek from the Securities and Exchange Commission (SEC) information about whether issuers of securities are violating the Securities Exchange Act of 1934 by failing to disclose the material impacts of their links to the XUAR or with entities employing the forced labor of Uyghurs.

Pursue Accountability for Atrocity Crimes. Congress should pass the bipartisan Uyghur Genocide Accountability and Sanctions Act (S. 1770/H.R. 8124) and the Uyghur Policy Act of 2023 (H.R. 2766) because the People’s Republic of China (PRC) continues to commit atrocities, including genocide, against Uyghur and other ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR). The Administration should fund programs to document and preserve evidence of atrocity crimes committed in the XUAR and more robustly use existing sanctions authorities found in the Uyghur Human Rights Policy Act (Public Law No. 116-145) to hold PRC officials accountable for atrocity crimes. In addition,

- The Administration should—
 - Create a Special Coordinator for the XUAR within the U.S. State Department whose task would be to enlist the cooperation of allies and partners in addressing atrocities; seek the release of Uyghurs detained who have family members living outside of the PRC; elevate enforcement of the Convention on the Prevention and Punishment of the Crime of Genocide, and coordinate public diplomacy efforts to counter PRC propaganda globally;
 - Request an open debate or an Arria-formula briefing at the U.N. Security Council on the situation in the XUAR;
 - Raise the U.S. State Department’s Travel Advisory for the XUAR to “Level 4” to reduce the possibility of Americans enabling atrocity crimes, such as through state-chaperoned and -managed tourism excursions.
 - Ensure that export controls prohibit U.S. companies from assisting Chinese companies engaged in digital or biometric surveillance that aids in the commission of atrocity crimes in the XUAR; and

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- Strengthen programs of public diplomacy globally to highlight the PRC's atrocities, including by expanding the Uyghur Service of *Radio Free Asia* and by supporting projects of the *Voice of America*, the National Endowment for Democracy, the International Republican Institute, and the National Democratic Institute; and
- Congress should—
 - Pass legislation to extend expiring sanctions authorities including those found in H.R. 8366 (118th Cong.) and the Uyghur Human Rights Policy Reauthorization Act of 2024 (S. 4465).
 - Require the Director of National Intelligence to submit a report assessing the impact of the PRC's atrocities on regional security, global supply chains, refugee flows, and its global propaganda efforts and including a detailed evaluation of the PRC's digital and biometric surveillance architecture; the entities owned or operated by the Xinjiang Production and Construction Corps (XPCC); the spread of facial recognition and other biometric surveillance tools globally; and the products and supply chains dependent on XUAR-sourced goods and products;
 - Direct the U.S. Department of the Treasury to issue a report on the impact of sanctions enforcement on the XPCC, which was sanctioned under the Global Magnitsky Human Rights Accountability Act (Public Law No. 114-328);
 - Provide sufficient funding for personnel at the Department of the Treasury and the Department of State to more effectively gather information and vet sanctions eligibility of suspected perpetrators of atrocities;
 - Consider legislation that would create a public archive of information documenting the Uyghur genocide and other atrocities for future atrocity accountability efforts;
 - Require the U.S. Department of Commerce's Bureau of Industry and Security (BIS) to add all PRC police and public security entities to the BIS Entity List, in order to prohibit them from purchasing U.S. biotechnology products for the mass forced collection of biometric data that could be used for state surveillance, particularly in Tibetan and Uyghur regions; and
 - Consider legislation that would deny tax-exempt status for non-governmental organizations that fail to publicly report holding interest in any Chinese entity identified as engaged in forced organ harvesting, gross violations of human rights, human trafficking, or forced labor.

Defend Human Rights in Hong Kong. The Administration should employ more robustly the sanctions authorities found in the Hong Kong Human Rights and Democracy Act (Public Law No. 116-76) and the Hong Kong Autonomy Act (Public Law No. 116-149) to target specifically government officials, prosecutors, judges, police, and other individuals complicit in the arbitrary detention of political prisoners and the dismantling of Hong Kong's autonomy. In addition,

- The Administration should—
 - Expand programs that support human rights and internet freedom in Hong Kong and provide legal support for democracy activists;

- Expand investigative journalism projects to preserve the flow of independent news and information from Hong Kong and create academic residency programs for Hong Kong journalists and executives whose news and media outlets were shuttered due to abuse or threats under the National Security Law;
- Remove barriers for Hong Kong residents applying for U.S. visas, including by extending Priority 2 refugee status for those fearing political persecution, and publish a plan to address the long-term status and treatment of Hong Kong residents in the United States;
- Coordinate sanctions and messaging about political prisoners in Hong Kong with the United Kingdom and other like-minded nations to amplify the impact of diplomatic efforts; and
- Brief Congress regularly on U.S. diplomatic advocacy for political prisoners in Hong Kong, including Jimmy Lai, Joshua Wong, Chow Hang-tung, Gwyneth Ho, Claudia Mo, Benny Tai, and Lee Cheuk-yan; and
- Congress should—
 - Direct the Department of the Treasury to report on the financial institutions restricting Hong Kongers from accessing their financial assets and impose sanctions, particularly for those financial institutions found to be acting at the behest of the Hong Kong government;
 - Pass the Hong Kong Economic and Trade Office (HKETO) Certification Act (S. 490) to remove the diplomatic privileges given to Hong Kong's three offices in the United States;
 - Pass the Safeguarding Internet Freedom in Hong Kong Act (S. 3114) to develop and deploy firewall circumvention and other tools to protect democracy and rights activists online;
 - Pass S. 3177/H.R. 6153 (118th Cong.) to provide for a review of sanctions with respect to Hong Kong regarding officials responsible for undermining democracy, human rights, and due process protections of Hong Kong citizens;
 - Extend the prohibition on sales of certain crowd control equipment and munitions to the Hong Kong police, as laid out in H.R. 8366 (118th Cong.); and
 - Extend sanctions authorizations for the Hong Kong Human Rights and Democracy Reauthorization Act of 2024 (S. 4467).

Protect North Koreans in China. Congress should pass the North Korean Human Rights Reauthorization Act of 2023 (S. 584/H.R. 3012) to authorize the work of the Special Envoy for North Korean Human Rights and institute programs to help protect North Korean refugees and victims of human trafficking. In addition,

- The Administration should—
 - Seek a report from the United Nations High Commissioner for Refugees (UNHCR) and the United Nations High Commissioner for Human Rights on the vulnerabilities faced by North Koreans living and working in China; the obstacles faced by the UNHCR in gaining access to North Koreans in China; and whether these obstacles violate the PRC's obligations under the 1951 U.N. Refugee Convention and its 1967 Protocol, the 1984

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U.N. Convention Against Torture, and other international human rights covenants;

- Direct the U.S. Department of Homeland Security to identify and stop U.S. imports, particularly of processed seafood, from Chinese companies that employ North Korean labor, as such imports are prohibited by the Countering America's Adversaries Through Sanctions Act (CAATSA; Public Law No. 115-44);
- Use the authorities available in the North Korea Sanctions and Policy Enhancement Act (Public Law No. 114-122), including sanctions and the freezing of financial assets, for any person or company in the PRC that employs North Korean labor;
- Require the U.S. Director of National Intelligence to report on the amount of foreign currency earned by the Democratic People's Republic of Korea from North Koreans working in China, the companies where they are employed, and the goods produced for export, including what goods enter the U.S., Canada, and Mexico; and
- Expand U.S. Agency for Global Media (USAGM) broadcasting of uncensored news and information to the North Korean people through Voice of America and *Radio Free Asia* and direct USAGM to issue a report on its reach and impact on North Koreans living and working in China and Russia.

Mainstream Human Rights Diplomacy. The Administration should mainstream human rights diplomacy by issuing a policy directive to require that the critical mission strategies of all U.S. Government entities interacting with the PRC contain human rights, internet freedom, and democratic governance goals. In addition,

- The Administration should—
 - Ensure that human rights and democracy programs at the U.S. Department of State and the U.S. Agency for International Development emphasize 1) the funding of projects working to ensure access to justice, 2) conserving and expanding the space for an independent civil society, and 3) labor rights, freedom of association, and the freedom of religion in China. Grants should continue to go to third-party entities outside of the PRC working on these issues; and
- Congress should—
 - Replace the now-shuttered Open Source Fund with a new federal entity that will translate and maintain collections of important open-source Chinese-language materials from the PRC and provide access to all government-sponsored research projects.

Defend Threatened Cultures and Languages. Congress should fund programs to assist communities facing threats to their cultural and linguistic heritage including Uyghurs, Mongols, and Hong Kongers. The Administration should fund education, exhibitions, and research on ethnic and religious communities currently living within China and leverage the funding authorized by the Tibetan Policy and Support Act of 2020 (Public Law No. 116-260, 134 Stat. 3119) to help sustain the religious, linguistic, and cultural identity of Tibetan communities.

Protect Tibet and Tibetans Globally. Congress should extend the report required by the Reciprocal Access to Tibet Act (Public Law No. 115-330). Members of Congress should interact regularly with the leaders of the Central Tibetan Administration and with parliamentarians globally to build international coalitions to defend human rights in Tibet, protect Tibetan refugees in Nepal and elsewhere, and promote the resumption of PRC-Tibetan dialogue. The Administration should actively counter PRC disinformation on Tibet as required by the Promoting a Resolution to the Tibet-China Dispute Act (Public Law No. 118-70). In addition, the Administration should use its voice, vote, and influence at the U.N. Human Rights Council to seek investigation into mass relocations of Tibetans, the forced placement of Tibetan children in colonial boarding schools, and the health and whereabouts of the Panchen Lama and his parents.

Condition Access to U.S. Capital. Congress should strengthen disclosure and auditing requirements to ensure that American investors are not wittingly or unwittingly funneling capital to PRC companies that the U.S. Government has identified as national security threats or human rights abusers. Congress should prohibit investment in companies and their subsidiaries sanctioned by the U.S. or included on key U.S. Government blacklists, including the UFLPA “Entity List,” and those included in Withhold Release Orders and the Findings Dashboard related to forced labor. In addition,

- The Administration should—
 - Build on Executive Order No. 14105, “Addressing United States Investments in Certain National Security Technologies and Products in Countries of Concern,” and restrict U.S. investment in areas related to technologies used for mass biometric surveillance or other human rights abuses, particularly those used to perpetuate atrocities; and
 - Direct the Department of Commerce to develop a comprehensive digital database that allows businesses and investors to easily ascertain which PRC entities the U.S. Government has sanctioned or listed for engaging in human rights abuses or for posing a threat to U.S. national security or more generally to American citizens; and
- Congress should—
 - Consider legislation to prevent PRC companies’ access to U.S. capital markets if they are under human rights sanctions and mandate that the Security and Exchange Commission (SEC) delist from stock exchanges any entities on the UFLPA “Entity List” or entities that have broader connections to the importation of goods made with forced labor or child labor; and
 - Seek a Government Accountability Office study on whether the SEC is sufficiently enforcing the reporting requirements found in the Securities Exchange Act of 1934 and the Holding Foreign Companies Accountable Act (Public Law No. 116-222) to ensure that issuers of securities disclose any transactions with PRC companies that have been placed on the Treasury Department’s Non-SDN Chinese Military-Industrial Complex Companies List (NS-CMIC List), the Commerce Department’s Entity

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List and Unverified List, or those implicated in forced labor or sanctioned for human rights abuses; and

End Forced Organ Harvesting. Congress should pass the Stop Forced Organ Harvesting Act of 2023 (S. 761/H.R. 1154) to expand annual reporting by the U.S. Department of State on forced organ harvesting globally and should require the Director of National Intelligence to issue a report on whether forced organ harvesting and “organ tourism” activities were used by the PRC in the XUAR to advance policies that amount to genocide. In addition,

- The Administration should—
 - Use existing authorities to deny U.S. visas to physicians and researchers from China known to be involved in forced organ harvesting activities prior to 2015 and announce such decisions publicly;
 - Sanction individuals or entities found to have been engaged in forced organ harvesting or illegal organ trafficking in the XUAR after 2015 and add them to the Department of the Treasury’s “Specially Designated Nationals and Blocked Persons List,” which would prevent financial transactions with U.S. companies or research institutions;
 - Use State Department rewards programs to seek credible evidence that will deter and disrupt the market for illegally procured organs and hold accountable those responsible for the practice of forced organ harvesting;
 - Investigate whether federal funding has been provided to Chinese entities involved in unethical organ transplantation practices, including those that violate human subject research protections outlined in the Common Rule and the National Institutes of Health’s (NIH) policy on human subject protections and publicly announce the prohibition of such entities from receiving future NIH and National Science Foundation grants;
 - Build alliances with partners at the U.N. Human Rights Council to investigate concerns raised by U.N. human rights experts and by the Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, which concluded that forced organ harvesting from executed prisoners, political prisoners, and ethnic and religious minorities, sponsored or sanctioned by the PRC, constituted crimes against humanity;
 - Promulgate regulations prohibiting federal insurers from reimbursing patients for either seeking organ transplantation in the PRC or seeking immunosuppressant or other transplant aftercare subsequent to receiving an organ transplant in the PRC; and
 - The Administration should keep the PRC and Macau on the Tier 3 blacklist required by the Trafficking Victims Protection Act (Public Law No. 106-386) as long as they remain a significant source and destination for sex and labor trafficking, including human trafficking for the likely purpose of organ removal.

Advocate for Political Prisoners. Members of Congress and Administration officials, at the highest levels and at every opportunity, should raise political prisoner cases in meetings with PRC 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 Hong Kong, and to "adopt" individual prisoners through the Tom Lantos Human Rights Commission's "Defending Freedoms Project." In addition,

- The Administration should—
 - Create a Special Advisor for Political Prisoners position within the State Department's Bureau of Democracy, Human Rights, and Labor to develop and coordinate diplomatic strategies to gain the release of political and religious prisoners; to end the PRC's unacceptable use of "exit bans"; and to serve as a resource to former political prisoners living in the United States seeking guidance on the safety of planned travels abroad and medical and psychological care.

Strengthen International Organizations. Congress should require a strategy from the Administration to counter the PRC's expanding reach in international organizations and U.N. Treaty Bodies to ensure that the governance structures of entities like the International Telecommunication Union, the International Labour Organization, INTERPOL, the World Intellectual Property Organization, and the World Health Organization meet the highest standards of transparency, accountability, and reform; uphold universal human rights; and address pressing transnational challenges. In addition,

- The Administration should—
 - Use the voice, vote, and influence of the United States at the United Nations and other multilateral bodies to—
 - Reform the process of suspending the right of membership in the United Nations Human Rights Council for Member States that commit gross and systemic violations of internationally recognized human rights;
 - Reform or replace the U.N. Committee on Non-Governmental Organizations, which too often denies consultative status to civil society organizations critical of the PRC or other authoritarian governments;
 - Take action at the U.N. Human Rights Council to protect Chinese human rights defenders, environmental activists, journalists and citizen-journalists, and civil society organizations that publicly expose the failure of the PRC to live up to its responsibilities and obligations under international law, and seek input from these groups for upcoming treaty reviews, including by the Committee against Torture; and
 - Within the context of state obligations under the U.N. Convention on the Rights of Persons with Disabilities, work on ways to ban the use of chaining and other inhuman and abusive treatment of people with disabilities in the PRC.

Support Victims of Torture and Atrocities. The Administration should accelerate processing times for current refugee and asylum cases and ensure that the expansion of the annual cap on refugees

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admitted to the United States is used to increase the protection and resettlement of those fleeing PRC persecution. In addition,

- Congress should—
 - Ensure that sufficient funding is available for psychological and medical support for victims of genocide and crimes against humanity, including in countries of first asylum, through programs authorized by the Torture Victim Protection Act of 1991 (Public Law No. 102-256), and consider expanding such services to victims of transnational repression; and
 - Consider legislation to assist in civil litigation efforts of trafficking victims under the Trafficking Victims Protection Act (Public Law No. 106-386) to hold accountable entities responsible for the labor trafficking of Uyghurs and other persecuted groups.

Defeat Digital Authoritarianism. The Administration should create an initiative to counter the PRC's information control strategies, bringing together relevant U.S. Government agencies, the private sector, and congressional leaders to help people in the PRC circumvent the "Great Firewall," and curtail the PRC's development and deployment of surveillance and censorship tools globally. In addition,

- The Administration should—
 - Issue a report on the implementation of the "China Censorship Monitor and Action Group," as provided under 22 U.S.C. §3363, and its integration and impact on the U.S. Government's response to digital authoritarianism. Included in the report should be an assessment as to whether resources are sufficient to address the PRC's censorship and intimidation of American citizens and legal residents;
 - Use the "Countering PRC Influence Fund" to—
 - Build the capacity of independent investigative journalists and civil society organizations in countries with Belt and Road Initiative projects to expose corruption, malign influence tactics, and environmental, social, and governance risks; and
 - Strengthen cybersecurity measures to safeguard activists, dissidents, and human rights organizations from Chinese government digital surveillance and hacking attempts and ensure that all diaspora groups know about the cybersecurity tools and training available through the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency; and
 - Require any social media and online content providers operating in the United States to disclose—
 - When they actively enable censorship or surveillance on their own accord or at the request of the PRC; and
 - When they distribute content or accept payments from entities linked to the PRC that push propaganda or disinformation about U.S. policy or politics; and
 - Expand resources for the Open Technology Fund and other internet freedom entities within the U.S. Agency for Global Media to distribute proven and effective anti-censorship tools globally and provide media literacy to help users circumvent China's "Great Firewall"; and

- Congress should—
 - Require the Secretary of State and the Secretary of Commerce to submit a report detailing whether U.S.-origin technology is used by the PRC to engage in internet censorship or mass digital and biometric surveillance or to advance atrocities, including genocide, in the XUAR. Included in the report should be an assessment of whether new export control authorities are needed to prevent the malign use of such technology;
 - Assess whether the U.S. Agency for Global Media's (USAGM) current content is an effective counter to Chinese Communist Party global information manipulation and consider ways to expand and target U.S. Government efforts in countries and regions where PRC propaganda and influence operations are prevalent challenges to U.S. interests in democratic governance and the protection of human rights; and
 - Amend the Foreign Investment Risk Review Modernization Act of 2018 (Public Law No. 115-232, §§1701–1728) to trigger a Committee on Foreign Investment in the United States review of any foreign company seeking to acquire U.S. assets controlling or collecting biometric information of Americans and coordinate such screening processes with allies.

End Transnational Repression. Congress should pass the Transnational Repression Policy Act (S. 831/H.R. 3654) to provide resources and additional authorities for U.S. law enforcement agencies and the State Department to constrain the PRC's ability to commit acts of transnational repression in the U.S. by training personnel to better recognize and combat transnational repression, hiring Federal Bureau of Investigation staff with appropriate language skills for its threat intake portal, and imposing targeted sanctions on individuals conducting harassment and intimidation operations on U.S. residents. In addition,

- The Administration should—
 - Build on the 2024 G7 Foreign Ministers' statement on "Digital and Transnational Repression" and create ongoing coordination exercises to share strategies and intelligence, and collaborate on responses, including sanctions, for entities engaged in transnational repression;
 - Create a set of standards that 1) evaluates all foreign digital platforms, such as WeChat, for their potential to facilitate espionage or transnational repression while operating in the United States and 2) signals to foreign governments and actors that using such platforms to surveil or intimidate U.S. residents or companies or curtail their free speech will incur a significant cost, including U.S. sanctions;
 - Consider extending psychological and social support available under the Torture Victim Protection Act (Public Law No. 102-256) to exile and diaspora communities targeted by transnational repression efforts; and
 - Advocate within multilateral organizations for establishing independent mechanisms to monitor, report, and respond to transnational repression, including by establishing a U.N. Spe-

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cial Rapporteur for transnational repression, given the global scale of the problem; and

- Congress should—
 - Direct the Secretary of State, the Attorney General, and all relevant federal agencies to submit an annual report assessing U.S. Government efforts to address transnational repression at home and abroad, and including a detailed account of law enforcement training and coordination, criminal prosecutions and sanctions, public diplomacy efforts, consultations with diplomatic allies and civil society, efforts to support victims, and a description of emerging threats or at-risk individuals or communities, among other things; and
 - Seek from the Department of Justice a report on whether there are gaps in U.S. law that limit the DOJ's ability to counter transnational repression and whether legislation is needed to criminalize acts of transnational repression.

Confront the Challenge of Malign Influence Operations. The Administration should end operations of the United Front Work Department and PRC security agencies in the United States, including the operation of “police stations,” also known as “service stations,” by the PRC Ministry of Public Security and subordinate branches in the United States. In addition,

- The Administration should—
 - Ensure that allies and partners are regularly briefed on the findings produced by the Foreign Malign Influence Center (FMIC) within the Office of the Director of National Intelligence;
 - Expand the “Protected Voices” initiative at the Federal Bureau of Investigation to provide resources for U.S. residents to protect themselves from PRC propaganda, intimidation, and cyberattacks;
 - Require U.S. educational institutions, think tanks, and other non-governmental organizations to publicly report all foreign gifts, grants, contracts, and in-kind contributions that exceed \$50,000 as part of their annual tax filings to maintain non-profit status;
 - Support educational and cultural exchange programs, including restoration of the Fulbright exchange program in China and Hong Kong in targeted academic fields and the preservation of scholarship and exchange programs for Tibetans, as a valuable resource; and
 - Establish an interagency body, headed by the State Department, that gathers and shares information, with Congress and allies and partners, about the PRC's malign influence and propaganda efforts globally and reports publicly on its findings.
- Congress should—
 - Create an interagency group, led by the Office of the Director of National Intelligence and the Secretary of State, that produces a public database to assist universities, foundations, think tanks, film production companies, publishers, non-governmental organizations, and state and local governments in conducting due diligence on potential business or academic partners in China, and in identifying PRC-based entities with connections

to the United Front Work Department, intelligence and public security agencies, the Communist Party, and entities involved in the PRC's civil-military fusion program;

- Require the FMIC to issue publicly available reports on the impact of the PRC's malign influence operations and propaganda efforts throughout the world, including in Africa, South America, Central America, the Pacific Islands, and the Caribbean on the national security, human rights, and economic interests of the United States;

- Update and expand the requirements of the Foreign Agents Registration Act (FARA; 22 U.S.C. §§611–621) to cover individuals and other entities lobbying on behalf of government entities, businesses, or organizations working on behalf of educational or scientific pursuits in the PRC and ban lobbying on behalf of entities affiliated with the People's Liberation Army, the Ministry of State Security, or others complicit in egregious human rights abuses;

- Expand Mandarin language training in U.S. high schools and colleges, for example, through the U.S.-Taiwan Education Initiative; and

- Require DHS to detail efforts to protect diaspora communities and human rights organizations from cyberattacks and provide intrusion detection software and training for any cybersecurity tools they distribute.

COMMISSION ACTIVITY (JULY 2023–OCTOBER 2024)

Hearings

- Corporate Complicity: Subsidizing the PRC's Human Rights Violations (July 2023)
- Countering China's Global Transnational Repression Campaign (September 2023)
- From Bait to Plate: How Forced Labor in China Taints America's Seafood Supply Chain (October 2023)
- From Cobalt to Cars: How China Exploits Child and Forced Labor in the Congo (November 2023)
- The PRC's Universal Periodic Review and the Real State of Human Rights in China (February 2024)
- Stopping the Crime of Organ Harvesting—What More Must Be Done? (March 2024)
- Factories and Fraud in the PRC: How Human Rights Violations Make Reliable Audits Impossible (April 2024)
- Tiananmen at 35: the Ongoing Struggle for Human Rights and Democracy in China (June 2024)
- Bringing Home Americans Detained in China (September 2024)

Commission Analysis

- Ongoing Challenges Faced by Persons with Disabilities in the People's Republic of China (December 2023)
- UPR Stakeholders' Submissions Flooded with PRC-Sympathetic Reports (January 2024)

Letters

- Chairs Ask Milwaukee Tool about Reported Forced Labor in Its Supply Chain (July 2023)
- Chairs Seek Meeting with U.N. High Commissioners to Avert North Korean Refugee Crisis (August 2023)
- Chairs Call for the Release of Ilham Tohti on the Ninth Anniversary of His Sentencing (September 2023)
- Chairs Ask NBA and NBPA for Stance on Forced Labor and Freedom of Expression (October 2023)
- Chairs Seek Export Controls on Technology Used for Mass Biometric Data Collection in Tibet (October 2023)
- Chairs Ask Homeland Security Department to Restrict U.S. Imports of Seafood from China (October 2023)
- Letter to Costco and ADI Raises Concerns about Sale of Hikvision and Dahua Products (November 2023)
- Chairs Send Letter to Attorney General Seeking Investigation of Violence at APEC Summit (December 2023)
- Chairs and House CCP Select Committee Leadership Seek Sanctions for Hong Kong Officials Involved in Bounties (December 2023)
- Chairs Nominate Four Champions of Peace and Freedom for Nobel Peace Prize (February 2024)
- Xinjiang: Chairs Write to Travel Companies and U.S. State Department Concerning the Whitewashing of Atrocities (March 2024)

Letters (Continued)

- Chairs Say Illegal PRC Seafood Imports Must Be Stopped (March 2024)
- Hong Kong: CECC Chairs and Select Committee Leadership Express Opposition to Article 23 Legislation (March 2024)
- Commissioners Urge State Department Action to Disrupt Illegal Organ Trade in the PRC (May 2024)
- Chairs Ask Google to Restore Censored Hong Kong Protest Anthem (June 2024)
- Chairs and Select Committee Leadership Urge Sanctions for Hong Kong Officials Eroding Rule of Law and Rights Protections (July 2024)
- Commissioners Ask USMCA Trade Representatives to Take Additional Steps to Stop Forced Labor (September 2024)
- Chairs Urge President to Seek the Release of Americans Detained in China (October 2024)

Other Commission Events

- Press Conference to Highlight Victims of Violence and Harassment at APEC Summit (December 2023)
- Press Conference on Passage of Article 23 in Hong Kong (March 2024)
- Staff Director's Remarks on Technological Dimensions of Transnational Repression and Election Interference at the Inter-Parliamentary Alliance on China Summit in Taipei, Taiwan (July 2024)

III. Respect for Civil Liberties

FREEDOM OF EXPRESSION

Findings

- This reporting year, the PRC continued to restrict online and in-person expression, censoring various forms of artistic, literary, historical, and entertainment content, in violation of the International Covenant on Civil and Political Rights (ICCPR), the Universal Declaration of Human Rights (UDHR), and China's Constitution.
- Freedom House's 2024 Freedom in the World report scored China 0 out of 4 for "free and independent media," and Reporters Without Borders (RSF) ranked China 172 out of 180 countries and territories in its *World Press Freedom Index*.
- The Chinese Communist Party continued to use Chinese news media as its mouthpiece to provide the Party's version of the news, signal and amplify policy priorities, and shape public opinion. Journalists at Party and state-run news outlets faced increased political pressure and censorship this past year to adhere to the Party line.
- Party efforts to control news media also continued to reach beyond China's borders. One program that expanded this past year was that of international communication centers (ICCs)—local and regional media groups within China acting as centers for external-facing propaganda.
- Authorities continued to harass, surveil, and restrict foreign journalists. The annual survey of the Foreign Correspondents' Club of China in 2024 revealed that foreign reporters face significant obstacles in China.
- This past year, many journalists, other media professionals, and "citizen journalists"—non-professionals who publish independently to circumvent official restrictions—remained in detention, prison, or subject to bail conditions as a result of their reporting. RSF again ranked China "the world's largest prison for journalists," as nearly a quarter of all journalists detained worldwide are in Chinese jails. Currently detained or imprisoned journalists include **Huang Xueqin, Yang Zewei, and Shangguan Yunkai**.
- This past year, Freedom House ranked China the "world's worst abuser of internet freedom" for the ninth year in a row. The PRC's Ministry of Public Security declared 2024 a "year of special operations against online rumors," targeting influencers and content creators who "stage photos maliciously or fabricate rumors" about politically sensitive issues.
- Government agencies implemented new regulations and pressured internet companies to tighten restrictions on online expression, including mandating "real name" registration for popular users.
- Authorities continued to harass, detain, and imprison people who participated peacefully in protests, demonstrations, and other gatherings, including demonstrations against opaque han-

dling of school deaths and the demolition of Tibetan villages and monasteries.

- The PRC intensified its efforts to exert control over educational and research institutions, impeding the free exchange of information and hindering international academic collaboration.

FREEDOM OF EXPRESSION

Freedom of the Press

PARTY CONTROL OF THE MEDIA

During the Commission's 2024 reporting year, international observers continued to report harsh conditions for press freedom in China. Freedom House's 2024 Freedom in the World report scored China 0 out of 4 for "free and independent media,"¹ and Reporters Without Borders ranked China 172 out of 180 countries and territories in its World Press Freedom Index.² These conditions continue to violate Article 19 of the International Covenant on Civil and Political Rights (ICCPR)³—which China has signed but not ratified,⁴ Article 19 of the Universal Declaration of Human Rights (UDHR),⁵ and Article 35 of China's Constitution.⁶

The Chinese Communist Party (Party) continued to leverage Chinese news media as a mouthpiece to amplify policy priorities and shape public opinion.⁷ The Party reinforced its media control by promoting "Xi Jinping Thought on Culture," which was introduced at the October 2023 National Conference on Propaganda, Ideology and Culture.⁸ One expert cautioned that Party General Secretary Xi Jinping's thoughts on culture should be understood as "leveraging culture to legitimize a one-party authoritarian dictatorship under an emerging cult of personality," rather than a tilt toward a "cultural renaissance."⁹ In November 2023, the award ceremony for the annual China Journalism Awards exemplified this ideological adherence, honoring media outlets for "positive propaganda" reflecting "Xi Jinping Thought on Culture."¹⁰ Awardees included a *China Central Television* (CCTV) documentary on China's "great achievements" in human rights, a *People's Daily* article condemning former Speaker of the House Nancy Pelosi's 2022 visit to Taiwan, and a *Xinhua* piece praising Xi Jinping's accomplishments.¹¹ In July 2023, in order to increase Chinese journalists' understanding of the Party's press doctrine, the All-China Journalists Association (ACJA) released a new app¹² which was similar to the 2019 propaganda app "Study Xi, Strong Nation" that facilitated the study of Xi Jinping's precepts.¹³

Journalists at Party and state-run news outlets faced challenges from political pressure and censorship this past year. In March 2024, local security personnel obstructed and manhandled journalists from CCTV and China Media Group during a video broadcast at a fatal gas explosion site in Yanjiao township, Sanhe city, Langfang municipality, Hebei province.¹⁴ The incident triggered online criticism and commentary about press freedom in China, especially since the reporters worked for Party outlets.¹⁵ The Party-affiliated ACJA released a rare statement supporting press freedom, prompting Sanhe city officials to publicly apologize.¹⁶ A February 2024 *Wire China* article based on interviews with current and former employees of *Sixth Tone*—a state-run English-language outlet known for covering sensitive social issues—revealed intensified censorship under *Sixth Tone*'s new management that includes requirements for editors to comply more strictly with Party guidelines and a directive to publish "at least one positive story a week."¹⁷

CONTROL OVER CHINA'S IMAGE ABROAD

Party efforts to control news media also continued to reach beyond China's borders.¹⁸ One program that expanded this past year was that of international communication centers (*guoji chuanbo zhongxin*, 国际传播中心 or ICCs)—provincial and local media groups within China acting as centers for external-facing propaganda.¹⁹ In June 2024, the China Media Project reported that 23 provincial-level ICCs had been established.²⁰ Several ICCs, such as the Yunnan International Communication Center for South and Southeast Asia, focus on targeting specific geographical regions, though all are tasked with strengthening the Party's "voice in the international arena."²¹ Other efforts to "tell China's story well"²² abroad expanded as well, including in Africa.²³ In October 2023, the China Media Group announced the launch of the China-Africa Media Action Initiative, which has gained the support of at least 50 African media organizations, and is aimed at developing content covering China's Belt and Road Initiative.²⁴ Such efforts appear to garner desired effects for the Party, as seen in research published this year revealing that a similar media partnership between CCTV and Brazilian outlet *BandNews TV* has helped the PRC "gain agency to reshape [China's] image and counter hegemonic narratives."²⁵ [For more information on Chinese foreign media influence efforts, see Chapter 20—Human Rights Violations in the U.S. and Globally.]

Detention and Imprisonment of Journalists

This past year, many journalists, other media professionals, and "citizen journalists"²⁶—non-professionals who publish independently to circumvent official restrictions—remained in detention, prison, or subject to bail conditions as a result of their reporting. Reporters Without Borders again ranked China "the world's largest prison for journalists," as nearly a quarter of all journalists detained worldwide are in Chinese jails.²⁷ Examples include:

- **Sophia Huang Xueqin.** In June 2024, the Guangzhou Intermediate People's Court sentenced #MeToo journalist **Huang Xueqin** to five years' imprisonment and four years' deprivation of political rights for "inciting subversion of state power."²⁸ Public security officials in Guangdong province detained Huang in September 2021 in connection with her reporting on pro-democracy demonstrations in Hong Kong and sexual harassment of women journalists.²⁹
- **Yang Zewei.** In June 2023, Chinese and Laotian authorities detained free-speech activist and reporter **Yang Zewei**, also known as Qiao Xinxin, at his exile home in Vientiane, Laos.³⁰ Yang disappeared from public view until resurfacing in August 2023 in a detention center in Hengyang municipality, Hunan province, facing charges of "subversion of state power."³¹ A former *Radio Free Asia* reporter, Yang founded Ban the Great Firewall (BanGFW) to circumvent internet censorship.³² Yang's detention underscores China's increasing cross-border policing efforts.³³ [For more information on the PRC's long-arm law enforcement operations, see Chapter 20—Human Rights Violations in the U.S. and Globally.]

Freedom of Expression

- **Shangguan Yunkai.** On January 5, 2024, a district court in Ezhou district, Hubei province sentenced renowned anti-corruption investigative journalist **Shangguan Yunkai** to 15 years imprisonment.³⁴ Charges included “selling counterfeit medicine,” “picking quarrels and provoking trouble,” “fraud,” “false imprisonment,” and “bigamy.”³⁵ Shangguan exposed official corruption, leading to investigations of hundreds of local officials and members of criminal organizations.³⁶ This track record has prompted widespread speculation that Shangguan’s detention and sentencing constitute political retaliation.³⁷

Formerly detained journalists faced severe harassment from authorities even after being released, including one fatality, in the case of **Sun Lin**. In November 2023, state security officials in Nanjing municipality, Jiangsu province, raided freelance journalist **Sun Lin**’s apartment and beat him to death, days after he re-posted videos of anti-Xi Jinping protests at the November 2023 APEC Summit in San Francisco.³⁸ Authorities also held advocate **Zou Wei** in detention for nine days for publicly demanding more information about Sun’s death.³⁹ They warned Sun’s family members and supporters to “keep quiet or face persecution.”⁴⁰

CONDITIONS FOR FOREIGN JOURNALISTS

This past year, authorities continued to harass, surveil, and restrict foreign journalists. The annual survey of the Foreign Correspondents’ Club of China (FCCC) in 2024 revealed that foreign reporters face conditions in China that “rarely or never [meet] international reporting standards.”⁴¹ Also in this year’s survey, a majority of respondents were unwilling to be quoted out of concern for potential retaliation—a recent development indicative of the shrinking space for press freedom in China.⁴² The FCCC noted a 6 percent increase in trips and interviews canceled due to official interference, compared to 2022.⁴³ Such trends can be seen in reported examples this year, including that of a correspondent and a cameraman from the Dutch public broadcaster *Nederlandse Omroep Stichting* being harassed, beaten, and obstructed by local officials while covering a demonstration outside a bank in Chengdu municipality, Sichuan province.⁴⁴

In-Person Protest and Assembly

Authorities continued to harass, detain, and imprison people who participated peacefully in protests, demonstrations, and other gatherings, violating Articles 19, 20, and 21 of the ICCPR.⁴⁵ While the number of protests remains unclear, Freedom House documented over 1,600 “dissent events” between July and December 2023.⁴⁶ Throughout the past year, protesters demonstrated in response to a variety of issues, such as China’s economy, unpaid wages, retirement pay, religious persecution, waste management, and more.⁴⁷ Examples include:

- **School deaths.** In December 2023, the death of Yang Liuyang, a 14-year-old student at Yuhuayuan Senior High School in Ningling county, Shangqiu municipality, Henan province, sparked widespread protest.⁴⁸ The school initially reported an

“accident” as the cause of death, but Yang’s family discovered signs of torture on his body.⁴⁹ The school withheld video footage, and the local government further claimed the incident was a suicide.⁵⁰ The opaque handling of this case fueled public anger, prompting over 10,000 people to gather within three days.⁵¹ Officials attempted to quell the unrest by blocking highways, detaining participants, ordering locals to stay away from the school, and cutting internet access to the county.⁵²

• **Tibetan dam.** Residents of Derge (Dege) county, Kardze (Ganzi) Tibetan Autonomous Prefecture, Sichuan province, gathered beginning in mid-February 2024 to protest a government dam project in the region that would destroy six Buddhist monasteries and force the relocation of two villages.⁵³ Authorities shut down the protests using water cannons, pepper spray, and tasers⁵⁴ and detained more than 1,000 Tibetan monks and other ethnic Tibetans.⁵⁵ A month after the demonstrations, police continued to check social media accounts for evidence of past involvement in the protests or communications about them as grounds for detention.⁵⁶ [For more information on Tibetans and the Gangtuo dam, see Chapter 17—Tibet.]

• **Halloween.** During Halloween 2023 in Shanghai, several individuals donned costumes criticizing recent policies,⁵⁷ costumes including COVID-19 quarantine enforcers, unemployed college graduates, a surveillance camera, and Winnie the Pooh.⁵⁸ Police detained or began inviting individuals “to tea”⁵⁹ weeks after the event.⁶⁰ The Cyberspace Administration of China (CAC) later ordered China’s major social media platforms to censor such costume content for violating “the core values of socialism.”⁶¹ **Rei Xia**, one of the individuals at the celebration, was detained for 28 days for wearing blank sheets of paper clipped to her clothes referencing the 2022 White Paper protests.⁶² She was previously detained for 37 days for exposing the mistreatment of female protesters in Shanghai during the White Paper protests.⁶³

PRC Control over the Internet

This past year, Freedom House ranked China “the world’s worst abuser of internet freedom” for the ninth year in a row.”⁶⁴ The PRC’s Ministry of Public Security declared 2024 a “year of special operations against online rumors”⁶⁵ and reportedly targeted influencers and content creators who “stage[d] photos maliciously or fabricate[d] rumors” about politically sensitive issues such as the COVID-19 pandemic or natural disasters.⁶⁶ According to an April 2024 article published by the *South China Morning Post*, authorities detained over 1,500 individuals, penalized about 10,700 people, and “debunked” more than 4,200 rumors.⁶⁷ In January 2024, the Cyberspace Administration of China (CAC) reported the details of its 2023 national internet cleanup campaign, claiming it had eliminated 259 mobile applications, shut down 14,624 websites, and instructed service providers to close 127,878 accounts.⁶⁸ Local police intensified spot checks of citizens’ phones this year for apps circumventing the Great Firewall.⁶⁹ Sources reported being forced to download an “anti-fraud” app that continuously tracks the user’s activities.⁷⁰ [For

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more information on the PRC's regulatory controls over the internet, see Chapter 16—Technology-Enhanced Authoritarianism.]

Government agencies implemented new regulations and pressured internet companies to tighten restrictions on online expression. Examples include:

- **“Hurt Feelings” ban.** An August 2023 amendment proposal to the Public Security Administration Punishment Law aims to punish Chinese citizens for “hurting the feelings of the Chinese people.”⁷¹ The vaguely worded law bans “items or remarks that contain sentiments . . . detrimental to the spirit of the Chinese nation,” potentially criminalizing actions ranging from wearing clothes deemed offensive to the Party to online complaints.⁷² Legal experts worry that this ambiguity grants authorities unchecked enforcement power.⁷³ The amendment states that violators could face fines of up to 5,000 yuan (US\$680) or 15 days in jail.⁷⁴ The online community criticized the amendment’s arbitrary nature,⁷⁵ submitting over 110,000 suggestions on the National People’s Congress (NPC) website in the first two weeks alone⁷⁶—an unusually high number of responses.⁷⁷
- **Self-Media regulations.** The CAC intensified its efforts to restrict “self-media” in July 2023 by requiring all social media platforms and websites to strengthen self-media management.⁷⁸ Wei-feng Tzeng, assistant professor at the Graduate Institute of China Studies at Tamkang University in Taiwan, suggested that these regulations stem from officials’ worry about potential public unrest following increased self-media activity during recent accidents and disasters.⁷⁹ In April 2024, the CAC launched another two-month campaign targeting five categories, including “self-directed fakery,” “no-holds-barred hyping of social hot points,” “use of generalizations to set the topic,” “generating of personas that go against public order and morals,” and “indiscriminate dissemination of ‘new yellow journalism.’”⁸⁰
- **Social media “real names.”** Likely prompted by the CAC’s “self-media” requirements, in October 2023, social media platform Weibo implemented new regulations requiring that most popular users display their real identities, including name, gender, IP location, and professional and educational background.⁸¹ Initially targeting users with over one million followers, Weibo expanded the policy to those with more than 500,000 followers.⁸² Other prominent Chinese social media platforms, such as WeChat, Douyin, Zhihu, Xiaohongshu, and Kuaishou, adopted similar requirements after Weibo, mandating public disclosure of legal names for top users.⁸³

CENSORSHIP

This past year, authorities and social media platforms censored online discussions and public expression related to topics that generated criticism or contradicted official policy or positions. Examples include:

- **Li Keqiang.** Following former Premier Li Keqiang’s sudden death in October 2023, authorities intensified censorship in order to restrain online discussion and public grief.⁸⁴ Li, often viewed as having been “sidelined” by Xi Jinping,⁸⁵ had symbol-

ized support for reform policies.⁸⁶ His passing sparked expressions of frustration toward the government and especially Xi's handling of the economy.⁸⁷ Weibo censored sensitive posts that included Li's name, his famous phrases, and a love song used as a coded criticism of Xi.⁸⁸ Authorities monitored and restricted public gatherings,⁸⁹ rushed mourners in Beijing municipality and Hefei municipality, Anhui province,⁹⁰ and removed tributes in other cities.⁹¹ Police stopped several artists commemorating Li's death in Shanghai.⁹² Authorities at some universities also warned university students against organizing commemorations, fearing potential protests.⁹³ This crackdown highlighted the politically sensitive nature of leaders' deaths in China.⁹⁴

- **“Two Sessions.”** Censorship intensified before and during China's annual meetings of the legislative body, the NPC, and the advisory body, the Chinese People's Political Consultative Conference (CPPCC) (“Two Sessions”) in March 2024,⁹⁵ continuing a trend seen during major political events.⁹⁶ Astrill, a popular virtual private network service for foreigners, reported significant disruptions to its services in the days leading up to the Two Sessions,⁹⁷ while Chinese search platforms blocked “sensitive” terms and discussions about representation and Xi Jinping.⁹⁸ PRC authorities also canceled the traditional Premier's press conference held at the end of the Two Sessions,⁹⁹ which eliminated a rare opportunity for the media to directly engage with China's second-in-command.¹⁰⁰ Censors removed news reports and comments discussing this cancellation and its implications, further tightening control over public discourse.¹⁰¹

- **Economic commentary.** This past year, the PRC cracked down on economic commentary.¹⁰² One expert noted that this wave of censorship particularly targeted “sensitive” topics such as income inequality, youth unemployment, and poverty among elders.¹⁰³ In December 2023, a week after Party leaders announced a renewed effort to “strengthen public opinion guidance on economic affairs,” Weibo warned users against posting negative content about the economy¹⁰⁴ and censored prominent economic commentators' analyses.¹⁰⁵ [For more information on censorship of discussions about the Chinese economy, see Chapter 14—Business and Human Rights.]

- **Taiwan's election.** Chinese social media platforms suppressed discussion of Taiwan's January 2024 general election.¹⁰⁶ Weibo blocked the hashtag “#TaiwanElection” after it reached number 11 on Weibo's “hot list.”¹⁰⁷ One observer also noted that a number of online comments praising Taiwan's electoral process were censored.¹⁰⁸ When the PRC's Taiwan Affairs Office spokesperson criticized the election results on Weibo, online commentators mocked China's own political system in response, prompting a shutdown of the comments section.¹⁰⁹

- **Emergency reporting.** PRC officials often censor public outrage following fatal disasters.¹¹⁰ In one example this past year, a deadly fire at a rural Henan province elementary boarding school killed 13 boys, sparking online criticism of safety measures and censorship.¹¹¹ As the online community mourned the students and expressed frustration at the government and

media's silence, censors removed the fire-related hashtag from Weibo's "hot topic" list and deleted online discussions about the incident.¹¹²

- **"Teacher Li."** The PRC's censorship apparatus reaches beyond China's borders, as evidenced by this year's targeting of Li Ying (pseudonym Teacher Li) and his followers. Based in Italy, Li gained fame in 2022 for sharing censored news, including White Paper protest footage on X.¹¹³ In February 2024, Li reported that authorities questioned at least 200 people in three months for following him on social media.¹¹⁴ Li warned his 1.6 million followers to unfollow him because Chinese police were reportedly combing through his followers to interrogate them about their internet usage.¹¹⁵ Li lost 200,000 followers within days.¹¹⁶ Other Chinese advocates on X and YouTube also lost followers, likely due to fear of government harassment.¹¹⁷ [For more information on the transnational repression of Chinese advocates and the PRC's repression of free speech abroad, see Chapter 20—Human Rights Violations in the U.S. and Globally.]

Entertainment, History, and Literature

This past year, Chinese authorities continued to censor, suppress, and detain people for various forms of literary, historical, and entertainment content that did not conform to the Chinese Communist Party line. The following examples illustrate the government's efforts to enforce multimedia censorship:

- **Chongzhen Emperor book.** In October 2023, the distributors of a reprint of the historical biography *The Chongzhen Emperor: Diligent Ruler of a Failed Dynasty* announced it was being recalled due to an unspecified "printing problem,"¹¹⁸ and the hashtag #Chongzhen was censored on Weibo.¹¹⁹ Some speculated the recall was due to the title and cover design which read, "The diligent ruler of a failed dynasty, Chongzhen's repeated mistakes were the result of his own ineptitude," which could be interpreted as a criticism of Xi Jinping.¹²⁰
- **Sci-Fi awards.** In February 2024, a report revealed that several authors critical of the PRC government were excluded from the Hugo Awards finalist reviews in Chengdu municipality, Sichuan province, despite receiving enough nominations to be included for consideration.¹²¹ Documents show the administrators flagged politically sensitive content to "determine if it was safe to put it on the ballot," later claiming that they tried to adhere to PRC law.¹²² *Babel* by R. F. Kuang, an episode of the Netflix drama *The Sandman*, and author Xiran Jay Zhao were among those excluded and marked as "not eligible."¹²³ These exclusions raised concerns about censorship and self-censorship for international awards in science fiction and fantasy writing.¹²⁴
- **Migrant worker documentary.** In January 2024, NetEase News released a documentary highlighting the harsh living conditions of migrant workers in China titled *Working Like This for 30 Years*.¹²⁵ Within one day of its publication, the documentary disappeared from the internet, and the social media platform Weibo removed discussions and a hashtag relating to it.¹²⁶

• **Uyghur filmmaker.** Uyghur filmmaker **Ikram Nurmehmet** appeared in October 2023 at the Urumqi Intermediate People’s Court facing accusations of “separatism” and “terrorism,” though his friends and family allege that his time studying abroad in Türkiye and frequent portrayal of Uyghurs in his work are the underlying causes.¹²⁷ Being denied family visits and legal counsel of his choice, Ikram Nurmehmet testified at trial that he had never joined any terrorist group and that he was tortured and forced to incriminate himself.¹²⁸ Authorities barred Ikram Nurmehmet’s family from seeing him from his May detention to his October court appearance.¹²⁹ [For more information on the PRC’s persecution of Uyghurs, see Chapter 18—Xinjiang Uyghur Autonomous Region.]

35th Anniversary of the 1989 Tiananmen Protests

On the 35th anniversary of the 1989 Tiananmen protests, Chinese authorities intensified censorship efforts in mainland China and Hong Kong. PRC internet censors routinely scrubbed references to the anniversary throughout the reporting year.¹³⁰ In April 2024, authorities sentenced 1989 student leader **Xu Guang** to four years in prison for demanding acknowledgment of the violent suppression of the Tiananmen protests and holding a sign at a local police station demanding redress two years earlier.¹³¹ Xu reportedly suffered torture and other forms of mistreatment while detained.¹³² In an effort to prevent any commemorations on the anniversary of the violent suppression of the protests this reporting year, authorities in Beijing municipality deployed checkpoints and increased security leading up to June Fourth.¹³³ In Hong Kong, police arrested seven people in May 2024, including already-detained **Chow Hang-tung**, for “exploit[ing] an upcoming sensitive date,” in connection with Facebook posts commemorating June Fourth.¹³⁴ [For more information on the erosion of freedom in Hong Kong, see Chapter 19—Hong Kong.]

Globally, activists organized assemblies and vigils to commemorate the 1989 Tiananmen protests’ anniversary.¹³⁵ At a June 2024 hearing held by the Commission, witnesses spoke about the legacy of the 1989 protests and how a new generation of rights advocates are pushing for human rights in China.¹³⁶ Testifying at the Commission’s hearing, former student leader at the 1989 Tiananmen protests Zhou Fengsuo tied recent advocacy work back to the 1989 protests, stating, “[t]he fight didn’t stop then—for most of us, it was only the beginning of our journey.”¹³⁷

Academic Freedom

The PRC intensified its efforts to exert control over educational and research institutions, impeding the free exchange of information and hindering international academic collaboration.

• **Patriotic Education Law.** The National People’s Congress Standing Committee adopted the PRC Patriotic Education Law in October 2023, which took effect on January 1, 2024.¹³⁸ The law mandates the inclusion of state-directed ideological content throughout all sectors of society, but especially focuses on students,¹³⁹ by requiring all to study “Xi Jinping Thought on So-

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cialism with Chinese Characteristics for the New Era” in schools as part of mandatory ideological and political education.¹⁴⁰ The law includes a list of offenses including “undermining the dignity” of the national anthem, flag, and emblems as well as “denying acts of aggression.”¹⁴¹

- **University professors.** China continues to clamp down on academic freedom by punishing university professors for doing research or lecturing on sensitive topics. Examples include:

- **Uyghur professor.** In September 2023, the Dui Hua Foundation reported that acclaimed Uyghur professor **Rahile Dawut** is serving a life sentence for “endangering state security.”¹⁴² Detained in December 2017, Dawut, a renowned ethnographer, was teaching at Xinjiang University College of Humanities and founded the Ethnic Minorities Research Center.¹⁴³ Her disappearance was first reported in 2018.¹⁴⁴ She was sentenced and imprisoned in 2021, though her life sentence was not confirmed by a Chinese government source until this year.¹⁴⁵ Considered a leading scholar of traditional Uyghur culture, Dawut is one of more than 300 intellectuals, artists, and writers believed to be detained in the Xinjiang Uyghur Autonomous Region as part of an official Chinese state-sponsored campaign to assimilate Uyghurs into Chinese culture and “[promote] ethnic harmony.”¹⁴⁶ [For more information about the PRC’s persecution of Uyghurs, see Chapter 18—Xinjiang Uyghur Autonomous Region.]

- **Economics professor.** In August 2023, the Guiyang Intermediate People’s Court in Guizhou province sentenced **Yang Shaozheng**, an economics professor, to four years and six months in prison on the charge of “inciting subversion of state power,” a crime of “endangering state security.”¹⁴⁷ Yang’s research and reporting on Party and government personnel costs to the Chinese taxpayer was linked to his detention.¹⁴⁸ Yang lost his job at Guizhou University’s Institute of Economics in November 2017 due to government orders and was later investigated by police and secretly detained, likely also for promoting his research detailing Party and state personnel costs.¹⁴⁹

- U.S. Ambassador Nicholas Burns accused Chinese authorities of undermining people-to-people academic, cultural, or other forms of exchange through intimidation and “suppression of American diplomatic activities.”¹⁵⁰ He reported 61 instances of Chinese authorities intimidating individuals attending U.S. Embassy public events in China, since November 2023.¹⁵¹ Ambassador Burns also highlighted Chinese authorities’ efforts to obstruct Chinese students from studying in the U.S. by rescinding invitations to diplomatic staff promoting American colleges at university fairs in China and pressuring participants to withdraw from U.S.-funded exchange programs.¹⁵²

Notes to Chapter 1—Freedom of Expression

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³ International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) on December 16, 1966, entry into force March 23, 1976, art. 19.

⁴ United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights, accessed May 1, 2024.

⁵ Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948, art. 19.

⁶ 中华人民共和国宪法 [PRC Constitution], passed and effective December 4, 1982, amended March 11, 2018, art. 35.

⁷ Frederik Kelter, “Media Feel Pressure to Tell ‘Positive’ China Story as Party Tightens Grip,” *Al Jazeera*, April 4, 2024; Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 51; Congressional-Executive Commission on China, *2018 Annual Report* (Washington: October 2018), 66–68.

⁸ “深入学习贯彻习近平文化思想——论贯彻落实全国宣传思想文化工作会议精神” [Deeply study and implement Xi Jinping’s Thought on Culture—on implementation of the spirit of the National Conference on Propaganda, Ideology, and Culture], *People’s Daily*, October 11, 2023. Although Party media announced “Xi Jinping Thought on Culture” as a new official phrase in October 2023, its foundations can be traced to speeches given by Xi Jinping around prior official Party conferences called “National Propaganda and Ideology Work Conferences.” David Bandurski, “Xi Jinping’s Cathedral of Pretense,” *China Media Project*, October 13, 2023.

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¹⁰ David Bandurski, “China’s Press Under Xi Jinping Thought,” *China Media Project*, November 22, 2023. See also David Bandurski, “Xi Jinping’s Cathedral of Pretense,” *China Media Project*, October 13, 2023.

¹¹ David Bandurski, “China’s Press Under Xi Jinping Thought,” *China Media Project*, November 22, 2023.

¹² “The ‘Everything App’ for China’s Journalists,” *China Media Project*, July 4, 2023.

¹³ David Bandurski, “The Dawn of the Little Red Phone,” *China Media Project*, February 13, 2019; Rita Liao, “A Government Propaganda App Is Going Viral in China,” *TechCrunch*, February 1, 2019.

¹⁴ David Bandurski, “The Ugly Politics of Media Obstruction,” *China Media Project*, March 14, 2024; “Police Prevent State Media from Reporting on Yanjiao Explosion: The Party Muffled Its Own Mouthpiece,” *China Digital Times*, March 15, 2024.

¹⁵ David Bandurski, “The Ugly Politics of Media Obstruction,” *China Media Project*, March 14, 2024; “Police Prevent State Media from Reporting on Yanjiao Explosion: The Party Muffled Its Own Mouthpiece,” *China Digital Times*, March 15, 2024.

¹⁶ Simina Mistreanu, “Chinese City Officials Issue a Rare Apology after Authorities Harass Journalists on Live TV,” *Associated Press*, March 14, 2024; John Feng, “China Gas Explosion Death Toll Rises Amid State Media Scandal,” *Newsweek*, March 14, 2024; “Police Prevent State Media from Reporting on Yanjiao Explosion: The Party Muffled Its Own Mouthpiece,” *China Digital Times*, March 15, 2024.

¹⁷ Rachel Cheung, “Tone Deaf,” *Wire China*, February 25, 2024; Frederik Kelter, “Media Feel Pressure to Tell ‘Positive’ China Story as Party Tightens Grip,” *Al Jazeera*, April 4, 2024. See also “Words of the Week: ‘Handing Someone a Knife,’ and the Flattening of Sixth Tone,” *China Digital Times*, February 28, 2024.

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²⁰ David Bandurski, “More Local Centers for Global Propaganda,” *China Media Project*, June 12, 2024.

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²⁴ “Xi Exports His Personal Podcast, CMG Launches New China-Africa Media Initiative [updated],” *China Digital Times*, October 26, 2023.

²⁵ Pablo Sebastian Morales and Paulo Menechelli, “Communicating the Authentic China: Partnership Agreements and the Use of Chinese Sources and Voices by Brazilian Media,” *Chinese Journal of Communication*, April 2, 2024, 2–3, 11–13; “China’s State Media Cooperation with Brazilian Media Yields Soft Power Gains,” *China Digital Times*, April 4, 2024.

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³² Guo Feng, “Activist Qiao Xinxin Arrested for Subversion in China After Laos ‘Disappearance,’” *Radio Free Asia*, August 14, 2023.

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⁴² Foreign Correspondents’ Club of China, *Masks Off, Barriers Remain: The Post-COVID Reporting Environment in China 2023*, April 8, 2024, 12.

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CIVIL SOCIETY

Findings

- During the Commission's 2024 reporting year, the Chinese Communist Party and government continued their efforts to control, co-opt, or dismantle civil society.
- In December 2023, the National People's Congress Standing Committee passed a series of amendments to the People's Republic of China (PRC) Charity Law of 2016. The amended law states that charity work must "uphold the leadership of the Chinese Communist Party," requires that charities report on any cooperation with foreign organizations, and makes it more difficult for registered organizations to assist unregistered organizations, many of which work in sensitive areas, with fundraising.
- PRC authorities continued to push for the consolidation of Party and government control over social organizations (SOs), co-opting SOs to serve their policy priorities and objectives.
- The Party and government continued to target so-called "illegal social organizations" (ISOs) through a coordinated effort at both the central and local levels. The Ministry of Civil Affairs, along with 10 other departments, launched a six-month-long "special campaign" in June 2023 that aimed to crack down on ISOs, with 1,100 organizations censured in 2023, according to official media.
- During the January 2024 session of the U.N. Human Rights Council's Universal Periodic Review of the Chinese government's human rights record, the PRC sought to "game" the process, using channels established for independent civil society participation to promote entities influenced or controlled by the government.
- Despite government efforts to comprehensively deter public dissent, Chinese citizens continued a pattern of organizing ad hoc protests during the reporting year, often gathering in the hundreds or thousands to protest perceived injustices.
- The Guangzhou Intermediate People's Court sentenced women's rights advocate **Sophia Huang Xueqin** to five years in prison, and labor rights advocate **Wang Jianbing** to three years and six months, on June 14, 2024 on charges of "inciting subversion of state power."
- During the reporting year, the Party and government detained or sentenced rights advocates involved in democracy efforts, including a former public security officer and those involved with the group China Human Rights Observer.
- During the Commission's 2024 reporting year, PRC authorities continued to suppress lesbian, gay, bisexual, transgender, and questioning (LGBTQ) advocacy groups, limit public space for LGBTQ-identifying persons to associate, and censor expressions of LGBTQ identity.

CIVIL SOCIETY

Introduction

During the Commission's 2024 reporting year, the Chinese Communist Party and government continued their efforts to control, co-opt, or dismantle civil society.¹ Under Party General Secretary and President Xi Jinping, the Party and government have pursued a multi-pronged approach to civil society organizations—officially referred to in the People's Republic of China (PRC) as social organizations (SOs)²—in which SOs are either deployed or crushed in service of the prevailing political agenda. PRC authorities have increasingly succeeded in these efforts; in 2024, Human Rights Watch concluded that “there is no independent civil society [in China],” and furthermore that “even small pockets of freedom [have been] eliminated.”³ To this end, the Commission observed government efforts to encourage and tightly regulate charitable activity (which it relies on to support its provision of social services) while targeting and detaining rights defenders, advocates for democracy, labor, women's rights, and lesbian, gay, bisexual, transgender, and questioning (LGBTQ) rights, and others attempting to participate in independent civil society. While the PRC pursues this domestic strategy, it has also sought to diminish the voices of independent Chinese civil society in international organizations, an approach on stark display at the PRC's Universal Periodic Review in January 2024. Despite these comprehensive efforts to constrain association, PRC citizens have repeatedly pursued ad hoc collective action in response to catalyzing events, to seek remedy for perceived injustice, or to express discontent.

Charity Law

In December 2023, the National People's Congress Standing Committee passed a series of amendments⁴ to the PRC Charity Law of 2016 (hereafter “the Law”)⁵ in a likely attempt to address perceived flaws in the original legislation, according to experts and stakeholders in the charity sector.⁶ The 2016 Law constituted what two civil society scholars describe as the “closest legislation to a basic law on social organisations,”⁷ and aimed to harness SOs for the benefit of the Chinese Communist Party and government while tightly controlling their operations.⁸ Because the Law was widely seen as failing to achieve these goals,⁹ and in response to developments that have taken place since the Law was promulgated,¹⁰ the 2023 amendments focused primarily on the registration and management of charitable organizations, rules for charitable trusts, fundraising related to emergencies, and the use of internet platforms for fundraising and crowdfunding.¹¹

The amended Law reportedly targeted the stagnant growth of charitable organizations,¹² removing at least one barrier to registration¹³ and directing government agencies to provide tax incentives to groups that register.¹⁴ However, the revisions also impose new burdens on charitable groups, including requiring that they report on any “collaboration carried out with foreign organizations and individuals,”¹⁵ consistent with Xi-era policies circumscribing foreign activity and foreign ties.¹⁶ Additionally, if a registered charitable

organization with public fundraising credentials cooperates with a non-credentialed group, it must, as summarized by one analyst, “scrutinize, disclose information on, and oversee” the organization.¹⁷ According to a prominent not-for-profit industry association, this type of collaboration was one of the ways that unregistered SOs, often working in sensitive areas, were able to fundraise online, and the amendments will likely have the effect of further marginalizing these groups.¹⁸

In a change that several analysts have characterized as notable,¹⁹ the amendments added language to the Law stating that “charity work must adhere to the leadership of the Chinese Communist Party,”²⁰ reflecting the growing importance of Party identity in SOs²¹ and the Party’s preeminence in setting the agenda for charity work.²² While in the draft amendments this language was placed at the beginning of Article 5, which encourages those engaged in charitable activities to adhere to socialist core values and promote “traditional [Chinese] virtues,”²³ in the final version the amendment was placed at the beginning of Article 4, which stipulates that such work “must not violate social morals” or “endanger national security,” among other warnings, explicitly linking Party leadership with guarding national security.²⁴

Status of Social Organizations

AUTHORITIES EXPAND CONTROL OVER SOCIAL ORGANIZATIONS

The PRC government continued to push for the consolidation of Chinese Communist Party and government control over social organizations (SOs), seeking to influence SOs to serve official policy objectives.²⁵ According to official media reports, the Central Social Work Department, established in March 2023, asserted that strengthening guidance on social work and advancing Party-building within new SOs are “key tasks” for 2024.²⁶ Furthermore, Liu Zhenguo, Director of the Ministry of Civil Affairs’ (MCA) Social Organization Administration Bureau, called for the consolidation of the Party’s “overall leadership over the work of social organizations” in April 2024, asserting that these organizations are key to the Party’s grassroots organization building.²⁷ In one instance during the Commission’s 2024 reporting year, Guizhou province authorities hosted Party-building training for SOs, with more than 260 people participating.²⁸

The PRC government has also invested in registered SOs to help augment its provision of social services, illustrating PRC authorities’ intent to deploy SOs where useful to its policy goals.²⁹ In April 2024, the MCA issued the “Implementation Plan for Central Finance Support for Social Organizations to Participate in Social Service Projects in 2024,” that aimed to support projects in “key areas.”³⁰ The MCA announced that it approved support for 95 projects as part of this implementation plan in June 2024.³¹

SOCIAL ORGANIZATIONS DEEMED “ILLEGAL”

Chinese authorities have continued to pursue and eliminate so-called “illegal social organizations” (ISOs) (groups that do not seek to register with the MCA, are denied approval, or are explicitly banned), through a coordinated effort at both the central and local

levels.³² In August 2023, the MCA provided updates about a six-month-long “special campaign” launched with 10 other departments in June 2023 that aimed to crack down on ISOs.³³ A coordination mechanism was established at the ministerial level as part of the special campaign to “combat and rectify” ISOs, while local governments established coordination mechanisms within their respective regional civil affairs departments.³⁴ In an interview with Chinese state media, officials from the MCA’s Social Organization Management Bureau said in August 2023 that the crackdown was necessary to maintain “social harmony and stability.”³⁵ The officials said that during the first two months of the campaign, the government “significantly reduced” the number of ISOs and “greatly squeezed” the space for ISOs to operate.³⁶ In January 2024, Chinese state media claimed that the PRC government cracked down on over 1,100 ISOs in 2023.³⁷ The PRC government also carried out a public awareness program as part of the special campaign that notified 960 million mobile phone users nationwide to beware of “illegal activities” via text message and posted propaganda in more than 500,000 buildings, as well as over 200 subways, high-speed railways, airports, and other locations.³⁸ Furthermore, 164 ISO websites and applications were shut down, and public security forces detained more than 160 suspected criminals as part of the campaign.³⁹ The MCA also announced in May 2024 that it planned to accelerate the application of new technologies such as artificial intelligence, as well as continue to “increase the intensity of investigation and elimination” of the organizations.⁴⁰

Efforts to Undermine Independent Civil Society Participation at the Universal Periodic Review

During the January 2024 U.N. Human Rights Council Universal Periodic Review (UPR) of the Chinese government’s human rights record, the Commission identified PRC government efforts to undermine the role of independent civil society groups in the UPR process. As part of what experts have described as a broader effort to “game” the UPR,⁴¹ the PRC used channels established for the participation of civil society and other stakeholders⁴² to promote entities influenced or controlled by the government in order to avoid an objective and transparent assessment of its human rights practices, a tactic that is inconsistent with the founding principles of the UPR process.⁴³ Advocacy groups and observers have pointed out the distorting effect of these entities’ participation in the stakeholder component of the UPR mechanism,⁴⁴ with a representative of one international human rights group saying that the PRC mobilizes civil society groups to “flood the zone” with positive reports, in order to “whitewash its abuses.”⁴⁵ In addition, observers, including those present in Geneva during the UPR, described PRC efforts to intimidate, silence, and exclude independent civil society organizations and rights defenders from proceedings,⁴⁶ including by photographing Tibetans, Uyghurs, and others in attendance.⁴⁷ According to one source, the PRC mission to the U.N. also made an official request that the U.N. block “anti-China separatists” from attending the UPR, and “urged” the U.N. to block groups it considered to be “anti-China” from holding sideline events.⁴⁸

**Efforts to Undermine Independent Civil Society Participation
at the Universal Periodic Review—Continued**

U.S.-based organization China Digital Times found that “the number and percent of ‘civil society’ organizations” registered in mainland China included in the summary report—the document that aggregates stakeholder submissions and summarizes them for the purpose of informing the UPR⁴⁹—have increased with each UPR cycle, totaling 73 in 2024, up from 25 in 2013, while the percent of all NGO submissions from organizations registered in mainland China increased from 40 percent in 2013 to 55 percent in 2024.⁵⁰ It is difficult to determine the degree to which the Chinese Communist Party or government controls each organization registered in the country, yet the legal regime governing all civil society groups in the PRC requires political conformity and subjects them to robust government supervision.⁵¹ Given the constraints under which mainland-registered civil society groups operate,⁵² and the reprisals faced by independent civil society actors who have attempted to participate in the UPR,⁵³ some observers have concluded that many groups submitting stakeholder reports cannot be considered independent and are thus more likely to amplify PRC human rights narratives.⁵⁴ Two of these “civil society organizations,” which have been directly linked with Party and government agencies, also held sideline events in Geneva promoting the PRC’s development-focused human rights framework.⁵⁵ [For more on PRC attempts to influence the January 2024 session of the UPR, see Chapter 20—Human Rights Violations in the U.S. and Globally—Efforts to Impede U.N. Human Rights Bodies, and the Commission’s staff report, “UPR Stakeholders’ Submissions Flooded with PRC-Sympathetic Reports.”]

Protests

The Chinese public continued to organize ad hoc protests during the Commission’s 2024 reporting year, often gathering in the hundreds or thousands in response to perceived economic or criminal injustice. For example, thousands of retirees in multiple cities across the PRC joined demonstrations related to pensions and other benefits.⁵⁶ Some protested following health insurance reforms that resulted in lowered incomes, while over half of documented retiree protests in 2023 involved retired civilian teachers whose petitioning through official channels had achieved inconsistent results.⁵⁷ Additionally, in December 2023, over ten thousand people attended a protest in Shangqiu municipality, Henan province, over authorities’ response to a student’s death.⁵⁸ While officials announced that the death was a suicide, the family and other advocates believed the student was beaten and/or tortured, possibly leading to his death.⁵⁹ This large protest over school safety occurred amid numerous other student deaths of a similar nature, with members of the public demanding transparency and accountability from police and schools.⁶⁰ In at least two cases during this reporting year, authorities disallowed or censored public expressions of mourning, such as laying flowers at the area of a student’s death⁶¹ or sharing photos or videos online of makeshift memorials at the entrance to a school where 10 middle-school girls and their coach were killed in a roof

collapse.⁶² Authorities worked to conceal issues as they arose, declining to address citizens directly, while aiming to reduce social mobilization.⁶³ [For more information about the PRC's repression of freedom of assembly, see Chapter 1—Freedom of Expression.]

Suppression of Civil Society

During the Commission's 2024 reporting year, PRC authorities continued to suppress human rights advocacy and civil society activity through arbitrary detention, surveillance, and other means. Official suppression included the following cases targeting individuals the government believed to have organized or participated in group activity officials deemed threatening:

- **Sophia Huang Xueqin and Wang Jianbing.** The Guangzhou Intermediate People's Court in Guangzhou municipality, Guangdong province, sentenced women's rights advocate Sophia Huang Xueqin to five years in prison, and labor rights advocate Wang Jianbing to three years and six months, on June 14, 2024.⁶⁴ Their trial began in September 2023, two years after they were detained in Guangzhou for "inciting subversion of state power."⁶⁵ Prosecutors accused the two of using foreign communications apps to organize gatherings at Wang's residence, and said the purpose of the gatherings was to incite "dissatisfaction" with the PRC government.⁶⁶ They also participated in foreign NGOs' training sessions on non-violent activism.⁶⁷
- **Xu Qin.** On March 29, 2024, the Yangzhou Intermediate People's Court in Yangzhou municipality, Jiangsu province, sentenced Xu to four years in prison and deprived her of political rights for two years for "inciting subversion of state power."⁶⁸ The Yangzhou Intermediate People's Court had issued a notice in November 2023 stating that Xu's trial would be postponed until February 2024, reportedly for the eleventh time since she was detained.⁶⁹ Since her detention in November 2021, Xu's lawyer and family members have repeatedly expressed concerns about her health, due to several serious health conditions.⁷⁰ Xu is a former Party member and co-founder of China Human Rights Observer with **Qin Yongmin**.⁷¹ **Mao Shanchun**, another former Party member and activist from Hubei province who joined China Human Rights Observer, was detained on January 31, 2024, prior to Hubei's provincial "Two Meetings."⁷²
- **Cheng Xiaofeng.** In July 2024, on the eve of the Third Plenary Session of the 20th Party Central Committee, the Hetang branch of the Zhuzhou Public Security Bureau in Zhuzhou municipality, Hunan province, detained Cheng Xiaofeng for "picking quarrels and provoking trouble."⁷³ Domestic security protection personnel contacted Cheng to warn him that he was not permitted to go out around June 4, 2024.⁷⁴ Despite this warning, he visited Shuangfeng county to pay tribute at the grave of Ouyang Jinhua and to attend a June 4th commemorative gathering that included a former student protester.⁷⁵ Cheng formerly worked in the Zhuzhou Public Security Bureau as a criminal police officer and resigned to pursue civic activities.⁷⁶

Status of LGBTQ Persons

During the Commission’s 2024 reporting year, PRC authorities continued to suppress lesbian, gay, bisexual, transgender, and questioning (LGBTQ) advocacy groups, limit public space for LGBTQ-identifying persons to associate, and censor expressions of LGBTQ identity. Because the PRC does not recognize LGBTQ persons as a distinct identity or class, PRC law does not enumerate protections against discrimination on the basis of sexual orientation or gender identity.⁷⁷ PRC officials at the United Nations have stated during treaty body reviews that designating LGBTQ persons as a protected class in the Chinese legal context is unnecessary, since China’s law “protects the lawful rights of all citizens as equals, and prohibits any form of discrimination.”⁷⁸ Nevertheless, international human rights monitoring groups have characterized the situation for LGBTQ persons as continuing to deteriorate,⁷⁹ with Outright International, a prominent LGBTQ rights advocacy organization, referring to PRC authorities’ treatment of LGBTQ persons and groups as constituting a “sea of repression,” and noting that LGBTQ organizing has become “almost impossible.”⁸⁰ Suppression of LGBTQ groups and expression related to LGBTQ identities reflects an overall tightening of the environment for civil society organizing and for members of communities perceived as posing a challenge to the Chinese Communist Party and government, such as unregistered religious groups, feminists, and rights defenders.⁸¹ [For more on Party and government targeting of unregistered religious groups and feminists, see Chapter 3—Freedom of Religion and Chapter 8—Status of Women.]

Violations of LGBTQ Groups’ and Individuals’ Freedom of Expression

Authorities have directly and indirectly targeted public expression of LGBTQ identity and online platforms serving the LGBTQ community.⁸² On *Qixi* (七夕), known as China’s Valentine’s Day, in August 2023, Chinese social media platform WeChat shut down the accounts of a number of feminist and LGBTQ-related groups, banning them permanently, in the second such round of online closures in two years.⁸³ According to feminist activist Li Tingting, known as Li Maizi, WeChat banned the groups Beijing Lala Salon, a “queer women’s center”; Wandouhuang, a feminist artist’s platform; the Flying Cat Brotherhood, a gay men’s group; Transtory, a transgender account; Ace, a group for asexuals; and the group Outstanding Partners.⁸⁴ Other sources said that the WeChat accounts for TransBrotherhood China, Beijing Lesbian Centre, and the Beijing branch of Trueself, formerly Parents and Friends of Lesbians and Gays, were also shut down.⁸⁵ While WeChat’s parent company, Tencent, shut down the accounts likely deemed objectionable, U.S.-based civil society leader and rights advocate Lu Jun said that Tencent must have done so in response to an administrative order from PRC authorities.⁸⁶

Status of LGBTQ Persons—Continued

The shutdown and subsequent ban of LGBTQ-oriented WeChat groups followed on the heels of several prominent instances of local entities targeting public displays of LGBTQ identity, with an apparent emphasis on rainbow clothing and products. In August 2023, concertgoers reported being stopped by security guards at the entrance to Taiwan-based singer Chang Hui-mei's (known as A-Mei) concert in Beijing municipality for wearing clothing with rainbow symbols.⁸⁷ Officials also removed the LGBTQ-themed song "Rainbow" from A-Mei's setlist.⁸⁸ In an apparent repeat incident, authorities in Changsha municipality, Hunan province, removed an LGBTQ-themed song from the setlist of Taiwan-based singer Jolin Tsai; according to *Radio Free Asia*, citing social media reports, Tsai had previously been prevented from using a rainbow spotlight at a concert in Guangzhou municipality, Guangdong province.⁸⁹ In another instance of censorship targeting rainbow displays, an influencer on Weibo,⁹⁰ the popular Chinese microblogging platform, claimed that Starbucks had removed pride merchandise emblazoned with rainbows at a store in Qinhuangdao municipality, Hebei province, and surrounding cities after he shared photographs of the merchandise at the Qinhuangdao store.⁹¹

Also during this reporting year, Shanghai municipality lesbian bar Roxie announced that it would close due to "forces beyond our control," a known euphemism for official pressure⁹² and similar to the reason given by the Beijing LGBT Center when it announced its closure in May 2023.⁹³ An Australia-based commentator on LGBTQ issues⁹⁴ attributed the closure unequivocally to state repression, saying it reflected the prevailing trend in Chinese politics.⁹⁵

Despite censorship and official pressure, data from the China Dissent Monitor (CDM) reported by *Nikkei Asia* showed that China's LGBTQ community has maintained some level of organized and/or public resistance, with CDM documenting at least 34 instances of resistance in the first half of 2023.⁹⁶ In its coverage of the data, *Nikkei Asia* noted that the actual number of incidents could be higher.⁹⁷

Notes to Chapter 2—Civil Society

¹ Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 72–79; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 79–87.

² International Center for Not-For-Profit Law, “Legal Snapshot: Pending NGO Legislative/Regulatory Initiatives, Amended Charity Law,” Civic Freedom Monitor: China, updated September 3, 2024.

³ Human Rights Watch, “China: Events of 2023,” in *World Report 2024*, 2024.

⁴ National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024. PRC government sites have not posted an updated version of the Law following passage of the amendments in December 2023, but the amendments and their location are outlined in the Decision, and the 2016 Law can be found at 中华人民共和国慈善法 [PRC Charity Law], passed March 16, 2016, effective September 1, 2016. See also the following unofficial translation, with the amendments incorporated, in “Charity Law of the PRC (2024),” translated in *China Law Translate*, January 5, 2024.

⁵ 中华人民共和国慈善法 [PRC Charity Law], passed March 16, 2016, effective September 1, 2016. For coverage of the law at the time of its passage, see Congressional-Executive Commission on China, *2016 Annual Report* (Washington: October 6, 2016), 225–26.

⁶ He Yiting, National People’s Congress, 关于《中华人民共和国慈善法(修订草案)》的说明 [Explanation of the draft amendment to the PRC Charity Law], December 29, 2023; Changhao Wei, “December 2023: Overview of New Amendments to China’s Criminal Law & Charity Law,” NPC Observer Monthly, *NPC Observer*, January 19, 2024; Mark Sidel, “Rebooting China’s Charity Law,” USALI Perspectives, U.S.-Asia Law Institute, New York University School of Law 2, no. 25 (June 23, 2022): 2–3.

⁷ Holly Snape and Wang Weinan, “Towards a Command Civil Society?,” *Made in China Journal*, November 13, 2023.

⁸ Holly Snape, “Cultivate Aridity and Deprive Them of Air: Altering the Approach to Non-State Approved Social Organisations,” *Made in China Journal* 6, no. 1 (January–April 2021): 57–58; Mark Sidel, “Rebooting China’s Charity Law,” USALI Perspectives, U.S.-Asia Law Institute, New York University School of Law 2, no. 25 (June 23, 2022): 1–2.

⁹ Holly Snape, “Cultivate Aridity and Deprive Them of Air: Altering the Approach to Non-State Approved Social Organisations,” *Made in China Journal* 6, no. 1 (January–April 2021): 56–57; Mark Sidel, “Rebooting China’s Charity Law,” USALI Perspectives, U.S.-Asia Law Institute, New York University School of Law 2, no. 25 (June 23, 2022): 1–2.

¹⁰ Changhao Wei, “December 2023: Overview of New Amendments to China’s Criminal Law & Charity Law,” NPC Observer Monthly, *NPC Observer*, January 19, 2024; International Center for Not-For-Profit Law, “Legal Snapshot: Pending NGO Legislative/Regulatory Initiatives: Amended Charity Law,” Civic Freedom Monitor: China, updated September 3, 2024. Both Wei and the ICNL attribute the focus on emergency public fundraising to COVID-19.

¹¹ National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024; Changhao Wei, “December 2023: Overview of New Amendments to China’s Criminal Law & Charity Law,” NPC Observer Monthly, *NPC Observer*, January 19, 2024.

¹² International Center for Not-For-Profit Law, “Legal Snapshot: Pending NGO Legislative/Regulatory Initiatives, Amended Charity Law,” Civic Freedom Monitor: China, updated September 3, 2024; Mark Sidel, “Rebooting China’s Charity Law,” U.S.-Asia Law Institute, New York University School of Law 2, no. 25 (June 23, 2022, 2); Mandy Zuo, “China’s Revised Charity Law Lacks Incentives to Spur Donations Despite ‘Common Prosperity’ Drive,” *South China Morning Post*, January 8, 2024.

¹³ National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024, sec. 3; Changhao Wei, “December 2023: Overview of New Amendments to China’s Criminal Law & Charity Law,” NPC Observer Monthly, *NPC Observer*, January 19, 2024.

¹⁴ National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024, sec. 14; Changhao Wei, “December 2023: Overview of New Amendments to China’s Criminal Law & Charity Law,” NPC Observer Monthly, *NPC Observer*, January 19, 2024.

¹⁵ National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024, sec. 4; Changhao Wei, “December 2023: Overview of New Amendments to China’s Criminal Law & Charity Law,” NPC Observer Monthly, *NPC Observer*, January 19, 2024.

¹⁶ Yuan Yue Dang, “China Charities to Be Overseen by Police, Spy Agencies under Proposed Law Change,” *South China Morning Post*, October 26, 2023. While Dang’s article comments on the draft law rather than its final version, the final version also contains language requiring that charities report collaboration with foreign entities, and connects this to the broader policy environment under Xi Jinping. International Center for Not-For-Profit Law, “Legal Snapshot: Pending NGO Legislative/Regulatory Initiatives, Amended Charity Law,” Civic Freedom Monitor: China, updated September 3, 2024. Chief among these Xi-era policies directed at foreign entities is the Law on the Management of Overseas Non-Governmental Organizations’ Activities in Mainland China (Foreign NGO Law). For recent CECC coverage of the Foreign NGO Law, see Congressional-

Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 81–82. For coverage of the law at the time of its passage, see Congressional-Executive Commission on China, *2016 Annual Report* (Washington: October 2016), 226–27.

¹⁷Changhao Wei, “December 2023: Overview of New Amendments to China’s Criminal Law & Charity Law,” NPC Observer Monthly, *NPC Observer*, January 19, 2024; National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024, sec. 6.

¹⁸International Center for Not-For-Profit Law, “Legal Snapshot: Pending NGO Legislative/Regulatory Initiatives, Amended Charity Law,” Civic Freedom Monitor: China, updated September 3, 2024.

¹⁹International Center for Not-For-Profit Law, “Legal Snapshot: Pending NGO Legislative/Regulatory Initiatives, Amended Charity Law,” Civic Freedom Monitor: China, updated September 3, 2024; Yuanyue Dang, “All China Charities to Be Overseen by Police, Anti-Spying Agencies under Proposed Revisions to 2016 Law,” *South China Morning Post*, October 26, 2023; Mandy Zuo, “China’s Revised Charity Law Lacks Incentives to Spur Donations Despite ‘Common Prosperity’ Drive,” *South China Morning Post*, January 8, 2024; Wang Qiang, “热点 | 新修改的慈善法有哪些重点和亮点内容” [Hot topic | What are the key points and highlights of the newly amended charity law?], *People’s Court News and Media Agency*, reprinted in *China Development Brief*, January 2, 2024.

²⁰National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024. To see an unofficial translation of the new amendments incorporated into the Charity Law, see “PRC Charity Law,” translated in *China Law Translate*, January 5, 2024.

²¹Holly Snape and Wang Weinan, “Towards a Command Civil Society?,” *Made in China Journal*, November 13, 2023. For more information on Xi-era efforts to centralize the role of the Chinese Communist Party in social organizations, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 72–73; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 79–80.

²²Holly Snape and Wang Weinan, “Towards a Command Civil Society?,” *Made in China Journal*, November 13, 2023. For more information on the preeminence of the Chinese Communist Party in setting the agenda for charitable work, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 74; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 84.

²³“慈善法（修正草案）今起公开征求意见 | 附原文对照” [Charity Law (draft amendments) solicitation for public comment opens today | original text provided for comparison], *People’s Daily*, reprinted in *China Medical Foundation*, October 27, 2023. See also the following unofficial translation: “Charity Law Draft Amendments,” translated in *China Law Translate*, October 31, 2023.

²⁴National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国慈善法》的决定 [National People’s Congress Standing Committee Decision on Amending the PRC Charity Law], passed December 29, 2023, effective September 5, 2024. PRC government sites have not posted an updated version of the Law following passage of the amendments in December 2023, but the amendments and their location are outlined in the Decision, and the 2016 Law can be found at 中华人民共和国慈善法 [PRC Charity Law], passed March 16, 2016, effective September 1, 2016, arts. 4, 5. See also the following unofficial translation, with the amendments incorporated, in “PRC Charity Law,” translated in *China Law Translate*, January 5, 2024.

²⁵Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 72, 74.

²⁶Li Yumei, “新组建的中央社会工作部今年有哪些重点工作？” [What are the key tasks of the newly established Central Social Work Department this year?], *CCTV News*, February 22, 2024; “中共中央 国务院印发 ‘党和国家机构改革方案’” [The Central Committee of the Communist Party of China and the State Council issued the “Plan for the Reform of Party and State Institutions”], *Xinhua*, March 16, 2023. For more on the establishment of the Central Social Work Department, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 73, 124.

²⁷“民政部社会组织管理局（社会组织执法监督局）局长刘振国：牢牢把握高质量发展首要任务做好新时代社会组织登记管理工作” [Liu Zhenguo, Director of the Social Organization Administration Bureau (Social Organization Law Enforcement Supervision Bureau) of the Ministry of Civil Affairs: Firmly grasp the top priority of high-quality development and do a good job in the registration and management of social organizations in the new era], *China Social News*, April 19, 2024, reprinted in *Fujian Civil Affairs*.

²⁸Guizhou Provincial Department of Civil Affairs, “贵州省社区社会组织党的建设培训在贵阳举行” [Party-building training for community social organizations in Guizhou Province was held in Guiyang], November 30, 2023.

²⁹“民政部办公厅印发 ‘2024年中央财政支持社会组织参与社会服务项目实施方案’” [The General Office of the Ministry of Civil Affairs issued the “2024 Implementation Plan for Central Financial Support for Social Organizations to Participate in Social Service Projects”], *China Social News*, April 21, 2024, reprinted in *Heilongjiang Civil Administration Information Net*; Ministry of Civil Affairs, “民政部办公厅关于发布2024年中央财政支持社会组织参与社会服务项目立项名单的通知” [Notice from the Office of the Ministry of Civil Affairs about the release of the 2024 List of Approved Projects for Social Organizations to Participate in Social Service Projects], June 15, 2024. For a discussion of how the Chinese Communist Party and government have directed charities and charitable giving to fill gaps in welfare and social service provision, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 74.

Civil Society

³⁰ “民政部办公厅印发‘2024年中央财政支持社会组织参与社会服务项目实施方案’” [The General Office of the Ministry of Civil Affairs issued the “2024 Implementation Plan for Central Financial Support for Social Organizations to Participate in Social Service Projects”], *China Social News*, April 21, 2024, reprinted in *Heilongjiang Civil Administration Information Net*.

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FREEDOM OF RELIGION

Findings

- During the Commission's 2024 reporting year, the Chinese Communist Party and government enacted legal provisions that strengthened control over religious practices, including the Measures for the Management of Venues for Religious Activities and the PRC Patriotic Education Law. Since 2018, the Chinese Communist Party and government have issued several key legal provisions to tighten control over religious activities.
- The five state-recognized religious bodies overseeing Buddhism, Taoism, Catholicism, Protestant Christianity, and Islam, each published updated Five-Year Plans for "sinicization." Individuals and religious sites were promoted as "models" of sinicization.
- During this reporting year, the Commission observed the Chinese government's efforts to "sinicize" Taoism, emphasizing Party control and alignment with Party ideology rather than religious identity. The government also continued to exert pressure on Buddhism to use historical reinterpretation to promote religious subordination to the Party.
- The Party cracked down on folk religious practices that it views as potentially undermining its authority.
- During this reporting year, four Catholic bishops were consecrated with mutual approval from both PRC authorities and the Holy See, the only appointments made since 2021, while about 40 dioceses remained without leadership. Authorities continued to hold Catholic clergy in detention or forcibly disappear them due to their refusal to join the Christian Council of China, including Catholic Bishop **Shao Zhumin** of the Diocese of Wenzhou in Zhejiang province.
- The PRC government continued its campaign to remove Islamic architectural elements from mosques or demolish them. These policies target Hui Muslims and aim to eradicate religious and cultural distinctiveness while promoting assimilation with Han Chinese culture. Experts commented that this year marked the conclusion of the nationwide mosque "sinicization" campaign, as the last major mosques in China lost their Arabic-style features.
- The Party exerted pressure on Hong Kong religious communities to conform to the "sinicization" policies of mainland China, including through continual trips between mainland China and Hong Kong. Experts on religious freedom and belief also noted the threat posed to the confidentiality of the Sacrament of Penance with the enactment of the *Safeguarding National Security Ordinance*.
- PRC authorities continued to violate Protestants' religious freedom through detention of leaders of unregistered churches, surveillance of activities and participants, and use other legal tools to control and punish church leaders. Authorities continued to order the removal of crosses and other Christian symbols from church buildings.

Freedom of Religion

- During this reporting year, PRC authorities continued to monitor, detain, and imprison Falun Gong practitioners, Church of Almighty God members, and others for being members of “evil cults” (*xiejiao*, 邪教). In March 2024, the Commission held a hearing in which witnesses expressed concerns about possible forced organ removal from religious and ethnic minorities in China, including Falun Gong practitioners.

FREEDOM OF RELIGION

Introduction

During the 2024 reporting year, the Commission observed persistent violations of religious freedom by the Chinese Communist Party and government, aimed at consolidating their systemic control over religious practitioners and communities. Authorities undertook such efforts on multiple levels by including a provision in the sweeping PRC Patriotic Education Law addressed to religious groups and institutions; issuing restrictive new regulations governing religious sites; launching individualized Five-Year Plans for the “sinicization” of all five state-sanctioned religious bodies; and harshly repressing unregistered religious believers and communities. The Party and government also leveraged technology-enhanced censorship and surveillance tools, alongside more traditional methods of community-based monitoring, to maintain control over religious practitioners and groups and to identify individuals and content deemed to be threats.

International and Chinese Law on Religious Freedom

International law protects the right to form, hold, and change beliefs without restriction while allowing limited constraints on their outward manifestation in the presence of select justifications.¹ The Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) codify these principles.² Article 36 of China’s Constitution guarantees “freedom of religious belief” and protects “normal religious activities” but leaves “normal” undefined, allowing the government to stipulate what constitutes “normal” and to circumscribe religious activity beyond what is codified under the UDHR and ICCPR.³

Since 2018, the Party and government have issued several key legal provisions to tighten control over religious activities, including:

- **Revised Regulations on Religious Affairs (2018).**⁴ These regulations significantly expanded oversight of religious communities, encompassing activities, schools, religious instruction, and international engagement.⁵ Many provinces and regions subsequently issued supplementary regulations, further intensifying control over religious groups.⁶
- **Measures for the Administration of Religious Personnel (2021).**⁷ These measures empowered the National Religious Affairs Administration (NRAA) to exert greater control over religious leaders.⁸ The measures mandated the creation of a database⁹ of recognized religious personnel who must demonstrate loyalty to the Chinese government by embracing socialism and supporting Communist Party leadership.¹⁰ The measures emphasize resistance to foreign religious influence,¹¹ explicitly prohibiting Chinese clergy from accepting positions with foreign religious groups or institutions without authorization, or engaging in “any other act that violates the principle of [Chinese] self-determination.”¹²
- **Measures for the Administration of Internet Religious Information Services (2022).**¹³ These measures impose strict

regulations on online religious content. They require all groups to register before posting religious material and prohibit foreign entities from disseminating such content within China.¹⁴ The measures also ban a wide range of content deemed to undermine national unity and social stability, or promote extremism, terrorism, separatism, or religious fanaticism, among other types of content.¹⁵

Regulatory and Policy Developments

During the 2024 reporting year, the Party and government enacted regulations that strengthened control over religious practices. On September 1, 2023, the NRAA implemented new Measures for the Management of Venues for Religious Activities, superseding the 2005 version.¹⁶ These measures impose rigorous controls on religious sites, mandating that all activities align with Party leadership, Chinese Communist Party General Secretary Xi Jinping's ideology, and socialist values.¹⁷ They also require the establishment of study groups to promote Party doctrine, further advancing the Party's agenda of religious "sinicization" (*zhongguohua*, 中国化), characterized in part as strengthening religious believers' allegiance to the "great motherland, the Chinese nation, Chinese culture, the Chinese Communist Party, and socialism with Chinese characteristics."¹⁸

The PRC Patriotic Education Law, issued in October 2023, further constrains religious freedom in China.¹⁹ While only one article directly addresses religious groups,²⁰ the National Joint Conference of Religious Groups issued guidelines in January 2024 that significantly impact these communities.²¹ These guidelines assert the primacy of the Chinese government over religion, declaring that the authority of the state supersedes religious authority and that state law trumps religious rules.²² The PRC Patriotic Education Law mandates that all religious institutions engage in patriotic education, emphasizing national consciousness and adherence to socialism.²³ The law compelled various religious communities, including Hui Muslims²⁴ and Christians,²⁵ to integrate patriotic elements into their practices by holding meetings to study the law and promoting nationalist songs and sermons.²⁶

Five-Year Plans Launched for the Sinicization of Religion

Following the completion of the first Five-Year Plans for sinicization in 2022,²⁷ PRC authorities continued to advance policies promoting sinicization, as demonstrated in several high-level speeches.²⁸ In his March 2023 government work report at the National People's Congress, Premier Li Qiang reaffirmed the Party's commitment to religious sinicization, emphasizing the adaptation of religions to China's socialist society.²⁹ In December 2023, Wang Huning, Chairman of the Chinese People's Political Consultative Conference, met with the National Committee of the Three-Self Patriotic Movement of the Protestant Churches in China (TSPM) and Christian Council of China (CCC) conference, urging them to implement stringent management practices and promote patriotism, cultural appreciation, loyalty to the Party, and "socialism with Chinese characteristics."³⁰

**Five-Year Plans Launched for the Sinicization of Religion—
Continued**

With the new Five-Year Plans, individuals and religious sites were promoted as “models” of sinicization. In May 2024, the TSPM and CCC hosted a seminar to explore Protestant theologian T.C. Chao (Zhao Zichen) as a model for sinicization of Christians.³¹ Similarly, in September 2023, Islamic Association of China (IAC) president Yang Faming held up the Jinling School of Islam as a model of sinicization during a speech at the Jinjue Mosque in Nanjing municipality, Jiangsu province.³² According to one PRC-based scholar, disciples of the Jinling School sought to “affirm the commonality of Islamic and Chinese cultures.”³³ Reporting on Yang’s speech, *Bitter Winter*, an online magazine that reports primarily on religious repression in China, claimed that the IAC was simplifying the Jinling School of thought in order to justify the government’s recent efforts to remove Arabic-style elements from mosques.³⁴

The Party signaled its intention to maintain its program of sinicization by issuing new Five-Year Plans for sinicization of Protestant Christianity and Catholicism in China for the years 2023 to 2027.³⁵ The sinicization plan for the Party-run Chinese Catholic Patriotic Association made no mention of the Pope, the Sino-Vatican Agreement, or the Holy See, among other topics of significance to the Catholic Church in China, whereas mentions of Xi Jinping and “Chinese characteristics” are found several times.³⁶ As one expert observed, this conveys the sense that the Sino-Vatican Agreement “counted for nothing.”³⁷ The new Five-Year Plan for Protestants calls for the integration of “core socialist values” into Christian theology.³⁸ One scholar noted that this new document emphasizes political loyalty to the Party much more than the previous Five-Year Plan.³⁹

The Taoist Association of China⁴⁰ and the Buddhist Association of China (BAC) have also released sinicization plans. In 2022, BAC launched its “Five-Year Work Plan for Deepening the Sinicization of Buddhism in China (2023–2027).”⁴¹ While the full text remains undisclosed, the BAC president announced in February 2024 that it would integrate patriotic education into Buddhist sinicization efforts.⁴²

Buddhism (non-Tibetan), Taoism, and Folk Religion

The Chinese government continues to impose sinicization efforts on Taoism and Buddhism, despite the indigenous nature of the former and the previous promotion of the latter as a model for successful sinicization.⁴³ These initiatives prioritize Party supremacy and employ historical reinterpretation in order to promote religious subordination.⁴⁴ In September 2023, the “Buddhist Educational Affairs and Teaching Style Work Training Course” held at Mount Wutai in Wutai county, Xinzhou municipality, Shanxi province, emphasized the imperative for Buddhist monks and devotees to “thoroughly study and implement” Xi Jinping’s teachings and the spirit of the 20th National Congress of the Chinese Communist Party.⁴⁵ During the training, BAC President Shi Yanjue highlighted Xi’s 2021 speech advocating for Marxism as an “interpretive tool for religious history and doctrine.”⁴⁶ The Party-controlled “Fahua Dojo” Buddhist group produced a video featuring members in Red Army uniforms per-

forming a song that merged Xi Jinping quotes with Buddhist concepts.⁴⁷ One publication characterized this as “one of the furthest steps taken by the movement of ‘Sinicization of Buddhism’ in recent years.”⁴⁸ The Fahua Dojo further reinforced this alignment by posting over 20 videos dedicated to the 20th Party Congress on their website.⁴⁹ [For more information on religious freedom for Tibetan Buddhists, see Chapter 17—Tibet.]

During this reporting year, the Commission observed the Chinese government’s efforts to “sinicize” Taoism, emphasizing Party control and alignment with Party ideology rather than religious identity.⁵⁰ In July 2023, the Taoist Association of China organized “Taoism on the Sea: The First Forum on the Theory and Practice of Sinicization of Taoism,” featuring speeches from high-ranking officials and workshops promoting Party loyalty and socialist ideology.⁵¹ The workshops demonstrated patriotic educational activities that participants could bring back to their temples, such as lessons in the history of the Party and of the United Front, as well as Taoist painting, and recommended that in calligraphy classes teachers should encourage students to produce works that showcase “thoughts of loving the Party, the country, and socialism.”⁵² *Bitter Winter* noted the “absurd[ity]” of sinicizing Taoism if the term means different faiths adapting to Chinese culture and traditions, highlighting that the real purpose of the sinicization of religion is to make religions “propaganda mouthpieces for the Party.”⁵³

Simultaneously, the Party has cracked down on folk religious practices that it views as potentially undermining its authority. For example, when a viral video showed a woman praying at a site commemorating 11th-century magistrate Bao Zheng in Kaifeng municipality, Henan province after her attempt to petition authorities failed, local officials began to surveil worshippers, “identify[ing] those who pray loudly or cry,” according to one source.⁵⁴ Petitioners have reportedly come to revere Bao for his stance against injustice and corruption, and authorities may view devotion to Bao as a tacit form of criticism.⁵⁵

Islam

During the 2024 reporting year, the Commission observed the PRC’s use of sinicization policies targeting Hui Muslims, aiming to eradicate religious and cultural distinctiveness while promoting assimilation with Han Chinese culture. The government continued its campaign to remove Islamic architectural elements from mosques or demolish them.⁵⁶ Authorities demolished and rebuilt Xiguan Mosque in Lanzhou municipality, Gansu province;⁵⁷ replaced a dome and minarets demolished last year with pagodas at Najiaying Mosque in Nagu town, Tonghai county, Yuxi municipality, Yunnan province;⁵⁸ and replaced the dome and minarets of the Grand Mosque in Shadian subdistrict, Gejiu city, Honghe Hani and Yi Autonomous Prefecture, Yunnan, with a pagoda rooftop and pagoda towers,⁵⁹ stripping these mosques of traditional Islamic architectural features.⁶⁰ The Grand Mosque in Shadian has served as one of the most significant centers of worship for Hui Muslims, known as “the Mecca of the Hui.”⁶¹ Fearing protest, officials went to residents’ homes in Shadian, asking them to sign a letter agreeing “not to take

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pictures of and not to post on social media news about the mosque alteration work.”⁶² When rebuilding the Grand Mosque, authorities reportedly installed surveillance cameras inside the mosque’s prayer hall over the objections of the mosque management committee.⁶³ Experts commented that the reconstruction of the Najiaying and Grand Mosques marked the conclusion of the nationwide mosque sinicization campaign as the last major mosques in China lost their Arabic-style features.⁶⁴

A November 2023 report by Human Rights Watch (HRW) revealed a significant reduction in the number of mosques in Ningxia and Gansu provinces, both with significant Hui Muslim populations, through a process of “consolidation.”⁶⁵ Maya Wang, HRW’s acting China Director, asserted that authorities have closed, destroyed, and repurposed mosques as “part of a systematic effort to curb the practice of Islam in China.”⁶⁶ Scholars who focus on Hui Muslims estimate that authorities have shuttered approximately one-third of Ningxia’s mosques since 2020.⁶⁷

PRC authorities also tightened restrictions this past year on Muslims’ observance of Ramadan. Authorities in Yuxi municipality, Yunnan, issued prohibitions on the observance of Ramadan, including banning minors from fasting.⁶⁸ The notice was issued in the year following the widespread protests that took place over authorities’ planned removal of the Najiaying Mosque’s dome and four minarets.⁶⁹ [For more information on Uyghur, Hui, and other Muslims in the Xinjiang Uyghur Autonomous Region and other locations, please see Chapter 7—Ethnic Minority Rights and Chapter 18—Xinjiang Uyghur Autonomous Region.]

Christianity—Catholic

The 2018 Sino-Vatican Agreement established a mechanism for bishop appointments mutually recognized by the PRC government and the Holy See.⁷⁰ Despite many experts claiming unsatisfactory results, the Holy See provisionally renewed the agreement in 2022 to maintain dialogue.⁷¹ As the agreement approaches renewal in October 2024, its effectiveness remained questionable, particularly regarding the “underground” Catholic Church.⁷² Critics argue that Chinese authorities seek a state-submissive Church, which would jeopardize its Catholic identity.⁷³ While some scholars have emphasized the agreement’s potential for creating stability and unity,⁷⁴ the past six years have largely been seen as producing disappointing results.⁷⁵ During this reporting year, only four bishops were consecrated with mutual approval, the only appointments made since 2021,⁷⁶ while around 40 dioceses remain without leadership.⁷⁷ Authorities have continued to hold Catholic clergy in detention or forcibly disappear them due to their refusal to join the Party-controlled Catholic Patriotic Association (CPA), including Bishop **Shao Zhumin** of the Diocese of Wenzhou in Zhejiang province.⁷⁸

In July 2023, the Holy See formally appointed Bishop Shen Bin to the Diocese of Shanghai,⁷⁹ three months after the Party-controlled Bishops’ Conference of the Catholic Church in China (BCCCC) unilaterally installed him.⁸⁰ In May 2024, the Holy See made another overture to China by inviting Bishop Shen to

speak at a high-level conference at the Vatican to commemorate the landmark First Council for China held in Shanghai in 1924.⁸¹ This was the first time a bishop from mainland China attended a Vatican conference.⁸² Bishop Shen rebuked Western missionaries for their “superior” attitudes while “protect[ing] foreign powers” in China’s history, defended Chinese authorities’ policies toward the Catholic Church, and advocated for the sinicization of Catholicism in China, urging patriotism and alignment with Chinese society and culture.⁸³

In September 2023, during Pope Francis’s visit to Mongolia, PRC authorities limited Chinese Catholics’ access to the Pope, despite the Pope telling Chinese Catholics to be “good citizens.”⁸⁴ No mainland bishops were present in Mongolia to welcome Pope Francis.⁸⁵ Authorities also detained at least two individuals who had organized a pilgrimage.⁸⁶ Many of the Chinese Catholics who were able to attend were afraid to speak to reporters or wore face masks the entire time to conceal their identity out of fear of punishment back in China.⁸⁷

Chinese authorities used “fraud” charges against Catholic religious leaders in 2023. A court punished Father **Joseph Yang Xiaoming**, a Holy See-approved Catholic priest, for “conducting religious activities by deception . . . under the guise of a religious cleric,” and reportedly for refusing to join the Party-controlled CPA.⁸⁸ Yang received an administrative punishment that included an “order to cease his (priestly) activities,” the confiscation of more than 28,000 yuan (US\$4,000), and a fine of more than 1,500 yuan (US\$210).⁸⁹ Despite being used against leaders of unregistered Protestant churches in the past,⁹⁰ “fraud” charges against Catholic clergy have been uncommon.⁹¹ Catholic News Agency claimed that Yang’s case reveals that the database for Catholic clergy launched in May 2023 is “a pretense to strong-arm obstinate clerics into registering with state-sanctioned religious bodies.”⁹²

Religious Freedom Violations in Hong Kong

The Party exerted pressure on Hong Kong religious communities to conform to the sinicization policies of mainland China, including through continual trips between mainland China and Hong Kong. In August 2023, *China Central Television* documented and interviewed a delegation of Hong Kong Islamic organizations who visited the Xinjiang Uyghur Autonomous Region in order to dissuade the public of its belief in the existence of ethnic tensions, forced labor, or mass internment camps.⁹³ The interviews, shown with a Mandarin voiceover, showcase the chairman of the Islamic Union of Hong Kong, Azizul Rahman Suffiad, and others claiming that “the ethnic minority compatriots in Xinjiang are very happy and joyful, fully enjoying religious freedom and are well-respected.”⁹⁴

Religious Freedom Violations in Hong Kong—Continued

In September 2023, a delegation of Hong Kong clerics and religious sisters visited the Diocese of Beijing where they reportedly had discussions with the National Religious Affairs Administration of the United Front Work Department and the CPA and BCCCC.⁹⁵ In November 2023, Archbishop Joseph Li Shan visited Hong Kong at the invitation of Cardinal Stephen Chow Sau-yan of the Diocese of Hong Kong, marking the first official visit by the head of the Catholic Church in China.⁹⁶ In April 2024, a delegation of the Diocese of Hong Kong made a second trip to mainland China, one year after Cardinal Chow traveled to Beijing municipality, following nearly three decades in which the Diocese of Hong Kong had not made an official visit to China.⁹⁷

In October 2023, St. John's Anglican Cathedral Church displayed the PRC national flag inside the church, and the Kowloon Mosque and Islamic Center held a flag-raising ceremony of the PRC flag.⁹⁸ Commentators suggested that the display and veneration of the PRC national flag by religious communities in Hong Kong may become what is expected.⁹⁹

Furthermore, with the enactment of the *Safeguarding National Security Ordinance*, experts on religious freedom and belief noted the threat posed to the confidentiality of the Sacrament of Penance, known as “Confession.”¹⁰⁰ The Catholic Diocese of Hong Kong said that the legislation would not affect the confidentiality of Confession, but Ronny Tong, an advisor to the city leader, said that religious professionals are not exempt from the requirement to inform authorities of anyone who committed “treason” even if revealed during Confession.¹⁰¹ Paul Lam Ting-kwok, Hong Kong's Secretary of Justice, said that it would be “very difficult” to make exemptions for religious leaders, although an exemption was made for legal professionals.¹⁰² The new law stipulates that failing to disclose to authorities within a reasonable time information on individuals suspected of committing treason could be punished with up to 14 years in prison.¹⁰³ [For more information on the ongoing suppression of civil society in Hong Kong, see Chapter 19—Hong Kong and Macau.]

Christianity—Protestant

PRC authorities continued to violate Protestants' religious freedom through suppression of church services, detention of leaders of unregistered churches, and surveillance of activities and participants.¹⁰⁴ Officials continued to employ “fraud” charges against unregistered “house” churches and networks.¹⁰⁵ Ongoing legal proceedings highlighted the use of this charge to suppress unregistered religious activities, including:

- **Ganquan Church.** Authorities in Hefei municipality, Anhui province, detained members of Hefei's Ganquan Church in November 2023 and held five, including Pastor **Zhou Songlin**¹⁰⁶ and Elder **Ding Zhongfu**,¹⁰⁷ on suspicion of “fraud.”¹⁰⁸ Two properties, bought by the church congregation to host worship services and to avoid being forced to relocate, could be used as the basis for fraud charges against the leaders.¹⁰⁹
- **Living Stone (also known as Cornerstone) Reformed Church.** In April 2023, authorities in Yuhui district, Bengbu municipality, Anhui, detained Pastor **Wan Changchun**,¹¹⁰ El-

der **Xue Shaoqiang**,¹¹¹ **Cao Binting**,¹¹² and **Wan Chunqin**¹¹³ of Living Stone Reformed Church on suspicion of “illegal business activity”; in May 2023, authorities formally arrested the four and changed the charge to “fraud.”¹¹⁴ In January 2024, the Yuhui procuratorate indicted the four on the same charge.¹¹⁵

• **Green Pastures (Qingcaodi) Reformed Church.** In April 2024, the Jingyang District People’s Court in Deyang municipality, Sichuan province, sentenced Elders **Hao Ming**¹¹⁶ and **Wu Jiannan**¹¹⁷ of Deyang’s Green Pastures Reformed Church to three years in prison, suspended for five years, for “fraud.”¹¹⁸ Chinese authorities have used fraud charges to target church funding structures and to project a veneer of criminality onto normal religious activities such as collecting donations.¹¹⁹

Authorities also used other legal tools to control and punish church leaders. After releasing Pastor **John Cao Sanqiang** following a seven-year prison term, authorities prevented Cao from accessing vital government-issued documents, including his national identification card and *hukou*, a household registration permit necessary for access to public services.¹²⁰ Authorities imprisoned Cao in 2017 on the charge of “organizing others to illegally cross the border” in connection with his missionary and relief work traveling between China and Burma (Myanmar).¹²¹ While Cao—who is both a Chinese national and U.S. permanent resident—was in prison, his Chinese passport expired, and without official documents, he was unable to renew it.¹²²

This past year, PRC authorities continued to order the removal of crosses and plaques inscribed with Christian phrases including “Jesus” and “Christ” from church buildings.¹²³ For example, in July 2023, the Taizhou Religious Affairs Bureau in Taizhou municipality, Zhejiang province, reportedly sent notices to local churches requiring signs reading “love the Chinese Communist Party, love the country, and love the religion” and “uphold the sinicization of religion” to be displayed.¹²⁴ The Shinian Church in Taizhou displayed a hammer and sickle, the Party emblem, at its entrance.¹²⁵

Falun Gong

PRC authorities continued to monitor, detain, and imprison Falun Gong adherents in connection with their practice of Falun Gong.¹²⁶ Authorities often detain Falun Gong practitioners for violating Article 300 of the PRC Criminal Law, which criminalizes “organizing and using a cult to undermine implementation of the law.”¹²⁷ The Falun Gong-affiliated website *Minghui* reported the deaths of dozens of Falun Gong practitioners due to mistreatment while in custody and more than a thousand cases of Falun Gong practitioners being harassed or sentenced by authorities.¹²⁸ Falun Gong practitioners are often detained multiple times over the course of years, including the following individuals:

• **Hou Lijun.** In May 2023, the Wanbailin District People’s Court in Taiyuan municipality, Shanxi province, sentenced **Hou Lijun** to 10 years in prison.¹²⁹ In June 2023, authorities sent Hou to a prison in Jinzhong municipality, Shanxi province,¹³⁰ and reportedly tortured him by beating him, forcing him to sit on a small stool for long periods of time, and depriving him

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of sleep and basic necessities.¹³¹ Hou went on a hunger strike in protest and in January 2024, authorities transferred Hou to a PSB hospital in Taiyuan after he became gravely ill.¹³² The prison administration denied his family permission to visit him at the hospital.¹³³ Authorities previously detained Hou in 2000 and in 2002.¹³⁴

- **Lang Dongyue.** Around July 2023, the Xuanhua District People's Court in Zhangjiakou municipality, Hebei province, sentenced **Lang Dongyue** to nine years in prison and imposed a fine of 15,000 yuan (US\$2,100) after authorities had detained her at least five previous times for an aggregate total of 10 years starting in 1999.¹³⁵

- **Wang Yanming.** After multiple previous detentions, public security officials in Daqing municipality, Heilongjiang province, detained **Wang Yanming** in June 2023, claiming that surveillance cameras recorded him hanging up Falun Gong posters, and he was subsequently sentenced on September 25, 2023, to three years and six months in prison and fined 20,000 yuan (US\$2,900).¹³⁶

In testimony provided at a Commission hearing in March 2024, experts expressed ongoing concerns about the possible forced removal of organs from religious and ethnic minorities in China, including Falun Gong practitioners.¹³⁷ [For more information on forced organ removal, see Chapter 12—Public Health.]

Other Religious Communities

The Commission documented religious freedom violations against communities outside the five officially regulated religions. While the Chinese government previously tolerated some unregulated groups such as the Church of Jesus Christ of Latter-Day Saints, it designated 22 others, including Falun Gong and the Church of Almighty God (CAG), as “evil cults” (*xiejiao*, 邪教).¹³⁸ Authorities regularly prosecute adherents under Article 300 of the PRC Criminal Law.¹³⁹

According to a report by CAG, the government significantly increased detention and sentencing of CAG members in 2023.¹⁴⁰ Authorities sentenced thousands of CAG members to imprisonment, and several members died as a result of mistreatment while in custody.¹⁴¹ In June 2023, authorities reportedly detained more than 1,000 CAG members in Zhejiang province in a single day.¹⁴²

Persecution extended beyond listed “cults.” In December 2023, Taiwan’s Mainland Affairs Council (MAC) advised Taiwanese members of Yiguan Dao, a salvationist religion, against traveling to mainland China, warning that authorities may detain them for crimes under Article 300, among other potential charges, despite the group’s absence from any cult lists.¹⁴³ MAC further stated that an individual had been detained in China for bringing in books promoting vegetarianism.¹⁴⁴

Notes to Chapter 3—Freedom of Religion

¹ Paul M. Taylor, *Freedom of Religion: UN and European Human Rights Law and Practice* (New York: Cambridge University Press, 2005), 19, 24, 203–4.

² Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948, art. 18; International Covenant on Civil and Political Rights (ICCPR), adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 18. Article 18 of the ICCPR upholds a person's right to “have or adopt a religion or belief” and the “freedom . . . to manifest [that] religion or belief in worship, observance, practice and teaching.” Article 18 also prohibits coercion that impairs an individual's freedom to freely hold or adopt a religion or belief. See also Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, adopted and proclaimed by U.N. General Assembly resolution 36/55 of November 25, 1981. China has signed and stated its intent to ratify the ICCPR, which obligates China to refrain in good faith from acts that would defeat the treaty's purpose. State Council Information Office, “国家人权行动计划（2016–2020年）” [National Human Rights Action Plan of China (2016–2020)], September 29, 2016, sec. 5; United Nations Conference on the Law of Treaties, Vienna Convention on the Law of Treaties, adopted May 23, 1969, entry into force January 27, 1980, art. 18.

³ 中华人民共和国宪法 [PRC Constitution], passed and effective December 4, 1982, amended March 11, 2018, art. 36; Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948; International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976.

⁴ State Council, 宗教事务条例 [Regulations on Religious Affairs], issued November 30, 2004, amended June 14, 2017, effective February 1, 2018, art. 2. For more information on the impact of the updated Regulations on Religious Affairs, see, e.g., Congressional-Executive Commission on China, *2020 Annual Report* (Washington: December 2020), 111–12.

⁵ American Center for Law and Justice, “Analysis on China's Revised Regulations on Religious Affairs,” accessed October 23, 2024; Brent Fulton, “New Religious Regulations to Take Effect in February,” *ChinaSource* (blog), September 13, 2017.

⁶ For more analysis on the individual provincial and regional Regulations, see, e.g., Martin Lavicka, “A New Round of Restrictions Further Constrains Religious Practice in Xinjiang,” *ChinaFile*, April 19, 2024; “法律法规” [Laws and regulations], National Religious Affairs Administration (website), accessed October 23, 2024. From 2019 to 2024, 30 provinces and regions have published their own additional regulations. See, e.g., National Religious Affairs Administration, 新疆维吾尔自治区宗教事务条例 [Regulations on Religious Affairs of the Xinjiang Uyghur Autonomous Region], passed December 22, 2023, effective February 1, 2024; National Religious Affairs Administration, 辽宁省宗教事务条例 [Regulations on Religious Affairs of Liaoning Province], passed on November 14, 2023 and effective on January 1, 2024; National Religious Affairs Administration, 黑龙江省宗教事务条例 [Regulations on Religious Affairs of Heilongjiang Province], passed November 2, 2023, effective on January 1, 2024; National Religious Affairs Administration, 宁夏回族自治区宗教事务条例 [Regulations on Religious Affairs of the Ningxia Hui Autonomous Region], passed August 2, 2023, effective on October 1, 2023.

⁷ National Religious Affairs Administration, 宗教教职人员管理办法 [Measures for the Administration of Religious Personnel], effective May 1, 2021.

⁸ Mingzhi Chen, U.S. Commission on International Religious Freedom, “Factsheet: China,” October 2021, 1; Martin Lavicka and Julie Yu-Wen Chen, “New Measures for Governing Religions in Xi's China,” *China Report* 59, no. 3 (August 15, 2023): 267–68; Massimo Introvigne, “Enter the ‘Administrative Measures for Religious Clergy’: Be Afraid, Be Very Afraid,” *Bitter Winter*, February 11, 2021; BarnabasAid, “Chinese Government's Tight New Regulations for Ministry Include Database of Church Leaders,” February 19, 2021.

⁹ National Religious Affairs Administration, 宗教教职人员管理办法 [Measures for the Administration of Religious Personnel], effective May 1, 2021, art. 33.

¹⁰ National Religious Affairs Administration, 宗教教职人员管理办法 [Measures for the Administration of Religious Personnel], effective May 1, 2021, art. 3.

¹¹ National Religious Affairs Administration, 宗教教职人员管理办法 [Measures for the Administration of Religious Personnel], effective May 1, 2021, arts. 6.5, 12.3.

¹² National Religious Affairs Administration, 宗教教职人员管理办法 [Measures for the Administration of Religious Personnel], effective May 1, 2021, art. 12.3.

¹³ National Religious Affairs Administration et al., 互联网宗教信息服务管理办法 [Measures for the Administration of Internet Religious Information Services], passed December 3, 2021, effective March 1, 2022, art. 20.

¹⁴ National Religious Affairs Administration et al., 互联网宗教信息服务管理办法 [Measures for the Administration of Internet Religious Information Services], passed December 3, 2021, effective March 1, 2022, arts. 6, 7.

¹⁵ National Religious Affairs Administration et al., 互联网宗教信息服务管理办法 [Measures for the Administration of Internet Religious Information Services], passed December 3, 2021, effective March 1, 2022, art. 14.1.

¹⁶ National Religious Affairs Administration, 宗教活动场所管理办法 [Measures for the Management of Venues for Religious Activities], passed June 29, 2023, effective September 1, 2023; United Front Work Department of Chinese Communist Party Central Committee, “国家宗教事务局负责人就《宗教活动场所管理办法》答记者问” [State Administration of Religious Affairs official answers reporters' questions on the “Measures for the Management of Religious Activity Venues”], July 31, 2023.

¹⁷ National Religious Affairs Administration, 宗教活动场所管理办法 [Measures for the Management of Venues for Religious Activities], passed June 29, 2023, effective September 1, 2023, art. 3.

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¹⁸National Religious Affairs Administration, 宗教活动场所管理办法 [Measures for the Management of Venues for Religious Activities], passed June 29, 2023, effective September 1, 2023, arts. 30, 36; Carsten T. Vala, “The 2023 Regulations for Religious Activity Site Registration,” *ChinaSource* (blog), February 12, 2024; “习近平在全国宗教工作会议上强调 坚持我国宗教中国化方向 积极引导宗教与社会主义社会相适应 李克强主持 栗战书王沪宁赵乐际韩正出席 汪洋讲话” [At the National Conference on Religious Work, Xi Jinping stressed: Persevere on the path of [China’s] sinicization of religion and actively lead religion in the adaptation of religion with socialism], *Xinhua*, December 4, 2021.

¹⁹中华人民共和国爱国主义教育法 [PRC Patriotic Education Law], passed October 24, 2023, effective January 1, 2024.

²⁰中华人民共和国爱国主义教育法 [PRC Patriotic Education Law], passed October 24, 2023, effective January 1, 2024, art. 22.

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¹¹⁷For more information on Wu Jiannan, see the Commission’s Political Prisoner Database record 2022-00043. See also Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 103.

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IV. Rule of Law in the Justice System

CRIMINAL JUSTICE

Findings

- The criminal justice system remained a political instrument used for maintaining social order in furtherance of the Chinese Communist Party's authoritarian 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 arbitrarily detained religious practitioners, ethnic minorities, and rights advocates, including through extralegal means such as "black jails" and psychiatric facilities, or through criminal prosecution under offenses such as "picking quarrels and provoking trouble" or crimes endangering state security. Some detainees reported being mistreated or tortured. After entering the formal legal process, defendants sometimes faced prolonged pretrial detention, closed trials, and delayed sentencing.
- Reports of detainees being denied counsel and family visits, especially in political cases, continued to emerge. In the case of rights lawyer **Lu Siwei**, for example, officials denied a meeting request by the lawyer retained by Lu's wife on grounds that the government already had appointed counsel for him. The unilateral appointment was said to be intended to allow the government to have full control over the proceedings in order to secure a conviction.

CRIMINAL JUSTICE

Introduction

During the Commission's 2024 reporting year, PRC officials continued to use the criminal justice system and various other forms of detention to arbitrarily detain individuals. As of June 2024, the human rights monitoring group Rights Defense Network documented 1,714 cases of active detentions, which it estimated to be a small fraction of the total number of political and religious prisoners in China.¹

Arbitrary Detention

Authorities' use of arbitrary detention, including through extra-legal or extrajudicial means, did not abate during this reporting year.² The U.N. Working Group on Arbitrary Detention considers a detention arbitrary if 1) it has no legal basis, 2) it is used to suppress the exercise of universal human rights, 3) the detainee's due process rights are violated, 4) asylum seekers or refugees are subjected to prolonged detention, or 5) the detention is discriminatory on grounds such as religion, ethnicity, sexual orientation, and political opinion.³ Arbitrary detention violates international human rights standards⁴ and China's Constitution, which prohibits unlawful deprivation or restriction of a person's liberty.⁵ All forms of arbitrary detention are prohibited under international law, including "detention within the framework of criminal justice, administrative detention, detention in the context of migration and detention in the health-care settings."⁶

Extrajudicial Detention

ENFORCED DISAPPEARANCE

Reports of enforced disappearance continued to emerge this past year.⁷ Enforced disappearance is any form of deprivation of a person's liberty carried out by the government or with its acquiescence, followed by a refusal to acknowledge the detention or to disclose the detainee's whereabouts.⁸ Examples are as follows:

- In September 2022, petitioner **Tao Hong** disappeared after she had started an investigation into the death of a fellow rights defender, who she suspected was killed by the local government.⁹ Tao remained missing as of June 2024.¹⁰
- In November 2022, online broadcaster **Li Qianwei** disappeared in Zhejiang province while he was on the road trying to locate a missing high school student, who was later found dead under unclear circumstances.¹¹ Family members reported Li's disappearance, but police refused to investigate.¹² Li's whereabouts remained unknown as of January 2024.¹³
- In September 2023, **Tan Hua** disappeared when she went to Hangzhou municipality, Zhejiang province, to advocate for her mother's right to her pension.¹⁴ Tan's mother, **Hua Xiuzhen**, also disappeared shortly after she demanded that authorities release Tan.¹⁵ Their whereabouts were unknown until December 2023 when Hua returned home and revealed that they had been in detention for nearly a hundred days.¹⁶

BLACK JAILS

The informal term “black jail” refers to buildings such as hotels and training centers that government officials or their agents use to detain people.¹⁷ These extralegal detention facilities operate under different names, including “assistance and service centers” or “legal education centers.”¹⁸ Their existence and use have no legal basis, and people detained in such sites—many of whom are petitioners¹⁹ and Falun Gong practitioners²⁰—do not know when they will be released and do not have any procedural protection.²¹

Physical abuse reportedly took place at some black jails. Rights advocate **Wan Wenying**, for example, was arbitrarily detained multiple times in connection with her support for a protest.²² During a recent detention in September 2023, which took place in a hotel room in Shanghai municipality, Wan’s captor reportedly knelt on her and beat her, resulting in at least two broken ribs.²³ In another example, authorities detained petitioner **Ye Zhong** a total of 16 times in Beijing municipality and Fuzhou municipality, Fujian province, between October 2016 and May 2023.²⁴ These detentions took place at various facilities, including villas, a hospital, and a residential unit, and their duration ranged between 1 and 52 days.²⁵ Ye suffered beating and torture during these detentions.²⁶

PSYCHIATRIC FACILITIES

Forcibly committing individuals without mental illness to psychiatric facilities (*bei jingshenbing*, 被精神病) for acts such as expressing political opinions or grievances against the government continued during this past year,²⁷ despite domestic legal provisions prohibiting such abuse.²⁸ In particular, the U.N. Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care provides that a “determination that a person has a mental illness shall be made in accordance with internationally accepted medical standards” and must not be based on “political . . . or any other reason not directly relevant to mental health status.”²⁹

Human rights organization Civil Rights & Livelihood Watch (CRLW) reported six politically motivated cases of forcible commitment to psychiatric facilities that took place in 2023.³⁰ While the number of reported cases decreased from that of 2022, this does not necessarily reflect an actual reduction in this form of arbitrary detention, since PRC authorities enforce strict censorship of such data.³¹ CRLW also observed that the central and local government failed to give sufficient attention to the proper implementation of the PRC Mental Health Law during the decade since the law was enacted.³²

Two incidents reported this past year underscore the lack of protections in the process of involuntary commitment in China.³³ In one case, a husband and wife from Xi’an municipality, Shaanxi province, had each other involuntarily committed to psychiatric facilities in 2022 and 2023 due to domestic disputes.³⁴ The husband was institutionalized against his will for 80 days, and was forcibly medicated and subjected to electric shock treatment.³⁵ The wife reported that in the three days she was hospitalized, she was “tasered, strait-jacketed, forced to take medication and undergo electroconvulsive therapy . . .”³⁶ Hospital staff said they began treatment and carried out coercive measures based not on diagnoses they had made

but on representations made by each spouse that the other posed a risk of harming others, although neither of them were mental health professionals.³⁷ After being released, both spouses separately obtained mental health assessments, which indicated that they did not have any mental health issues that would require involuntary commitment.³⁸ In another case, the death by suicide of a 62-year-old man whose son had him involuntarily committed in Zhangjiajie municipality, Hunan province, similarly raised concerns about the right to refuse treatment.³⁹ Commitment to a psychiatric facility may be considered illegal confinement unless the patient has consented to treatment or has been adjudged by a court to be fully or partially incapacitated, according to two legal practitioners.⁴⁰

ADMINISTRATIVE DETENTION

Chinese authorities continued to suppress freedoms—such as protest,⁴¹ movement,⁴² and religion⁴³—through administrative detention,⁴⁴ which is among several types of administrative penalties authorized by the PRC Public Security Administration Punishment Law and the PRC Administrative Penalty Law,⁴⁵ and referenced in about 90 domestic laws and regulations.⁴⁶ Some political detainees are subjected to further criminal detention and prosecution after completion of administration detention.⁴⁷ Examples are as follows:

- In August 2023, authorities detained Christian **Chen Wen-sheng** at the airport in Shanghai municipality as he prepared to leave China to evangelize abroad.⁴⁸ After sending him back to his place of origin in Hengyang municipality, Hunan province, police ordered him to serve 15 days of administrative detention, and later criminally detained him on the charge of “organizing or providing financial support to an unlawful gathering.”⁴⁹ In June 2024, the Shigu District People’s Court in Hengyang sentenced Chen to one year and seven months in prison.⁵⁰
- In September 2023, authorities ordered rights defender **Wang Mo** to serve 10 days of administrative detention for the third time in three months.⁵¹ Beginning in 2014, Wang had been repeatedly subjected to administrative and criminal punishment in connection with his efforts to advocate for others’ rights and promote democracy.⁵²

RETENTION IN CUSTODY

The PRC Supervision Law (Supervision Law)⁵³ authorizes the National Supervisory Commission (NSC) and its local branches to investigate suspected official misconduct using methods including “retention in custody” (*liuzhi*, 留置), which allows the NSC and its local branches to hold individuals for up to six months without legal representation.⁵⁴ The law applies to “Communist Party members or public sector personnel—virtually anyone working directly or indirectly for the government.”⁵⁵ In the past year, there likely has been an uptick in the use of *liuzhi* in the private sector, according to incomplete statistics reported by a China-based business firm.⁵⁶ Between January and May 2024, authorities reportedly enforced coercive measures, including *liuzhi*, on executives from 14 publicly traded companies for “suspected bribery,” among other reasons.⁵⁷ Some analysts speculated that the crackdown was politically motivated,

as the government tried to assign blame for the economic downturn and create optimal conditions for rolling out its economic policies.⁵⁸

Individuals retained in custody are held incommunicado and some reported being tortured. A notable case was that of **Wang Liang**, vice president of China News Service.⁵⁹ In November 2023, Wang was sentenced to 13 years and 6 months in prison based on allegations of corruption.⁶⁰ After sentencing, Wang, through his lawyer, filed a complaint in which he alleged that government investigators forced him to confess by torturing him during retention in custody between May and November 2022.⁶¹ Wang reported that officials broke his toe bone, subjected him to prolonged interrogation, deprived him of water and sleep, prohibited him from moving while sitting down, and threatened to withhold his wife's cancer medication.⁶² About three weeks after filing the complaint, the lawyer told a newspaper that despite being assured by the Discipline Inspection Commission in Yunnan province that it would transfer the case, he had not been contacted by any government agency about the matter.⁶³

Abuse of Criminal Provisions

PRC authorities continued to suppress the exercise of universal human rights through the use of criminal charges.⁶⁴ Commonly applied criminal charges include the following:

- **Crimes endangering state security** is a category of 12 offenses that carry a maximum sentence of life imprisonment and possibly the death penalty and have been lodged against government critics and rights lawyers.⁶⁵ Court judgments for this type of case are not disclosed,⁶⁶ and some defendants are tried in closed proceedings.⁶⁷ For example, Uyghur scholar **Rahile Dawut** was tried for “separatism” in a closed proceeding in December 2018.⁶⁸ The life sentence imposed on her was not announced through official channels and did not surface until September 2023.⁶⁹ Advocacy groups such as Human Rights Watch have characterized Dawut's detention as arbitrary.⁷⁰

Amendment of the PRC Counterespionage Law

A recent development of note is the amendment of the PRC Counterespionage Law (effective July 1, 2023), which expanded the law's application.⁷¹ Thereafter, the Ministry of State Security (MSS) published an article explaining the circumstances under which a person would be subject to investigation, which range from refusal to cooperate with investigators, to foreigners' failure to leave the country or relocate at the request of state security agencies, and other non-espionage activities that could “endanger state security.”⁷² The MSS also published 10 example cases involving alleged espionage, including the case of Canadian citizens Michael Kovrig and Michael Spavor.⁷³ Western governments, however, generally viewed their detention as an act of “hostage diplomacy,” in which the PRC government tried to exert pressure on the Canadian government for the release of a PRC citizen.⁷⁴ In addition, PRC authorities alleged that they had uncovered U.S.- and U.K.-led espionage activities, but they did not provide the information needed to authenticate their claims.⁷⁵

Amendment of the PRC Counterespionage Law—Continued

The enforcement of the amended Counterespionage Law contributed to a reduction in business travel to China due to data and personal security concerns.⁷⁶ Authorities also applied the amended law against tourists and scholars visiting China, including Chinese scholar **Fan Yuntao**, who disappeared after returning to China from a teaching position in Japan.⁷⁷

- **Picking quarrels and provoking trouble.** Authorities used “picking quarrels and provoking trouble” under Article 293 of the PRC Criminal Law to punish individuals, including petitioners and rights advocates.⁷⁸ Chinese legal experts describe this criminal charge as a “pocket crime,” in that it is “so broadly defined and ambiguously worded that prosecutors can apply it to almost any activity they deem undesirable, even if it may not otherwise meet the standards of criminality.”⁷⁹ In August 2023, the Supreme People’s Court published a study about how this article was implemented in Zhejiang and Fujian provinces.⁸⁰ Admitting that the charge’s wide application was a problem, the authors of the study identified several contributing factors, including a lack of clarity in the scope of the offense, officials’ inconsistent understanding of the offense’s applicability to petitioning, and the practice of sometimes treating administrative violations as criminal offenses.⁸¹ Some observers said that the study would have limited impact without legislative amendments and judicial reforms.⁸² In March 2024, a group of lawyers selected 10 representative human rights cases of 2023, the majority of which involved the “picking quarrels and provoking trouble” charge, departing from similar annual selections of past years, where the majority of cases involved endangering state security charges.⁸³
- **Other Criminal Law provisions.** Authorities continued to charge members of religious communities and spiritual movements with “organizing and using a cult organization to undermine implementation of the law” under Article 300 of the PRC Criminal Law.⁸⁴ In addition, authorities accused individuals of other criminal offenses, including “gathering a crowd to disturb social order”⁸⁵ and “illegal business activity,”⁸⁶ when in fact the individuals were engaged in activities protected under international human rights standards.⁸⁷ [For more information on the PRC’s repression of religious groups, see Chapter 3—Freedom of Religion. For more information on the repression of freedom of speech and assembly in China, see Chapter 1—Freedom of Expression.]

Torture and Abuse

In observing the International Day in Support of Victims of Torture, the United Nations reiterated the principle that “Torture is a crime under international law. According to all relevant instruments, it is absolutely prohibited and cannot be justified under any circumstances.”⁸⁸ However, reports indicate that the practice of

torture and abuse of detainees continued in China, a violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which China is a signatory.⁸⁹ Examples are as follows:

- Multiple reports of the torture and abuse of Falun Gong practitioners emerged this past year,⁹⁰ including the case of **Li Lizhuang**, who was serving a 10 years and 8 months prison term at the Hulan Prison in Harbin municipality, Heilongjiang province, when he was abused.⁹¹ Prison officials, sometimes using other inmates as proxies, reportedly beat Li, pepper sprayed and electrocuted his face and sensitive areas, deprived him of sleep, and forced him to wear a straitjacket.⁹²
- Petitioner **Xie Junbiao** reported that when he was held at the Shuangliu PSB Detention Center in Chengdu municipality, Sichuan province, he suffered retaliation for complaining about the lack of drinking water by protesting in front of a security camera.⁹³ The guard overseeing the cell falsely accused Xie of misconduct and used that as justification for carrying out different forms of abuse, including shackling Xie's hands and feet and binding the shackles with handcuffs over 13 days, rendering him unable to sleep or to stand up straight.⁹⁴

Death in Custody

According to reports, custodial torture was confirmed or suspected to have led to death, as in the following cases:

- In November 2023, the Kuitun City People's Court in Yili (Ili) Kazakh Autonomous Prefecture, Xinjiang Uyghur Autonomous Region, sentenced eight police officers to between 3 and 13 years in prison for extracting a confession from **Sun Renze** using violence that resulted in his death in November of 2018.⁹⁵ The officers were on a special task force established in January 2018 as part of the anti-crime campaign called "Specialized Struggle to Sweep Away Organized Crime and Eliminate Vice" (*Saohei Chu'e Zhuanxiang Douzheng*, 扫黑除恶专项斗争).⁹⁶ Pressuring Sun to confess, the police officers transferred him to another detention facility; the facility's director requested that the security camera be turned off during Sun's interrogation.⁹⁷ The officer responsible for the camera, however, secretly disobeyed the request, and the video recording became evidence that showed Sun being subjected to various kinds of torture within a seven-hour period, which included stripping off his clothes, binding him to an interrogation chair, suspending him on a metal frame while weighing down his abdomen, electrocuting him, and suffocating him using water and wet towels over 10 times, each lasting up to 16 minutes.⁹⁸ Sun ultimately was rendered unconscious and died after 43 days.⁹⁹ After the incident, police claimed that Sun had choked while drinking water, and some involved officers produced fabricated video evidence to conceal their actions.¹⁰⁰ At trial, the court strictly limited the number of audience members allowed to attend the proceeding, and an investigative media report on the case was taken down shortly after publication.¹⁰¹

- In December 2023, police in Nyemo (Nimu) county, Lhasa municipality, Tibet Autonomous Region, detained ethnic Tibetan university student **Tsedron** and later informed her family that she suddenly fell and could not stand up again.¹⁰² Tsedron died in a hospital about two weeks later in January 2024.¹⁰³ Given that Tsedron was healthy before the detention and that authorities denied the family's repeated requests to view her body, some speculated that her death was caused by police brutality.¹⁰⁴ Other individuals whose death involved possible torture included rights defenders **Ye Zhong** and **Sun Lin**.¹⁰⁵

Residential Surveillance at a Designated Location

Chinese authorities continued to abuse the form of detention known as “residential surveillance at a designated location” (RSDL), which the PRC Criminal Procedure Law reserves for situations where the detainee does not have a permanent residence or if the case involves state security or terrorism.¹⁰⁶ The law does not provide for the right to family visits, requiring only that the family be notified of the fact of the detention within 24 hours if possible; it does not require the disclosure of the detention location.¹⁰⁷ The law further subjects counsel visits to approval by the investigation unit.¹⁰⁸ A group of U.N. experts deemed RSDL “analogous to incommunicado and secret detention and tantamount to enforced disappearance,” all of which heighten the risk of torture and abuse.¹⁰⁹ Given the measure's lack of effective oversight and legal certainty, some experts have called for it to be abolished.¹¹⁰

Reports emerged this past year showing examples of PRC authorities' misuse of RSDL. For example, public security officials in Nantong municipality, Jiangsu province, detained petitioner **Zhu Pei-juan** under RSDL on the charge of “picking quarrels and provoking trouble” when she was en route to Beijing municipality to file a complaint about alleged corrupt practices by Nantong officials.¹¹¹ The crime she was charged with, however, was not a statutory basis for the application of RSDL, and Zhu's husband underscored the fact that she had a permanent residence, further claiming that the detention was retaliatory in nature.¹¹² In another example, citizen journalist **Ou Biaofeng**, whom authorities in Hunan province detained for “inciting subversion of state power,” told his wife that he suffered torture during RSDL in 2020 and that he was asked to make video recordings saying that public security officials had treated him well.¹¹³

Denial of Counsel and Family Visits

The Commission observed cases in which Chinese authorities denied detainees the right to counsel and family visits in violation of international law.¹¹⁴ While domestic legal provisions permit counsel and family visits, they do not describe such visits as rights.¹¹⁵ In particular, the PRC Criminal Procedure Law does not provide for family visits *per se* but permits visitation only if the family member is acting as a defense representative.¹¹⁶ The law likewise circumscribes counsel visits during the investigation phase if a case involves state security, requiring prior permission by relevant authorities.¹¹⁷

For example, officials at the Xindu District PSB Detention Center in Chengdu municipality, Sichuan province, denied a request made by a lawyer to meet with **Lu Siwei**, on grounds that Lu already was represented by government-appointed legal counsel.¹¹⁸ Lu, a rights lawyer, had had his license revoked, apparently for providing legal representation in politically sensitive cases. He tried to flee China and travel to the United States via Southeast Asia to reunite with his family,¹¹⁹ but Lao authorities intercepted him in July 2023 and repatriated him to China, where he faced criminal prosecution for leaving the country unlawfully.¹²⁰ The lawyer mentioned above, who made the meeting request, was retained by Lu's wife, who had not been informed that the government had already appointed Lu counsel.¹²¹ A U.S.-based Chinese lawyer opined that the motivation behind the government's unilateral appointment of counsel was to gain complete control over the legal process to secure a conviction.¹²²

Legal Developments

Recent legal developments of note affecting the criminal justice system include the following:

- In December 2023, the National People's Congress Standing Committee amended the *PRC Criminal Law*, in part to bring sentencing ranges for bribe-giving more in line with those for bribe-taking.¹²³ The amendment also provides for enhanced sentencing for certain types of bribery, including bribery committed by public servants, and bribing officials in specified sectors such as work safety and food and drug regulation.¹²⁴
- In April 2024, the Ministry of State Security issued two sets of procedural rules for its enforcement operations, one for administrative cases and the other for criminal cases.¹²⁵ In an administrative investigation, which can become the basis of a criminal prosecution, a suspect is required to speak to investigators, thereby presenting a conflict with the right to remain silent (i.e., the right against self-incrimination) under the PRC Criminal Procedure Law.¹²⁶ The rules also encompass conduct completed outside of China and authorize officials to search electronic devices,¹²⁷ raising concerns over violation of the privacy rights of international travelers and the PRC government's extension of its "long-arm jurisdiction."¹²⁸
- In May 2024, the Supreme People's Court and four other official bodies issued the "*Opinion on Lawfully Punishing Obstinate 'Taiwan Independence' Offenders' for Committing or Inciting Separatism*," effective June 21, 2024.¹²⁹ The document lays out criteria under which activities promoting "Taiwan independence" may constitute the crime of "separatism" under Article 103 of the *PRC Criminal Law*, as well as factors relevant to sentencing.¹³⁰ It also specifies that the death penalty is applicable and that absconders are subject to in absentia proceedings.¹³¹

Notes to Chapter 4—Criminal Justice

¹ Rights Defense Network, “维权网：中国大陆在押政治犯、良心犯月度报告（2024年6月30日）第105期（共 1714人）” [Rights Defense Network: Monthly report on political prisoners and prisoners of conscience detained in mainland China (June 30, 2024) no. 105 (total 1714 persons)], June 30, 2024.

² Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 117.

³ See, e.g., U.N. Human Rights Council, Working Group on Arbitrary Detention, Opinions adopted by the Working Group on Arbitrary Detention at its 78th session, (19–27 April 2017), A/HRC/WGAD/2017/5, July 28, 2017.

⁴ Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948, art. 9; International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 9.

⁵ 中华人民共和国宪法 [PRC Constitution], passed and effective December 4, 1982, amended March 11, 2018, art. 37.

⁶ U.N. Human Rights Council, Working Group on Arbitrary Detention, Deliberation No. 11 on Prevention of Arbitrary Deprivation of Liberty in the Context of Public Health Emergencies, May 8, 2020, para. 7.

⁷ “台湾八旗文化总编疑在中国失联 陆委会表关注” [Chief editor of Taiwan Baqi Culture believed to have been disappeared in China, Mainland Affairs Council expressed concerns], *Radio Free Asia*, April 20, 2023.

⁸ Declaration on the Protection of All Persons from Enforced Disappearance, adopted by U.N. General Assembly, A/RES/47/133 of December 18, 1992; U.N. Human Rights Council, Report of the Working Group on Enforced or Involuntary Disappearances, Addendum, Best Practices on Enforced Disappearances in Domestic Criminal Legislation, A/HRC/16/48/Add. 3, December 28, 2010.

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¹⁰ Rights Defense Network, “维权网：中国大陆在押政治犯、良心犯月度报告（2024年6月30日）第105期（共 1714人）” [Rights Defense Network: Monthly report on political prisoners and prisoners of conscience detained in mainland China (June 30, 2024) no. 105 (total 1714 persons)], June 30, 2024.

¹¹ Rights Defense Network, “早期关注胡鑫宇死亡案的网络主播李前伟被强迫失踪已近3个月 家属报案警方不予立案” [Online broadcaster Li Qianwei, who was among the earliest to pay attention to the case of Hu Xinyu's death, was forcibly disappeared for nearly three months; family filed a report but police refused to open a case], February 12, 2023; Chen Pinjie, “失踪八十天 警方称胡鑫宇有‘厌学情绪’家属难接受” [Missing for 80 days; family finds it hard to accept police's claim that Hu Xinyu “was feeling tired of school”], *Radio Free Asia*, January 4, 2023.

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¹³ Chinese Human Rights Defenders, “李前伟Li Qian Wei,” January 24, 2024.

¹⁴ Rights Defense Network, “中国大陆疫苗受害者、人权捍卫者谭华及其母亲华秀珍遭强迫失踪近百天后获释” [Tan Hua (rights defender and victim of vaccine from mainland China) and her mother released after being forcibly disappeared for nearly a hundred days], December 23, 2023.

¹⁵ Rights Defense Network, “中国大陆疫苗受害者、人权捍卫者谭华及其母亲华秀珍遭强迫失踪近百天后获释” [Tan Hua (rights defender and victim of vaccine from mainland China) and her mother released after being forcibly disappeared for nearly a hundred days], December 23, 2023.

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¹⁷ “中国黑监狱大观” [Overview of black jails in China], *Radio Free Asia*, May 7, 2019.

¹⁸ “中国黑监狱大观” [Overview of black jails in China], *Radio Free Asia*, May 7, 2019.

¹⁹ See, e.g., Civil Rights & Livelihood Watch, “王蓉文进京上访被带回后关进黑监狱” [Wang Rongwen returned and detained in a black jail after going to Beijing for petitioning], February 22, 2024.

²⁰ See, e.g., “2023年山东至少1713名法轮功学员遭中共迫害” [In Shandong, over 1713 Falun Gong practitioners were persecuted by the Chinese Communist Party in 2023], February 17, 2024.

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²⁴ Civil Rights & Livelihood Watch, “叶钟控告黑监狱迫害人权” [Ye Zhong complains about black jails' role in abuse of human rights], July 30, 2023.

²⁵ Civil Rights & Livelihood Watch, “叶钟控告黑监狱迫害人权” [Ye Zhong complains about black jails' role in abuse of human rights], July 30, 2023.

²⁶ Civil Rights & Livelihood Watch, “叶钟控告黑监狱迫害人权” [Ye Zhong complains about black jails' role in abuse of human rights], July 30, 2023.

²⁷ Yanxi Mou and Dinah Gardner, Safeguard Defenders, “Drugged and Detained: China's Psychiatric Prisons,” 2022; Liya Su, “Warring Couple in China Send Each Other to Mental Hospitals, Shocking Public and Raising Fears over Lax Rules for Psychiatric Admission,” *South China Morning Post*, July 1, 2023; Shou Yi, “马上评——一个千万富翁之死：精神病院是否存在收治漏洞？”

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²⁸ 中华人民共和国精神卫生法 [PRC Mental Health Law], passed October 26, 2012, effective May 1, 2013, arts. 27, 29, 30, 32, 75(5), 78(1); Supreme People's Procuratorate, 人民检察院强制医疗执行检察办法(试行) [Measures on the Examination of Implementation of Compulsory Medical Treatment by People's Procuratorates (Trial)], issued May 13, 2016, effective June 2, 2016, arts. 9, 12.

²⁹ Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care, adopted by U.N. General Assembly resolution 46/119 of December 17, 1991, principle 4(1), (2).

³⁰ Civil Rights & Livelihood Watch “2023年中国精神健康与人权(被精神病)年终报告” [2023 year-end report on mental health and human rights (forcible commitment to psychiatric facilities)], March 14, 2024.

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ACCESS TO JUSTICE

Findings

- While China's Constitution recognizes certain universal human rights, the court system continued to lack any legal channel through which citizens can assert or protect these constitutional rights, thus failing to fulfill the obligation to provide enforceable legal remedies for rights violations committed by government officials.
- As courts in China slowed the rate of uploading judicial documents to the publicly accessible database, the Supreme People's Court announced the creation of a parallel database that is accessible only to judicial personnel. This development prompted concerns that authorities planned to phase out the public-facing database, thereby reducing judicial transparency, which would have the effect of undermining the rule of law and judicial credibility.
- Developments this past year indicate that the petitioning system has been weakened. The petitioning system, an extra-judicial channel through which citizens file grievances involving official misconduct, is being assimilated into the grassroots governance system overseen by the newly established Chinese Communist Party agency called the Social Work Department. One of the department's missions is to implement the "Fengqiao Experience," which is a way to exert granular social and political control through neighborhood committees and other grassroots-level organizations.
- Petitioners continued to suffer retaliation from local officials who tried to suppress exposure of their wrongdoing. Mistreatment experienced by petitioners included criminal prosecution, forcible commitment to a psychiatric hospital, arbitrary detention, and torture.
- Rights lawyers likewise suffered mistreatment, including criminal prosecution, for their legal work. After completing their sentences, lawyers typically have their law license revoked and are subjected to surveillance, restrictions on domestic and international travel, repeated forced relocation, and punishment of their family members, such as denial of education. As a United Nations special rapporteur pointed out, preventing lawyers from fulfilling their legal duties to their clients may "open the door to systematic violations of the right to a fair trial and equality before the law" in certain kinds of cases.

ACCESS TO JUSTICE

Introduction

The International Covenant on Civil and Political Rights (ICCPR), which China signed and expressed its intention to ratify,¹ provides that all persons are equal before the courts; it also obligates a State Party to ensure that people have enforceable legal remedies for any violation of the rights and freedoms recognized in the convention, even if the violation has been committed by an official.² While China's Constitution recognizes certain universal human rights,³ citizens do not have any legal channel through which to assert or protect them.⁴ Moreover, instances of ongoing persecution of human rights lawyers and political control over the judiciary and the legal profession are inconsistent with the relevant ICCPR provisions.

Judicial Transparency

In 2013, the Supreme People's Court (SPC) established China Judgements Online (CJO), a database that provides public access to judicial judgments, and had accumulated over 140 million documents as of December 2023.⁵ Accessibility, however, became increasingly restricted in 2020 when the database required registration with a phone number and limited users' access to only the first 600 cases that turned up in a search query.⁶ Then, in 2021, the Dui Hua Foundation reported that the court had removed certain types of judgments, including politically sensitive cases and those concerning the death penalty, which were considered state secrets.⁷

In December 2023, media outlet *Caixin* reported that the SPC was building the National Court Judgments Database, which would be available only for internal use by court personnel.⁸ This initiative coincided with the declining rate at which judgments were uploaded to the CJO. To illustrate, a law professor noted that "[a]mong over 670,000 judgments of administrative litigations in 2022, only 854 were published . . ."⁹ A law professor expressed concern that diminishing judicial transparency could deprive the public of the ability to identify and address problems in the judiciary and would run counter to the promotion of the rule of law and judicial credibility.¹⁰

Revision of the PRC Administrative Reconsideration Law

In September 2023, the National People's Congress (NPC) Standing Committee revised the PRC Administrative Reconsideration Law.¹¹ Enacted in 1999, the law provides citizens with a means to review the government's administrative actions.¹² The revision aimed to enhance institutional neutrality of the review system by creating administrative reconsideration committees comprising government departments, experts, and scholars, from which administrative reconsideration offices should seek opinions, particularly on cases with complicated or technical components.¹³ Requiring administrative reconsideration before resorting to judicial remedies in some situations, the revision also expanded the scope of applicability to cases involving matters such as judgments in occupational injury cases, failure to enter into or honor government contracts, and infringement of citizens' rights in the course of disclosing government

information.¹⁴ Former Minister of Justice Tang Yijun explained that the revision addressed some shortcomings of the existing system, including narrow coverage that resulted in some citizens not being able to use the administrative reconsideration system, scattered jurisdictions that resulted in difficulty in identifying the right review agency, and a lack of a unified standard of review.¹⁵

Constitutional Enforcement

Despite the Chinese Communist Party's emphasis on constitutional enforcement, citizens continued to lack a mechanism through which to assert their individual rights. The NPC and its Standing Committee published in February 2024 the first report that focused on constitutional enforcement, in an apparent response to Xi Jinping's repeated calls for elevating the Party's stated commitment to the Constitution.¹⁶ China's Constitution provides a list of human rights that Chinese citizens are entitled to; it also delineates the functions of different state institutions and grants the NPC power to legislate and to supervise constitutional enforcement.¹⁷ The report mainly describes the NPC's performance of its constitutional duties, such as examining bills for constitutionality and reviewing reports prepared by state institutions.¹⁸ It makes no mention, however, of any effort to create legal channels for citizens to assert their rights.¹⁹ Under the existing legal framework, such legal channels are not provided for in China's Constitution or allowed by state institutions.²⁰ The NPC Work Report, published a month later, likewise did not describe ways, whether judicial or administrative, through which citizens could exercise their rights.²¹

Petitioning System as Part of the Grassroots Governance Network

Evidence emerged this past year that the petitioning system is being positioned as an integral component of grassroots-level governance, one goal of which is to exert social control. The petitioning system (*xinfang*), also known as the "letters and visits system," is overseen by the National Public Complaints and Proposals Administration (*Guojia Xinfang Ju*, 国家信访局; NPCPA) and operates outside the formal judicial system as a channel for citizens to present their grievances in hopes of triggering discretionary involvement by Party officials to provide a resolution.²² Although petitioners rarely see any results, the system remains widely used especially among people who lack the financial means to file court cases.²³

With the institutional reform in March 2023, the NPCPA's status was elevated within the State Council,²⁴ but it simultaneously came under the leadership of the newly created Social Work Department (*Shehui Gongzuo Bu*, 社会工作部), a Party agency.²⁵

In February 2024, the head of the Social Work Department convened a symposium, jointly presided over by the head of the NPCPA.²⁶ With grassroots governance being presented as a "clear direction," speakers at the event discussed using the petitioning system to receive people's suggestions and to resolve the root causes of problems.²⁷ Speakers also stressed the importance of building political power at the grassroots level and of promoting the "Fengqiao Experience," which is a way to exert granular social and political control through neighborhood committees and other grassroots-level

organizations.²⁸ A model of cross-departmental and cross-regional coordination also was raised as a way to augment street- and town-ship-level governments' capacity to resolve problems.²⁹

Persecution of Petitioners

The Commission continued to observe examples of petitioners being subjected to different kinds of control and mistreatment by local authorities, such as criminal prosecution and commitment to psychiatric hospitals.³⁰ "Stability maintenance" efforts intensified in the lead-up to and during events such as the annual meetings of the NPC and Chinese People's Political Consultative Conference in March (Two Sessions).³¹ Individuals who suffered mistreatment for petitioning include the following:

- **Zhang Junjie**, after fleeing China, detailed his experience of being forcibly committed to a psychiatric hospital twice in Nantong municipality, Jiangsu province, for protesting the government's strict zero-COVID measures.³² Hospital staff—having told Zhang that he had schizophrenia because he did not support the Party—injected him with sedatives and forced him to ingest large quantities of antipsychotic drugs.³³ Zhang reported that detainees at the psychiatric hospital were subjected to beating, electrocution, and being restrained in a room for at least three days for disobedience.³⁴ Detainees included petitioners and dissidents, with the longest stay reported to be at least four years.³⁵
- In April 2024, police took petitioner **Mao Hengfeng** into custody when she visited the hotel where the U.S. Secretary of State was staying.³⁶ After taking Mao to a police station, police strip-searched and shackled her, subjecting her to prolonged interrogation while restraining her in a metal chair.³⁷ Thereafter, police transported Mao to a guesthouse (an extralegal detention facility often referred to as a "black jail") and placed her under the supervision of two neighborhood workers and four individuals whom she believed were gangsters.³⁸ After releasing Mao, police warned that they would detain her again if she contacted foreign diplomats or media.³⁹ Previously, Mao had on multiple occasions traveled from her hometown in Shanghai municipality to Beijing municipality, to draw attention to her mother's death in 2000, which she said was a result of torture.⁴⁰ Mao had been imprisoned previously and subjected to arbitrary detention and torture for her repeated petitioning.⁴¹
- Petitioners also are subject to criminal prosecution under various charges. For example, **Lei Fengchun** was criminally detained on suspicion of "picking quarrels and provoking trouble" for persistently asserting his claim of wrongful termination from his employment.⁴² In another example, authorities charged **Lin Aiqin** with disturbing order in a workplace when she and another petitioner mailed a package containing petitioning materials at a post office in Beijing.⁴³ In the case of **Li Lu** (a pseudonym), a court in Shandong province sentenced her to two years and two months for "extortion" after she received partial settlement payment from a government official who verbally abused her as she sought to file a petition over her sexual assault claim.⁴⁴

Persecution of Legal Professionals

In February 2024, the U.N. Special Rapporteur on the independence of judges and lawyers issued a letter expressing concerns over the pattern of the PRC government's use of legal provisions to criminally prosecute lawyers, and otherwise subject them to different forms of hardship for handling politically sensitive cases, accusing them of endangering national security under offenses such as "subversion of state power" and "inciting subversion of state power."⁴⁵ Allegations of national security crimes can trigger the application of a form of detention known as "residential surveillance at a designated location," which could be a form of enforced disappearance given that authorities are not required by the PRC Criminal Procedure Law to notify family members or provide legal counsel for people facing national security charges.⁴⁶ Other forms of mistreatment highlighted in the letter include the denial of legal counsel of one's choosing, deprivation of political rights following a criminal conviction, collective punishment of lawyers' family members, license revocation, and travel bans.⁴⁷ Stressing that "The free exercise of the legal profession contributes to ensuring access to justice," the rapporteur concluded that legal provisions preventing lawyers from fulfilling their legal duties to their clients may "open the door to systematic violations of the right to a fair trial and equality before the law" in certain kinds of cases.⁴⁸ The PRC government had not submitted a response to the letter as of June 2024.⁴⁹

Some examples of persecution of legal professionals include the following:

- Lawyer **Yu Wensheng** and his wife **Xu Yan** have been in detention since April 2023, after being charged with "picking quarrels and provoking trouble" and "inciting subversion of state power" in connection with their attempt to meet with a European Union delegation.⁵⁰ During detention, Xu went on a week-long hunger strike to protest authorities' denial of access to legal counsel. She performed forced labor and was denied prompt medical treatment for an incapacitating spinal condition.⁵¹ Their 19-year-old son Yu Zhenyang suffered from depression as a result of his parents' detention and attempted suicide over 10 times since October 2023.⁵² Yu's 2023 detention took place within a year of being released from a four-year imprisonment that was imposed in connection with his advocacy of constitutional reforms and his providing legal representation to detained human rights lawyer Wang Quanzhang.⁵³
- At the age of 73, lawyer **Li Yuhua** was released in March 2024 from six years and six months of imprisonment for the offenses of "picking quarrels and provoking trouble" and "fraud";⁵⁴ the former charge was premised on her passing by the Tiananmen Square in Beijing, and the latter related to her applying for public assistance on behalf of her son with disabilities.⁵⁵ Li suffered torture and denial of medical treatment during detention.⁵⁶ After her release, she traveled to Beijing municipality to seek medical treatment, but police immediately evicted her from a friend's home where she was staying.⁵⁷ Before Li's detention, she had represented detained human rights lawyer **Wang Yu**.⁵⁸

Access to Justice

- According to an April 2024 article, landlords and hotel owners had evicted rights lawyer **Wang Quanzhang** over 10 times in the past year, which Wang characterized as punishment of him and his family.⁵⁹ The repeated evictions made it difficult for his 11-year-old son to stay in school for an extended period of time.⁶⁰ Some schools refused to enroll his son due to pressure from the government.⁶¹ When trying to seek education overseas, Wang's son was prohibited by border officials from leaving China on national security grounds.⁶²

Notes to Chapter 5—Access to Justice

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V. Freedom to Participate in the Political Process

GOVERNANCE

Findings

- The People's Republic of China (PRC) continued to be an authoritarian Party-State that increasingly sought to exert comprehensive ideological control. Central authorities implemented Chinese Communist Party General Secretary Xi Jinping's expansive notion of national security through legislative acts, potentially making repressive measures more enduring. Amended laws extended secrecy requirements to non-classified material under the vague and expansive concept of national security, exposing travelers and businesspersons to the risk of arbitrary enforcement.
- With a stated goal of improving administrative efficiency, local governments created "comprehensive administrative enforcement" units. These units, however, serve as a grassroots-level mechanism of social control under the grid system, which is a Party-devised method of managing and surveilling citizens. Local governments hired large numbers of grid workers and tasked them with non-political community services, as well as political duties including disseminating propaganda, surveilling, and collecting personal information of residents.
- With laws requiring political education, Party offices merged with college administrative offices to allow for more direct control over academic institutions' delivery of political indoctrination to students. Political topics that became a requirement this past year included patriotism, Party history, and national defense.
- As Party propaganda emphasized "culture building" as a way to reduce ideological risks by unifying people's beliefs, authorities implemented policies that aimed at erasing ethnic cultures to promote a single Chinese nationality. Such policies included replacing Uyghur buildings with ones that reflect Chinese culture, banning Mongolian-language instruction in schools, and punishing advocacy for the Tibetan language.
- Despite official rhetoric promoting constitutional enforcement, citizens continued to lack judicial or administrative means to assert their rights as enumerated in the PRC Constitution. At the same time, the government concealed or manipulated public data, undermining citizens' right to meaningfully participate in civic affairs.

GOVERNANCE

Introduction

The People's Republic of China (PRC) continued to be an authoritarian Party-State that increasingly sought to exert comprehensive ideological control. Through legislation and policymaking, authorities further institutionalized Chinese Communist Party General Secretary Xi Jinping's expansive notion of national security, cultivating in Chinese citizens a sense of animosity toward foreigners and suspicion among neighbors. The Party used the education system as a conduit for political indoctrination and expanded the "grid system" to ensure compliance and conformity with Party policy. At the same time, the government concealed or manipulated public data, undermining citizens' right to meaningfully participate in civic affairs.

Government's Subservience to Party Formalized

A hierarchy in which the PRC State Council (also known as the Central People's Government) is subservient to the Party was formalized with the revision of the PRC Organic Law of the State Council.¹ In March 2024, the National People's Congress (NPC) revised the law for the first time in over 40 years.² An NPC official explained that the revision was in part necessitated by a 2019 Party-issued document that required the Party's comprehensive leadership be written into the organic laws of different government bodies.³ Accordingly, the law was revised to add that the State Council and its staff members must uphold the leadership of the Communist Party of China, a requirement that was absent in the original law.⁴ Some analysts indicated that the legislative act formally subordinated the State Council to the Party, thereby institutionalizing a hierarchy between them; this represented a reversal of the post-Mao policy of conferring upon the government relative autonomy since the 1980s.⁵ This statutory revision followed the 2023 amendment to the State Council Work Regulations, which removed language aiming to improve transparency in policymaking and public participation.⁶ Other organic laws scheduled to be enacted or amended during the 14th NPC between 2023 and 2028 include the PRC Rural Collective Economic Organic Law, the PRC Villagers' Committees Organic Law, and the PRC Urban Residents Committees Organic Law.⁷

Security as Overarching Mode of Governance

Central authorities, through legislation, further institutionalized security as the overarching mode of governance. The year 2024 marked the 10th anniversary of the launch of Party General Secretary Xi Jinping's comprehensive national security policy.⁸ The policy directive emphasized political security, the interrelatedness of domestic and international threats, the development of preventive measures, and reform efforts on law, policy, and the organization of official bodies.⁹ The policy directive also expanded the scope of national security to encompass 20 areas including non-traditional security concerns, such as cultural, social, technological, food, overseas interests, biological, artificial intelligence, and cybersecurity.¹⁰

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As the approach to national security has evolved over the past decade, officials increasingly assigned more weight to security relative to development, enhanced the prominence of counterespionage, and emphasized education in national security.¹¹

To further implement this security policy, PRC authorities enacted or amended security-related legal provisions, including the following:

- The NPC Standing Committee amended the PRC Law on Guarding State Secrets in February 2024 to extend legal protection to “work secrets,” referring to information that is not classified “state secret” but “the leaking of which would cause an adverse impact.”¹² Work secrets would be governed by a separate set of rules, which had not been published at the time of the amendment, prompting concerns that the added provision would negatively affect transparency and that travelers and businesses would face increased risk of arbitrary enforcement.¹³ The amendment came after Australian citizen **Cheng Lei** was released from prison in October 2023, having completed her detention in China of over three years on the charge of “supplying state secrets overseas,” reportedly for breaking an embargo on a PRC government briefing by a few minutes.¹⁴
- The expanded scope of protected materials under the amended PRC Counterespionage Law¹⁵ received similar criticism; the undefined concept of “national security” would “create legal risks or uncertainty for foreign companies, journalists, academics, and researchers.”¹⁶ The amendment also added provisions authorizing entry and exit bans on Chinese citizens and foreigners deemed to pose a threat to national security.¹⁷ Chongqing municipality was the first locality to pass regulations to implement the amended law.¹⁸ The regulations call for strengthening investigation and supervision of entities that have foreign contacts and of travelers leaving or entering China.¹⁹ A Chongqing resident reported that some primary and secondary schools had begun teaching children to report their own parents as national security risks and to monitor their neighbors.²⁰
- In April 2024, the Ministry of State Security issued two sets of regulations that authorized state security officials to search people’s electronic devices without requiring any court-issued warrant, eliciting privacy concerns.²¹ *Radio Free Asia* reported that customs officers in at least two locations had begun checking travelers’ phones in May, ahead of the regulations’ July 2024 effective date.²²

Amended Regulations on Political Inspection

In January 2024, the Political Bureau of the Party Central Committee amended the Party Regulations on Inspection Work.²³ Official news outlet *Xinhua* published an article explaining that the meaning of inspection, as provided in the regulations, is a method of political supervision that uses a top-down approach to strengthen Xi Jinping’s position as the core leader and the Party’s centralized leadership.²⁴ Scholars interviewed by *Voice of America* pointed out that the authority of inspection groups was augmented and that they could act immediately to make corrections without having to

go through additional administrative procedures.²⁵ Scholars also observed that the latest amendment deleted specific misconduct that was subject to inspection and instead emphasized obedience to Xi Jinping's directives, suggesting that the previous iterations of the regulations were designed to be a tool of power struggle and now had transformed into a tool of governance.²⁶

Administrative Enforcement That Runs the Grid of Control

The manner in which local governments tried to improve administrative enforcement reflected the central government's plan to further strengthen the use of grassroots-level units to serve as part of the social control apparatus. In August 2023, the State Council issued a three-year action plan to improve administrative enforcement quality.²⁷ With a stated goal of correcting certain enforcement problems, such as overzealous enforcement and corrupt practices, the plan called for an integrated enforcement system that requires local governments to standardize the exercise of discretionary authority and to delegate certain responsibilities to lower administrative divisions, such as villages and townships.²⁸ In response, some local governments issued documents to show compliance,²⁹ and some expressly linked the policy directive with the "Fengqiao Experience,"³⁰ which is a way to exert granular social and political control through neighborhood committees and other grassroots-level organizations.³¹ Various bodies of "comprehensive administrative enforcement" (*zonghe xingzheng zhifa*, 综合行政执法) established by local governments have enforced the law in ways that reportedly infringed on citizens' fundamental rights, including personal liberty,³² religious freedom,³³ and the right to receive and impart information.³⁴

Grid Management as Social Control Tool

Comprehensive administrative enforcement units are features of the grid management system, a social control and Party-building model.³⁵ The system began in 2004 as a pilot program in Beijing municipality and was later endorsed by the central government in November 2013 as one of Party General Secretary Xi Jinping's reform initiatives.³⁶ Applicable to villages and urban areas, communities are generally divided into grid units consisting of 300 to 500 households; these units are further divided into smaller grids (called basic grids) consisting of 15 to 20 households (whose manner of division varies by location).³⁷ Commercial establishments, schools, and other organizations are managed in specialized grids.³⁸ Personnel assignment varies by locality, but usually a police officer oversees several basic grids and works with grid directors, grid attendants, assistant grid attendants, and members of the comprehensive management team.³⁹

Radio Free Asia reported that local governments had been hiring large numbers of grid workers⁴⁰ while "[laying] off auxiliary police officers and [merging] local police stations" to allocate more resources to the grid system.⁴¹ The large-scale hiring of grid workers continued as local governments' budgets tightened, which adversely affected the delivery of public services.⁴²

Governance

Grid workers—temporary workers not on the government’s payroll—provide an additional means of maintaining stability and sharing the workload of police and other civil servants.⁴³ Grid workers implement Party policies, identify political and security risks, and provide emergency response and policing.⁴⁴

In some locations, grid workers went door-to-door to collect personal information of residents, and some asked people to install an app that would block calls from outside China and potentially monitor phone activities.⁴⁵ In Sichuan province, grid workers reportedly entered homes in an ethnic Yi village to investigate whether residents were eating while crouching on the floor, which a local Party “civic enhancement” office considered to be unhygienic and uncivilized, prompting criticism of overreach of authority.⁴⁶

Ideological Control in Education

Treating “education” as synonymous with political indoctrination, the Party sought to exert increasingly direct control over the education system to channel its ideology to school-age children and young adults. Under the PRC National Security Law, the government is required to maintain ideological dominance through cultivating socialist values and resisting “bad culture.”⁴⁷ Related to this duty, authorities formalized political indoctrination in legal documents.⁴⁸

- The PRC Patriotic Education Law, enacted in October 2023, obligates citizens and organizations to promote patriotism and prohibits them from insulting, distorting, vilifying, or denying matters that the state seeks to protect.⁴⁹ It also requires schools to introduce patriotism throughout the education process.⁵⁰ Besides citizens in mainland China, the law also targets Hong Kong and Macau residents, as well as overseas Chinese.⁵¹
- The Party promulgated Regulations on Party History Learning and Education Work in February 2024, which provide that primary schools, secondary schools, and colleges should be used as a conduit to introduce political education.⁵²
- Authorities also proposed to amend the PRC National Defense Education Law to clarify different aspects of national defense education and to extend the use of propaganda beyond colleges to secondary and primary schools, although specific changes were unavailable as of April 2024.⁵³ One analyst noted that this policy could encourage nationalism, fostering animosity and a skewed view toward the outside world.⁵⁴

The amended PRC Counterespionage Law requires the promotion of counterespionage topics.⁵⁵ A video clip circulated by an official source reminded people that spies could be anyone, including friends and anyone close. The clip garnered criticism from some parents, who expressed concern that the government’s message could distort the psyche of school-age children, leading them to see family members as enemies.⁵⁶

The Party coupled its propaganda efforts with augmenting its control over colleges’ governance. In January 2024, the Party committee of Tsinghua University in Beijing municipality announced that it had merged with the president’s office, in line with a larger trend across China.⁵⁷ *Radio Free Asia* reported that while the presence of Party branches and committees in universities is not new,

“[the Party had] never actually merged itself with administrative structures before, not even during the political turmoil of the Cultural Revolution.”⁵⁸ Such mergers would enable the Party’s Central Ideological and Political Conference on Colleges and Universities to directly command universities to “integrate politics into the core curriculum.”⁵⁹

Politicization of Culture

Recent developments reflect the Party’s efforts to increasingly integrate culture into its political propaganda. In a June 2023 conference, Xi Jinping emphasized the need to “strengthen the Party’s comprehensive leadership on propaganda, ideology, and culture,” additionally revealing the strategy of using “culture building” as a way to unify people’s beliefs.⁶⁰ At a subsequent conference in October, Xi Jinping reiterated the above theme and delivered “important instructions” on the topic.⁶¹ The October conference was called the National Conference on Propaganda, Ideology, and Cultural Work,⁶² where the reference to “culture” was a recent addition to the title, possibly suggesting a new emphasis in the Party’s propaganda work.⁶³ Consistent with the goal of integrating Marxism with China’s “specific realities” and “fine traditional culture,”⁶⁴ Xi Jinping discussed “culture” within the framework of the Party’s political objectives, incorporating it into terms like “socialist culture” and “culture building in the New Era.”⁶⁵ Xi Jinping further urged conference attendees to prevent and resolve ideological risks so as to create “advantageous cultural conditions” for a modernized socialist country.⁶⁶ [For information on how officials have used cultural propaganda to shape media priorities, see Chapter 1—Freedom of Expression.]

The Party’s vision of culture building, however, is inconsistent with international human rights standards,⁶⁷ as shown in authorities’ use of coercive measures to undermine cultural diversity; for example—

- In November 2023, authorities in the Xinjiang Uyghur Autonomous Region formalized an assimilation policy for Ili (Yili) Kazakh Autonomous Prefecture, XUAR, that observers said is intended to erase Uyghurs’ cultural identity and replace it with the cultural identity of the Han Chinese population.⁶⁸ Having the effect of replacing Uyghur spaces with Chinese spaces, the policy calls for creating mixed housing and other facilities that promote “a single Chinese nationality that transcends ethnic divisions.”⁶⁹
- In the Inner Mongolia Autonomous Region (IMAR), authorities have largely completed the implementation of a 2020 policy of gradually phasing out Mongolian language in schools, where non-language classes would be taught in Chinese only, while the hours for Mongolian-language classes were cut.⁷⁰ As of October 2023, Mongolian-language classes had been banned in kindergartens, and high school and college entrance exams would be given only in Chinese in the near future.⁷¹ Parents who send their children to schools that teach Mongolian would risk being fired from their jobs.⁷² [For more information on the suppres-

sion of the Mongolian language in the educational sphere in the IMAR, see Chapter 7—Ethnic Minority Rights.]

- In Yushu (Yulshul) city, Yushu Tibetan Autonomous Prefecture, Qinghai province, police in October 2023 injured and detained Tibetan-language advocate and entrepreneur **Tashi Wangchug** for three days after he posted online a video showing government staff denying his business license application, a denial that a rights advocate said was an attempt to undermine his ability to make a living after being released from prison.⁷³ Previously, authorities imprisoned Tashi Wangchug for his advocacy for the use of the Tibetan language and continued to deprive him of political rights after his release, making it difficult for him to earn a living.⁷⁴

Continued Lack of Transparency

Citizens' access to information about government actions can be an indicator of the quality of governance, as it affects political engagement and control of corruption.⁷⁵ But the Party and the PRC government continued to withhold, manipulate, and falsify data.⁷⁶ For example—

- Following the continued rise in youth unemployment, peaking at 21.3 percent in June 2023, the National Bureau of Statistics suspended publication of such data.⁷⁷ The government reportedly withheld the statistics because they tended to contradict the official assertion that China's economy was recovering from the pandemic.⁷⁸ When the government resumed releasing this information in January 2024, it created a new age bracket and excluded currently enrolled students, producing a lower unemployment-rate figure.⁷⁹ An independent demographer, however, surmised that the actual unemployment situation had not changed despite the lower figure.⁸⁰ *Voice of America*, likewise, questioned the credibility of the official figures due to the lack of transparency.⁸¹ For example, the government did not disclose details of the newly adopted methodology, nor did it define the criteria for determining a person's unemployment status.⁸² The government also did not recompute historical data using the new methodology, depriving the public of the chance to make comparisons.⁸³

- Besides unemployment data, the PRC government increasingly withheld other types of previously public information, and often did so without giving public notice; they include land sales, currency reserves, bond transactions, COVID-19 deaths, academic information, and politicians' biographies.⁸⁴ In particular, the government removed information about the number of cremations in Zhejiang province after China-based news outlet *Caixin* used it to infer the extent of COVID-19 related deaths.⁸⁵ Likewise, biographies of public officials became abbreviated, and the Party stopped publishing readouts of the Communist Party Central Committee Political Bureau meetings in at least three months between 2022 and 2023.⁸⁶

- In March 2024, a spokesperson said the National People's Congress (NPC) would no longer schedule a premier's press conference for the remainder of the congressional term through

2027, breaking a three-decade tradition that began in 1988.⁸⁷ An analyst explained that the premier's press conference is "one of the few moments when journalists could directly speak to one of China's top leaders" and the cancellation signified that "the Chinese top leadership team revealed its desire to govern the country in an even less transparent style, with less need to address public opinion," which would negatively affect government accountability.⁸⁸

- One example of the government using the criminal justice system to suppress transparency is the case of former economics professor **Yang Shaozheng**, whom the Guiyang Intermediate People's Court in Guiyang municipality, Guizhou province, sentenced to four years and six months in prison in August 2023 on the charge of "inciting subversion of state power."⁸⁹ Yang's conviction is reportedly related to his estimate that the Party and the government spent a large amount on personnel costs.⁹⁰

- After a magnitude 6.2 earthquake hit Linxia Hui Autonomous Prefecture, Gansu province, in December 2023, leaving over 148 people dead and many more injured, public security officials administratively detained a person for "spreading rumors" after he advised people, in a live broadcast, to be careful of aftershocks.⁹¹ A *New York Times* article raised a number of other examples where authorities suppressed displays of grief, censored public discussions, and withheld basic information such as the victims' names, in an apparent effort to control history and collective memory.⁹²

Notes to Chapter 6—Governance

¹ 中华人民共和国国务院组织法 [PRC Organic Law of the State Council], passed and effective December 10, 1982, revised March 11, 2024.

² 中华人民共和国国务院组织法 [PRC Organic Law of the State Council], passed and effective December 10, 1982, revised March 11, 2024.

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⁵ Deng Yuwen, “聿文视界：北院与南院：国务院回归政务院” [Yuwen’s vision: North and South Campus: The State Council returns to being the Government Administration Council], *Voice of America*, March 11, 2024; Zhuang Zhiwei, “中国修改国务院组织法 分析：习近平大权独揽更甚毛泽东” [China revised the Organic Law of the State Council; analysis: Xi Jinping’s power grab dwarfs that of Mao Zedong], *Voice of America*, March 8, 2024; “强化集权 逾四十年中国人再修订《国务院组织法》” [Strengthening power concentration; the NPC revises the Organic Law of the State Council after over 40 years], *Radio Free Asia*, March 5, 2024.

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⁷ “十四届全国人大常委会立法规划” [Legislative plan of the 14th National People’s Congress Standing Committee], *Xinhua*, September 7, 2023.

⁸ “习近平：坚持总体国家安全观 走中国特色国家安全道路” [Xi Jinping: Uphold the comprehensive national security outlook; walk on the path of national security with Chinese characteristics], *People’s Daily*, April 16, 2014.

⁹ Sheena Chestnut Greitens, “National Security after China’s 20th Party Congress: Trends in Discourse and Policy,” *China Leadership Monitor* 77, September 1, 2023, 1.

¹⁰ Zhu Ping, “China Fully Justified in Bolstering National Security,” *China Daily*, April 14, 2024.

¹¹ Sheena Chestnut Greitens, “National Security after China’s 20th Party Congress: Trends in Discourse and Policy,” *China Leadership Monitor*, 77, September 1, 2023, 2, 14. See also “钟才文：必须坚持高质量发展和高水平安全良性互动” [Zhong Caiwen: It is imperative to uphold the beneficial interaction between high quality development and high-level security], *Guangming*, February 1, 2024.

¹² 中华人民共和国保守国家秘密法 [PRC Law on Guarding State Secrets], passed September 5, 1988, amended February 27, 2024, effective May 1, 2024, arts. 3, 4, 9, 64; Shanghai Urban Management and Law Enforcement Bureau, “《中华人民共和国保守国家秘密法》修订前后对照表” [Comparison table of the “PRC Law on Guarding State Secrets” before and after amendment], March 4, 2024; Jeremy Daum, “Open Thoughts on the Secrets Law,” *China Law Translate*, February 27, 2024.

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¹⁵ 中华人民共和国反间谍法 [PRC Counterespionage Law], passed November 1, 2014, amended April 26, 2023, effective July 1, 2023.

¹⁶ U.S. National Counterintelligence and Security Center, “Safeguarding Our Future,” June 20, 2023; Laney Zhang, “China: Counterespionage Law Revised,” *Global Legal Monitor*, Law Library of Congress, September 21, 2023.

¹⁷ 中华人民共和国反间谍法 [PRC Counterespionage Law], passed November 1, 2014, amended April 26, 2023, effective July 1, 2023, arts. 33–35; “Comparison Chart,” *NPC Observer*, accessed May 7, 2024.

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¹⁹ 重庆市反间谍工作条例 [Regulations on Counterespionage Work of Chongqing Municipality], passed July 27, 2023, art. 10(4).

²⁰ “‘反间谍条例’上路 重庆市为何成全国急先锋？” [“Counterespionage regulations” launch; why has Chongqing become the vanguard of the nation?], *Radio Free Asia*, September 1, 2023.

²¹ 国家安全机关行政执法程序规定 [Procedural Regulations on Administrative Enforcement by State Security Agencies], passed April 26, 2024, effective July 1, 2024, art. 40; 国家安全机关办理刑事案件程序规定 [Procedural Regulations for Handling Criminal Cases by State Security Agencies], passed April 26, 2024, effective July 1, 2024, art. 80; “国安人员七月起抽查个人通讯设备 深圳上海等地海关已先实施” [State security officials will spot-check personal communication devices beginning in July; customs in Shenzhen and Shanghai have already begun enforcement], *Radio Free Asia*, May 7, 2024.

²² “国安人员七月起抽查个人通讯设备 深圳上海等地海关已先实施” [State security officials will spot-check personal communication devices beginning in July; customs in Shenzhen and Shanghai have already begun enforcement], *Radio Free Asia*, May 7, 2024.

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²⁷ State Council, “提升行政执法质量 三年行动计划（2023—2025年）” [Three-year plan for augmenting the quality of administrative enforcement], August 9, 2023.

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⁶⁴Xi Jinping, “Speech at the Meeting on Cultural Inheritance and Development,” *Qiushi*, no. 17 (2023), November 14, 2023.

⁶⁵“习近平对宣传思想工作作出重要指示” [Xi Jinping delivers important instructions regarding propaganda, ideology, and cultural work], *Xinhua*, October 8, 2023.

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⁶⁷Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948, art. 22.

⁶⁸Gulchehra Hoja, “China Tests New Ethnic Assimilation Policy on Uyghurs,” *Radio Free Asia*, January 26, 2024; 伊犁哈萨克自治州各民族交往交流交融促进条例 [Regulations Promoting the Communication, Exchanges, and Mingling among People of Different Nationalities in the Ili (Yili) Kazakh Autonomous Prefecture], passed August 25, 2023, effective January 1, 2024.

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⁷¹Gu Ting, “China Bans Mongolian-Medium Classes, Cuts Language Hours in Schools,” *Radio Free Asia*, October 5, 2023.

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⁷⁶Heritage Foundation, “2024 China Transparency Report,” January 5, 2024.

⁷⁷Claire Fu, “China Suspends Report on Youth Unemployment, Which Was at a Record High,” *New York Times*, August 15, 2023.

⁷⁸Claire Fu, “China’s Youth Unemployment Rate Is Back, and Better,” *New York Times*, January 17, 2024.

⁷⁹National Bureau of Statistics, “国家统计局局长就2023年全年国民经济运行情况答记者问” [Director of the National Bureau of Statistics answers reports’ questions regarding the status of the national economy in 2023], January 17, 2024; National Bureau of Statistics, “2023年国民经济回升向好 高质量发展扎实推进” [National economy rebounds and improves in 2023; high quality development moves forward solidly], January 17, 2024; Claire Fu, “China’s Youth Unemployment Rate Is Back, and Better,” *New York Times*, January 17, 2024.

⁸⁰Claire Fu, “China’s Youth Unemployment Rate Is Back, and Better,” *New York Times*, January 17, 2024.

⁸¹Zhang Legu, “中国‘更好看’的青年失业率数据背后，这几个问题值得关注” [Several noteworthy issues behind China’s “better-looking” youth unemployment data], *Voice of America*, January 28, 2024.

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⁸⁶“China Is Hiding More and More Data From the Rest of the World,” *Bloomberg*, August 15, 2023.

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⁸⁸Chauncey Jung, “Why Canceling China’s Annual Premier Press Conference Matters,” *Diplomat*, March 11, 2024.

⁸⁹Gu Ting, “China Jails Economics Professor Who Highlighted Government’s Personnel Costs,” *Radio Free Asia*, August 31, 2023. For more information on Yang Shaozheng, see the Commission’s Political Prisoner Database record [2022-00008].

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VI. Discrimination, Societal Abuses, and Trafficking in Persons

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Findings

- During the Commission's 2024 reporting year, Party and government officials championed the "integration" of ethnic minorities, continuing the implementation of policies contravening the rights of Uyghurs, Tibetans, Mongols, Hui, and other ethnic minorities to maintain their own languages and cultures.
- Reports indicate that authorities had altered, destroyed, or closed large numbers of mosques serving Hui communities in an effort to "sinicize" these communities and restrict their religious freedom, particularly in Gansu province and Ningxia Hui Autonomous Region. In February 2024, Radio Free Asia (RFA) reported that officials in Nagu town, Tonghai county, Yuxi municipality, Yunnan province, had installed pagodas in place of the dome and minarets they demolished the previous year at the local Najiaing Mosque. Authorities also replaced the Arabic-style dome and minarets on the Grand Mosque in Shadian subdistrict, Gejiu city, Honghe Hani and Yi Autonomous Prefecture, Yunnan, with a pagoda rooftop and pagoda towers.
- Officials in the Inner Mongolia Autonomous Region (IMAR) continued to implement policies suppressing the use of Mongolian as a language of instruction in schools. In September 2023, authorities largely completed the transition to a region-wide policy, begun in 2020, of enforcing instruction in Mandarin Chinese for all subjects from kindergarten through senior high school.
- Mongols originally from the IMAR who sought refuge in Mongolia reportedly experienced transnational repression from PRC authorities, against a backdrop of PRC pressure on Mongolian authorities to prevent criticism within Mongolia of the PRC's actions in the IMAR.

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Party and Government Policy toward Ethnic Minorities

During the Commission's 2024 reporting year, Chinese Communist Party and government authorities implemented policies that limited the freedom of ethnic minority groups to express their cultural and religious identities, in contravention of the PRC Regional Ethnic Autonomy Law¹ and international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.² Chinese leader Xi Jinping continued to promote a historical narrative centering Han Chinese cultural identity and maintaining that all ethnic groups originated from a single Chinese nation.³ Party and government officials also championed the "integration" of ethnic minorities, continuing the implementation of policies contravening the rights of Uyghurs, Tibetans, Mongols, Hui, and other ethnic minorities to maintain their own languages and cultures.⁴ At a "study session" held by the Central Committee Political Bureau (Politburo) in October 2023, Xi urged ethnic affairs officials from across the country to push for the integration of various ethnic groups into the Chinese nation (*zhonghua minzu*), and to work toward "Chinese-style modernization."⁵

Officials pushed versions of history endorsing ethnic unity and diluting the importance of non-Han Chinese individuals and groups. A new university textbook on history and "nation-building" (*minzu gongzuo*), published in February 2024 and edited by National Ethnic Affairs Commission director Pan Yue, seeks to de-emphasize the differences between ethnic groups in favor of a Han Chinese-centered historiography and integration into a common Han Chinese-centered culture.⁶ According to Australian scholar James Leibold, the compulsory textbook for university students "offers the clearest and most complete articulation of President Xi Jinping's new orthodoxy for governing the PRC's 'unified multiethnic state.'"⁷ Pan has long endorsed Xi's policies of assimilation and "ethnic fusion" and has emphasized the need for different ethnic groups and religions to integrate into "Chinese civilization."⁸ PRC scholars also continued work on an official history of the Qing Dynasty—work that has been delayed for more than a decade under Xi's tenure—strengthening the Party's justification for ruling over regions inhabited by non-Han Chinese ethnic groups and watering down Western influence on the sociopolitical developments of the period.⁹ Authorities also continued efforts to lessen the importance of Mongol ruler Genghis Khan in the PRC's version of history, ending ceremonies and removing artifacts commemorating the historical figure, the adulation of whom they view as threatening.¹⁰

Crackdown on Hui Religion and Culture

During this reporting year, authorities implemented campaigns in Hui religious communities that were aimed at "sinicizing" Islamic practices,¹¹ a trend observers say limits Hui Muslims' ability to practice their religion and culture.¹² Reports indicated authorities had altered, destroyed, or closed large numbers of mosques serving Hui communities in an effort to "sinicize" these communities

and restrict their religious freedoms, particularly in Gansu province and Ningxia Hui Autonomous Region (NHAR).¹³ Authorities claimed the closures and demolitions were part of a mosque “consolidation” process aimed at helping local residents,¹⁴ but according to historian and Hui expert Hannah Theaker, the practice “seems to be quite straightforwardly about just reducing the amount of religious activity.”¹⁵ Officials began demolishing mosques’ Islamic features following the Chinese Islamic Association’s circulation of a five-year plan to “sinicize Islam” in 2018.¹⁶ In February 2024, RFA reported that officials in Nagu town, Tonghai county, Yuxi municipality, Yunnan province, had installed pagodas in place of the dome and minarets they demolished the previous year at the local Najaying Mosque.¹⁷ In May 2023, thousands of Hui Muslims took to the streets of Nagu to protest officials’ plans to demolish the dome and minarets,¹⁸ after which authorities reportedly detained several dozen protesters.¹⁹ Likewise, this past year, authorities replaced the Arabic-style dome and minarets on the Grand Mosque in Shadian subdistrict, Gejiu city, Honghe Hani and Yi Autonomous Prefecture, Yunnan, with a pagoda rooftop and pagoda towers.²⁰ Nagu and Shadian have historically been important centers for Muslim worship and the education of imams,²¹ and the Grand Mosque was reportedly the last major mosque in China to have its Islamic features removed by authorities.²²

In another example of official religious restrictions targeting the Hui community, during the 2024 Ramadan period, authorities in Yuxi municipality issued a circular strictly prohibiting local minors and Communist Party members from engaging in fasting and other religious activities.²³ In addition, according to the *Voice of America*, public grade schools in Yuxi distributed a form to young students asking whether their family members engaged in fasting or prayer.²⁴ According to anthropologist Ruslan Yusupov, the prohibition on minors fasting represents officials’ efforts to separate Hui children from Islamic faith and culture, and demonstrates that repressive techniques first used in the Xinjiang Uyghur Autonomous Region (XUAR) were now being used in Hui Muslim communities.²⁵ Yusupov referred to “convenience police stations” that have been established in Gansu and Qinghai provinces, mirroring those first set up in the XUAR, as further evidence of a “Xinjiang turn” in the measures officials were using against Hui Muslims.²⁶

Constraints on Language and Ethnic Identity in the IMAR

In July 2023, the IMAR Standing Committee issued regulations, effective in September, mandating that the IMAR be made into a “model autonomous region” that would “forge the common consciousness of the Chinese nation” (*zhulao zhonghua minzu gongtongti yishi*).²⁷ The regulations were issued following a June 2023 visit to the IMAR by Xi Jinping.²⁸ In December 2023, the IMAR Communist Party Committee similarly issued guidelines requiring government officials in the region to promote “a strong sense of community for the Chinese nation” in their work and stipulating that they be evaluated according to these efforts.²⁹ Scholars expressed concern over the effect such policies had on ethnic minorities’ cultures, with scholar James Leibold saying “[T]hese new policies continue the gradual erosion of minority languages, cultures and identities.”³⁰

During this reporting year, officials in the Inner Mongolia Autonomous Region (IMAR) continued to implement policies suppressing the use of Mongolian as a language of instruction in schools.³¹ The right of ethnic minorities to receive an education in their mother tongue is protected under international law³² and is also protected under the PRC Regional Ethnic Autonomy Law.³³ At the beginning of the school year, in September 2023, authorities largely completed the transition to a region-wide policy that was begun in 2020 of enforcing instruction in Mandarin Chinese for all subjects from kindergarten through senior high school.³⁴ In 2019, around 30 percent of ethnic Mongol students in the IMAR attended schools that used the Mongolian language as the medium of instruction.³⁵ Journalists from British television network *ITV* reported that when they traveled to Hohhot municipality, IMAR, in fall 2023 to report on the language policy, they were followed by five or six vehicles, and at least 10 individuals followed them as they tried to conduct interviews, sometimes physically moving interviewees away from them.³⁶ In addition, during this reporting year, schools throughout the IMAR began recruiting young native Mandarin Chinese speakers from across China to teach at the preschool through secondary school level.³⁷ Observers interviewed by RFA indicated that many ethnic Mongol teachers would be forced out of their jobs due to the difficulty in switching from teaching in Mongolian to teaching in Mandarin Chinese.³⁸ In fall 2020, protests took place in the IMAR over authorities' introduction of the policy to reduce Mongolian-language instruction in several subjects in schools.³⁹

CHANGES MADE TO ENTRANCE EXAM POLICIES FOR ETHNIC MINORITIES

According to an October 2023 RFA report, officials were planning to eliminate the option of taking the high school and university entrance exams in the Mongolian language in the coming years.⁴⁰ *China Digital Times* reported in June 2024 that censors had removed a comment on the social media platform Douban that said the spring 2024 university entrance exam in the IMAR was the last one that would be offered in the Mongolian language.⁴¹ *China Daily* reported that beginning in 2026, ethnic minority students in some parts of the IMAR would no longer receive the extra points currently awarded to minorities on the university entrance exam.⁴² The change was reportedly in line with official efforts in a number of provinces and regions to eliminate or change the system of extra points for ethnic minorities.⁴³

Mongols Fleeing China Face Transnational Repression

Mongols originally from the IMAR who sought refuge in Mongolia reportedly experienced transnational repression from PRC authorities, against a backdrop of PRC pressure on Mongolian authorities to prevent criticism within Mongolia of the PRC's actions in the IMAR.⁴⁴ According to a December 2023 *Washington Post* article, six interviewees living in Mongolia said Chinese police had used phone calls, messages, and actions against their family members in China in order to intimidate them.⁴⁵ A teacher who fled to Mongolia from the IMAR after being interrogated by authorities about her participation in the fall 2020 language protests expressed fears that she

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might be refouled to China—fears that became greater in the wake of the forcible return to China of 80-year-old Mongol historian and writer **Lhamjab Borjigin** in May 2023.⁴⁶

Notes to Chapter 7—Ethnic Minority Rights

¹The PRC Regional Ethnic Autonomy Law contains protections for the languages, religious beliefs, and customs of ethnic minority “nationalities” in addition to a system of regional autonomy in designated areas. 中华人民共和国民族区域自治法 [PRC Regional Ethnic Autonomy Law], passed May 31, 1984, effective October 1, 1984, amended February 28, 2001, arts. 10, 11, 21, 36, 37, 47, 49, 53.

²Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948, arts. 22, 27; International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force January 3, 1976, art. 1. China signed the ICESCR on October 27, 1997, and ratified it on March 27, 2001. United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Economic, Social and Cultural Rights, accessed July 20, 2024; International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 27; Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by General Assembly resolution 47/135 of December 18, 1992, arts. 2, 4; James Millward, “China’s New Anti-Uyghur Campaign,” *Foreign Affairs*, January 23, 2023; “Interview: ‘They Are Away from Their Families, Language, Religion and Culture,’” *Radio Free Asia*, February 8, 2023.

³James Leibold, “New Textbook Reveals Xi Jinping’s Doctrine of Han-Centric Nation-Building,” *China Brief*, Jamestown Foundation, May 24, 2024, 6–7, 9–11; “Xi’s Quest for Ethnic Unity Turns Genghis Khan Into New Danger,” *Bloomberg*, December 8, 2023; Kasim Kashgar, “China Enforces Ban on Mongolian Language in Schools, Books,” *Voice of America*, September 13, 2023; Chris Buckley, Vivian Wang, and Joy Dong, “One Nation Under Xi: How China’s Leader Is Remaking Its Identity,” *New York Times*, October 11, 2022. See also “习近平在文化传承发展座谈会上强调 担负起新的文化使命 努力建设中华民族现代文明” [Xi Jinping emphasized at the Symposium on Cultural Inheritance and Development [the need to] take up the new cultural mission and strive to build the modern civilization of the Chinese nation], *People’s Daily*, June 3, 2023; Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 147.

⁴“习近平在中共中央政治局第九次集体学习时强调：铸牢中华民族共同体意识 推进新时代党的民族工作高质量发展” [Xi Jinping emphasized forging a strong sense of community for the Chinese nation and promoting high-quality development in the Party’s ethnic work in the new era at the Ninth Collective Study Session of the CCP Central Committee Politburo], *Xinhua*, October 28, 2023; Yuan Yue Dang, “All Ethnic Groups Matter: New Chinese Textbook Cites Splits in the West to Justify Beijing’s Integration Policies,” *South China Morning Post*, March 18, 2024; Chris Buckley, Vivian Wang, and Joy Dong, “One Nation Under Xi: How China’s Leader Is Remaking Its Identity,” *New York Times*, October 11, 2022; James Millward, “China’s New Anti-Uyghur Campaign,” *Foreign Affairs*, January 23, 2023; Southern Mongolian Human Rights Information Center, “New Details Confirm China’s Goal of Total Erasure of Mongolian Language Education in Southern Mongolia,” April 11, 2023; Chinese Human Rights Defenders and Hope Umbrella International Foundation, “Will the Hui Be Silently Erased?,” March 22, 2023. The PRC Regional Ethnic Autonomy Law contains protections for the languages, religious beliefs, and customs of ethnic minority “nationalities” in addition to a system of regional autonomy in designated areas. 中华人民共和国民族区域自治法 [PRC Regional Ethnic Autonomy Law], passed May 31, 1984, effective October 1, 1984, amended February 28, 2001, arts. 10, 11, 21, 36, 37, 47, 49, 53; Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948, arts. 22, 27; International Covenant on Economic, Social and Cultural Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force January 3, 1976, art. 1; International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 27; Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by U.N. General Assembly resolution 47/135 of December 18, 1992, arts. 2, 4. For a discussion of officials’ implementation of policies contravening the rights of ethnic minorities to maintain their own languages and cultures in the 2023 reporting year, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 147–49.

⁵“习近平在中共中央政治局第九次集体学习时强调：铸牢中华民族共同体意识 推进新时代党的民族工作高质量发展” [Xi Jinping emphasized forging a strong sense of community for the Chinese nation and promoting high-quality development in the Party’s ethnic work in the new era at the Ninth Collective Study Session of the CCP Central Committee Politburo], *Xinhua*, October 28, 2023; Vanessa Cai, “China’s Ethnic Affairs Officials Urged to Promote Integration of Minority Groups,” *South China Morning Post*, January 24, 2024.

⁶James Leibold, “New Textbook Reveals Xi Jinping’s Doctrine of Han-Centric Nation-Building,” *China Brief*, Jamestown Foundation, May 24, 2024, 6–11; Yuan Yue Dang, “All Ethnic Groups Matter: Chinese Textbook Spells Out Integration Policies,” *South China Morning Post*, March 18, 2024.

⁷James Leibold, “New Textbook Reveals Xi Jinping’s Doctrine of Han-Centric Nation-Building,” *China Brief*, Jamestown Foundation, May 24, 2024, 7–8. Pan also serves as the Deputy Head of the United Front Work Department.

⁸James Leibold, “New Textbook Reveals Xi Jinping’s Doctrine of Han-Centric Nation-Building,” *China Brief*, Jamestown Foundation, May 24, 2024, 8, 12–13; Aaron Glasserman, “Touting ‘Ethnic Fusion,’ China’s New Top Official for Minority Affairs Envisions a Country Free of Cultural Difference,” *ChinaFile*, Asia Society, February 24, 2023; Chris Buckley, Vivian Wang, and Joy Dong, “One Nation Under Xi: How China’s Leader Is Remaking Its Identity,” *New York Times*, October 11, 2022; “潘岳：以党的二十大精神为指引 奋力推进铸牢中华民族共同体意识工作” [Pan Yue: Guided by the spirit of the 20th National Congress of the Chinese Communist Party, strive to promote the work of building the common consciousness of the Chinese nation], *Research on Agency Party-building*, no. 11, 2022, reprinted in Lanzhou University Party Committee United

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Front Work Department. The term “ethnic fusion” (*minzu ronghe*, 民族融合) refers to non-Han ethnic groups’ adoption of the language and customs used by the Han Chinese ethnic group.

⁹Chun Han Wong, “Xi Jinping’s Historians Can’t Stop Rewriting China’s Imperial Past,” *Wall Street Journal*, March 23, 2024.

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¹¹“How China Is Tearing Down Islam,” *Financial Times*, November 27, 2023; Helen Ann-Smith, “China’s Tightening Grip on Islam,” *Sky News*, accessed May 27, 2024.

¹²“How China Is Tearing Down Islam,” *Financial Times*, November 27, 2023; Jeremy Goldkorn, “Xi Jinping Orders Officials to Persist with Hard-Line Xinjiang Policies,” *China Project*, August 27, 2023; Chinese Human Rights Defenders and Hope Umbrella International Foundation, “Will the Hui Be Silently Erased?,” March 22, 2023; Congressional-Executive Commission on China, “Hui Muslims and the ‘Xinjiang Model’ of State Suppression of Religion,” March 29, 2021.

¹³Human Rights Watch, “China: Mosques Shuttered, Razed, Altered in Muslim Areas,” November 22, 2023; “How China Is Tearing Down Islam,” *Financial Times*, November 27, 2023; Helen Ann-Smith, “China’s Tightening Grip on Islam,” *Sky News*, accessed May 27, 2024.

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Findings

- Women's rights were the subject of recommendations during the fourth Universal Periodic Review of the People's Republic of China's (PRC) compliance with international human rights norms in January 2024. With legal provisions weakly implemented in China, rural and urban women are at risk of losing property rights, face gender discrimination at work, are vulnerable to gender-based violence, and have limited access to justice.
- At the October 2023 National Women's Congress, officials emphasized building families and the nation, and the role of the All-China Women's Federation in promoting family values to promote population growth.
- The Commission continued to monitor official harassment and detention of women's rights advocates, as well as women harassed and detained for political advocacy and religious belief. These included: **Huang Xueqin, Ye Haiyan, Rei Xia, Wu Qin, Xu Qin, and Tang Hui.**
- So-called "everyday feminism" is on the rise in China, but the overall environment for feminist advocacy in China is highly restricted in the wake of crackdowns on independent and grassroots civil society advocates and organizations, suspicion of women's public participation, and the censorship of feminist websites and social media.
- Women's political empowerment in China remains low, according to the World Economic Forum's Global Gender Gap Report. Scholarly analysis published this past year concluded that the Party's "commitment to gender equity and its quota policy have failed to integrate women meaningfully into the inner circles of power so that Chinese politics remains largely gendered."
- A State Council assessment of the PRC Anti-Domestic Violence Law in August 2023 highlighted problems with implementation, such as a minimal use of mandatory reporting in cases of children harmed by domestic violence, the low number of protection orders and warnings issued by local courts and public security bureaus, the vulnerability of women with disabilities, inadequate funding, and a lack of legal knowledge among front-line personnel.

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Authoritarian Misuse of Women's Rights Promotion and Discourse

PRC officials have presented China as a champion of women's rights in the international human rights system. In major speeches at the United Nations (U.N.) in 2015 and 2020, Chinese leader Xi Jinping extolled gender equality and creating more opportunities for women to have decisionmaking roles.¹ At U.N. events in 2023² and 2024,³ PRC officials touted the more than "100 laws and regulations" that protect women's rights in China.⁴ Scholars examining authoritarian governments' use of women's rights promotion, however, have highlighted the "nonegalitarian purposes" motivating such advocacy,⁵ including international prestige⁶ and domestic legitimacy.⁷ With legal provisions to safeguard women's rights weakly implemented, Chinese rural and urban women are at risk of losing property rights, face gender discrimination in the workplace, are vulnerable to gender-based violence, and have limited access to justice.⁸ Moreover, as PRC authorities continue to focus on population decline, the official discourse on women's rights protection in PRC domestic policy has become increasingly entwined with facilitating the goals of the pro-birth population policy.⁹ As scholar Yige Dong observed, the PRC's paradoxical policies on women illustrate resurgent authoritarian control, with the Party-state "reclaiming its monopoly over women's affairs."¹⁰

The fourth Universal Periodic Review (UPR) of China's compliance with international human rights norms was held at the U.N. in Geneva on January 23, 2024.¹¹ Nearly one-third of country stakeholders made recommendations related to women and gender in China.¹² Recommendations included calls for the PRC government to end the use of coercive population control measures against women in China, particularly Uyghur and other ethnic minority women.¹³ Before the UPR session, PRC officials reportedly engaged in lobbying of friendly countries, requesting that they "render valuable support to China" through "constructive recommendations . . .,"¹⁴ in order to "flood the proceedings with bland or adulatory statements."¹⁵ Those countries that spoke positively about China's human rights record¹⁶ nevertheless brought attention to gaps in progress on women's status and rights in their UPR recommendations; for instance, countries put forth recommendations that called for increasing women's public participation.¹⁷ According to the World Economic Forum's Global Gender Gap Report for 2024, Chinese women's political empowerment ranked 111th out of 146 countries and regions,¹⁸ and as the Commission previously reported,¹⁹ no senior women Party members were appointed to the Chinese Communist Party Central Committee Political Bureau, the top decisionmaking body in China, during the 20th Party Congress in October 2022.²⁰

PROMOTING THE PRO-BIRTH POLICY AND PREVENTING POLITICAL RISKS

The Party's heightened concern about women was on display at the October 2023 National Women's Congress, a gathering held every five years that features the work of the All-China Women's Federation (ACWF).²¹ Several months in advance of the Women's Congress, a compilation of Party General Secretary Xi Jinping's

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speeches on women over the past decade was released.²² Excerpts from the compilation published in *People's Daily* expounded upon Xi's expectation that the ACWF ideologically adhere to the Party's leadership, specifically in its role as one of the Party's "mass organizations."²³ While these excerpts made no direct reference to the three-child policy, the demographic impetus was clear in Xi's discussion of building families and the nation, and the ACWF's role in promoting family values among women.²⁴ Officials at the Women's Congress reiterated these points, calling on the ACWF to study Xi's ideological guidance²⁵ and to urge women to "keep their family and nation in mind, and establish correct views on marriage, childbearing, and the family."²⁶ Additionally, the ACWF Party secretary²⁷ told the Women's Congress that the ACWF had "established and improved working mechanisms to strengthen risk prevention, and political security and ideological security in the women's field continued to improve . . ."²⁸ Toward this end, the ACWF charter was amended to include "preventing and resolving risks in the women's sphere" in the section on responsibilities of ACWF staff.²⁹ An international legal expert observed that Party officials are "steadily moving away from the rhetorical embrace of gender equality, and towards a more full-throated embrace of traditional gender norms as a core Party political plank."³⁰ China Media Project experts deemed the acute focus on family, demography, and nation "a retrograde movement for women's liberation."³¹ [For more information on the promotion of the pro-birth population policy at the Women's Congress, see Chapter 9—Population Control.]

Suppression of Civil Society Advocacy and Association

ACWF'S NETWORK OF WOMEN'S "SOCIAL ORGANIZATIONS"

The ACWF has seen their remit become even more narrowly focused on the political priorities of the Party.³² In what one scholar refers to as the "re-politicization" of the ACWF since efforts began in 2015 to reform the Party's "mass organizations,"³³ the ACWF has worked to intensify control over women's "social organizations"—the term used by PRC authorities for nongovernmental organizations in China³⁴—in order to oblige such groups to be more compliant with Party priorities and directives.³⁵ At the October 2023 Women's Congress, the ACWF Party secretary emphasized the ACWF's responsibility to attract women from "new economic organizations, new social organizations, new media industries, and women active in cyberspace, and attract them to the Women's Federation organizational system as widely as possible."³⁶ An academic analysis published in 2024 examined the work of several ACWF sub-national branches to create local networks of "trusted" women's social organizations, primarily among social welfare service providers.³⁷ According to this research, ACWF branches have not given access to the network, potential projects, or funding to women's organizations they deem to be politically sensitive or otherwise "unreliable," effectively marginalizing such organizations.³⁸ Two examples of organizations that ACWF branches reportedly excluded from network participation were a nongovernmental organization (NGO) provid-

ing social services to women factory workers and an organization that assists single mothers.³⁹

“EVERYDAY FEMINISM” AND WOMEN’S RIGHTS ADVOCACY

Chinese women in their 20s and 30s may prove to be a “much more complicated challenge for the Chinese government,” observed scholar Leta Hong Fincher in late 2023.⁴⁰ Hong Fincher and others have charted the rise of so-called “everyday feminism” in China, identifying shifts in life choices, interests, and behaviors.⁴¹ One manifestation of “everyday feminism” is the popularity in China of books by Japanese sociologist Chizuko Ueno, whose works analyze systemic patriarchy in Japan.⁴² Another is the emergence of Chinese women comedians outside China, whose humor has skewered patriarchal attitudes.⁴³ Another widely covered issue in international media outlets this past year is Chinese women’s reluctance to marry or have children.⁴⁴ While “everyday feminism” may be on the rise, the overall environment for feminist advocacy in China is highly restricted in the wake of official crackdowns on independent and grassroots civil society advocates and organizations, suspicion of women’s public participation and feminist activism, and the censorship of feminist websites and social media.⁴⁵ A pioneering Chinese feminist nevertheless noted this past year that even though collective action is “almost impossible” in China now, feminists still represent a “significant bastion of resistance within the current Chinese landscape.”⁴⁶

The Commission monitored several ongoing and newly reported cases of harassment or detention of individuals who have engaged in women’s rights advocacy, including the following:

- On June 13, 2024, the Guangzhou Municipal Intermediate People’s Court in Guangdong province sentenced journalist and #MeToo activist **Sophia Huang Xueqin** to five years in prison, a fine of 100,000 yuan (US\$13,803), and four years’ deprivation of political rights on the charge of “inciting subversion of state power.”⁴⁷ Prior to her detention in September 2021,⁴⁸ Huang’s activism included women’s rights and civil society advocacy.⁴⁹
- In October 2023, *Radio Free Asia* reported on local officials’ harassment of Ye Haiyan in the Inner Mongolia Autonomous Region.⁵⁰ Ye gained prominence in the rights community more than a decade before in connection with her efforts to seek justice for sexually abused schoolgirls, sex workers, and people living with HIV/AIDS.⁵¹
- Two feminist activists, **Rei Xia** and Wu Qin, left China due to harassment and detention or the threat of detention.⁵² Shanghai municipal public security officials detained Rei, a “White Paper” protester and feminist activist, three times in 2022 and 2023, including for 37 days at the Xuhui District Public Security Bureau detention center for exposing physical and sexual abuse of another White Paper protester by local police.⁵³ Wu Qin, an arts and media professional from Beijing municipality, published “A Letter from a Tehran Prison,” disguising her location and name to give an account of her experience of harassment, intimidation, and detention in 2022 and 2023 in China.⁵⁴

Women Detained for Rights Defense and Religious Belief

Individual women who have engaged in human rights advocacy, including documenting rights violations, and those associated with religious groups that the government perceives to be politically sensitive, continued to face surveillance and the threat of detention. The Commission continued to monitor multiple cases of arbitrary detention of rights defenders in its Political Prisoner Database, including the following selected cases:

- **Xu Qin.** On March 29, 2024, the Yangzhou Municipal Intermediate People’s Court in Jiangsu province sentenced rights activist Xu Qin to four years in prison and two years’ deprivation of political rights on the charge of “inciting subversion of state power.”⁵⁵ Xu co-founded Human Rights Watch in China, and was a member of the Rose Group, which involved WeChat groups, and a website focused on human rights education.⁵⁶
- **Tang Hui.** In October 2023, a court in Hunan province sentenced petitioner Tang Hui to four years in prison in connection with her grievances related to property and healthcare matters.⁵⁷ Observers speculated, however, that the punishment was a form of reprisal by local officials against Tang dating back over 10 years,⁵⁸ to the period of time during which she petitioned local authorities to harshly punish the perpetrators of her young daughter’s kidnapping, sexual assault, and forced prostitution in 2006.⁵⁹
- **Religious adherents.** A February 2024 report by the Uyghur Human Rights Project (UHRP) analyzed the cases of 408 Uyghur Muslim women whom authorities had detained in connection with their religious belief and practice.⁶⁰ The UHRP report found that there was “a pattern of removing women from positions of religious and cultural leadership, and subjecting large numbers of women to long periods of imprisonment for their everyday religious practice.”⁶¹ Several women from the Christian house church movement⁶² were in detention or sentenced this past year.⁶³ Women adherents of other religions and spiritual practices, which the PRC government has designated as “cults,” including the Church of Almighty God (CAG) and Falun Gong, continued to be targeted for their religious belief.⁶⁴ In a 2022 report, the Dui Hua Foundation, a nongovernmental organization based in San Francisco, analyzed a period of 18 years of data from its extensive political prisoner database and found that women constituted 41 percent of individuals detained on alleged “cult” charges.⁶⁵

Party Control of Elite Women’s Political Participation

Scholarly analysis published this past year concluded that the Party’s “commitment to gender equity and its quota policy have failed to integrate women meaningfully into the inner circles of power so that Chinese politics remains largely gendered.”⁶⁶ The Party and government’s highest ranking woman politician, State Councillor Shen Yiqin, illustrates a career trajectory that has become “gendered.”⁶⁷ Shen, who rose up the ranks in Guizhou province, her home province, served in deputy and leadership roles at the provincial Party School, propaganda bureau, politics and legal affairs

commission, and “stability maintenance” office.⁶⁸ Her career peaked in Guizhou as provincial governor and Party Secretary.⁶⁹ Provincial Party Secretaries wield considerable power,⁷⁰ and the position can be a channel for promotion to the Politburo.⁷¹ But Shen was not selected to the 24-member Politburo in October 2022,⁷² and her portfolio at the State Council consisted of human resources, civil affairs, and women and children’s issues,⁷³ which are typically considered to be gendered “female.”⁷⁴ Breaking with precedent, Shen was given a joint appointment as president of the All-China Women’s Federation in October 2023.⁷⁵ As of June 2024, no woman had been appointed provincial Party Secretary for China’s 31 provinces, province-level municipalities, or autonomous regions.⁷⁶ Eight women were either appointed or continued to serve as Deputy Secretary of Provincial Party Committees this past year.⁷⁷ Two held joint appointments as provincial governors with Wang Lixia as chairwoman of the Inner Mongolia Autonomous Region People’s Government (a position equivalent to provincial governor) and Liang Huiling as governor of Heilongjiang province.⁷⁸

*Eight Years In: Weak Implementation of the
PRC Anti-Domestic Violence Law*

In the PRC country report for its fourth Universal Periodic Review in January 2024, the government noted the passage of the PRC Anti-Domestic Violence Law (Anti-DV Law) in 2016 as a mark of progress on women’s rights.⁷⁹ The gap between law and practice⁸⁰ has left victims of domestic violence in China vulnerable to continuing abuse even after they have sought official assistance.⁸¹ Protection orders in particular are not playing their anticipated role as a legal tool in the fight against domestic violence, according to a March 2024 editorial in *Guangming Daily*.⁸² The Supreme People’s Court (SPC) reported this past year that judges issued 5,695 court protection orders in all of 2023,⁸³ while a Chinese media outlet reported that the SPC handled 2.17 million domestic violence cases in 2023.⁸⁴ The SPC also issued batches of “model” domestic violence cases in June 2023⁸⁵ and November 2023.⁸⁶ The June cases reportedly were aimed at illustrating the use of harsher sentences for batterers, to emphasize that domestic violence should not be adjudicated with lenient sentencing typically used in family disputes.⁸⁷ One November batch included cases of psychological violence, including against minors.⁸⁸ A member of the Chinese public interest group Purple Ribbon Mothers commented several months later that the issuance of the November cases led to an increase in protection orders for children who had been hidden away by one parent in divorce guardianship cases, but she also indicated that it remained difficult to get protection orders from the courts.⁸⁹

A State Council assessment of the Anti-DV Law presented in August 2023 highlighted serious problems with implementation, such as minimal use of mandatory reporting in cases of children harmed by domestic violence, the low number of protection orders and warnings issued by local-level courts and public security bureaus, the vulnerability of women with disabilities, inadequate programmatic funding, and a general lack of legal knowledge by front-line personnel.⁹⁰ The assessment also reportedly raised concerns

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about insufficient and scattered data on domestic violence in China, which diminishes the accuracy and value of empirical research and limits service providers from identifying the scope and needs of victims of domestic violence.⁹¹ Despite the uptick in domestic violence widely reported during the COVID-19 pandemic,⁹² media coverage of the State Council assessment of the Anti-DV Law did not mention whether the assessment addressed this uptick.

Notes to Chapter 8—Status of Women

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POPULATION CONTROL

Findings

- The Chinese Communist Party and government of the People's Republic of China (PRC) continued to apply a birth limit policy, which violates international standards by seeking to control family size. An expert commented that the PRC three-child policy instituted in 2021, which permits and seeks to incentivize families to have up to but no more than three children, is a project to “ [reassert] Party-State control over [the] population.”
- The pro-birth policy has not resulted in population growth, however, and PRC population trends are similar to those in other East Asian countries. The National Bureau of Statistics of China's 2023 data revealed that the population declined in China for the second year in a row and that the total number of births in China declined for the seventh year in a row.
- Young people's reluctance to marry and have children has been linked to a variety of factors, including the high cost of raising children in China, economic precarity, and gender inequality.
- Party leaders emphasized the importance of population growth during official speeches and events this past year. Pro-birth and marriage messaging was featured in official propaganda, municipal governments' financial incentives, and judicial opinions. Measures passed in September 2023 incentivized childbirth for military personnel. Some legislative proposals focused on supporting women's rights in the workplace.
- The legacy of the one-child policy (1980–2015) continues to have an impact on Chinese society, including human trafficking for the purpose of marriage and the commercial sex trade. Data published this past year showed on average, boy-preference for couples having a third child, with 133 boys born for every 100 girls, across China.
- Chinese authorities' enforcement of population control policies has contributed to increasing socio-economic precarity for China's elderly population, including an underfunded pension system and the inability of adult children to provide traditional care for their elderly parents.

POPULATION CONTROL

PRC Coercive Population Policies

Despite calls from experts and other observers to remove all birth limits in China on both demographic and human rights grounds,¹ the Chinese Communist Party and government of the People's Republic of China (PRC) continued to implement a coercive birth limit policy that violates international standards by placing limits on family size.² The one-child policy, in force from 1980 through 2015, restricted most couples to one child³ with exceptions permitted in some localities, most commonly in rural areas or for ethnic minority groups.⁴ In October 2015, the PRC government modified the birth limit policy to allow all couples to have two children.⁵ Harsh policy enforcement included the use of birth permits and fines to punish couples for exceeding birth limits, intrusive monitoring of women's fertility, and coercive measures such as forced placement of intra-uterine devices (IUDs), forced sterilizations, and forced abortions.⁶ Beginning in 2016, the use of forced abortion and sterilization to control the fertility of ethnic minority women in the Xinjiang Uyghur Autonomous Region (XUAR)⁷ resulted in "drastically reduced birth rates of ethnic groups."⁸ The U.S. State Department deemed that such coercive birth control measures used against Uyghurs and other predominantly Muslim ethnic minority groups in the XUAR constituted acts of genocide and crimes against humanity.⁹ [For more information on human rights abuses in the XUAR, see Chapter 18—Xinjiang Uyghur Autonomous Region.]

To address what senior PRC officials refer to as the "great challenge" of the aging population and the below-replacement birth rate, the Party Central Committee Political Bureau (Politburo) announced the adoption of a universal three-child policy in May 2021,¹⁰ allowing all couples to have up to three children.¹¹ Policy goals include increasing the birth rate, balancing the overall sex ratio, "optimizing" the population structure, raising "population quality," and safeguarding the "rights and interests of women in employment."¹² The previous use of fines for exceeding birth limits was abolished.¹³ The shift to the three-child policy, however, did not alter the basic premise of PRC authorities' "claim [of] sovereignty over childbearing" of Chinese citizens, as observed by political scientist Tyrene White.¹⁴ In an analysis of the three-child policy, anthropologist Susan Greenhalgh noted authorities' ambition to establish various systems for top-down management of the individual's full life cycle, along with population data monitoring, aimed at "reasserting Party-State control over population."¹⁵ Legal expert Carl Minzner has cautioned that the "real risk is that the coming years will see such efforts ramped up in ways that align state power and social pressure even further to limit the ability of Chinese women to freely make personal decisions about marriage and childbirth."¹⁶

INTERNATIONAL STANDARDS

Coercive controls imposed on families, as well as additional abuses engendered by the PRC population and family planning system, violate standards set forth in the 1995 Beijing Declaration and Platform for Action and the 1994 Programme of Action of the Cairo

International Conference on Population and Development.¹⁷ China was a state participant in the negotiation and adoption of both documents.¹⁸ Acts of official coercion committed in the implementation of population control policies also contravene provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which China has ratified.¹⁹ Some scholars also have theorized that forced abortion may constitute an international crime, noting that “reproductive violence is increasingly being recognized as a distinct form of harm requiring legal recognition, protection, and redress.”²⁰

Population Decline and Official Responses

In January 2024, the National Bureau of Statistics in China announced that in 2023 the total population in China had decreased to 1,409,670,000 people—a decline of 2,080,000 from the prior year, a significantly larger decrease than the 850,000-person decline recorded in 2022.²¹ This marked the second year in a row of officially reported population decline in China and the seventh year in a row that the total number of births in China has declined.²² Births in China fell to approximately 9,020,000 in 2023, compared to 9,560,000 in 2022, with a birth rate of 6.39 births per 1,000 people, the lowest since 1949.²³ Closures of obstetric departments in hospitals in multiple provinces this past year,²⁴ and of preschools over the past two years, are linked to the declining birth rate.²⁵ While an uptick in births in 2024 is possible in connection with the traditional belief that children born in the Year of the Dragon are lucky,²⁶ international experts expect that the birth rate in China will continue to fall, in line with trends observed in other East Asian countries.²⁷

MESSAGING AND POPULAR PROPAGANDA

Party leaders repeatedly emphasized the importance of population growth through official speeches and events, particularly focusing on women and their role in childbearing.²⁸ At the 13th National Women’s Congress in October 2023 held in Beijing municipality, Party General Secretary Xi Jinping emphasized the importance of childbearing and family culture,²⁹ and Ding Xuexiang, a member of the Politburo Standing Committee—China’s paramount policy and decision making body led by Xi—declared that women should “establish a correct outlook on marriage and love, childbirth and family.”³⁰ Ding and Huang Xiaowei, Party Secretary of the All-China Women’s Federation,³¹ both briefly mentioned “equality between men and women,”³² yet gender equality received negligible attention at the Women’s Congress compared to the focus on family and childbearing, and on Xi Jinping’s ideological discourse.³³ At a May 2024 meeting to discuss the population policy’s role in supporting China’s modernization goals, Wang Huning—another Politburo Standing Committee member—addressed 100 representatives from the Chinese People’s Political Consultative Conference (CPPCC), advocating for a strengthened sense of responsibility and mission to effectively promote and implement population development.³⁴

Pro-natal propaganda messages were disseminated this past year,³⁵ including via popular culture channels, public art, text messaging, and phone calls.³⁶ Public service advertisements aired during China

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Central Television's 2024 Annual Spring Festival Gala featured "a house full of children" and images of multigenerational bliss.³⁷ Local governments modified public artwork and removed outdated slogans to attempt to erase the legacy of one-child policy birth restrictions and instead promote having more children.³⁸ In August 2023, coinciding with the Qixi Festival, known as "China's Valentines Day," authorities in Xi'an municipality, Shaanxi province reportedly sent texts to residents wishing them "sweet love, marriage and childbirth" and "good fertility."³⁹ A mother of two from Quanjiao county, Chuzhou municipality, Anhui province, reported receiving calls from community officials encouraging her to have a third child.⁴⁰ In late 2023, a public sculpture near the waterfront in Wuhan municipality, Hubei province, was altered to show a couple with three children, which previously displayed a couple with only one child.⁴¹ The National Radio and Television Administration, which is subordinate to the Party's Central Propaganda Department,⁴² announced a review of dramas, planning to remove unapproved titles and shows that portray lifestyle choices deviating from the Party's messaging about family values.⁴³

INCENTIVIZING MARRIAGE AND CHILDBIRTH

A March 2024 editorial in *The Paper*, a Shanghai-based media outlet, argued that greater long-term financial and regulatory planning are needed to ensure the policy's success, implying that systemic planning is absent in policy implementation.⁴⁴ The editorial called for improving protections for women in the workplace from explicit or implicit discrimination due to childbirth, increasing child-care subsidies and personal income tax reductions and exemptions, offering male paternity leave and parental leave, and providing more employment support for women of childbearing age.⁴⁵ In a *Washington Post* report, a Beijing-based demographer observed that there are no "major incentives at the national level," and financial subsidies at the local level are insufficient.⁴⁶ Implementation measures reported this past year reflect haphazard efforts to promote marriage and childbirth, including the following:

- **Local governments.** Authorities continued to offer financial incentives⁴⁷ to boost birth rates⁴⁸ and encourage marriage in response to the falling marriage rate and the drop in population,⁴⁹ including subsidies for couples who get married at a younger age, for the birth of a second or third child, and to support maternity fees.⁵⁰ Examples of local government incentive plans include: Changshan county, Quzhou municipality, Zhejiang province announced rewards of 1,000 yuan (US\$137) to couples if the woman is 25 or younger to "promote age-appropriate marriage and childbearing."⁵¹ Hangzhou municipality, Zhejiang province, announced a plan to provide couples bearing a second child a one-time subsidy of up to 7,000 yuan (US\$960) and 25,000 yuan (US\$3,500) to those with a third child both for maternity and childcare fees.⁵² While officials in Zhengzhou municipality, Henan province, promised subsidies for the birth of a third child and offered extended parental leave, reports emerged in November 2023 that officials had rejected subsidy applications.⁵³ Zhengzhou officials accounted for the delay by

explaining that they did not yet have implementation details,⁵⁴ but the municipality's serious financial debt likely was a factor in the rejections, according to *Bloomberg*.⁵⁵

- **Military.** The central government also involved the military in the pro-natal agenda with the release on September 7, 2023, of “implementing measures for military personnel” of the PRC Population and Family Planning Law.⁵⁶ According to *Xinhua*, the PRC government's news agency, the 33 provisions contained in the implementing measures provide financial incentives, family planning, parental leave, and other forms of support to encourage childbearing and improve military effectiveness.⁵⁷

- **“Bride price” reform.** Bride price refers to the traditional betrothal gift of an amount of money or material goods, given by the groom's family to the bride herself or to her family.⁵⁸ In late 2023, the Supreme People's Court (SPC), together with the Ministry of Civil Affairs and the All-China Women's Federation (ACWF), issued four “model” cases resolving bride price disputes.⁵⁹ SPC guidance encouraged judges to take into account local folk customs regarding bride price, the length of the marriage or the length of cohabitation, and whether the couple had children, among other considerations.⁶⁰ The SPC also solicited opinions for draft provisions to resolve such disputes, provisions that went into effect in February 2024.⁶¹

- **Legislative proposals and suggestions** raised at the annual March 2024 meetings of the National People's Congress and the Chinese People's Political Consultative Conference were similar to previous proposals made since the pro-natal population policy was launched in 2021.⁶² In an address to the CPPCC, the ACWF's delegate⁶³ spoke approvingly of the population policy and regulatory framework but pointed out gaps in implementation, such as difficulties accessing affordable childcare and employment discrimination against women.⁶⁴ Another proposal also focused on women in the workplace, suggesting improvements to litigation channels for women who had been fired or subjected to unfair work conditions because of their pregnancy, childbirth, or needs related to lactation.⁶⁵ Other proposals recommended allowing single women to have access to assistive reproductive technology, such as egg freezing (which, as of June 2024, was not permitted for single women in China⁶⁶), and to effectively implement household registration (*hukou*) for children born to single women.⁶⁷

Disenchantment with the Pro-Natal Policy

Young people's reluctance to marry and have children⁶⁸ has been linked to a variety of factors, including the high cost of raising children in China,⁶⁹ concerns over the economy,⁷⁰ and gender inequality.⁷¹ Online commentary and reports from media outlets continued to reflect skepticism of, resistance to, and occasional mockery of, the government's focus on population growth as a national responsibility of the rising generation of young adults.⁷² *China Digital Times*, a California-based organization that monitors the internet and censorship in China, reported in July 2023 that the Guangzhou branch of the Communist Youth League (CYL) had conducted a survey to

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identify the percentage of young people who consider themselves among the “four won’t youth.”⁷³ The “four won’t youth” are young women and men who intentionally won’t date, marry, purchase a home, or have children.⁷⁴ A copy of the Guangzhou CYL’s report was later censored.⁷⁵ Young Chinese women’s disinterest in the PRC’s new “marriage and childbearing culture” has been connected to a range of social, economic, and political concerns.⁷⁶ Rural women have cited their reluctance to have more children due to economic burdens and concerns about higher divorce rates and abandoned children in their communities.⁷⁷ Some feminists reportedly have explained that their decisions to not marry or have a child are a form of non-violent resistance to the official pro-natal policy.⁷⁸

Continuing Effects of the One-Child Policy

GENDER SELECTION FAVORING BOYS LINKED TO HUMAN TRAFFICKING

The legacy of the one-child policy continues to have an impact on Chinese society and beyond.⁷⁹ In January 2024, the National Bureau of Statistics of China (NBS) reported that in 2023, there were 30.97 million more males than females in China (720.32 million males to 689.35 million females),⁸⁰ with a sex ratio (total population) of 104.49 males to 100 females.⁸¹ The population control policy, moreover, continues to influence the use of sex selection based on the traditional cultural preference for sons.⁸² Data published this past year show lopsided sex ratios favoring boys following the introduction of the two- and three-child policies.⁸³ According to that data (from 2020), boy-preference is seen in couples having a third child, with 132.93 boys born for every 100 girls on average across China.⁸⁴ Observers have linked the trafficking of women within China and from abroad into China for purposes of forced marriage and commercial sexual exploitation,⁸⁵ to the lopsided sex-ratio imbalance, as well as to an attempt to drive “bride prices” lower as grooms and their families attempt to find potential spouses.⁸⁶ [For more information on the status of human trafficking in China, see Chapter 10—Human Trafficking.]

PRESSURES ON THE ELDERLY

Chinese authorities’ enforcement of population control policies has contributed to increasing socio-economic precarity for China’s elderly population.⁸⁷ The PRC pension system is underfunded,⁸⁸ and the state-affiliated Chinese Academy of Social Sciences predicted that it could run out of money by 2035.⁸⁹ Structural changes to families, propelled by the one-child policy, weakened the feasibility of the traditional reliance⁹⁰ on adult children to care for elderly parents.⁹¹ In January 2024, the State Council released a 26-point plan on developing a “silver economy” to expand services and to develop “products” that support the elderly, the first few of which comprise meal assistance, at-home care services, community-based elder care, and improved geriatric and rehabilitative health care.⁹² An editorial by the Representative of the U.N. Population Fund (UNPF) to China following the release of the State Council plan highlighted the need to prioritize the rights of older people,⁹³ which were not referred to in the 26-point plan.⁹⁴ The UNPF Representative noted that, “[I]t

is important to not stereotype older people as simply a collection of problems that can be solved through their consumption of tailored products and services.”⁹⁵

Notes to Chapter 9—Population Control

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²Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women on September 15, 1995, and endorsed by U.N. General Assembly resolution 50/203 on February 23, 1996, Annex I, paras. 9, 17. The Beijing Declaration states that governments that participated in the Fourth World Conference on Women reaffirmed their commitment to “[e]nsure the full implementation of the human rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms” (Annex I, para. 9); “[t]he explicit recognition and reaffirmation of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment” (Annex I, para. 17). United Nations Population Fund, Programme of Action, adopted at the Cairo International Conference on Population and Development, September 13, 1994, paras. 7.2, 8.25. Paragraph 7.2 states, “Reproductive health therefore implies that people . . . have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice” Paragraph 8.25 states, “In no case should abortion be promoted as a method of family planning.”

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⁴Gu Baochang, Wang Feng, Guo Zhigang, and Zhang Erli, “China’s Local and National Fertility Policies at the End of the Twentieth Century,” *Population and Development Review* 33, no. 1 (March 7, 2007): 131–36.

⁵中华人民共和国人口与计划生育法 [PRC Population and Family Planning Law], passed December 29, 2001, amended December 27, 2015, effective January 1, 2016, art. 18; National Health and Family Planning Commission, “实施全面两孩政策，促进人口均衡发展” [Implement the universal two-child policy, promote balanced population development], October 29, 2015; National People’s Congress Standing Committee, 全国人民代表大会常务委员会关于修改《中华人民共和国人口与计划生育法》的决定 [National People’s Congress Standing Committee Decision on Amending the “PRC Population and Family Planning Law”], passed December 27, 2015, effective January 1, 2016; Yindie Lin et al., “The Effect of Gradually Lifting the Two-Child Policy on Demographic Changes in China,” *Health Policy and Planning* 39 (2024): 364; Yaqiu Wang, “It’s Time to Abolish China’s Three-Child Policy,” *Essays on Equality: The Politics of Childcare*, *Global Institute for Women’s Leadership*, reprinted in Human Rights Watch, February 22, 2023.

⁶Rita Cheng, “Women Harmed by China’s Draconian Family Planning Policies Still Seek Redress,” *Radio Free Asia*, April 8, 2022; James Carter, “One of the Most Troubling Social Policies of Modern Times,” *China Project*, September 27, 2023; Shui-yin Sharon Yam and Sarah Mellors Rodriguez, “Reproductive Realities in Modern China: A Conversation with Sarah Mellors Rodriguez,” *Made in China Journal*, March 29, 2023; Daniel C. Mattingly, “Responsive or Repressive? How Frontline Bureaucrats Enforce the One Child Policy in China,” *Comparative Politics* 52, no. 2 (2020): 2, 4–6; Martin King Whyte, Wang Feng, and Yong Cai, “Challenging Myths about China’s One-Child Policy,” *China Journal* 74 (July 2015): 150–52; Andrew Mullen, “Explainer: China’s One-Child Policy: What Was It and What Impact Did It Have?,” *South China Morning Post*, June 1, 2021.

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⁸Adrian Zenz and Uyghur Tribunal, “The Xinjiang Papers: An Introduction,” February 10, 2022, 5.

⁹Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “Country Reports on Human Rights Practices for 2021—China (Includes Tibet, Hong Kong, and Macau),” April 12, 2022; Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “Country Reports on Human Rights Practices for 2022—China (Includes Tibet, Hong Kong, and Macau),” March 20, 2023; Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “Country Reports on Human Rights Practices for 2023—China (Includes Tibet, Hong Kong, and Macau),” April 22, 2024. See also U.S. Department of State, “Determination of the Secretary of State on Atrocities in Xinjiang,” January 19, 2021; Congressional-Executive Commission on China, *2021 Annual Report* (Washington: March 2022), 273–74, 280–81.

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Findings

- The Outlaw Ocean Project, the *New Yorker*, and the Environmental Justice Foundation separately identified practices indicating forced labor in the Chinese seafood industry. The reporting found that International Labour Organization (ILO) indicators of forced labor were present onboard Chinese fishing vessels and that Turkic and Muslim workers from the Xinjiang Uyghur Autonomous Region (XUAR) and North Korea were likely subjected to forced labor in the seafood processing industry.
- Forced employment and poverty alleviation policies involving Turkic Muslims from the XUAR continued during the reporting year, and they are set to continue at least through 2025. Reports found that gold and aluminum were likely tainted by forced labor involving Uyghurs and other Turkic Muslims from the XUAR, and witnesses at a Commission hearing found that audits were unreliable when investigating instances of forced labor in and from the XUAR.
- Scamming organizations in Southeast Asia, including many run by Chinese nationals, continued to force individuals from China and other countries to work in compounds carrying out online scam operations targeting people around the world.
- In a March 2024 hearing held by the Commission, witnesses expressed concern that large-scale collection of the DNA of Uyghurs and others in the XUAR could be used to match organs for forced removal. Forced organ removal is considered a form of human trafficking by the U.N.

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China's Human Trafficking and Forced Labor Obligations under International Law

The Chinese government is obligated to combat human trafficking and enact legislation criminalizing human trafficking as a State Party to the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol),¹ and has also committed to obligations to combat forced labor under the International Labour Organization's (ILO) Forced Labour Convention of 1930² and Abolition of Forced Labour Convention of 1957.³

In 2024, the ILO released an updated framework to identify forced labor of adults, specifying conditions of involuntary work and coercion.⁴ While there is no set list of indicators that guarantee the existence of either condition, according to the ILO, several practices could “signal situations” of involuntary and/or coerced work.⁵ For example, involuntary work indicators include worker recruitment of a deceptive, fraudulent, forced, or debt-linked nature, as well as employment in hazardous, abusive, and state-imposed conditions that may not allow for employment termination.⁶ Likewise, physical or sexual violence, abuse of isolation, movement restrictions, retention or restriction of worker assets, and abuse of vulnerability and state authority may indicate coercion.⁷ The revised ILO guidelines strengthen methodologies for identifying non-internment state-imposed forced labor, allowing researchers to capture more accurately the complexities of systemic coercion in regions such as the Xinjiang Uyghur Autonomous Region (XUAR).⁸ [For more information on how the updated ILO framework addresses Uyghur forced labor, see Chapter 10—Xinjiang Uyghur Autonomous Region.]

Recent State Department Reporting on Human Trafficking Activities in China and Macau

The U.S. Department of State, through its annual Trafficking in Persons (TIP) report, documented continued⁹ shortcomings in the People's Republic of China (PRC) and Macau governments' efforts to combat human trafficking in recent years. The 2022 TIP report downgraded Macau to Tier 3¹⁰ in part because the Macau government did not identify or provide services to human trafficking victims, nor did it initiate any trafficking prosecutions.¹¹ As of June 2024, the U.S. State Department asserted that the Macau government had not convicted a trafficker since 2021 and has never identified a victim of forced labor, despite years of reports of human traffickers exploiting victims in Macau.¹² China remained at Tier 3 for the 2024 TIP report.¹³ The U.S. State Department noted that despite failing to meet minimum standards for eliminating trafficking and not making significant efforts to do so, the PRC government did take some steps to address the trafficking of women and children in 2024, including combating online scam operations and human trafficking involving PRC nationals in Southeast Asia and creating a new anti-trafficking group called the National Special Action Deployment Meeting.¹⁴ However, the PRC government allocated extensive resources toward the widespread forced labor of ethnic and

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religious minority groups and foreign nationals, particularly in the XUAR and Belt and Road Initiative host countries, under the guise of “deradicalization,” as well as “poverty alleviation” and “labor dispatch programs,” respectively.¹⁵

Forced Labor in the Seafood Industry

During this year’s reporting cycle, The Outlaw Ocean Project, a Washington D.C.-based human rights non-profit journalist organization,¹⁶ the *New Yorker*, and the Environmental Justice Foundation reported the presence of forced labor in the Chinese seafood industry.¹⁷

- **Forced labor onboard Chinese distant water fishing vessels.**¹⁸ In October 2023, reports revealed practices indicating forced labor onboard Chinese distant water fishing vessels, including deception, restriction of movement, isolation, physical violence, retention of identity documents, and abusive working and living conditions.¹⁹ The reporting also found cases of sickness and death due to neglect.²⁰ Between 2018 and 2022, the PRC government gave more than US\$17 million in subsidies to companies where at least 50 ships had “engaged in fishing crimes or had deaths or injuries onboard—at least some of which were likely the result of unsafe labor conditions.”²¹ The PRC government owns a majority of the country’s distant water fishing industry, including 20 percent of China’s squid ships.²² Furthermore, an April 2024 report found that individuals onboard Chinese distant water fishing vessels in the Southwest Indian Ocean between 2017 and 2023 were subjected to practices indicating forced labor.²³ The Chinese government encouraged Chinese distant water fishing companies to invest in the region.²⁴

- **Forced labor transfers in seafood processing.** Uyghurs and other individuals from the XUAR working in the seafood industry were subjected to forced labor transfers, surveillance, and patriotic education.²⁵ Individuals from the XUAR who resist participating in government-sponsored labor transfer programs may face reprisals from authorities.²⁶ Between 2018 and 2023, The Outlaw Ocean Project estimated that the U.S. Government spent more than US\$200 million on seafood from importers tied to Uyghur labor, for use in public schools, military bases, and federal prisons.²⁷

- **North Korean workers in Chinese seafood processing.** North Koreans dispatched to work in China-based factories producing seafood²⁸ were subjected to mistreatment including withholding of wages, excessive overtime, restriction of movement, intimidation and threats, physical and sexual violence, and abusive living and working conditions, which are practices that indicate forced labor.²⁹

U.S. law prohibits importing goods produced with forced labor.³⁰ Fishing catches by Chinese companies are difficult to trace, and companies known to subject crews to practices indicating forced labor were linked to seafood exports to the United States.³¹ Additionally, seafood produced by workers from North Korea and the XUAR were linked to companies that import seafood into the United

States.³² Under U.S. law, goods produced in the XUAR or by the labor of North Korean nationals are presumed to be tainted by forced labor.³³ Experts warned against relying on audits to certify that forced labor is not being used in seafood production, as auditors rely on government translators and rarely speak directly to workers, perhaps to avoid angering the companies that have hired them, and because of fears that workers will face reprisals for reporting abuses, among other factors.³⁴ They cited examples of victims of forced labor from North Korea and the XUAR who worked in factories that had been certified by auditing agencies.³⁵ In an October 2023 Commission hearing, Ian Urbina, director and founder of The Outlaw Ocean Project, described China as “the most opaque of settings, the most prone to illegal fishing practices, and . . . the most dependent on forced labor.”³⁶

Forced Labor in and from the Xinjiang Uyghur Autonomous Region

The forced labor of Uyghurs and other Turkic Muslims in and from the XUAR remained³⁷ a concern during the Commission’s 2024 reporting year:

- **Forced labor transfer programs to continue.** The PRC government continued to subject Uyghurs and other individuals to forced labor under coercive “labor transfer” programs that placed them in work settings in the XUAR and throughout China.³⁸ According to an analysis of government policy documents by scholar Adrian Zenz, “coercive XUAR employment and poverty alleviation policies are to continue at least through 2025. XUAR state and media sources document that these policies continue to be implemented.”³⁹
- **Mining industry in the XUAR linked to forced labor.** According to C4ADS, a non-profit research organization, and Global Rights Compliance, an international legal practice, PRC gold mining companies in the XUAR received labor transfers of Uyghur workers, “which are at high risk of being forced labor.”⁴⁰ XUAR-based gold mining companies were listed in investment, index, and retirement funds and were accredited by major accrediting organizations.⁴¹ Gold produced by these companies may also have entered the supply chains of major Western companies.⁴² According to a February 2024 report by Human Rights Watch (HRW), major aluminum companies, as well as coal companies supplying energy to aluminum companies, participated in forced labor transfer programs.⁴³ Nine percent of global aluminum is reportedly produced in the XUAR, and the HRW report found links between aluminum produced in the XUAR and global supply chains for cars and car parts.⁴⁴ The report asserted that the PRC government threatens reprisals and exerts pressure on carmakers for investigating links to XUAR, which has contributed to poor mapping of the supply chain for aluminum parts.⁴⁵
- **Audits are unreliable for detecting forced labor in and from the XUAR.** International brands have pointed to their use of audits to prove that their supply chains are not tainted by forced labor in and from the XUAR.⁴⁶ Witnesses at an April 2024 hearing held by the Commission, however, highlighted⁴⁷

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the continued unreliability of using audits to uncover instances of the forced labor of workers in and from the XUAR.⁴⁸ Indeed, some auditors themselves conceded that audits may be ineffective tools for ascertaining whether or not Uyghurs and other individuals in and from the XUAR are subjected to forced labor.⁴⁹

- **Products made with cotton from the XUAR entered the United States.** According to separate tests commissioned by U.S. Customs and Border Protection and conducted by isotope testing firm Stratum Reservoir and DNA lab Applied DNA Sciences, some cotton products that entered the United States showed traces of cotton produced in the XUAR.⁵⁰ 57 percent of the cotton products that tested positive for Xinjiang cotton “featured labels that claimed the origin of the merchandise was U.S.-only.”⁵¹ According to reporting from the *Sourcing Journal*, some of the products containing cotton from the XUAR may also have been imported into the United States under the de minimis threshold which “subjects them to less scrutiny even though they’re not exempt from the [Uyghur Forced Labor Prevention Act].”⁵²

Cross-Border Trafficking

During the Commission’s 2024 reporting year, China remained⁵³ both a source and destination country for human trafficking across international borders. Examples of cross-border trafficking during this reporting year include the following:

- **Forced marriage.** This past year, the Commission observed reports that found women from North Korea and Cambodia were trafficked in China for the purpose of forced marriage.⁵⁴ Reports indicate that these women were promised improved economic circumstances before being forced into marriage.⁵⁵ Decades of government-imposed birth limits combined with a traditional preference for sons have led to a sex ratio imbalance in China.⁵⁶ This imbalance has created a demand for marriageable women that may contribute to human trafficking for the purpose of forced marriage.⁵⁷ [For more information about the trafficking of North Korean women, see Chapter 15—North Korean Refugees in China. For more information about how family planning policies affect the sex ratio imbalance in China, see Chapter 9—Population Control.]

- **Chinese nationals forced to conduct international online scams.** Reporting from the United Nations and others found that scamming organizations in Southeast Asia forced individuals from China and other countries to work in compounds carrying out online scam operations targeting people around the world.⁵⁸ Victims were subjected to practices indicating forced labor including deception, isolation and restriction of movement, retention of identity documents, physical violence, debt bondage, and intimidation and threats.⁵⁹ In many cases, the scamming organizations were run by Chinese nationals.⁶⁰ In October 2023, it was reported that regional and Chinese authorities cracked down on thousands of people participating in the scams, but local elites and criminal networks continue to evade authorities.⁶¹

Domestic Trafficking

During this reporting year, the Commission continued⁶² to observe reports concerning cases of domestic human trafficking in China:

- **In March 2024, official Chinese media announced the launch of a new nationwide operation to combat the human trafficking of women and children in China.**⁶³ Due to the definition of trafficking under Chinese law, such reporting on child trafficking likely included cases of illegal adoption.⁶⁴
- **In Hong Kong, migrant domestic workers (MDWs) remained**⁶⁵ **at risk of exploitation.** Two regulations—one requiring MDWs to live with their employers (the live-in rule)⁶⁶ and another requiring them to leave Hong Kong within two weeks of contract termination⁶⁷—contributed to MDWs’ risk of exploitation.⁶⁸ Hong Kong-based news outlets reported that MDWs have been subjected to practices indicating forced labor such as deception, debt bondage, physical violence, withholding of wages, and excessive overtime.⁶⁹

CONCERN THAT DNA COLLECTED FROM UYGHURS
COULD BE USED FOR FORCED ORGAN REMOVAL

International experts continued⁷⁰ to raise concerns about the data collection of DNA samples of Uyghurs and other Turkic Muslim groups in the XUAR. In a March hearing held by the Commission, witnesses expressed concern that large-scale collection of the DNA of Uyghurs and others in the XUAR could be used to match organs for forced removal.⁷¹ According to testimony from Australian National University (Canberra) doctoral candidate Matthew Robertson, an analysis of PRC Public Security Bureau records suggests that over 200,000 detainees in two XUAR counties were targeted for involuntary DNA and blood sampling.⁷² Maya Mitalipova, Director of the Human Stem Cell Laboratory at Massachusetts Institute for Technology’s Whitehead Institute for Biomedical Research, asserted in her testimony before the Commission that the PRC government is investing billions of dollars to sequence the DNA of large ethnic minority populations in the XUAR and the Tibet Autonomous Region, and is acquiring DNA sequencing data internationally to build the world’s largest DNA database.⁷³

Notes to Chapter 10—Human Trafficking

¹United Nations Treaty Collection, Chapter XVIII, Penal Matters, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, accessed October 2, 2024, art. 12; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted by U.N. General Assembly resolution 55/25 of November 15, 2000, entry into force December 25, 2003, arts. 5.1, 9.1. China acceded to the Palermo Protocol on February 8, 2010. See also U.N. Human Rights Council, Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, Maria Grazia Giammarinaro, A/HRC/35/37, March 28, 2017, para. 14.

²International Labour Organization, “Ratifications of C029—Forced Labour Convention, 1930 (No. 29),” accessed May 7, 2024; International Labour Organization, ILO Convention (No. 29) Concerning Forced or Compulsory Labour, June 28, 1930, arts. 1, 2, 25. The Forced Labour Convention defines forced labor as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” As a signatory to the ILO Forced Labour Convention, China is required to prohibit the use of forced labor and make the use of forced labor “punishable as a penal offence.”

³International Labour Organization, “Ratifications of C105—Abolition of Forced Labour Convention, 1957 (No. 105),” accessed May 7, 2024; International Labour Organization, ILO Convention (No. 105) Concerning the Abolition of Forced Labour, January 17, 1959, art. 1(a), (e). The ILO’s Abolition of Forced Labour Convention prohibits China from using forced labor “as a means of political coercion or education” or “as a means of racial, social, national or religious discrimination.”

⁴International Labour Organization, “Hard to See, Harder to Count: Handbook on Forced Labour Surveys,” February 27, 2024, ix, 4.

⁵International Labour Organization, “Hard to See, Harder to Count: Handbook on Forced Labour Surveys,” February 27, 2024, 8–18.

⁶International Labour Organization, “Hard to See, Harder to Count: Handbook on Forced Labour Surveys,” February 27, 2024, 10–14.

⁷International Labour Organization, “Hard to See, Harder to Count: Handbook on Forced Labour Surveys,” February 27, 2024, 16, 18.

⁸Adrian Zenz, “Updated ILO Forced Labor Guidelines Directly Target Uyghur Forced Labor,” *China Brief*, Jamestown Foundation, April 14, 2024.

⁹Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2023 Trafficking in Persons Report: China,” June 2023; Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2023 Trafficking in Persons Report: Macau,” June 2023; Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2022 Trafficking in Persons Report,” July 2022, 170, 358.

¹⁰In the State Department’s tier list, the Tier 3 designation is applied to a country whose government does not “fully meet the [Trafficking Victims Protection Act]’s minimum standards and [is] not making significant efforts to do so.” Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “Trafficking in Persons Report,” June 2024.

¹¹Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2022 Trafficking in Persons Report,” July 2022, 358.

¹²Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2024 Trafficking in Persons Report: Macau,” June 2024.

¹³Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2024 Trafficking in Persons Report: China,” June 2024.

¹⁴Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2024 Trafficking in Persons Report: China,” June 2024.

¹⁵Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2024 Trafficking in Persons Report: China,” June 2024.

¹⁶Outlaw Ocean Project, “About,” accessed May 7, 2024.

¹⁷Ian Urbina, Outlaw Ocean Project, “Crimes on the Boats: A Fleet Prone to Captive Labor and Plunder,” October 9, 2023; Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; Ian Urbina, Outlaw Ocean Project, “Crimes at the Border: The North Koreans Behind Global Seafood,” February 25, 2024; Ian Urbina, “The Uyghurs Forced to Process the World’s Fish,” *New Yorker*, October 9, 2023; Environmental Justice Foundation, “Tide of Injustice: Exploitation and Illegal Fishing on Chinese Vessels in the Southwest Indian Ocean,” April 2024.

¹⁸For previous Commission reporting on Chinese distant-water fishing vessels and forced labor, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 186; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 199. Under international law, China has jurisdiction over distant-water fishing vessels flying Chinese flags. See United Nations Convention on the Law of the Sea, adopted by the Third U.N. Conference on the Law of the Sea on December 10, 1982, entry into force November 16, 1994, art. 94(2)(b), (3)(b), (6); United Nations Treaty Collection, Chapter XXI, Law of the Sea, United Nations Convention on the Law of the Sea, accessed May 2, 2024. China signed the Convention on the Law of the Sea on December 10, 1982, and ratified it on June 7, 1996.

¹⁹Ian Urbina, Outlaw Ocean Project, “Crimes on the Boats: A Fleet Prone to Captive Labor and Plunder,” October 9, 2023.

²⁰Ian Urbina, Outlaw Ocean Project, “Crimes on the Boats: A Fleet Prone to Captive Labor and Plunder,” October 9, 2023. A young Indonesian crew member, Daniel Aritonang, died after having shown signs of being beaten and suffering from severe malnourishment while working on a Chinese squid ship.

²¹ Ian Urbina, Outlaw Ocean Project, “Crimes on the Boats: A Fleet Prone to Captive Labor and Plunder,” October 9, 2023. See also Mark Godfrey, “China’s Coastal Cities Competing for Distant-Water Catch with Generous Subsidies,” *SeafoodSource*, January 26, 2022.

²² Ian Urbina, Outlaw Ocean Project, “Crimes on the Boats: A Fleet Prone to Captive Labor and Plunder,” October 9, 2023.

²³ Environmental Justice Foundation, “Tide of Injustice: Exploitation and Illegal Fishing on Chinese Vessels in the Southwest Indian Ocean,” April 2024, 25, 31–34, 36, 38–39. The indicators included deception, isolation, physical violence, intimidation and threats, retention of identity documents, abusive working and living conditions, and excessive overtime. International Labour Organization, “Hard to See, Harder to Count: Handbook on Forced Labour Surveys,” 2024, 8–18.

²⁴ Environmental Justice Foundation, “Tide of Injustice: Exploitation and Illegal Fishing on Chinese Vessels in the Southwest Indian Ocean,” April 2024, 21–23.

²⁵ Workers are placed in regimented environments under the watch of security personnel, with one advertisement aimed at factory owners stating that workers will be kept under “semi-military-style management.” The Outlaw Ocean Project asserts that many workers are subject to patriotic education; for example, minority workers from the Xinjiang Uyghur Autonomous Region have been photographed by a municipal agency at Yantai Sanko Fisheries studying a speech by Xi Jinping and learning about “the Party’s ethnic policy.” Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; Ian Urbina, “The Uyghurs Forced to Process the World’s Fish,” *New Yorker*, October 9, 2023.

²⁶ Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; Ian Urbina, “The Uyghurs Forced to Process the World’s Fish,” *New Yorker*, October 9, 2023. See also Office of the U.N. High Commissioner for Human Rights, OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China, August 31, 2022, paras. 124–28.

²⁷ Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; Ian Urbina, “The Uyghurs Forced to Process the World’s Fish,” *New Yorker*, October 9, 2023.

²⁸ Ian Urbina, Outlaw Ocean Project, “Crimes at the Border: The North Koreans Behind Global Seafood,” February 25, 2024.

²⁹ Ian Urbina, Outlaw Ocean Project, “Crimes at the Border: The North Koreans Behind Global Seafood,” February 25, 2024. For an additional example of North Korean workers subjected to practices indicating forced labor, see Pete Pattison, Ifang Bremer, and Annie Kelly, “UK Sourced PPE from Factories Secretly Using North Korean Slave Labour,” *Guardian*, November 20, 2020.

³⁰ Tariff Act of 1930, 19 U.S.C. § 1307.

³¹ Ian Urbina, Outlaw Ocean Project, “Crimes on the Boats: A Fleet Prone to Captive Labor and Plunder,” October 9, 2023; Environmental Justice Foundation, “Tide of Injustice: Exploitation and Illegal Fishing on Chinese Vessels in the Southwest Indian Ocean,” April 2024, 46–47.

³² Ian Urbina, Outlaw Ocean Project, “Crimes on the Boats: A Fleet Prone to Captive Labor and Plunder,” October 9, 2023; Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; Ian Urbina, Outlaw Ocean Project, “Crimes at the Border: The North Koreans Behind Global Seafood,” February 25, 2024.

³³ Uyghur Forced Labor Prevention Act (Public Law 117-78); Countering America’s Adversaries Through Sanctions Act (Public Law 115-44) Section 302A. See also U.S. Customs and Border Protection, “CBP Issues Region-Wide Withhold Release Order on Products Made by Slave Labor in Xinjiang,” January 13, 2021; U.S. Customs and Border Protection, “CBP Enforces Countering America’s Adversaries Through Sanctions Act,” December 27, 2022.

³⁴ Ian Urbina, Outlaw Ocean Project, “Crimes at the Border: The North Koreans Behind Global Seafood,” February 25, 2024; Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023.

³⁵ Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; Ian Urbina, Outlaw Ocean Project, “Crimes at the Border: The North Koreans Behind Global Seafood,” February 25, 2024.

³⁶ *From Bait to Plate—How Forced Labor in China Taints America’s Seafood Supply*, Hearing of the Congressional-Executive Commission on China, 118th Cong. (2024) (testimony of Ian Urbina, Director and Founder of The Outlaw Ocean Project).

³⁷ Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 188–89; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 201–3.

³⁸ See e.g., Shohret Hoshur and Mary Zhao, “Facing Abuse, Teenage Uyghur Girls are Forced to Work in a Xinjiang Garment Factory,” *Radio Free Asia*, July 15, 2023; Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; Adrian Zenz, “Forced Labor in the Xinjiang Uyghur Autonomous Region: Assessing the Continuation of Coercive Labor Transfers in 2023 and Early 2024,” *China Brief*, Jamestown Foundation, February 14, 2024; Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 247–48; 308–9.

³⁹ Adrian Zenz, “Forced Labor in the Xinjiang Uyghur Autonomous Region: Assessing the Continuation of Coercive Labor Transfers in 2023 and Early 2024,” *China Brief*, Jamestown Foundation, February 14, 2024.

⁴⁰ C4ADS, “Fractured Veins: The World’s Reliance on Minerals from the Uyghur Region,” October 11, 2023, 17, 25, 33; C4ADS, “C4ADS & GRC Share New Update to Our 2023 Fractured Veins Investigation,” April 11, 2024; Global Rights Compliance, “About Us.”

⁴¹ C4ADS, “Fractured Veins: The World’s Reliance on Minerals from the Uyghur Region,” October 11, 2023, 30, 32.

⁴² C4ADS, “Fractured Veins: The World’s Reliance on Minerals from the Uyghur Region,” October 11, 2023, 25–26.

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⁴³Human Rights Watch, “Asleep at the Wheel: Car Companies’ Complicity in Forced Labor in China,” February 2024, 3, 43, 49–50.

⁴⁴Human Rights Watch, “Asleep at the Wheel: Car Companies’ Complicity in Forced Labor in China,” February 2024, 26, 51. See also Laura T. Murphy et al., Helena Kennedy Centre for International Justice, Sheffield Hallam University, “Driving Force: Automotive Supply Chains and Forced Labor in the Uyghur Region,” December 2022.

⁴⁵Human Rights Watch, “Asleep at the Wheel: Car Companies’ Complicity in Forced Labor in China,” February 2024, 1.

⁴⁶Ian Urbina, Outlaw Ocean Project, “Crimes along the Coast: The Uyghurs Forced to Process the World’s Fish,” October 9, 2023; “Volkswagen-Commissioned Audit Finds No Signs of Forced Labor at Plant in China’s Xinjiang Region,” *Associated Press*, December 6, 2023.

⁴⁷*Factories and Fraud in the PRC: How Human Rights Violations Make Reliable Audits Impossible, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2024) (testimony of Thea M. Lee, Deputy Undersecretary of Labor for International Affairs, U.S. Department of Labor); *Factories and Fraud in the PRC: How Human Rights Violations Make Reliable Audits Impossible, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2024) (testimony of Scott Nova, Executive Director, Worker Rights Consortium); *Factories and Fraud in the PRC: How Human Rights Violations Make Reliable Audits Impossible, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2024) (testimony of Dr. Adrian Zenz, Senior Fellow and Director in China Studies, Victims of Communism Memorial Foundation); *Factories and Fraud in the PRC: How Human Rights Violations Make Reliable Audits Impossible, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2024) (testimony of Jim Wormington, Senior Researcher and Advocate on Corporate Accountability, Human Rights Watch).

⁴⁸*Factories and Fraud in the PRC: How Human Rights Violations Make Reliable Audits Impossible, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2024); Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 260; Congressional-Executive Commission on China, *2021 Annual Report* (Washington: March 2022), 215.

⁴⁹Outlaw Ocean Project, “Supplier Ethical Data Exchange (Sedex),” July 20, 2023; Finbarr Bermingham, “Staff of Firm That Cleared Volkswagen on Xinjiang Labour Faults Audit Process,” *South China Morning Post*, December 15, 2023; Human Rights Watch, “Asleep at the Wheel: Car Companies’ Complicity in Forced Labor in China,” February 2024, 7.

⁵⁰Arriana McLymore, “Banned Chinese Cotton Found in 19% of US and Global Retailers’ Merchandise, Study Shows,” *Reuters*, May 7, 2024; Katherine Masters, “Exclusive: US Customs Finds Garments Made with Banned Chinese Cotton,” *Reuters*, September 1, 2023.

⁵¹Arriana McLymore, “Banned Chinese Cotton Found in 19% of US and Global Retailers’ Merchandise, Study Shows,” *Reuters*, May 7, 2024.

⁵²Jasmin Malik Chua, “‘Significant’ Volume of Xinjiang Cotton Mislabeled as US or Brazilian,” *Sourcing Journal*, May 10, 2024. The de minimis threshold allows vendors to send shipments without having to report basic data if the value is under US\$800. Tariff Act of 1930, 19 U.S.C. § 1321. See also Richard Vanderford, “Imports Under Closely Watched U.S. Trade ‘Loophole’ Surge,” *Wall Street Journal*, March 1, 2024.

⁵³For information on cross-border trafficking to and from China in previous reporting years, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 185; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 199; Congressional-Executive Commission on China, *2021 Annual Report* (Washington: March 2022), 164–5.

⁵⁴Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2024 Trafficking in Persons Report: China,” June 2024; Kim Yutharo, “Cambodian Teenage Bride Victim of Human Trafficking to China on Way Home,” *Phnom Penh Post*, reprinted in *Asia News Network*, March 12, 2024. See also Jesse Yeung and Yoonjung Seo, “She Fled North Korea but Was Sold to a Man in China. Her Second Escape Came Nearly 20 Years Later,” CNN, March 8, 2024; Visalaakshi Annamalai, “China’s Demand for Brides Draws Women from Across Southeast Asia—Sometimes by Force,” *Migration Policy Institute*, January 30, 2024; Seo Hye Jun, “He Told Me That If I Ran Away He Would Report Me to the Chinese Police,” *Radio Free Asia*, August 4, 2023; William Gallo, “Activists Slam China After Alleged Forced Repatriation of North Koreans,” *Voice of America*, October 13, 2023.

⁵⁵Kim Yutharo, “Cambodian Teenage Bride Victim of Human Trafficking to China on Way Home,” *Phnom Penh Post*, March 12, 2024, reprinted in *Asia News Network*, May 1, 2024. See also Jesse Yeung and Yoonjung Seo, “She Fled North Korea but Was Sold to a Man in China. Her Second Escape Came Nearly 20 Years Later,” CNN, March 8, 2024; Seo Hye Jun, “He Told Me That If I Ran Away He Would Report Me to the Chinese Police,” *Radio Free Asia*, August 4, 2023.

⁵⁶Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2024 Trafficking in Persons Report: China,” June 2024; “China’s Low-Fertility Trap,” *Economist*, March 21, 2024; Mengjun Tang and Jiawei Hou, “Changes of Sex Ratio at Birth and Son Preferences in China: A Mixed Method Study,” *China Population and Development Studies*, May 20, 2024; Xia Chong and Zhao Nan, “男男男男男男男! 幼儿园全是小男孩, 中国的新生儿性别比究竟怎么了?” [Boy, boy, boy, boy, girl, boy, boy! The kindergarten is filled with little boys, what’s going on with the gender ratio of newborns in China?], *Phoenix News*, October 24, 2023.

⁵⁷Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2024 Trafficking in Persons Report: China,” June 2024; Visalaakshi Annamalai, “China’s Demand for Brides Draws Women from Across Southeast Asia—Sometimes by Force,” *Migration Policy Institute*, January 30, 2024; Jesse Yeung and Yoonjung Seo, “She Fled North Korea but Was Sold to a Man in China. Her Second Escape Came Nearly 20 Years Later,” CNN, March 8, 2024.

⁵⁸U.N. Office of Drugs and Crime, “Casinos, Cyber Fraud, and Trafficking in Persons for Forced Criminality in Southeast Asia,” September 2023; Office of the United Nations High Commissioner for Human Rights, “Online Scam Operations and Trafficking into Forced Criminality in Southeast Asia: Recommendations for a Human Rights Response,” August 26, 2023, 7; Isabelle Qian, “7 Months Inside an Online Scam Labor Camp,” *New York Times*, December 17, 2023; Huizhong Wu, “China Crackdown on Cyber Scams in Southeast Asia Nets Thousands but Leaves Networks Intact,” *Associated Press*, October 23, 2023.

⁵⁹U.N. Office of Drugs and Crime, “Casinos, Cyber Fraud, and Trafficking in Persons for Forced Criminality in Southeast Asia,” September 2023; Isabelle Qian, “7 Months Inside an Online Scam Labor Camp,” *New York Times*, December 17, 2023.

⁶⁰Huizhong Wu, “China Crackdown on Cyber Scams in Southeast Asia Nets Thousands but Leaves Networks Intact,” *Associated Press*, October 23, 2023. For reports linking scamming to the influx of Chinese state-sponsored investment to Southeast Asia through the Belt and Road Initiative see, e.g., Lewis Sanders IV et al., “How Chinese Mafia Are Running a Scam Factory in Myanmar,” *Deutsche Welle*, January 30, 2024; China Labor Watch, “The Aftermath of the Belt and Road Initiative: Human Trafficking in Cambodia,” August 19, 2022; USIP Senior Study Group on Transnational Organized Crime in Southeast Asia, “Transnational Crime in Southeast Asia: A Growing Threat to Global Peace and Security,” *United States Institute of Peace*, May 13, 2024.

⁶¹Huizhong Wu, “China Crackdown on Cyber Scams in Southeast Asia Nets Thousands but Leaves Networks Intact,” *Associated Press*, October 23, 2023.

⁶²Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 186–87; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 199–201.

⁶³“China Launches Nationwide Crackdown on Trafficking of Women, Children,” *Xinhua*, March 19, 2024; Yang Zekun, “Crackdown Targets Women, Child Trafficking,” *China Daily*, March 20, 2024. See also “Chinese Railway Police Rescue More Than 300 Abducted Women and Minors in 2023,” *Global Times*, reprinted in *People’s Daily*, January 4, 2024.

⁶⁴The PRC Criminal Law defines trafficking as “abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling [the victim].” The illegal sale of children for adoption thus can be considered trafficking under Chinese law. In contrast, under the Palermo Protocol, illegal adoptions constitute trafficking only if the purpose is exploitation. 中华人民共和国刑法 [PRC Criminal Law], passed July 1, 1979, revised March 14, 1997, amended December 29, 2023, effective March 1, 2024, art. 240; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted by U.N. General Assembly resolution 55/25 of November 15, 2000, entry into force December 25, 2003, art. 3(a). See also U.N. General Assembly, Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the Work of Its First to Eleventh Sessions, Addendum, Interpretive Notes for the Official Records (*Travaux Préparatoires*) of the Negotiation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto, A/55/383/Add.1, November 3, 2000, para. 66.

⁶⁵For information on human trafficking in Hong Kong from previous reporting years see, e.g., Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 187; Congressional-Executive Commission on China, *2021 Annual Report* (Washington: March 2022), 168.

⁶⁶Immigration Department, Hong Kong Special Administrative Region Government, “Employment Contract for a Domestic Helper Recruited from Outside Hong Kong,” accessed September 30, 2024, item 3.

⁶⁷Immigration Department, Hong Kong Special Administrative Region Government, “從外國受聘來港家庭傭工簽證 / 延長逗留期限申請表” [Visa/Extension of stay application form for domestic helpers coming to Hong Kong from abroad], May 2023, sec. 6(vi).

⁶⁸Stop Trafficking of People, Branches of Hope, “A Pathway to Justice or a Road to Nowhere: Trafficked Migrants’ Experience of Seeking Justice in Hong Kong,” May 2023; Peter Yeung, “Tools More than Humans: HK Domestic Workers Fight for Rights,” *Al Jazeera*, May 1, 2013; U.N. Committee on Economic, Social and Cultural Rights, Concluding Observations on the Third Periodic Report of China, Including Hong Kong, China, and Macao, China, adopted by the Committee at its 30th Meeting (March 3, 2023), E/C.12/CHN/CO/3, March 22, 2023, art. 111. In March 2023, the U.N. Committee on Economic, Social and Cultural Rights recommended that the Hong Kong government “amend the two-weeks rule and the live-in requirement” to enable migrant domestic workers to enjoy their full rights. See also U.N. Human Rights Committee, Concluding Observations on the Fourth Periodic Report of Hong Kong, China, adopted by the Committee at its 3912th Session (July 22, 2022), CCPR/C/CHN-HKG/CO/4, November 11, 2022, art. 31.

⁶⁹Connor Mycroft, “No One to Help: Sri Lankan Migrant Workers in Hong Kong Lack Support, Face Exploitation and Abuse, NGOs Say,” *South China Morning Post*, January 28, 2024; Candice Chau, “Excessive Agency Fees Costing Some Hong Kong Migrant Domestic Workers Over HK\$19,000, Union Says,” *Hong Kong Free Press*, July 19, 2023; Trevor Tang, “Domestic Workers Slam Lack of Action on Abuse, Exploitation,” *Standard*, July 17, 2023; International Labour Organization, “Hard to See, Harder to Count: Handbook on Forced Labour Surveys,” 2024, 8–18.

⁷⁰Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 250, 310; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 231; Congressional-Executive Commission on China, *2018 Annual Report* (Washington: October 2018), 249, 278.

⁷¹*Stopping the Crime of Organ Harvesting—What More Must Be Done?*, Hearing of the Congressional-Executive Commission on China, 118th Cong. (2024) (testimony of Maya Mitalipova, Director of the Human Stem Cell Laboratory at the Whitehead Institute for Biomedical Research, Massachusetts Institute of Technology); *Stopping the Crime of Organ Harvesting—What More*

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⁷²*Stopping the Crime of Organ Harvesting—What More Must Be Done?*, *Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2024) (testimony of Matthew Robertson, Doctoral candidate, Australian National University (Canberra) and co-author, “Execution by Organ Procurement: Breaching the Dead Donor Rule in China,” *American Journal of Transplantation*).

⁷³*Stopping the Crime of Organ Harvesting—What More Must Be Done?*, *Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2024) (testimony of Maya Mitalipova: Director of the Human Stem Cell Laboratory at the Whitehead Institute for Biomedical Research, Massachusetts Institute of Technology). See also Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 289; Congressional-Executive Commission on China, *2018 Annual Report* (Washington: October 2018), 8, 108, 199, 230, 249, 278.

VII. Worker Rights

WORKER RIGHTS

Findings

- The recorded number of strikes and labor protests in the People's Republic of China (PRC) increased in 2023 for the first time since the peak of a “strike wave” that ended in 2016. The increase can primarily be attributed to the demand for money owed for back wages. A slowing economy has led to factory closures, causing bosses to leave without paying out back wages. This has contributed to a tenfold increase in the number of factories that experienced strikes between 2022 and 2023. Construction workers were denied pay as a tightening in the housing market led to the closure of or slowdown of work at construction sites. Police continued to suppress strike activity after being called in to disrupt at least 181 strikes in 2023.
- China's repression against labor rights activists has continued. In June of 2024 a court in Guangzhou municipality, Guangzhou province sentenced labor rights activist **Wang Jianbing** to three years and six months in prison. Additionally, in the first half of 2023, police were called in to 82 strikes, and detained workers at 7 of the strikes. The continued harassment of whistleblowers such as **Lu Yuyu** and **Tang Mingfeng**, even after their release from prison, highlighted the difficulties faced by those who try to tell the truth about labor conditions in China.
- A system of normalized forced overtime among white-collar workers persisted despite China officially having an eight-hour workday, with the workweek not allowed to exceed 44 hours. In the technology industry, workers are expected to participate in an overtime practice referred to as “996,” from 9 a.m. to 9 p.m., six days a week. This overtime practice dovetails with age discrimination, as workers over 35 are perceived as unable to handle these long hours and are therefore subject to hiring discrimination.
- Inequality continues to be systematized through the *hukou* or household registration system. Urban *hukou* holders continue to be able to access considerably more benefits than rural *hukou* holders and migrant workers. In December 2023, the World Bank released a report that documented the unequal treatment of rural and urban residents when it comes to access to pensions sufficient to maintain a worker during retirement.
- The PRC continues to deny its workers the right to unionize. The official, party-controlled union, the All-China Federation of Trade Unions (ACFTU), continues to be the sole representative of workers. In 2023, the ACFTU held its 18th Congress, during which it signaled further consolidation and centralization under the leadership of Party General Secretary Xi Jinping.

WORKER RIGHTS

Introduction

During the 2024 reporting year, the Commission observed the suppression of internationally recognized worker rights in China, as they pertain to wage workers, salaried workers, and workers paid piece rates. In 2023, strikes were at their highest number since 2016, even as the government continues to crack down on labor rights activity and labor activists. The inequalities of the *hukou* system continued to plague rural workers and migrant workers. Recent research confirmed ongoing labor abuses in the electronics sector. The 18th National Congress of China's Communist Party-led labor union, the All-China Federation of Trade Unions (ACFTU), signaled a shift in policy that is unlikely to address workers' concerns. Continued abuses in the gig worker economy as well as excessive and uncompensated overtime were documented by both activists and workers.

Worker Strikes and Protests

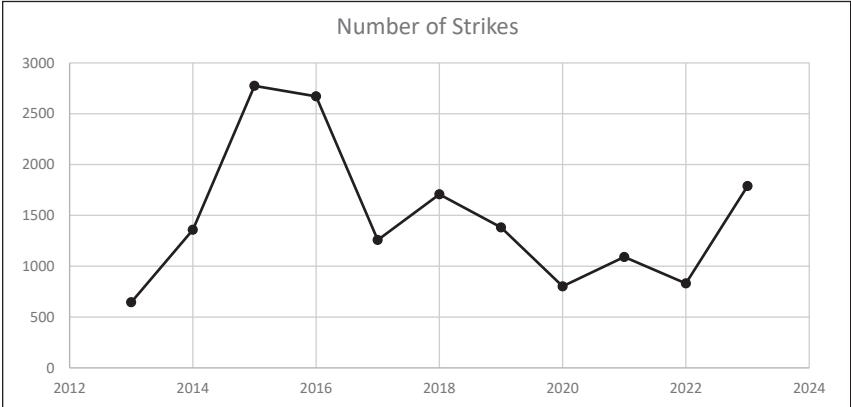
STRIKES AND LABOR PROTESTS INCREASE DESPITE CONTINUED SUPPRESSION

The right to strike has “in effect become part of customary international law,” and “is an intrinsic corollary of the fundamental right of freedom of association,”¹ a freedom protected by Article 35 of China's Constitution.² Though striking is not formally prohibited in China, workers have been prosecuted for participating in strikes, often under the criminal charge of “disturbing public order” or “picking quarrels and provoking trouble.”³ Authorities detained workers in 7 work-related protests and strikes, out of the 181 reported labor actions where public security personnel were called in throughout 2023.⁴ China Labour Bulletin (CLB), a Hong Kong-based nongovernmental organization (NGO) that compiles data on worker actions collected from traditional news sources and social media, reported that in the first half of 2023 police were called in to face striking workers 82 times, a significant increase from the 49 instances in the previous year, with 7 of those instances resulting in the detention of workers.⁵ CLB cautions that their reporting on the resolution of strikes is incomplete given difficulties with the availability of information.⁶ CLB estimates that its database only collects roughly 5 to 10 percent of all incidents.⁷ The Chinese government does not publicly report on the number of worker strikes and protests, making it difficult to obtain comprehensive information on worker actions.⁸ Rights organizations, however, documented an increase in labor actions during this reporting year.⁹

CLB found that the total number of strikes and labor actions recorded in 2023 in China surpassed the number recorded per year over the previous five years,¹⁰ with the trend of increased labor actions continuing into the first quarter of 2024.¹¹ In other words, in 2023, strike actions exceeded levels that were recorded previous to and during the COVID-19 pandemic, though they have not reached the levels recorded during China's last “strike wave” that ended in 2016.¹² The year 2016 was the last time that CLB recorded a

number higher than 2023's 1,789 strikes, when the organization recorded 2,671 strikes on its Strike Map.¹³ A China labor rights expert speculated that the drop in reported labor actions after 2016 may be linked to increased internet censorship and the detention of two labor rights activists who had been chronicling labor actions.¹⁴ Freedom House's *China Dissent Monitor* (CDM) also documented an uptick in labor related unrest in 2023.¹⁵ The number of labor strikes and protests in the fourth quarter of 2023 was more than three times the number from the same quarter in 2022, with CDM recording a total of 607 labor actions in the fourth quarter of 2023 compared to 182 during the same period in 2022.¹⁶ There has long been an uptick in strike activity around the Lunar New Year, as workers seek to return home with their earnings.¹⁷ The number of protests over unpaid wages that took place before the Lunar New Year doubled in 2024.¹⁸

NUMBER OF STRIKES PER YEAR 2013–2023¹⁹



Data from China Labour Bulletin. Graph by CECC.

Labor Actions by Sector

WORKER STRIKES AND OTHER LABOR ACTIONS BY SECTOR BASED ON CHINA LABOUR BULLETIN'S (CLB) STRIKE MAP²⁰

Year	Manufacturing	Construction	Logistics & Transportation	Services	Other	Total Number Documented
2023	24% (438)	53% (945)	6% (115)	12% (208)	5% (88)	1,789
2022	4.5% (37)	48% (399)	21.5% (179)	21% (174)	4.9% (41)	830
2021	6.0% (66)	38.4% (420)	33.6% (368)	14.4% (158)	7.5% (82)	1,094
2020	10.9% (87)	44.8% (358)	19.5% (156)	18% (144)	6.9% (55)	800
2019	13.8% (191)	42.8% (593)	12.3% (171)	23.0% (319)	8.0% (111)	1,385

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- **Construction workers.** The construction industry saw the largest number of strikes and protests, accounting for 53 percent of those documented by CLB.²¹ The financial troubles in China's real estate sector have tightened budgets in the construction industry and caused construction companies to pause their operations, leaving many workers with unpaid back wages and without adequate work.²² *Bloomberg* reported that construction workers and homeowners who have protested against the property companies for pausing construction and not paying wages complain of having been put under police surveillance.²³
- **Manufacturing workers.** The manufacturing industry saw the second-highest number of strikes, with 24 percent of the total, a more than tenfold increase compared to 2022.²⁴ Labor researchers Simon Han and Jessica Song attribute the uptick in workers' response to a rise in the number of factory closures and employers' attempts to stealthily move factories without paying legally mandated severance, a practice that is referred to on Douyin, the Chinese version of TikTok, as "bosses running away."²⁵
- **Auto workers.** This reporting year has also seen the highest number of strikes in the auto industry since 2015.²⁶ Competition among Electric Vehicle (EV) producers, coupled with the elimination of subsidies for EV production, as well as lowered profits, has led many EV companies, especially lower-tier EV companies, to halt production and withhold wages and benefits from workers.²⁷ In higher-tier factories, workers' wages dropped while their workload increased, leading to widespread dissatisfaction.²⁸ At the same time, many lower-tier factories shut down, leading to protests and labor actions over back pay.²⁹
- **Transportation workers.** In 2023, there were also numerous labor actions involving taxi drivers and other parts of the transportation and logistics sector.³⁰ Taxi drivers' grievances have included competition with ride-hailing services, high gas prices, low base fares, and the right to manage and own their own taxis.³¹ Officially mandated upgrades, such as a transition to EVs, have also driven discontent.³²

Continued Suppression of Labor Rights Advocates

During this reporting year, the Commission continued to observe the PRC authorities' suppression of worker representation and independent labor advocacy, which has left little space for workers to organize, express their grievances, or negotiate satisfactory remedies.³³ On June 14, 2024, the Guangzhou Municipal People's Court in, Guangzhou municipality, Guangdong province, sentenced **Wang Jianbing**,³⁴ a labor rights advocate, to three years and six months in prison, a fine of 50,000 yuan (US\$6,900), and three years' deprivation of political rights on the charge of "inciting subversion of state power."³⁵ The U.N. Working Group on Arbitrary Detention had previously deemed Wang to be arbitrarily detained.³⁶ According to a June 2024 article from the *Washington Post*, Wang's detention is one of several examples of the PRCs growing crackdown on individuals who have participated in peaceful activism in China's civil society.³⁷

The case of **Lu Yuyu**³⁸ illustrates the ongoing forms of harassment and intimidation of labor rights advocates following their release from detention, a condition that has been referred to as “non-release release.”³⁹ Authorities in Dali Bai Autonomous Prefecture, Yunnan province, detained Lu Yuyu in June 2016 and subsequently sentenced him to four years in prison in connection with his efforts to document the activities of striking workers.⁴⁰ A May 2024 *Wall Street Journal* article detailed instances of PRC authorities harassing him after his release in 2020, including pressuring his landlord to ask him to move and preventing him from leaving the country by imposing an exit ban and restricting him from successfully obtaining a passport.⁴¹ In May 2023, Lu secretly left China by traveling through Laos and Thailand.⁴²

Additionally, a December 2023 *Financial Times* piece highlighted the difficulties faced by Chinese whistleblower **Tang Mingfang**,⁴³ who exposed the use of illegal labor practices at a Foxconn factory producing Amazon products in Hengyang municipality, Hunan province.⁴⁴ Authorities detained him in 2019 after he reported the abuse to the U.S.-based labor rights NGO China Labor Watch (CLW), and a district court in Hengyang subsequently sentenced him to two years in prison for allegedly “leaking confidential company information.”⁴⁵ Since his release in 2021, Tang’s job prospects have been limited and his efforts to appeal his case have been stymied because domestic lawyers are reportedly hesitant to take on his case due to its political sensitivity.⁴⁶

Hukou System Continues to Exacerbate Migrant Worker Precarity

During this reporting year, China’s slowing economy reduced opportunities for migrant workers and exacerbated the inequalities of the *hukou*, or household registration system.⁴⁷ The *hukou* system creates a separate and unequal labor scheme that deprives rural residents and migrant workers of rights enjoyed by those who possess an urban *hukou*.⁴⁸ This is because one’s *hukou* determines whether they will have access to a full set of benefits, including healthcare and education for their children.⁴⁹ An expert on market reform in China referred to the modern *hukou* system as “apartheid with Communist Party characteristics,” because of the ways that government-issued *hukou* bifurcates the labor force.⁵⁰ The Commission observed reports of continued bifurcation between urban and rural *hukou* holders, despite attempts at reform.⁵¹

The right to equality before the law is codified in both Chinese and international law.⁵² In China, however, the household registration system dictates that people’s access to legally defined⁵³ rights and privileges is linked to the *hukou* that they hold.⁵⁴ One is granted a *hukou* based on their place of birth or their parents’ place of birth.⁵⁵ Though it is possible to change one’s *hukou*, the system is rigid and often makes it nearly impossible for ordinary migrant workers to acquire a *hukou* in the cities in which they dwell.⁵⁶

A December 2023 report by the World Bank documented the enduring effects of the *hukou* system on those with urban *hukou* and those with rural *hukou*, many of whom reside in urban areas.⁵⁷ In 2022, 86 percent of workers paid into one of two pension schemes.⁵⁸ According to the World Bank, urban workers in the private sector

are required to participate in the Urban Worker Pension Scheme (UWPS), while the Rural-Urban Resident Scheme (RURS) is voluntary and covers rural migrants and others.⁵⁹ Roughly half of workers who contributed to a pension scheme contributed to the UWPS, which pays out on average 3,605 yuan (approximately US\$500) per month, which is about 41 percent of an average urban worker’s salary, or roughly on par with the rate paid by average retirement plans in the U.S. and Canada.⁶⁰ The RURS, however, pays on average 205 yuan (approximately US\$30) per month, 12 percent of a rural resident’s income, an amount lower than China’s poverty line.⁶¹

In May 2024, *Reuters* published an investigation into the lives of elderly workers in the PRC who do not earn enough through their pensions to survive and cannot rely on children to pay for their living expenses.⁶² The investigation found that people with a rural *hukou* living in urban areas, who cannot survive on their very low rural pensions, work past retirement age, collect recyclable waste for small sums a day, or work 13-hour shifts in a shopping mall.⁶³ *NPR* reporters found similar stories when they interviewed older construction workers who lived in urban areas but held a rural *hukou*.⁶⁴ Though the interviewees had lived and worked in Beijing and the surrounding areas for decades, they had not been able to save for retirement.⁶⁵ The interviewees belonged to a generation of migrant construction workers who moved to cities with dreams of becoming part of the middle class and who have in many cases been left disappointed.⁶⁶

**Violations of Labor Rights in the Supply Chains
of Consumer Electronics**

During the 2024 reporting year, the Commission observed reports by CLW detailing evidence of abuse and labor rights violations in the supply chains of major consumer electronic products. Chinese factories investigated by CLW include:

- **Foxconn in Chengdu municipality, Sichuan province.** CLW conducted an on-site investigation of this Foxconn factory in Apple’s supply chain in June and July of 2023.⁶⁷ The in-depth investigation revealed illegal use of dispatch workers, bullying, sexual harassment, and mandatory overtime.⁶⁸
- **Pegatron Corporation in Kunshan city, Suzhou municipality, Jiangsu province.** Investigations into Apple’s second-largest Chinese supplier revealed the illegal use of dispatch workers, bullying, sexual harassment, and excessive use of overtime.⁶⁹ CLW conducted similar investigations in 2013 into three Pegatron factories, in Suzhou municipality, Jiangsu province, and Shanghai municipality,⁷⁰ and in 2015 into another Pegatron factory in Shanghai municipality.⁷¹ The 2023 investigation revealed no significant improvements in conditions since CLW’s first investigations a decade ago, calling into question Apple’s promises with regard to labor rights in their supply chains.⁷²

**Violations of Labor Rights in the Supply Chains
of Consumer Electronics—Continued**

- **BOE in Hefei municipality, Anhui province.** BOE Technology Group Co., Ltd.'s factory in Hefei, which supplies Dell, Lenovo, Huawei, and HP, was also the subject of an investigation by CLW.⁷³ CLW found hiring discrimination, illegal use of student interns, and excessive overtime.⁷⁴
- **Foxconn in Zhengzhou municipality, Henan province.** CLW also investigated Foxconn Zhengzhou, which processes and assembles approximately 70 percent of the global supply of iPhones. CLW found hiring discrimination, illegal overtime, and illegal use of student interns, among other labor violations.⁷⁵
- **Jabil Circuit Electronics Co., Ltd. in Guangzhou municipality, Guangdong province.** In the Jabil Circuit plant in Guangzhou that supplies HP, BMW, GoPro, and Tesla, CLW found hiring discrimination, excessive working hours and mandatory overtime for dispatch workers.⁷⁶
- **Foxconn in Taiyuan municipality, Shanxi province.** Foxconn Precision Industry Taiyuan Co., Ltd., which produces iPhones as well as BMW parts, discriminated in hiring and required excessive work hours, according to CLW.⁷⁷

CLW's investigations used posts made on the internet as a valuable source of documentation for both working conditions and incriminating language in job announcements.⁷⁸

*All-China Federation of Trade Unions: Rhetoric Emphasizes
Nationalism over Worker Rights*

The Chinese Communist Party-led All-China Federation of Trade Unions (ACFTU) remains the only trade union organization permitted to represent worker rights under Chinese law.⁷⁹ Categorized as a “mass organization,” the ACFTU acts as an intermediary organization between the Party and workers⁸⁰ and is required to adhere to the leadership of the Party.⁸¹ The ACFTU has been criticized for not effectively representing workers' rights to employers⁸² and aligning itself with enterprise management rather than workers.⁸³

The 18th National Congress of the ACFTU was held in October 2023.⁸⁴ According to observers, Chinese state media coverage of the congress signaled that the ACFTU would be centering the Party's leadership and the “great rejuvenation of the Chinese people,”—a noticeable messaging shift from previous years, when rhetoric at the congress highlighted the centrality of workers' leadership in the Party.⁸⁵ Experts from China Media Project speculated that this is likely a sign of further marginalization of workers' demands, leaving an avenue for continued labor rights abuse.⁸⁶

Worker Rights in the Gig Economy

According to research cited by a state-run media outlet, one-fifth of China's workforce works in the gig economy, around 200 million people.⁸⁷ Official media describes employment in the gig economy, including work as food delivery drivers, live-streamers, couriers, and drivers for ride-hailing services, as “flexible employment.”⁸⁸ Many of

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these workers are subject to violations of international labor standards with regard to access to fair pay, employment contracts and agreements, pensions, and other insurance categories.⁸⁹ Around 40 percent of gig work in China takes place through outsourcing, meaning that gig workers are tied to a particular agency and distribution point.⁹⁰ Gig work involving driving also takes place through crowdsourcing where the driver has full autonomy over location and timing, their only relationship with the employer being virtual.⁹¹ During the reporting year, Chinese labor specialists argued that “strikes by outsourced couriers are surprisingly frequent but largely invisible to outsiders.”⁹² CLB documented seven strikes in 2023 that were launched by gig workers who drove for the platform Huolala.⁹³

996, Excessive Overtime, and Age Discrimination

Excessively long work hours continued to be a concern this reporting year, as underscored in part by multiple fatalities of young people that may be attributed to overwork. The Commission’s 2022 Annual Report documented long working hours among gig workers like food delivery workers and the tech sector’s white-collar employees, noting that public concern about the consequences of excessive overtime is widespread in China.⁹⁴ Article 36 of the PRC Labor Law provides that the workday should not exceed 8 hours and that the workweek may not exceed on average 44 hours per week.⁹⁵ Nevertheless, China’s white-collar tech industry is known for its “996” working hours, which refers to working 9 a.m. to 9 p.m., six days a week.⁹⁶

Beyond excessive and uncompensated overtime, “996” is associated with age discrimination.⁹⁷ Hiring managers prefer to hire younger workers because they want people who can dedicate very long hours to the company, and the perception is that people above 35 are likely to get married and dedicate time to their families.⁹⁸ As a result, many people over the age of 35 are unable to find new employment after having been terminated for age-related reasons.⁹⁹ In response to the long hours and other demands of working life in China, a culture of *tang ping*, or lying flat, has developed among the younger generation, including a group of well-educated young people who reject life in the big cities to live in more relaxed cities such as Dali, Yunnan.¹⁰⁰ [For more information on forced labor, see Chapter 18—Xinjiang Uyghur Autonomous Region. For more information on trafficking in persons, see Chapter 10—Human Trafficking. For more information on complicity of business in human right abuses, see Chapter 14—Business and Human Rights.]

Notes to Chapter 11—Worker Rights

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VIII. Other Thematic Issues

PUBLIC HEALTH

Findings

- The People's Republic of China (PRC) authorities' response following the COVID-19 outbreak in Wuhan municipality, Hubei province, and throughout the COVID-19 pandemic has been characterized by a lack of transparency and problematic reporting. In October 2023, the government considered draft revisions to the PRC Law on the Prevention and Control of Infectious Diseases, including amendments that would strengthen reporting of infectious disease outbreaks within China.
- During the Commission's 2024 reporting year, PRC authorities continued to suppress criticism of the Chinese Communist Party and government about the PRC's response to the COVID-19 outbreak and pandemic and have promoted a narrative of "success".
- Several Chinese citizens based in Shanghai municipality faced official harassment and detention in connection with their efforts to document the COVID-19 pandemic and protest harsh lockdown measures including: **Chen Pinlin, Ji Xiaolong, Rei Xia, and Zhang Zhan.**
- Although there have been sporadic efforts to punish corruption in the healthcare sector in the past, during this reporting year, Xi Jinping's anticorruption "battle" engulfed the sector in a nationwide crackdown.
- The State Council passed new "Regulations on Human Organ Donation and Transplantation" that were presented as a means to strengthen oversight and management of the organ allocation and distribution system. A group of transplant surgeons and ethicists expressed skepticism that the PRC had ended abuses in its organ transplant system, noting China's failure to adhere to WHO Guiding Principles—including a lack of accountability, allegations of forced organ harvesting, and falsified data on organ transplantation.
- PRC authorities continued to use forcible psychiatric commitment as a tool of political control and repression in China, according to a Chinese nongovernmental organization including in the cases of: **Wu Yanan, Wang Yuping, and Song Zaimin.**

PUBLIC HEALTH

COVID-19

INTERNATIONAL COORDINATION ON “PANDEMIC EMERGENCIES”

International human rights standards on public health include Article 12 of the International Covenant on Economic, Social and Cultural Rights, which proclaims the “right of everyone to the enjoyment of the highest attainable standard of physical and mental health” and the “prevention, treatment and control of epidemic . . . diseases.”¹ The PRC government considered draft revisions to the PRC Law on the Prevention and Control of Infectious Diseases in October 2023, including amendments that would strengthen reporting of infectious disease outbreaks within China.² PRC authorities’ response following the COVID-19 outbreak and throughout the COVID-19 pandemic has been characterized by a lack of transparency and problematic reporting, such as ordering doctors in Wuhan at the outset of the outbreak to delay reporting and not wear protective gear,³ and preventing scientists from publishing or sharing data with the international community.⁴ An April 2024 investigative report from the *Associated Press* concluded that PRC government officials “froze meaningful efforts to trace the origins of the coronavirus pandemic, despite publicly declaring it supported an open scientific inquiry . . .”⁵ Moreover, a study by a U.S. institute concluded that nearly 2 million died between December 2022 and January 2023 when PRC authorities halted most of the “zero-COVID” prevention and control measures.⁶

The PRC government’s lack of compliance with provisions in the International Health Regulations (IHR) in reporting the COVID-19 outbreak was a factor in recently passed amendments to the IHR. The PRC government not only “failed to promptly report” the COVID-19 outbreak but also did not provide “timely, accurate, and sufficiently detailed public health information” to the WHO, as required by the IHR.⁷ Amendments to the IHR passed by Member States during the World Health Assembly (WHA) in May 2024 will allow the World Health Organization (WHO) to declare a “pandemic emergency” and hasten international coordination in the case of a pandemic.⁸ Provisions to ensure a country’s compliance that reportedly were under discussion nevertheless were left out of the amended IHR.⁹ A stand-alone agreement on a global pandemic response in development since 2021¹⁰ was not finalized at the WHA, though Member States extended the mandate to work on the agreement with a goal of passage later in 2024 or at the 2025 WHA.¹¹

ONGOING INFORMATION CONTROL

The International Covenant on Civil and Political Rights allows governments to impose some restrictions on freedom of expression in cases of public emergency, yet such restrictions must meet “standards of legality, proportionality, and necessity.”¹² As the Commission has reported in prior annual reports,¹³ PRC authorities have suppressed criticism of the Chinese Communist Party and government about the PRC’s response to the COVID-19 outbreak and pandemic, and have promoted a narrative of “success.”¹⁴ At the March

2024 meeting of the National People's Congress (NPC), for example, Premier Li Qiang claimed that authorities had "secured a smooth transition in epidemic response following a major, decisive victory in the fight against Covid-19."¹⁵ Information and news reports about PRC policy and management of the COVID-19 pandemic that did not align with the narrative of success remained politically sensitive, as seen in the following examples from the reporting period.

- According to a *Wall Street Journal* report in July 2023, Chinese authorities investigated several consulting firms in fall 2022, seeking to identify the source of alleged information leaks about COVID-19 policy and vaccine strategy.¹⁶
- In July 2023, PRC internet regulators reportedly shut down the domestic online media platform Health Insight.¹⁷ Health Insight had published investigative reports on corruption in the healthcare sector, such as price gouging of medicine; overspending on COVID-19 measures; and the rise in mental health concerns.¹⁸
- In December 2023, authorities reportedly censored a news report about the possible return of the health-tracking app used during the COVID-19 pandemic, in connection with a surge of respiratory illnesses¹⁹ that affected many children in China.²⁰
- The Foreign Correspondents' Club of China reported in its survey of reporting conditions during 2023 that foreign journalists in China "were liable to experience state intimidation and harassment" when they attempted to cover COVID-19-related stories.²¹ In one case, a journalist investigating the domestic experience of COVID-19, who had arranged to meet a Chinese university student in the student's home village, learned that the meeting was canceled by the student's university.²²

Cases of Harassment and Detention in Shanghai Municipality

This past year, the Commission monitored developments in the cases of several Chinese citizens based in Shanghai municipality who faced official harassment and detention in connection with their efforts to document the COVID-19 pandemic and protest harsh lockdown measures.

- Shanghai authorities detained documentary maker **Chen Pinlin** in November 2023 in connection with the release of a film about the "White Paper" protests.²³ These protests erupted a year earlier in multiple locations across China, initially to mourn individuals who died in a fire in Urumqi municipality, Xinjiang Uyghur Autonomous Region, and broadened to focus on implementation of the "zero-COVID" policy.²⁴ Public security officials reportedly formally arrested Chen for "picking quarrels and provoking trouble" in January 2024.²⁵
- **Ji Xiaolong**, a public health activist who criticized Shanghai officials' management of the COVID-19 lockdown in spring 2022,²⁶ was sentenced to four years and six months in prison in October 2023, for "picking quarrels and provoking trouble."²⁷ In August 2022, Ji reportedly had posted an open letter to Premier Li Qiang—then the Shanghai Party Secretary—calling for official accountability.²⁸

Cases of Harassment and Detention in Shanghai Municipality—Continued

- Authorities detained **Rei Xia** on November 14, 2023, two weeks after she wore a costume of blank sheets of paper to a public Halloween celebration in Shanghai.²⁹ She was held for 28 days on suspicion of “picking quarrels and provoking trouble.”³⁰ Authorities had detained Xia for 24 hours in November 2022 in connection with White Paper protests.³¹ Authorities detained her again in December 2022 for a period of 37 days³² after she reported online that male police officers at another police station subjected several of her female friends who also were detained in connection with the White Paper protests, to abuse during interrogations, including hitting them and conducting strip searches.³³
- On May 13, 2024, Shanghai authorities released **Zhang Zhan**, a citizen journalist imprisoned for reporting from Wuhan municipality, Hubei province, in the early days of the COVID-19 pandemic.³⁴ Her release after serving four years in prison was unconfirmed until May 21 when she stated in a posted video that she was at her brother’s home.³⁵ Human rights advocates raised concerns that authorities were likely to keep Zhang Zhan under heavy surveillance and prevent her from discussing her experience.³⁶

Anticorruption Campaign against the Healthcare Sector

Although there have been sporadic efforts to punish corruption in the healthcare sector in the past,³⁷ during this reporting year, Xi Jinping’s anticorruption “battle” engulfed the sector in a nationwide crackdown.³⁸ A projected year-long campaign was launched in July 2023,³⁹ and central authorities signaled at the January 2024 meeting of the Central Commission for Discipline Inspection that investigations would remain a priority.⁴⁰ Bribery, kickbacks, and “rent-seeking” are among the activities targeted by the campaign.⁴¹ By August 2023, authorities reportedly had already detained more than 150 hospital managers, and province-level investigations reportedly exposed thousands of cases of bribery.⁴² The number of hospital directors and hospital Party secretaries under investigation rose to 250 by the end of September 2023.⁴³ Authorities also targeted senior officials working in healthcare, medical insurance, and drug supervision, as well as scientists and pharmaceutical executives.⁴⁴ In April 2024, for example, the National People’s Congress (NPC) announced that Yang Xiaoming, the scientist who developed Sinopharm’s vaccine against COVID-19, had been dismissed from the NPC and was under investigation for corruption.⁴⁵ According to a state media report in mid-June 2024, 150 officials were under investigation in 2024 alone.⁴⁶ Public health expert Yanzhong Huang observed that the campaign is a “deflective strategy” that “shifts blame onto hospital managers, doctors, and medical representatives . . .” and away from concerns about Party and government decision making and management.⁴⁷ Experts have pointed to the lack of sufficient funding for hospitals, medical doctors’ low salaries, and other systemic weaknesses in healthcare policy and oversight as among the root causes of corruption.⁴⁸

Ongoing Concerns about Organ Donation and Transplant in China

Articles published in a transplantation journal renewed concerns about the PRC's organ donation and transplant practices.⁴⁹ In a September 2023 article, a group of China-based specialists described their facility's liver transplant experience and outlined government-led initiatives that they said were aimed at bringing organ transplant into conformance with international standards.⁵⁰ Another group of transplant experts, responding to the article, quoted a finding by the International Society for Heart and Lung Transplantation Society that the PRC government "systematically support[s] the procurement of organs or tissue from executed prisoners," and warned that "scientific journals must exercise caution when reviewing clinical transplantation articles from China."⁵¹ They noted the PRC's failure to "adhere to the World Health Organization (WHO) Guiding Principles on Human Cell, Tissue and Organ Transplantation related to transparency (#9), traceability (#10), and openness to scrutiny (#11)," additionally citing allegations of forced organ harvesting from religious and ethnic minority groups, and falsified data on organ transplantation.⁵² These violations of WHO principles have undermined the integrity of PRC official assurances about its organ transplant system, according to this group of experts.⁵³

While new regulations enacted in October 2023 provide a more detailed framework governing organ donation, they are silent on the issue of sourcing organs from prisoners.⁵⁴ The new regulations—titled "Regulations on Human Organ Donation and Transplantation" and superseding the older regulations passed in 2007—retain the principle that human organ donation must be voluntary and without compensation.⁵⁵ The new regulations, however, do not provide an exception for donations made by prisoners, including those on death row.⁵⁶ This omission recalls the assertion made in 2015 by senior health official Huang Jiefu that "voluntary" donations made by prisoners continued to be permissible and that "[n]ew regulations will be unveiled to clarify the legal procedures of organ donations for prisoners sentenced to death . . ."⁵⁷ Sourcing organs from executed prisoners, however, violates international standards such as those adopted by the World Medical Association, which state that "executed prisoners must not be considered as organ and/or tissue donors."⁵⁸ According to a bioethicist, "experts suggest the regulatory change will not lead to transparency, bring an end to China's transplant tourism business, or protect prisoners of conscience and ethnic groups from crimes in organ transplantation, including forced organ harvesting."⁵⁹

*Mental Health Treatment: Forcible Commitment for Some,
Inadequate Resources for Those in Need*

FORCIBLE PSYCHIATRIC COMMITMENT

PRC authorities continued to use psychiatric commitment as a tool of repression in China, according to Civil Rights & Livelihood Watch (CRLW), a Chinese nongovernmental organization that has documented the forcible psychiatric commitment of free speech advocates, rights defenders, and petitioners for more than 15 years.⁶⁰ Petitioners, individuals whose grievances have included miscarriage-

es of justice in death penalty cases, homes and property ordered for demolition by local officials, and other unresolved harms,⁶¹ have been a frequent target of public security agents.⁶² In its 2023 report on the use of forcible psychiatric commitment, CRLW noted that the PRC diagnostic manual on mental disorders includes “petitioning” as a potential identifying criterion for paranoid personality disorder.⁶³ The following three cases illustrate the misuse of psychiatric commitment this past year.

- CRLW reported that **Wu Yanan**, an assistant professor of philosophy at Nankai University in Tianjin municipality, remained in psychiatric detention,⁶⁴ in connection with her on-line support of individuals who protested COVID-19 lockdowns in November 2022.⁶⁵
- Public security officials forcibly admitted **Wang Yuping**, a democracy activist from Jianli county, Jingzhou municipality, Hubei province, to a psychiatric facility upon completion of an 11-year prison sentence.⁶⁶ According to rights defender Lin Shengliang, hospital workers forced Wang to ingest unknown medications while hospitalized.⁶⁷
- Authorities in Beijing municipality reportedly forcibly committed rights defender **Song Zaimin** to a psychiatric hospital twice this past year, including for a period of 48 days starting in December 2023.⁶⁸

CHALLENGES IN MEETING NATIONAL MENTAL HEALTH NEEDS

PRC policy treats persons with disability, including those with mental health disorders, as recipients of government welfare rather than as persons with rights, according to an expert report from an agency affiliated with the United Nations.⁶⁹ This approach, referred to as the “medical model” of disability,⁷⁰ is illustrated by a government report on national mental health efforts presented to the National People’s Congress Standing Committee in December 2023.⁷¹ The report identified some of the challenges the government has faced, such as the need for more psychiatric hospitals, psychiatrists, and counseling services nationwide; insufficient financial resources for services and treatment; regional disparities; and limited societal understanding of mental health disorders.⁷² Brief mention of the PRC Mental Health Law emphasized the government’s statutory responsibility to implement mental health work.⁷³ The report also specified the need to develop robust programs for children and the elderly.⁷⁴ However, the published version of the report on mental health work was silent on two issues of public concern: the needs of women with psychosocial disorders, in light of the case of the “chained woman” who was a victim of human trafficking;⁷⁵ and the mental health impact of COVID-19.⁷⁶

Notes to Chapter 12—Public Health

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⁷³中华人民共和国精神卫生法 [PRC Mental Health Law], passed October 26, 2012, effective May 1, 2013, amended April 27, 2018. According to CRLW, the government did not conduct a national assessment of the PRC Mental Health Law (MHL) for the 10th anniversary of its passage or effective date. Civil Rights & Livelihood Watch, “2023年中国精神健康与人权（被精神病）年终报告” [2023 year-end report on mental health and human rights in China (forcible psychiatric commitment)], March 14, 2024. A group of Shanghai-based experts published an assessment in *The Lancet Psychiatry* finding serious gaps in implementation of the MHL. See Hao Yao, Jingjing Huang, and Yifeng Xu, “10-Year Review of China's Mental Health Law: A Call for Action to Promote Human Rights in Mental Health,” *Lancet Psychiatry* 10, no. 2 (December 18, 2022).

⁷⁴Lei Haichao, National Health Commission, “国务院关于精神卫生工作情况的报告” [Report of the State Council on the work of mental health], December 27, 2023.

⁷⁵Qiao Qin'en, “‘铁链女’事件二周年：她真的被遗忘了吗？” [Two years after the “chained woman” incident: Has she really been forgotten?], *Radio Free Asia*, January 26, 2024; Vivian Wang and Joy Dong, “Sentencing in China's ‘Chained Woman’ Trafficking Case Revives Online Outrage,” *New York Times*, April 7, 2023; “On International Women's Day, Chinese Citizens Continue to Pressure PSB, Government over Abuse and Trafficking of Women,” *China Digital Times*, March 7, 2022.

⁷⁶Frederik Kelter, “China Tries to ‘Bury the Memory’ and Trauma of Zero-COVID Era,” *Al Jazeera*, December 21, 2023; Ma Danmeng and Wu Xintong, “Action Urged to Help Children with Growing Rates of Depression amid Pandemic,” *Caixin*, August 10, 2021.

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Findings

- China remained the world's leading emitter of carbon dioxide (CO₂) emissions in 2023. China's CO₂ emissions continued to grow in January and February of 2024, followed by a 3-percent decrease in March, the first decline since the discontinuation of the zero-COVID policy in the country.
- International media and observers detailed trends in China's coal sector that may impede the country's progress towards meeting its 2025 targets under the Paris Agreement.
- At the 2023 United Nations Climate Change Conference (COP28), China did not sign on to the Global Renewables and Energy Efficiency Pledge. Experts speculate that China chose to refrain from signing due in part to the pledge's references to phasing out fossil fuels and coal.
- Extreme weather events that observers have linked to climate change affected cultural heritage, food and water security, and public health in China. 2023 was described as the country's "historic warmest year," and July 2024 as "the hottest single month in the history of observation."
- PRC authorities repressed environmental advocates. This past year, officials detained environmental advocate and blogger **Hu Nengke**, known as "Hu Laoshi" (Teacher Hu), for exposing corruption committed by officials in Gushi county, Xinyang municipality, Henan province, which included allowing companies to violate environmental regulations. In addition, PRC authorities deployed armed police to peaceful protests in Anqing municipality, Anhui province and detained more than 1,000 Tibetans for voicing their opposition to the Kamthog (Gangtuo) hydropower dam in Derge (Dege) county, Kardze (Ganzi) Tibetan Autonomous Prefecture, Sichuan province.
- The PRC's dams, island-building initiatives, and giant clam harvesting contributed to environmental degradation in the Indo-Pacific region.

PRC Government Actions and Legal Developments

In Chinese Communist Party General Secretary Xi Jinping's speech at the July 2023 National Conference on Ecological and Environmental Protection, he emphasized his belief that "the coming five years will be critical to the building of a Beautiful China" and urged attendees to "keep our skies blue, waters clear, and lands pollution-free."¹ Xi Jinping also claimed that the PRC is "shouldering its responsibilities as a major country" by proactively addressing ecological and environmental issues.² PRC government actions and legal developments in the past year addressing environmental protection included the following:

- In July 2023, the China Meteorological Administration published the **"Blue Book on Climate Change of China 2023,"** which highlighted the frequency of extreme weather events, including "extreme high temperatures" and "extreme heavy precipitation" in the PRC.³ The publication aims to present readers with a "comprehensive picture of the latest monitoring information of climate change."⁴
- On August 15, 2023, China observed its first **National Ecology Day.**⁵ According to instructions from Party General Secretary Xi Jinping relayed by Vice Premier Ding Xuexiang, a member of the Standing Committee of the Communist Party Central Committee Political Bureau, at a ceremony that day, "ecological conservation is of vital importance[,] . . . a major political issue . . . as well as a major social issue that bears upon public wellbeing."⁶ The day—inspired by "Xi Jinping Thought on Ecological Civilization"—was designated by the National People's Congress (NPC) Standing Committee in June 2023 to increase public awareness about environmental protection and conservation.⁷
- Effective September 1, 2023, the **PRC Qinghai-Tibet Plateau Ecological Conservation Law** is the "first legislative vision for the environmental protection of the Tibetan plateau and its surroundings," according to commentary published in *Mongabay*, an international non-profit conservation and environmental news platform.⁸ In March 2024, an article by the Tibet Policy Institute, the research center of the Central Tibetan Administration, noted that the policy is "purely ornamental . . . to cover [the PRC's] main intention of removing Tibetan nomads who have preserved Tibetan culture and tradition for generations."⁹ [For more information on threats to Tibetan culture, see Chapter 17—Tibet.]
- In October 2023, the NPC Standing Committee amended the **PRC Marine Environmental Protection Law** (effective January 1, 2024).¹⁰ The revision was the "first major update of the [l]aw in almost 25 years," according to a Chinese law expert.¹¹ The law aims to protect marine ecosystems from environmental degradation and pollution, while "build[ing] a strong maritime nation."¹²
- In December 2023, the PRC's State Council issued its third national **Action Plan to Continue to Improve Air Quality**

to “protect blue skies and the health of the people.”¹³ The plan includes key air pollution targets to be achieved by 2025, including the reduction of particulate matter 2.5 (PM2.5) levels in cities at the prefecture level and above by 10 percent, compared to 2020; in the Beijing-Tianjin-Hebei region and its surrounding areas by 20 percent; and in the Fenwei Plain by 15 percent.¹⁴

- In December 2023, the PRC Ministry of Ecology and Environment released its **2023–2024 Comprehensive Autumn and Winter Air Pollution Control Plan for Beijing-Tianjin-Hebei Area and Fenwei Plain**, referred to as the “winter action plan.”¹⁵ An expert from the Centre for Research on Energy and Clean Air (CREA), an international non-profit research organization, noted that the PRC’s winter action plan is usually published in the fall and speculated that the delayed release of the 2023–2024 plan was to “align” with the December 2023 Action Plan to Continue to Improve Air Quality.¹⁶ According to an April 2024 report by CREA, “half of targeted cities missed the PM2.5 targets in 2023 Q4, while 41 percent of cities missed those in 2024 Q1.”¹⁷

- Effective June 1, 2024, the **PRC Law on Ensuring Food Security** aims to address risks to national food security and self-sufficiency.¹⁸ The law establishes systems to protect the quality of arable land, prevent soil pollution, and to support environmental improvements.¹⁹

Climate Change

While the Chinese Communist Party and government strives to position the PRC as a leader in climate governance, observers raised concerns this past year about the PRC achieving its key climate targets. The PRC government previously committed to a “dual-carbon pledge” of reaching peak carbon dioxide (CO₂) emissions before 2030 and achieving carbon neutrality by 2060.²⁰ China remained the world’s leading emitter of CO₂ emissions in 2023, with per capita emissions 15 percent higher than advanced economies combined, and accounting for 35 percent of the world’s total CO₂ emissions.²¹ Scientific data indicated that “[c]arbon emissions from China are growing faster now than before COVID-19,” based on an analysis by academics from Australian National University comparing emissions from early 2019 and early 2023.²² China’s CO₂ emissions continued to grow in January and February of 2024, followed by a 3-percent decrease in March, the first decline since the discontinuation of the zero-COVID policy in the country, according to a May 2024 report by Lauri Myllyvirta, senior fellow at the Asia Society Policy Institute and lead analyst at CREA.²³ While China’s carbon emissions “may have peaked in 2023,” Myllyvirta questioned whether such a trajectory will continue.²⁴

The Commission observed trends in China’s coal sector that may impede on the country’s progress towards meeting its 2025 targets under the Paris Agreement.²⁵ January 2024 reports from international media and the National Bureau of Statistics of China revealed that the country’s coal production reached a record-high in 2023, with a 2.9-percent increase compared to 2022.²⁶ PRC authorities continued to approve new coal power projects in China and abroad,

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despite the government's 2021 promise to "strictly limit" coal consumption.²⁷ Experts noted that the number of new construction projects in China's coal sector was "nearly quadruple what [it was] in 2019," and warned that the coal capacity gap between China and the rest of the world is widening as other countries reduce their coal operations.²⁸

At the 2023 United Nations Climate Change Conference (COP28), China did not sign on to the Global Renewables and Energy Efficiency Pledge, which included mention of phasing down coal power and fossil fuels.²⁹ Li Shuo, director of the China Climate Hub at the Asia Society Policy Institute speculated that China refrained from signing due in part to potential challenges in meeting the pledge's targets.³⁰ Other observers pointed out that China's absence from the pledge contradicts joint bilateral efforts discussed in the November 2023 Sunnyslads Statement between Xi Jinping and President Joseph Biden.³¹ Previously, in September 2023, China's representative to COP28 and then-Special Envoy for Climate Change Xie Zhenhua claimed that eliminating fossil fuel is "unrealistic."³²

China continued to experience high levels of air pollution.³³ Analysis by a researcher at the CREA noted that the country's national average fine particulate matter (PM2.5) level rose for the first time in a decade, describing the increase as an "air pollution rebound."³⁴ As of December 2023, 13 provincial capitals were "off track" to meet China's PM2.5 national standard of 35 $\mu\text{g}/\text{m}^3$ —far higher than the World Health Organization's recommended PM2.5 level of 5 $\mu\text{g}/\text{m}^3$.³⁵

EXTREME WEATHER EVENTS IN THE PRC

During the 2024 reporting year, China continued to experience extreme weather events that observers have linked to climate change.³⁶ Events included severe droughts and heavy rainfall in summer 2023 and the first half of 2024;³⁷ and extreme heat, with 2023 described as the country's "historic warmest year" and July 2024 as "the hottest July since complete observations begin in 1961, and the hottest single month in the history of observation."³⁸ The Commission observed reports detailing the effects of extreme weather events linked to climate change in the PRC on the following:

- **Cultural heritage.** Observers pointed out that climate change and extreme weather events have caused damage to U.N. Educational, Scientific and Cultural Organization (UNESCO) World Heritage sites across the country, including severe deterioration of ancient murals in the Mogao Caves, known as the Thousand Buddha Grottoes, and the Maijishan Grottoes, both in Gansu province.³⁹ The damage is reportedly caused by extreme weather, such as heavy rains and flooding, and the resulting rising humidity levels in the caves.⁴⁰ China ratified international legal standards on the protection of cultural heritage including the Convention Concerning the Protection of the World Cultural and Natural Heritage in 1985⁴¹ and the Convention for the Safeguarding of the Intangible Cultural Heritage in 2004.⁴²
- **Food security.** According to observers, the PRC government views food security as a means of maintaining social stability and establishing political legitimacy.⁴³ In the first half of 2024,

China experienced droughts in the north and heavy rain in the south, which reportedly affected soil quality and wheat production.⁴⁴ Extreme heat led to the death of livestock and reduced vegetable production due to damaged crops.⁴⁵

• **Public health.** In a November 2023 research article published in *The Lancet*, an international medical journal, authors warned that “China risks losing health gains within a single generation if society fails to adapt to climate change.”⁴⁶ The authors referred to climate change, including extreme temperatures, as “an amplifier” of existing health challenges in the country.⁴⁷ Severe sandstorms in Beijing municipality and other parts of northern China have sent air pollution “soaring to hazardous levels.”⁴⁸ Another challenge faced by China is the transmission of mosquito-borne, water-borne, and rodent-borne infectious diseases as a result of evolving weather patterns and climate variables, such as temperature and precipitation.⁴⁹ International legal standards on public health include Article 12 of the International Covenant on Economic, Social and Cultural Rights, which proclaims “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”⁵⁰

Environmental Advocacy in the PRC

China’s Constitution provides for freedom of speech, assembly, and association,⁵¹ as do the International Covenant on Civil and Political Rights⁵² and the Universal Declaration of Human Rights.⁵³ According to the U.N. Framework Principles on Human Rights and the Environment, “[s]tates should provide a safe and enabling environment in which individuals, groups and organs of society that work on human rights or environmental issues can operate free from threats, harassment, intimidation, and violence.”⁵⁴ During the 2024 reporting year, the Commission observed instances of official repression of environmental advocacy across the country, including in:

• **Anqing municipality, Anhui province.** In August 2023, over 100 people gathered to voice opposition to the local government’s plans for a waste incineration power plant due to concerns about environmental pollution.⁵⁵ Video footage documented “a significant deployment of armed police on the scene for monitoring.”⁵⁶

• **Derge (Dege) county, Kardze (Ganzi) Tibetan Autonomous Prefecture, Sichuan province.** In February 2024, hundreds of Tibetan villagers peacefully protested the construction of the Kamthog (Gangtuo) hydropower dam, citing concerns about the project’s environmental and cultural impacts, including displacement of at least six monasteries and two villages.⁵⁷ PRC authorities deployed police and detained over 1,000 Tibetans, including monks from local monasteries.⁵⁸ [For more information about the protests, see Chapter 17—Tibet.]

In December 2023, officials detained an environmental advocate and blogger on suspicion of “extortion.” **Hu Nengke**, known as “Hu Laoshi” (Teacher Hu), previously wrote about government corruption, including details about local officials allowing companies to

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violate environmental regulations, and about pollution caused by a zinc oxide plant in Gushi county, Xinyang municipality, Henan province.⁵⁹ [For more information about restrictions of freedom of speech and assembly in the PRC, see Chapter 1—Freedom of Expression.]

Impact of the PRC's Dams

Dams built by the PRC government, both in China and abroad, continued to pose threats to the environment and human rights. The U.N. Framework Principles on Human Rights and the Environment indicate that “[s]tates should ensure a safe, clean, healthy and sustainable environment in order to respect, protect and fulfill human rights,” which includes the right to safe drinking water.⁶⁰ In January 2024, observers raised concerns about a newly-constructed dam on the Mapcha Tsangpo River in the Tibet Autonomous Region (TAR), a river with freshwater supply with downstream effects on the livelihoods of local communities in Nepal and India.⁶¹ A March 2024 article published in *Geographical*, the official magazine of the Royal Geographical Society in the United Kingdom, noted that the PRC's dams in the TAR could create water insecurity and “potentially allow China to control water flow into Nepal and India.”⁶²

Local communities in Southeast Asia have expressed their concerns about the PRC's dams. The PRC's dams along the Mekong River have exacerbated drought conditions, resulting in widespread threats to the water and food security of the local communities in countries such as Cambodia, Laos, Thailand, and Vietnam.⁶³ In November 2023, Thailand's Human Rights Commission sent a letter to the prime minister to warn about the potential environmental and human impacts of the Pak Beng Hydropower Project—a dam to be built in Laos bordering Thailand's Chiang Rai province—by PRC state-owned Datang International Power Generation Company and Thailand's Gulf Energy Development Public Company Limited.⁶⁴ In addition, the Dumagat-Remontado, an indigenous community in the Philippines, protested construction of the Kaliwa Dam in Luzon, Philippines, which was funded by a US\$211 million loan from the PRC state-owned Export-Import (Exim) Bank of China.⁶⁵ Dumagat-Remontado groups submitted a joint report to the United Nations Human Rights Council for the fourth Universal Periodic Review of the PRC, claiming that China breached its commitments on human rights and the environment, including by violating indigenous people's rights to cultural integrity and an adequate standard of living, and threatening natural resources in the area.⁶⁶ [For more information about the fourth Universal Periodic Review of the PRC, see Chapter 20—Human Rights Violations in the U.S. and Globally.]

The PRC in the South China Sea

Reports detailed evidence of environmental degradation in the South China Sea (SCS) due to the PRC's actions. The Philippine Coast Guard (PCG) noted “extensive damage in areas frequented by Chinese militia,” according to a PCG spokesperson in September 2023.⁶⁷ Damage observed by the PCG included crushed corals, visible discoloration, as well as “minimal to no signs of life” in the marine ecosystems of the Rozul (Iroquios) Reef and Escoda (Sabina) Shoal.⁶⁸ The PCG suggested that “indiscriminate illegal and

destructive fishing activities” conducted by Chinese maritime militia may have contributed to destruction of marine life in the area.⁶⁹ A Philippine news platform warned that if the Chinese militia’s activities continue, “it will undoubtedly result in an ecological catastrophe.”⁷⁰ In December 2023, a report published by researchers from the U.S.-based China Ocean Institute and the Center for Strategic and International Studies’ (CSIS) Asia Maritime Transparency Initiative documented environmental damage in the SCS linked to regional powers, including the PRC.⁷¹ The report found that the PRC’s island expansion activities in the SCS have “caused the most reef destruction . . . burying roughly 4,648 acres of reefs.”⁷² The report also estimated roughly 16,535 acres of reefs in the SCS are damaged as a result of Chinese giant clam harvesting.⁷³ The United Nations Convention on the Law of the Sea (UNCLOS), which China ratified, includes the obligation to “protect and preserve the marine environment.”⁷⁴

Notes to Chapter 13—The Environment

¹“Xi Stresses Building Beautiful China, Advancing Modernization Featuring Harmony Between Humanity and Nature,” *Xinhua*, reprinted in International Department, Central Committee of the Chinese Communist Party, July 28, 2023.

²“Xi Stresses Building Beautiful China, Advancing Modernization Featuring Harmony Between Humanity and Nature,” *Xinhua*, reprinted in International Department, Central Committee of the Chinese Communist Party, July 28, 2023.

³China Meteorological Administration, “‘中国气候变化蓝皮书2023’发布全球变暖趋势持续 中国多项气候变化指标创新高” [“2023 Blue Book on Climate Change” released: Trends of global warming continues, and many climate change indicators in China hit new highs], July 8, 2023; China Meteorological Administration, “Blue Book on Climate Change of China Unveiled,” July 19, 2023; Fan Anqi and Xie Wenting, “Extreme Heat Events in China Ever More Frequent: Blue Book,” *Global Times*, July 9, 2023.

⁴China Meteorological Administration, “Blue Book on Climate Change of China Unveiled,” July 19, 2023; China Meteorological Administration, “‘中国气候变化蓝皮书2023’发布全球变暖趋势持续 中国多项气候变化指标创新高” [“2023 Blue Book on Climate Change” released: Trends of global warming continues, and many climate change indicators in China hit new highs], July 8, 2023; Fan Anqi and Xie Wenting, “Extreme Heat Events in China Ever More Frequent: Blue Book,” *Global Times*, July 9, 2023.

⁵“Xi Makes Instructions on China’s First National Ecology Day,” *Xinhua*, reprinted in the State Council, updated August 15, 2023; Hou Liqiang, “August 15 Chosen as 1st National Ecology Day,” *China Daily*, updated June 29, 2023.

⁶“Xi Makes Instructions on China’s First National Ecology Day,” *Xinhua*, reprinted in the State Council, updated August 15, 2023.

⁷Changhao Wei, “NPC Observer Monthly: June 2023,” *NPC Observer Monthly*, July 10, 2023; Hou Liqiang, “August 15 Chosen as 1st National Ecology Day,” *China Daily*, updated June 29, 2023; The Press Office, International Department of the CPC Central Committee, “Special Issue on Xi Jinping Thought on Ecological Civilization,” *China Insight*, accessed June 3, 2024. “Xi Jinping Thought on Ecological Civilization” was formulated shortly after the 18th National Congress of the Chinese Communist Party. According to a “Xi Jinping Thought on Ecological Civilization Study Outline,” it incorporates “Ten Adherences” to highlight the importance of protecting the environment.

⁸Ministry of Ecology and Environment, 中华人民共和国青藏高原生态保护法 [PRC Qinghai-Tibet Plateau Ecological Conservation Law], adopted April 26, 2023, effective September 1, 2023; Zhengyang Wang, “China’s Qinghai-Tibet Ecosystem Legislation Is a Landmark, but for Whom? (commentary),” *Mongabay*, June 7, 2023.

⁹Dechen Palmo, “China’s New ‘Qinghai-Tibet Plateau Ecological Protection Law’: A Threat to Tibet’s Environment,” Tibet Policy Institute, March 27, 2024; Tibet Policy Institute, “Mission Statement,” accessed April 30, 2024. For a discussion of the threats to Tibetan cultural rights in previous Commission reporting, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 289–90.

¹⁰Ministry of Ecology and Environment, 中华人民共和国海洋环境保护法 [PRC Marine Environmental Protection Law], adopted August 23, 1982, revised October 24, 2023, effective January 1, 2024; “Marine Environmental Protection Law of the People’s Republic of China 中华人民共和国海洋环境保护法,” translated in *NPC Observer*, accessed June 15, 2024; Changhao Wei, “NPC Observer Monthly: October 2023,” *NPC Observer Monthly*, November 2, 2023.

¹¹Changhao Wei, “NPC Observer Monthly: October 2023,” *NPC Observer Monthly*, November 2, 2023.

¹²Ministry of Ecology and Environment, 中华人民共和国海洋环境保护法 [PRC Marine Environmental Protection Law], adopted August 23, 1982, revised October 24, 2023, effective January 1, 2024.

¹³State Council, “国务院关于印发‘空气质量持续改善行动计划’的通知” [State Council Circular on Issuing “Action Plan to Continue to Improve Air Quality”], December 7, 2023; Ministry of Ecology and Environment, “国新办举行‘空气质量持续改善行动计划’国务院政策例行吹风会” [State Council Information Office held a State Council Policy Briefing on the “Action Plan to Continue to Improve Air Quality”], December 12, 2023.

¹⁴State Council, “国务院关于印发‘空气质量持续改善行动计划’的通知” [State Council Circular on Issuing “Action Plan to Continue to Improve Air Quality”], December 7, 2023; Ministry of Ecology and Environment, “国新办举行‘空气质量持续改善行动计划’国务院政策例行吹风会” [State Council Information Office held a State Council Policy Briefing on the “Action Plan to Continue to Improve Air Quality”], December 12, 2023; “China Publishes Action Plan to Improve Air Quality,” *Xinhua*, December 8, 2023; U.S. Environmental Protection Agency, Particulate Matter (PM) Basics, accessed June 15, 2024. The Fenwei Plain is located in central China. Particulate matter consists of particles or droplets in the air that pose threats to health and air quality and causes reduced visibility.

¹⁵Ministry of Ecology and Environment et al., “关于印发‘京津冀及周边地区、汾渭平原2023–2024年秋冬季大气污染综合治理攻坚方案’的通知” [Circular on Issuing the 2023–2024 Comprehensive Autumn and Winter Air Pollution Control Plan for Beijing-Tianjin-Hebei and Surrounding Areas and Fenwei Plain], December 25, 2023; Chengcheng Qiu, “Half of Targeted Cities Missed PM2.5 Targets in China’s Reintroduced ‘Winter Action Plan,’” Centre for Research on Energy and Clean Air, April 30, 2024.

¹⁶Centre for Research on Energy and Clean Air, “About Us,” accessed April 30, 2024; Chengcheng Qiu, “Half of Targeted Cities Missed PM2.5 Targets in China’s Reintroduced ‘Winter Action Plan,’” Centre for Research on Energy and Clean Air, April 30, 2024.

¹⁷Chengcheng Qiu, “Half of Targeted Cities Missed PM2.5 Targets in China’s Reintroduced ‘Winter Action Plan,’” Centre for Research on Energy and Clean Air, April 30, 2024.

¹⁸“Law of the People’s Republic of China on Ensuring Food Security 中华人民共和国粮食安全保障法,” translated in *NPC Observer*, accessed June 15, 2024; State Council, 中华人民共和国粮食安全保障法 [PRC Law on Ensuring Food Security], passed December 29, 2023, effective June 1, 2024. For a discussion on food security in the PRC from previous Commission reporting, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 137–38.

¹⁹State Council, 中华人民共和国粮食安全保障法 [PRC Law on Ensuring Food Security], passed December 29, 2023, effective June 1, 2024. For a discussion on the importance of protecting soil as it relates to food security, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 234.

²⁰Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 234; International Energy Agency, “An Energy Sector Roadmap to Carbon Neutrality in China,” September 2021, 3.

²¹“China Is Missing Key Climate Targets,” Institute for Energy Research, March 19, 2024; “State-Owned Companies Released the Most Carbon Dioxide Emissions,” Institute for Energy Research, April 9, 2024; “The Changing Landscape of Global Emissions,” International Energy Agency, accessed June 10, 2024; David Stanway, “China’s Emissions, Efficiency Targets Under Threat after Falling Short in 2023,” *Reuters*, March 12, 2024. Advanced economies, in this context, are defined as economies of Organization for Economic Co-operation and Development (OECD) countries. U.S. Department of State, “The Organization of Economic Cooperation and Development (OECD),” accessed June 10, 2024; Organization of Economic Cooperation and Development, “Air and GHG Emissions,” accessed June 10, 2024.

²²David Stern and Khalid Ahmed, “China Is Pumping Out Carbon Emissions as if COVID Never Happened. That’s Bad News for the Climate Crisis,” *Conversation*, July 9, 2023.

²³Lauri Myllyvirta, “Analysis: Monthly Drop Hints that China’s CO₂ Emissions May Have Peaked in 2023,” *Carbon Brief*, May 28, 2024; “China’s Falling Emissions Signal Peak Carbon May Already Be Here,” *Bloomberg*, May 27, 2024.

²⁴Lauri Myllyvirta, “Analysis: Monthly Drop Hints that China’s CO₂ Emissions May Have Peaked in 2023,” *Carbon Brief*, May 28, 2024.

²⁵United Nations Treaty Collection, Chapter XXVII, Environment, Paris Agreement, accessed June 25, 2024; Gregor Erbach and Ulrich Jochheim, “China’s Climate Change Policies: State of Play Ahead of COP27,” European Parliamentary Research Service, October 2022, 2. As described in the European Parliamentary Research Service report, “[China] belongs to the non-Annex I group of developing countries, which have less strict requirements and are entitled to support from the developed countries listed in Annex I of the convention. Nationally determined contributions (NDC) set out parties’ targets and commitments to climate action with updates every five years.” See also State Council Information Office, “Full Text: Responding to Climate Change: China’s Policies and Actions,” October 27, 2021; Hongqiao Liu and Xiaoying You, “Q&A: What Does China’s New Paris Agreement Pledge Mean for Climate Change?,” *Carbon Brief*, December 16, 2021; Lindsay Maizland, “Global Climate Agreements: Successes and Failures,” Council on Foreign Relations, updated December 5, 2023; Jon Greenberg, “Is the Paris Climate Agreement Easier on China and India than the US?,” *PolitiFact*, Poynter Institute, January 26, 2021. China has ratified the 2015 Paris Agreement on climate change and is a party to the U.N. Framework Convention on Climate Change. The Paris Agreement obliges participating countries to set their own goals and publicly report their progress but lacks concrete enforcement mechanisms. United Nations Climate Change, Parties to the United Nations Framework Convention on Climate Change, accessed June 10, 2024.

²⁶Colleen Howe, “China’s 2023 Coal Output Hits Record High,” *Reuters*, January 16, 2024; Tsvetana Paraskova, “China’s Coal Production Hit a New Record High in 2023,” *Oilprice.com*, January 17, 2024; National Bureau of Statistics of China, “Energy Production in December 2023,” January 18, 2024; “China’s Coal Output up 1.9 pct in December,” *Xinhua*, January 20, 2024.

²⁷Amy Hawkins, “Growth in CO₂ Emissions Leaves China Likely to Miss Climate Targets,” *Guardian*, February 21, 2024; Helen Davidson, “China Continues Coal Spree Despite Climate Goals,” *Guardian*, August 29, 2023; “China Is Missing Key Climate Targets,” Institute for Energy Research, March 19, 2024; “Full Text: Remarks by Chinese President Xi Jinping at Leaders Summit on Climate,” *Xinhua*, April 22, 2021.

²⁸“China Leads Global Coal Power Surge as Capacity Hits Record,” *Bloomberg*, April 10, 2024; Global Energy Monitor et al., “Boom and Bust Coal 2024,” April 2024, 17–19.

²⁹“Global Renewables and Energy Efficiency Pledge,” COP28 UAE, accessed June 20, 2024; Polly Bindman, “COP28 Explainer: Why Hasn’t China Signed the Tripling Renewables Pledge?,” *Energy Monitor*, December 8, 2023.

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BUSINESS AND HUMAN RIGHTS

Findings

- Companies that do business in, source from, or work with companies in the Xinjiang Uyghur Autonomous Region (XUAR) are at risk of complicity in human rights abuses being committed by the Chinese Communist Party and government. Reports of corporate involvement in mass atrocities in the XUAR implicate the apparel, automotive, mining, seafood, solar, tomato, and tourism industries.
- Reports and congressional testimony continued to highlight evidence of the unreliability of social compliance audits conducted in the People's Republic of China (PRC), especially in the XUAR. In December 2023, German car manufacturer Volkswagen commissioned Löning Human Rights & Responsible Business to conduct an audit of its joint venture factory in the XUAR. Although the automaker claimed the audit found no signs of forced labor, human rights experts and advocates raised concerns that social compliance audits are neither equipped nor designed to accurately identify state-imposed forced labor in the region.
- Chinese and international technology companies are linked to the Chinese government's data collection, surveillance efforts, and censorship. Reports from this past year found the following:
 - Accelerated Nuclear DNA Equipment, with the support of Chinese security equipment vendor Beijing GAC World Trade, sold DNA testing machines to public security bureaus across China.
 - Chinese biotechnology firm WuXi AppTec transferred a client's data and intellectual property from the U.S. to China without consent.
 - PRC authorities censored content on Apple's App Store by directly requesting that Apple remove specific apps, by setting complex rules for app developers, and by creating localized versions of select apps to restrict access to global versions, among other tactics.
 - Google's YouTube blocked access to more than 30 videos of the popular pro-democracy protest anthem "Glory to Hong Kong" for viewers in Hong Kong.
- Recent PRC legislation expanded the scope of laws authorizing government control of information, prompting businesses to self-censor or take other precautionary measures. The Commission observed businesses implementing heightened precautionary measures, including 1) encouraging use of burner phones; 2) withdrawing operations from China; 3) limiting access to international databases; and 4) working from home.
- As of May 2024, the U.S. State Department's China Travel Advisory warns travelers about the "arbitrary enforcement of local laws, including in relation to exit bans, and the risk of wrongful detentions." According to reporting from September 2023, Chinese authorities blocked a senior executive from American risk

advisory firm Kroll and a senior Hong Kong-based banker from Japanese financial services group Nomura Holdings from leaving mainland China.

BUSINESS AND HUMAN RIGHTS

Introduction

The United Nations (U.N.) Guiding Principles on Business and Human Rights state that businesses have a responsibility to avoid “causing or contributing to adverse human rights impacts.”¹ China-based companies and international companies that seek to operate in the People’s Republic of China (PRC) may find themselves complicit in, or at risk of complicity in, the PRC’s human rights violations including surveillance, data collection, censorship, crimes against humanity,² and genocide.³

Former U.N. Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises John Ruggie referred to complicity as “indirect involvement by companies in human rights abuses—where the actual harm is committed by another party, including governments and non-State actors . . . it may not matter that the company was merely carrying out normal business activities if those activities contributed to the abuse and the company was aware or should have been aware of its contribution. The fact that a company was following orders, fulfilling contractual obligations, or even complying with national law will not, alone, guarantee it legal protection.”⁴

Corporate Involvement in Human Rights Abuses in the XUAR

Companies that do business in, source from, or work with companies in the Xinjiang Uyghur Autonomous Region (XUAR) are at risk of complicity in human rights abuses committed by the Chinese Communist Party and government. PRC authorities have subjected individuals from ethnic minority groups in the XUAR to mass surveillance, deprivation of freedom of movement, destruction of religious sites, mass arbitrary detention, forced family separations, and forced labor.⁵

Effective since June 21, 2022, the Uyghur Forced Labor Prevention Act (UFLPA; Public Law No. 117-78) establishes a rebuttable presumption that all goods made in whole or in part in the XUAR have been made with forced labor and that the importation of such goods is prohibited by Section 307 of the Tariff Act of 1930.⁶ As of June 2024, the UFLPA Entity List consists of 68 PRC-based companies found to be complicit in Uyghur forced labor.⁷

During the 2024 reporting year, the Commission observed the following reports detailing evidence of various industries implicated in or at risk of complicity in human rights abuses in the XUAR:

- **Apparel Industry.** A December 2023 report by Sheffield Hallam University’s Helena Kennedy Centre for International Justice, in collaboration with the Uyghur Rights Monitor, and the Uyghur Center for Democracy and Human Rights reviewed publicly accessible sources to map supply chains of four PRC apparel manufacturers and their imports into the European Union market.⁸ The report found evidence of the companies’ “significant ties” to the XUAR, including connections to 1) state-sponsored forced labor transfers; 2) state-sponsored forced labor of mass internment camp detainees; and 3) prison labor.⁹

The report described “corporate obfuscation” tactics that companies deploy to “hide their XUAR connections while continuing to profit from the labor of coerced citizens.”¹⁰

- **Automotive Industry.** Human Rights Watch published a report in February 2024 discussing companies’ complicity in forced labor via ties to the XUAR’s aluminum industry, which accounts for roughly 9 percent of global supply.¹¹ Aluminum is vital for many car parts, such as vehicle frames, wheels, battery foils, engine blocks, and electric vehicle batteries.¹² Carmakers implicated in the report include **BYD, General Motors, Tesla, Toyota, and Volkswagen.**¹³

- **Mining Industry.** According to an October 2023 report by the international advocacy organization Center for Advanced Defense Studies (C4ADS), global supply chains and index fund portfolios of major asset management firms are at high risk of being tainted by abuses in the XUAR mining sector.¹⁴ Publicly traded PRC-owned gold companies **Shandong Gold Group, Lingbao Gold Group Company, Zhaojin Mining Industry Company, and Zijin Mining Group** own gold mines and refineries in the XUAR and reportedly participated in Uyghur forced assimilation or forced labor transfer programs.¹⁵ Brands, such as **Sony, Express, T-Mobile, Hasbro, Kohl’s, and Best Buy**, among others, have supply chain exposure to one or more of these gold companies, and index fund providers such as **Fidelity, Blackstone, Vanguard, JPMorgan Chase**, and others, include them in their portfolio offerings.¹⁶

- **Seafood Industry.** Investigative reporting by nonprofit journalism organization The Outlaw Ocean Project revealed that at least 10 major PRC seafood companies used the forced labor of Uyghurs transferred from the XUAR.¹⁷ Their reporting also documented the forced labor of North Koreans working in the PRC’s fish processing industry.¹⁸ [For more information on the plight of North Korean refugees in China, see Chapter 15—North Korean Refugees in China.]

- **Solar Industry.** A July 2023 report entitled “Over-Exposed: Uyghur Region Exposure Assessment for Solar Industry Sourcing,” by Sheffield Hallam University’s Helena Kennedy Centre for International Justice assessed supply chain connections to the XUAR of 10 global solar module manufacturers, including companies with operations in the United States.¹⁹ As of June 2024, solar panels with potential connections to forced labor “continue to flow into the U.S. market,” according to U.S. data analytics firm Kharon.²⁰

- **Tomato Industry.** A February 2024 *Forbes* article described how tomato products produced by Uyghur forced labor or harvested in the XUAR are sold in the United States through grocery delivery apps and online retailers.²¹

- **Tourism Industry.** An August 2023 report published by the Uyghur Human Rights Project identified 10 international travel companies that had offered trips to the XUAR.²² The authors found that the itineraries of a number of these companies included sites that are “linked to the Uyghur genocide . . . religious repression, [and] destruction of tangible and intangible

cultural heritage.”²³ In March 2024, the Commission wrote to three of the companies—**Abercrombie & Kent**, **Geographic Expeditions**, and **Wild Frontiers**—to raise concerns that tours in the XUAR were whitewashing atrocities in the region and to ask that they cancel any upcoming planned tours.²⁴

“Audit-Washing”
<p>When sourcing goods alleged to be made in whole or in part with forced labor, international brands often point to their use of audits to ensure compliance with corporate codes of conduct prohibiting involvement in forced labor.²⁵ Reports and congressional testimony this past year, however, continued to highlight evidence of the unreliability of such audits conducted in the PRC, especially in the XUAR.²⁶ The Chinese government has created an “unconducive environment” for auditing firms to carry out due diligence, according to executive director of the Worker Rights Consortium Scott Nova.²⁷ In December 2023, German car manufacturer Volkswagen commissioned Löning Human Rights & Responsible Business to conduct an audit of its joint venture factory in the XUAR.²⁸ Although the automaker claimed the audit found no signs of forced labor, human rights advocates and experts raised concerns that social compliance audits are neither equipped nor designed to accurately identify state-imposed forced labor in the XUAR.²⁹ Scholar Adrian Zenz described the result of Volkswagen’s audit—allowing the company to continue business as usual in the XUAR—as an example of “audit-washing.”³⁰ [For more information on labor abuses in the XUAR and elsewhere in the PRC, see Chapter 11—Worker Rights and Chapter 18—Xinjiang Uyghur Autonomous Region.]</p>

Companies’ Role in Government Data Collection and Surveillance

During the 2024 reporting year, the Commission observed reports of companies supporting the PRC’s data collection and surveillance efforts. PRC laws authorize the government to collect individuals’ data from companies without adequate protection for the internationally recognized right to privacy, and in the absence of an independent judiciary.³¹ For example, **Accelerated Nuclear DNA Equipment (ANDE)**, with the support of Chinese security equipment vendor **Beijing GAC World Trade**, sold DNA testing machines to public security bureaus across China.³² Human rights experts and advocates have called on human DNA identification technology companies, such as ANDE and **Thermo Fisher Scientific**, to end all sales to Chinese police, judiciary, and forensic genetic labs, citing the government’s use of surveillance to target rights advocates and ethnic minorities.³³

In February 2024, The Jamestown Foundation detailed security and ethical considerations concerning Chinese biotechnology firm **WuXi AppTec**.³⁴ Because companies must comply with demands to provide information and access to data under the PRC’s cybersecurity and data security laws,³⁵ Jamestown’s authors raised concerns about the company’s unauthorized collection of genetic data, which may be accessible to the Chinese Communist Party and the People’s Liberation Army.³⁶ The U.S. State Department, Federal Bureau of Investigation, and the

Office of the Director of National Intelligence found that Wuxi AppTec transferred a client's data and intellectual property from the United States to China without the client's consent.³⁷

Technology research firm IPVM reported in November 2023 that U.S.-sanctioned **Hikvision** signed a PRC government contract in 2022 to provide security software with Uyghur recognition analytics for a project in Chengmai county, Hainan province.³⁸ The software was reportedly powered by hardware from California-based company **NVIDIA**.³⁹ In addition, PRC government tenders for a 2022 "Smart Campus" project at Minjiang University in Fuzhou municipality, Fujian province, required Hikvision to develop "fasting alerts" to help campus administrators identify ethnic minority students who fast for Ramadan.⁴⁰ Hikvision's surveillance system for the project also included functionalities to monitor "daily behaviors" of minority students.⁴¹

In March 2024, the Uyghur Human Rights Project detailed how China-based **Shenzhen DJI Innovation Technology Company Limited (DJI)**, described as the "world's largest drone maker," has reportedly been involved in mass surveillance and human rights abuses in the XUAR.⁴² Between 2019 and 2022, the Xinjiang Public Security Department partnered with DJI on public security projects,⁴³ and the Xinjiang Production and Construction Corps purchased drones from DJI.⁴⁴ DJI reportedly cooperated with the state's "poverty alleviation" program by providing a Uyghur business training program in 2018.⁴⁵ Police and local authorities in the XUAR continue to purchase surveillance drones from DJI.⁴⁶

Analysis of mobile device keyboard input method editors (IMEs) revealed that the Chinese government may potentially exploit technical vulnerabilities to surveil and "eavesdrop" on what users are typing.⁴⁷ Reporting from University of Toronto's Citizen Lab detailed vulnerabilities in the Windows, Android, and iOS versions of **Tencent's Sogou** IME, affecting users in China, Taiwan, Japan, and the United States.⁴⁸ Other IMEs with security vulnerabilities detected include **Baidu, HONOR, Huawei, iFLYTEK, OPPO, Samsung, Tencent, vivo, and Xiaomi**.⁴⁹ The authors of the analysis advised that "keystrokes coming from users anywhere in the world are transmitted to servers in mainland China, which are operating under the legal jurisdiction of the Chinese government."⁵⁰

Litigating Cisco's Role in the Persecution of Falun Gong Practitioners

A federal court ruling issued in July 2023 held that California-based technology company **Cisco Systems** could be held liable for "aiding and abetting" human rights abuses that took place in China using its technology.⁵¹ In a case dating to May 2011, one American citizen and 13 Chinese citizens who are adherents of the spiritual practice Falun Gong filed a lawsuit in a U.S. District Court against Cisco and its leadership for aiding and abetting or conspiring with Chinese officials, in violation of the Alien Tort Statute (ATS), the Torture Victim Prevention Act, and other federal and state laws.⁵² The United States Court of Appeals for the Ninth Circuit found that an American company could be sued under the ATS, although it reaffirmed a lower court's dismissal of the lawsuit's claims against Cisco executives under the ATS.⁵³

Litigating Cisco’s Role in the Persecution of Falun Gong Practitioners—Continued

Digital rights organization Electronic Frontier Foundation hailed the court’s opinion that legitimate uses of a company’s technology do not immunize it from liability from uses that lead to human rights abuses.⁵⁴ [For more information about the PRC’s crack down on the practice of Falun Gong, see Chapter 3—Freedom of Religion.]

Companies’ Role in Censorship and Removals

Companies were both targets and enablers of Chinese government censorship. Examples during the reporting year include the following:

- **Amazon Prime.** In January 2024, *The Guardian* reported that two episodes of drama series “Expats” were unavailable on Amazon Prime’s streaming platform for viewers in Hong Kong.⁵⁵ The series contains episodes that refer to the 2014 pro-democracy protests in Hong Kong.⁵⁶ The Hong Kong government and Amazon did not comment on the removal of the episodes.⁵⁷ Yaqiu Wang, Research Director for China, Hong Kong and Taiwan at Freedom House, speculated that Amazon engaged in self-censorship “because of the vagueness of the [2020 National Security Law] . . . nobody knows where the line is.”⁵⁸ [For more information on censorship in Hong Kong, see Chapter 19—Hong Kong.]
- **Apple.** A June 2024 report by AppleCensorship analyzed patterns of app removals from Apple’s App Store in China and found that PRC authorities directly requested that Apple remove specific apps, set “regulatory hurdles” for app developers, and created localized versions of select apps to restrict access to global versions, among other tactics.⁵⁹ App removals were related to eight “sensitive” categories: 1) virtual private networks (VPNs); 2) privacy and digital security; 3) LGBTQ+ content; 4) news, media, and information; 5) social media and communications; 6) Tibetan language, culture, or Buddhism; 7) Uyghur culture and religion; and 8) religions outside state-sanctioned religions.⁶⁰
- Chinese microblog **Weibo** and social media outlet **WeChat** continued to censor content that diverges from the government narrative about political participation and the economy.⁶¹ Weibo issued notices warning some users not to post content that expresses “pessimism about the economy.”⁶² WeChat “disappeared” at least seven research reports about China’s credit data in May 2024.⁶³ *Bloomberg* noted that “China has increasingly hidden negative data over the past few years.”⁶⁴ [For more information on censorship and suppression of expression, see Chapter 1—Freedom of Expression.]

Companies can face expulsion from the Chinese market, loss of revenue, or other forms of punishment for speech or actions that do not align with PRC narratives or censorship guidelines.⁶⁵ As a result, international companies often self-censor or assist the PRC in exporting censorship for the sake of maintaining market access,

while Chinese companies operating overseas adhere to PRC censorship.⁶⁶ For example, American financial services corporation **Citi-group** reportedly advised private bankers and relationship managers to refrain from discussing “the yuan or hedging the currency risk” with its Chinese clients.⁶⁷ Additionally, in July 2023, *Reuters* reported information about how the China Securities Regulatory Commission advised domestic law firms to “tone down the language used to describe China-related business risks” in the offshore listing documents they compile for Chinese companies, or risk not obtaining regulatory approval for their companies’ initial public offerings (IPO) process.⁶⁸ This guidance hinders companies from providing accurate disclosures, as required by the U.S. Securities and Exchange Commission (SEC).⁶⁹

“Glory to Hong Kong”

During the 2024 reporting year, the Commission observed instances of the Hong Kong government pressuring **Google** in ways that diminish freedom of speech and expression. On May 8, 2024, the Hong Kong Court of Appeal issued an injunction to limit the protest anthem “Glory to Hong Kong” from being broadcast on Hong Kong’s internet and media platforms.⁷⁰ While the injunction prohibited distribution of the song under certain conditions, it does not impose a blanket ban and allows exceptions.⁷¹ Nevertheless, as of May 15, 2024, Google, which owns **YouTube**, blocked access to more than 30 videos of the song for viewers in Hong Kong, regardless of their respective viewing purposes.⁷² The Commission wrote to Google CEO Sundar Pinchai and YouTube CEO Neal Mohan in June 2024 to urge them to restore the videos.⁷³

A digital rights expert warned that the ruling “will force global tech companies to abandon their responsibilities under the U.N. Guiding Principles on Business and Human Rights . . . [I]nternet intermediaries and the global tech community must follow their human rights commitments and draw a red line, lest they become complicit in Hong Kong’s further descent into digital repression.”⁷⁴ In October 2023, Google published a transparency report revealing that the Hong Kong Police Force (HKPF) requested in March and April of 2023 that Google remove videos relating to “Glory to Hong Kong” and documentary “The Hong Konger” from YouTube.⁷⁵ The report also revealed a May 2023 request from the HKPF to Google that a Google Drive file concerning participation in a “Glory to Hong Kong” compilation video be removed.⁷⁶ Google denied the HKPF’s requests at that time.⁷⁷ [For more information on censorship in Hong Kong, see Chapter 19—Hong Kong.]

Impact of PRC Legislation on Doing Business in China

Recent PRC legislations expanded the scope of laws authorizing government control of information, prompting businesses to self-censor or take other precautionary measures. The amended PRC Counterespionage Law (effective July 1, 2023) broadened the definition of acts of “espionage” and further granted state security agencies authority to investigate such activities.⁷⁸ Under the law’s expanded application, foreign enterprises may trigger investigations and “face unexpected risks” by conducting what are otherwise normal

business operations such as recruitment of local talent, cross-border projects, and research initiatives with overseas partners.⁷⁹ The revised PRC Law on Guarding State Secrets (effective May 1, 2024) expanded the protection of not only “state secrets” but also “work secrets,”⁸⁰ with *Radio Free Asia* reporting that the government has a “highly elastic definition of what constitutes a state secret.”⁸¹

The American Chamber of Commerce in China’s white paper in April 2024 called on China to “clarify how the country’s national security laws apply to business.”⁸² During the 2024 reporting period, the Commission observed businesses implementing heightened precautionary measures to address the risks posed by PRC legislation and by the lack of safeguards for freedom of expression and association. Examples include the following:

- **Encouraging use of burner phones.** International auditing and consulting firms **Deloitte** and **KPMG** advised American staff to use burner phones when visiting Hong Kong, referencing data security concerns, with one senior executive highlighting “the risk of infiltration by a state-backed hacker.”⁸³
- **Limiting access to international databases.** To limit law enforcement’s access to databases in the event of a raid, American law firm **Latham & Watkins** merged their Hong Kong and China databases and cut off “automatic access” to international databases for lawyers based in Hong Kong.⁸⁴
- **Withdrawing operations from China.** American polling and consulting group **Gallup** withdrew its operations in China due to difficulties conducting and publishing public opinion surveys, which, in the past, have shown “unfavourable attitudes towards China.”⁸⁵ Global law firm **Denton** ended its official relationship with their China-affiliate Dacheng, reportedly because of the inability to freely exchange information between Chinese and non-China based partners and conduct China-related due diligence.⁸⁶
- **Working remotely.** Prior to an announcement about downgrading China’s sovereign credit rating, **Moody’s** Investors Service advised China-based non-administrative staff to “work from home” for a week.⁸⁷ According to Moody’s staff interviews published in the *Financial Times*, the guidance was likely issued due to “concern over Beijing’s possible reaction” and fear of “government inspections.”⁸⁸

As of May 2024, the U.S. State Department’s China Travel Advisory warns travelers, including businesspeople, about the “arbitrary enforcement of local laws, including in relation to exit bans, and the risk of wrongful detentions.”⁸⁹ According to reporting from September 2023, PRC authorities blocked a senior executive from American risk advisory firm **Kroll** and a senior Hong Kong-based banker from Japanese financial service group **Nomura Holdings** from leaving mainland China.⁹⁰

Notes to Chapter 14—Business and Human Rights

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NORTH KOREAN REFUGEES IN CHINA

Findings

- Shortly after the border reopening in the summer of 2023, the People's Republic of China (PRC) began to repatriate North Korean refugees, many of whom were women. In October 2023, the PRC government facilitated the return of 500 to 600 North Korean refugees. International condemnation followed, and concerns were raised this past year at the United Nations by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (DPRK) and by the Republic of Korea (South Korea) government, among others.
- Despite Chinese authorities' continual denials, there have been reports of abuse and torture of North Korean refugees who were repatriated since the border reopening. According to media reports, seven female refugees who were repatriated in October 2023 died due to serious human rights violations that occurred at two detention sites in the DPRK, including at least one case of reported suicide.
- North Korean workers dispatched from North Korea to earn foreign currency in China are overwhelmingly women and are vulnerable to sexual abuse and exploitation. Despite recent media reports and an international outcry over human rights violations in seafood processing plants, Chinese companies employed additional workers, defying international sanctions banning the hiring of workers from North Korea.
- North Korean trafficking victims, mostly women who had been residing in China before the outbreak of coronavirus disease 2019 (COVID-19), remain highly marginalized. Chinese authorities denied them access to essential healthcare and social services. The number of North Korean women being trafficked into China has decreased due to strict border controls. In a couple of cases heavy sentences were meted out for trafficking of North Korean women.

NORTH KOREAN REFUGEES IN CHINA

Introduction

The Chinese government argues that North Korean refugees are illegal “economic migrants” and repatriates them under a 1986 bilateral border agreement and a 1998 border protocol with the Democratic People’s Republic of Korea (DPRK).¹ At a Commission hearing in June 2023, Jung-Hoon Lee—who formerly served as the Republic of Korea’s (South Korea) Ambassador for North Korean Human Rights—argued that while famine-related economic migrants are not categorized as refugees under international legal standards, “the case of North Koreans is different; the main reason for their defection to a foreign country—economic plight—is the political outcome of a failed socialist system under totalitarian rule.”² Furthermore, the forced repatriation of North Korean refugees by the Chinese government contravenes China’s obligations under the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, to which China has acceded.³ According to the principle of non-refoulement, China is also obligated under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment not to forcibly repatriate individuals if there are “substantial grounds for believing that [they] would be in danger of being subjected to torture.”⁴ North Korean authorities consider leaving the country without authorization an act of “treachery.”⁵ Repatriated North Koreans often face torture, imprisonment, forced labor, execution, forced abortion, and sexual violence.⁶ This treatment by the DPRK government, therefore, renders North Koreans in China as refugees *sur place* who fear persecution upon return to their country of origin.⁷

Repatriation of North Korean Refugees from China to the DPRK

Following nearly four years of stringent border closures during the COVID-19 pandemic, the China-North Korea border reopened in August 2023,⁸ leading to the mass repatriation of more than 500 North Korean refugees in October 2023.⁹ PRC authorities continued to repatriate North Korean refugees in 2024, including the mass repatriation of more than 200 from a detention center in Jilin province in April 2024, as well as the repatriation of other refugees from Liaoning province.¹⁰ According to Human Rights Watch, the forcible return of about 60 North Korean refugees from Jilin province and Liaoning province followed shortly after North Korean leader Kim Jong Un’s meeting with China’s third-highest official, Zhao Leji, on April 13, which was aimed at strengthening “bilateral ties.”¹¹ Against this backdrop, the PRC and DPRK governments were reportedly exploring ways to “streamline” forced repatriations.¹²

Human Rights Abuses at DPRK Holding Centers

After being forcibly repatriated from China in October 2023, North Korean refugees were detained at holding centers (*jibgyeolso* 집결소) in Sinuiju, North P'yongan province, and Onsong, North Hamgyong province.¹³ Holding centers are operated by the Ministry of State Security (MSS) and facilitate initial investigations before detainees are transferred to a judicial facility in their respective hometowns, where legal procedures, including sentencing, take place.¹⁴ North Korean refugees were subjected to human rights abuses at these detention sites, some of which resulted in death.¹⁵ Of the seven detainees who reportedly died in holding centers; five died of malnutrition, one from hypothermia after being stripped naked and left outside in mid-winter temperatures after trying to escape, and one from suicide, brought about by constant torture and sexual violence.¹⁶ Upon being repatriated, female refugees commonly suffer mistreatment such as invasive body searches and gender-based violence, according to Elizabeth Salmón, U.N. Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea.¹⁷ The South Korean Ministry of Unification's 2024 North Korean Human Rights Report, based on the testimony of 649 North Koreans, noted that children have been subjected to various human rights abuses under the same conditions as adults while detained after forced repatriation.¹⁸ Additionally, women who became pregnant by Chinese men have been forced to have abortions while detained.¹⁹ The PRC government, meanwhile, maintains that there is no evidence to support claims that North Korean refugees are abused and tortured upon their return to North Korea.²⁰

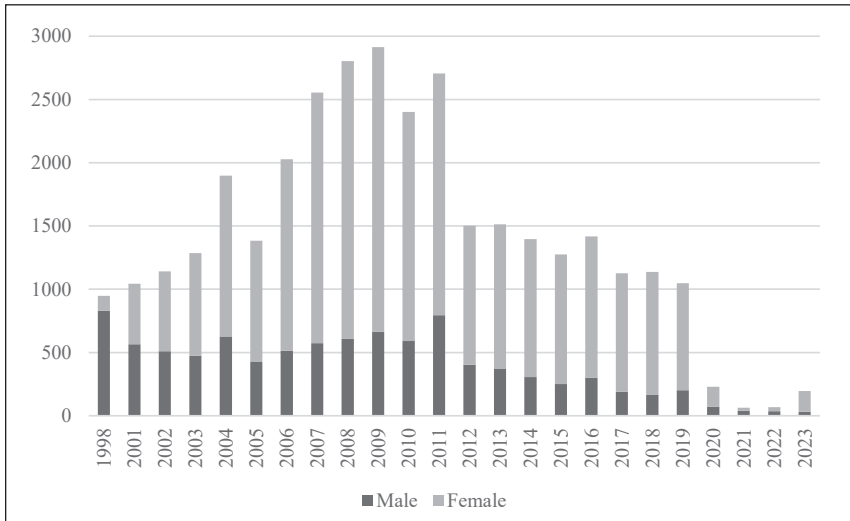
Heightened Surveillance and Control at the Border

Strengthened security measures, including new and expanded fences and guard posts put in place by North Korean authorities since the COVID-19 pandemic in 2020, remained obstacles to North Koreans seeking to flee to China.²¹ Chinese authorities, meanwhile, have continued their efforts to prevent North Korean refugees from reaching China and to locate those already in the country.²²

During their visit to China in October 2023, the Database Center for North Korean Human Rights (NKDB), found public banners encouraging locals to report individuals suspected of being North Korean refugees, offering cash rewards ranging from 2,000 yuan (approximately US\$290) to 20,000 yuan (US\$2,900).²³ NKDB also discovered new double-layered barbed wire fences and surveillance cameras installed by Chinese authorities to prevent North Koreans from crossing the river to enter China.²⁴ Against this backdrop, according to the South Korean Ministry of Unification, in 2023, 196 North Korean defectors arrived in South Korea, significantly fewer than the pre-pandemic level of 1,047 in 2019.²⁵

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NUMBER OF NORTH KOREAN DEFECTORS ENTERING SOUTH KOREA²⁶



Trafficking of North Korean Women in China

Since the COVID-19 pandemic and subsequent restrictions, crossing the border to enter China from North Korea has become increasingly difficult,²⁷ reducing the number of individuals trafficked into China.²⁸ Conditions for North Korean women living in China worsened during the pandemic.²⁹ Deprived of any medical or social services due to their undocumented status, many women live under constant fear of detection, and are at risk of trafficking and repatriation.³⁰

According to a study published in 2023, based on Chinese court documents from 2012 to 2020, two-thirds of North Korean refugees who entered China were female, primarily due to the perception of better job opportunities for women.³¹ These female refugees, however, are disproportionately vulnerable to exploitation, including forced marriage, forced labor, and forced involvement in the sex industry.³² Traffickers, sometimes fellow North Koreans, lure North Korean women with false promises of improved living conditions.³³ Notably, there were a two cases observed this reporting year in which Chinese authorities issued sentences of 10 and 20 years in prison to such traffickers.³⁴

North Korean Workers in China

The State Department estimated that there are between 20,000 to 100,000 North Korean workers who have been dispatched to China for employment.³⁵ These workers have been subjected to various human rights violations as Chinese companies, who can pay them lower wages than local employees, exploit their labor.³⁶

Despite the international prohibition on hiring North Korean workers in foreign countries, highlighted by a February 2024 *New Yorker* report³⁷ and referenced in an October 2023 Commission

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hearing,³⁸ the Chinese government reportedly requested additional workers in late February 2024 for seafood processing plants in several municipalities in Liaoning province, resulting in an influx of over 100 workers, mainly consisting of female workers in their twenties.³⁹ Furthermore, according to a May 2024 *Daily NK* article, North Korean authorities plan to continue working with Chinese counterparts to send workers to the PRC.⁴⁰

Children of North Korean and Chinese Parents

The children of undocumented North Korean mothers and Chinese fathers continue to be deprived of public services,⁴¹ despite the fact that all children born in China are entitled to Chinese nationality if either parent is a Chinese citizen.⁴² As many as 30,000 children in China born to North Korean mothers and Chinese fathers are unregistered due to their mothers' undocumented status, leaving them "de facto stateless."⁴³ Many of these children are denied access to public services, including education, healthcare, and legal protection.⁴⁴ In some cases, Chinese fathers avoid registering their children to prevent authorities from discovering their North Korean partner's undocumented status.⁴⁵ The denial of nationality rights and access to education for these children violates China's obligations under the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights.⁴⁶

Notes to Chapter 15—North Korean Refugees in China

¹U.N. General Assembly, Report on the Situation of Human Rights in the Democratic People's Republic of Korea, A/74/268, August 2, 2019; Office of the U.N. High Commissioner for Human Rights, "Committee on the Elimination of Racial Discrimination Reviews the Report of China," August 13, 2018. The U.N. Committee on the Elimination of Racial Discrimination expressed concern that "China continued to deny refugee status to asylum-seekers from the Democratic People's Republic of Korea and it also continued to forcibly return them to their country of origin, regardless of a serious threat of persecution and human rights violations." Democratic People's Republic of Korea Ministry of State Security and People's Republic of China Ministry of Public Security, Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas, signed August 12, 1986, reprinted in North Korea Freedom Coalition, arts. 4, 9; Democratic People's Republic of Korea Ministry of State Security and People's Republic of China Ministry of Public Security, 中华人民共和国公安部朝鲜民主主义人民共和国国家保卫部关于在边境地区维护国家安全和社会秩序的工作中相互合作的议定书 [Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas], signed July 8, 1998, effective August 28, 1998, arts. 4, 9. The protocol commits each side to treat as illegal those border crossers who do not have proper visa certificates, except in cases involving "calamity or unavoidable factors." Jason Bartlett, "China's New Land Borders Law is a Nightmare for North Korean Refugees," *Diplomat*, October 29, 2021; *China's Repatriation of North Korean Refugees, Hearing of the Congressional-Executive Commission on China*, 112th Cong. (2012) (written statement of Roberta Cohen, Chair, Committee for Human Rights in North Korea and Non-resident Senior Fellow, Brookings Institution).

²*North Korean Refugees and the Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (testimony of Jung Hoon Lee, Dean, Graduate School of International Studies, Yonsei University and former South Korean Ambassador-at-Large for North Korean Human Rights).

³Convention Relating to the Status of Refugees, adopted by the U.N. Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons on July 28, 1951, entry into force April 22, 1954, arts. 1(A)(2), 33(1). Article 1 of the 1951 Convention, as amended by the 1967 Protocol, defines a refugee as someone who, "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country . . ." Article 33 of the 1951 Convention mandates that "No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." United Nations Treaty Collection, Chapter V, Refugees and Stateless Persons, Convention Relating to the Status of Refugees, accessed April 1, 2024. China acceded to the Convention Relating to the Status of Refugees on September 24, 1982. Protocol Relating to the Status of Refugees, adopted by U.N. General Assembly resolution A/RES/2198 of December 16, 1966, entry into force October 4, 1967, art. 1; United Nations Treaty Collection, Chapter V, Refugees and Stateless Persons, Protocol Relating to the Status of Refugees, accessed April 1, 2024. China acceded to the Protocol Relating to the Status of Refugees on September 24, 1982.

⁴Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by U.N. General Assembly resolution 39/46 of December 10, 1984, entry into force June 26, 1987, art. 3. Article 3 states that "No State Party shall expel, return ('refouler') or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture." United Nations Treaty Collection, Chapter IV, Human Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, accessed April 1, 2024. China signed the Convention on December 12, 1986, and ratified it on October 4, 1988. U.N. Committee against Torture, Concluding Observations on the Fifth Periodic Report of China, adopted by the Committee at its 1391st and 1392nd Meetings (2–3 December 2015), CAT/C/CHN/CO/5, February 3, 2016, para. 46.

⁵Human Rights Watch, "A Sense of Terror Stronger than a Bullet: The Closing of North Korea 2018–2023," 2024, 6, 78.

⁶Office of the U.N. High Commissioner for Human Rights, Situation of Human Rights in the Democratic People's Republic of Korea, Report of the Special Rapporteur on the Situation of Human Rights in the Democratic People's Republic of Korea, Elizabeth Salmón, A/HRC/55/63, March 26, 2024, para. 7; Frances Mao, "North Koreans Deported from Chinese Jails Face Torture, Activists Warn," *BBC*, December 7, 2023; *North Korean Refugees and the Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (written statement of Joanna Hosaniak, Deputy Director General, Citizens' Alliance for North Korean Human Rights); *North Korean Refugees and the Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (testimony of Jung Hoon Lee, Dean, Graduate School of International Studies, Yonsei University and former South Korean Ambassador-at-Large for North Korean Human Rights); *North Korean Refugees and the Imminent Danger of Forced Repatriation from China, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (written statement of Suzanne Scholte, Chair, North Korea Freedom Coalition); Office of the U.N. High Commissioner for Human Rights, "I Still Feel the Pain . . ." Human Rights Violations against Women Detained in the Democratic People's Republic of Korea," July 2020, paras. 23, 65, 67, 80; Roberta Cohen, "Legal Grounds for Protection of North Korean Refugees," Brookings Institution, September 13, 2010; U.N. High Commissioner for Refugees, "Refugee Protection and International Migration," January 17, 2007, paras. 20–21.

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⁷ U.N. High Commissioner for Refugees, “Refugee Protection and International Migration,” January 17, 2007, paras. 20–21; Lina Yoon, Human Rights Watch, “China Forcibly Returns More than 500 to North Korea,” October 12, 2023.

⁸ Ng Han Guan, “North Korea Appears to Be Cracking Open Its Sealed Border with Dispatch of Sports Delegation,” *Associated Press*, August 18, 2023.

⁹ Hyonhee Shin, “Up to 600 North Korean Defectors Deported by China ‘Vanish’—Rights Group,” *Reuters*, December 7, 2023; Susan Crabtree, “Lawmakers to UN: Suspend China for Repatriating North Korean Defectors,” *Real Clear Politics*, December 8, 2023. An estimated 70% of those who were repatriated are reportedly women.

¹⁰ Yang Ji-ho, “‘Jung, talbukmin 200yeomyeong gangjebuksong’ . . . banmyeonman-e daegyumo songhwan jaegae” [“China forcibly repatriates over 200 North Korean defectors” . . . large-scale repatriations resume after six months], *Chosun Ilbo*, May 2, 2024; Jung Younggyu, “‘Jung, talbukmin 61myeong gangjebuksong’ . . . neombeo3 jaoleoji, gimjeong-eun-e seonmul?” [“China forcibly repatriates 61 North Korean defectors to North Korea” . . . Number 3 Zhao Leji, a gift to Kim Jong-un?], *JoongAng Ilbo*, May 2, 2024; Lina Yoon, Human Rights Watch, “China Forcibly Returns 60 Refugees to North Korea,” May 8, 2024.

¹¹ Lina Yoon, Human Rights Watch, “China Forcibly Returns 60 Refugees to North Korea,” May 8, 2024.

¹² Seulkee Jang, “Forced Repatriations of N. Korean Defectors in China Continue into This Year,” *Daily NK*, April 26, 2024. See also Wendy Teo, “China Unlikely to Cave Under Pressure to Stop Sending North Korean Defectors Back: Observers,” *Straits Times*, January 1, 2024; Julian Ryall, “China Under Pressure to Stop Repatriating North Koreans,” *Deutsche Welle*, December 6, 2023.

¹³ Jang Seul-gi, “[Gangje buk-song geu hu ①] daebubun gyowaso-haeng . . . ilbuneun jip-gye-olsoseo samang” [After the forced repatriation to North Korea ①] Most of them were sent to reeducation camps . . . Some died in holding centers], *Daily NK*, April 15, 2024. “FAQ,” *Daily NK*, accessed June 15, 2024.

¹⁴ Jang Seul-gi, “Jung seo gangjebuksongdoen talbukmindeul, guggyeong bowibu jibgyeolseo-gugyeum jung” [North Korean defectors forcibly repatriated from China are being detained at the border security department holding center], *Daily NK*, October 13, 2023.

¹⁵ Jang Seul-gi, “[Gangje buk-song geu hu ①] daebubun gyowaso-haeng . . . ilbuneun jip-gye-olsoseo samang” [After the forced repatriation to North Korea ①] Most of them were sent to reeducation camps . . . Some died in holding centers], *Daily NK*, April 15, 2024.

¹⁶ Jang Seul-gi, “[Gangje buk-song geu hu ①] daebubun gyowaso-haeng . . . ilbuneun jip-gye-olsoseo samang” [After the forced repatriation to North Korea ①] Most of them were sent to reeducation camps . . . Some died in holding centers], *Daily NK*, April 15, 2024.

¹⁷ United Nations Meetings Coverage, “Democratic People’s Republic of Korea Increasingly Repressing Its Citizens’ Human Rights, Freedoms, High Commissioner Warns Security Council,” SC/15387, August 17, 2023.

¹⁸ Ministry of Unification, Republic of Korea, “2024 bughan in-gwon bogoseo” [2024 Report on North Korean Human Rights], June 27, 2024, 5, 74–75.

¹⁹ Ministry of Unification, Republic of Korea, “2024 bughan in-gwon bogoseo” [2024 Report on North Korean Human Rights], June 27, 2024, 71–73.

²⁰ Letter from the Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland, CHN/HR/2023/75, September 13, 2023.

²¹ Human Rights Watch, “‘A Sense of Terror Stronger than a Bullet’: The Closing of North Korea 2018–2023,” March 2024.

²² Lee Chae Eun, “Two N. Korean Defectors in China Arrested for Talking About Going to S. Korea,” *Daily NK*, February 8, 2024; *North Korean Refugees and the Imminent Danger of Forced Repatriation from China*, Hearing of the Congressional-Executive Commission on China, 118th Cong. (2023) (written statement of Robert R. King, former Special Envoy for North Korean Human Rights Issues, U.S. Department of State); Josh Smith and Joyce Lee, “Chinese Raids Hit North Korean Defectors’ Underground Railroad,” *Reuters*, June 16, 2019.

²³ Seo Bo-bae, “Buk-Jung gangje songhwan” [North Korea-China forceful repatriation], *NKDB Issue Brief* 2, November 2023, 7–8. The second picture on page 8 of the report was taken in Longjing (龙井) in the Yanbian Korean Autonomous Prefecture, Jilin province, where most North Koreans defect to. The banner in the picture reads, “2000 to 20000 yuan will be rewarded if those illegals who cross the border are reported. Posted by Border Control Division in Longjing.”

²⁴ Seo Bo-bae, “Buk-Jung gangje songhwan” [North Korea-China forceful repatriation], *NKDB Issue Brief* 2, November 2023, 7–8.

²⁵ Ministry of Unification, Republic of Korea, “Policy on North Korean Defectors,” accessed on January 20, 2024; Gawon Bae and Jessie Yeung, “Number of North Korean Defectors Nearly Triples in 2023, Including ‘Elite’ Diplomats, South Korea Says,” *CNN*, January 19, 2024. According to South Korea’s Ministry of Unification, most of the North Korean defectors who entered South Korea last year did not come directly from North Korea. Instead, they entered South Korea after staying in a third country.

²⁶ Ministry of Unification, Republic of Korea, “Policy on North Korean Defectors,” accessed January 20, 2024; Gawon Bae and Jessie Yeung, “Number of North Korean Defectors Nearly Triples in 2023, Including ‘Elite’ Diplomats, South Korea Says,” *CNN*, January 19, 2024.

²⁷ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2023 Human Rights Report: China (Includes Hong Kong, Macau, and Tibet),” April 22, 2024, 56.

²⁸ Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “2023 Trafficking in Persons Report: China,” June 2023.

²⁹ Jessie Yeung and Yoonjung Seo, “She Fled North Korea but Was Sold to a Man in China. Her Second Escape Came Nearly 20 Years Later,” *CNN*, March 8, 2024; Lee Minji, “N. Korean

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Defectors Say Ordeal in China Worsened due to COVID-19 Pandemic,” *Yonhap News Agency*, July 10, 2023.

³⁰Jessie Yeung and Yoonjung Seo, “She Fled North Korea but Was Sold to a Man in China. Her Second Escape Came Nearly 20 Years Later,” *CNN*, March 8, 2024; Lee Minji, “N. Korean Defectors Say Ordeal in China Worsened due to COVID-19 Pandemic,” *Yonhap News Agency*, July 10, 2023. Kim Cheol-Ok, for example, escaped North Korea in the 1990s only to be forced into marriage in China in 1998. After living in China for over two decades without access to proper medical care, even during the COVID-19 pandemic, Kim attempted to leave for South Korea or England, but Chinese authorities detained her in April 2023 and repatriated her to the DPRK in October 2023. For more information see Ifang Bremer and Joon Ha Park, “I Can’t Lose Her Too: Family Fears for Loved One Forcibly Sent to North Korea,” *NK News*, October 31, 2023.

³¹Shuqin Mei, “Trafficking North Korean Women into China for Forced Marriage: Evidence from Court Judgments,” *Crime, Law and Social Change* 81, 323 (October 5, 2023).

³²Shuqin Mei, “Trafficking North Korean Women into China for Forced Marriage: Evidence from Court Judgments,” *Crime, Law and Social Change* 81, 323–25 (October 5, 2023).

³³Jeong Tae Joo, “Jilin Province Sentences N. Korean Defector to 10 Years for Human Trafficking,” *Daily NK*, May 14, 2024; Lee Chae Eun, “N. Korean Defector in China Sentenced to 20 Years for Human Trafficking,” *Daily NK*, November 22, 2023.

³⁴Jeong Tae Joo, “Jilin Province Sentences N. Korean Defector to 10 Years for Human Trafficking,” *DailyNK*, May 14, 2024; Lee Chae Eun, “N. Korean Defector in China Sentenced to 20 Years for Human Trafficking,” *DailyNK*, November 22, 2023.

³⁵Ju-min Park, “Signs of Rare Unrest among North Korean Workers in China, Researchers Say,” *Reuters*, February 8, 2024; Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, “Trafficking in Persons Report,” July 2022, 327–28.

³⁶Ian Urbina, “Inside North Korea’s Forced Labor Program,” *New Yorker*, February 25, 2024.

³⁷Ian Urbina, “Inside North Korea’s Forced Labor Program,” *New Yorker*, February 25, 2024. Despite the U.S. law, Countering America’s Adversaries Through Sanctions Act (CAATSA), which presumes work by North Koreans to be forced labor unless proven otherwise, the investigative report also exposed the persistent utilization of North Korean workers in Chinese seafood processing plants. Notably, some of these plants export their products to the U.S.

³⁸*From Bait to Plate—How Forced Labor Taints America’s Seafood Supply Chain, Hearing of the Congressional-Executive Commission on China*, 118th Cong. (2023) (testimony of Ian Urbina, Director and Founder of The Outlaw Ocean Project).

³⁹Jung Tae Joo, “Jung susanmul gongjang-ui gang-gong . . . ‘bae 20dae yeoseong nodongja daegeo goyong’” [Strong pushback from Chinese seafood processing plants? . . . “They hire many North Korean female workers in their 20s”], *Daily NK*, June 4, 2024.

⁴⁰Lee Sang-yong, “N. Korea Plans to Minimize Economic Damage from World’s Moves to Block Imports of Chinese Seafoods,” *Daily NK*, May 1, 2024.

⁴¹Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2023 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet),” April 2024, 57–58; Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2022 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet),” March 2022, 57.

⁴²中华人民共和国国籍法 [PRC Nationality Law], passed and effective September 10, 1980, art. 4. Article 4 of the PRC Nationality Law provides that “Any person born in China whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality.”

⁴³Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2023 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet),” April 2024, 57, 58.

⁴⁴Kang Seo, “Citizenship Redefined: China’s *Hukou* System Reform and the Status of North Korean Refugee Women and Their Children in China,” *Asian Journal of Peacebuilding* 12, no. 1 (2024): 13–15, 25–30. See also Jenna Yoojin Yun, “30,000 North Korean Children Living in Limbo in China,” *Guardian*, February 5, 2016.

⁴⁵Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2023 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet),” April 2024, 57, 58. Registering a child for a *hukou* (戶口), or household registration, requires detailed information about both parents, along with their marriage certificate. See also Kang Seo, “Citizenship Redefined: China’s *Hukou* System Reform and the Status of North Korean Refugee Women and Their Children in China,” *Asian Journal of Peacebuilding* 12, no. 1 (2024): 13–15, 25–30.

⁴⁶Convention on the Rights of the Child, adopted by U.N. General Assembly resolution 44/25 of November 20, 1989, entry into force September 2, 1990, arts. 2, 7, 28(1)(a). Under the Convention on the Rights of the Child, China is obligated to register children born within the country immediately after birth and also to provide all children with access to education without discrimination on the basis of nationality. International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 24.

Findings

- The People's Republic of China (PRC) continued to rely on a National Anti-Fraud Center (NAFC) app to collect data and access personal information, monitor online activity, and potentially aggregate data for surveillance. While use of the app is prevalent across China, the Tibet Autonomous Region was a focal point for surveillance, leading individuals to engage in self-censorship, reducing cultural expression, and reinforcing control and conformity.
- Chinese leader Xi Jinping proposed the Global Artificial Intelligence Governance Initiative, which emphasizes sovereignty while potentially limiting human rights. Domestically, the Chinese government has issued regulations that further ensure that artificial intelligence (AI) is aligned with Chinese Communist Party values, and Chinese academics have posited a need to guard against "Western values."
- Chinese entities demonstrated competency in using AI to create social media content aimed at manipulating public opinion. First Voice, an opinion unit of Chinese state-owned media outlet *China Global Television Network* (CGTN), used AI to generate a series of animated videos on X and YouTube, called "A Fractured America," showing fake strikes and riots happening across America because of income inequality and a lack of accountable democracy. Meanwhile, a research report revealed the first use of an AI-generated human by a Chinese company in an influence campaign.
- An online propaganda and disinformation operation employing a network of social media accounts (or "bots") linked to the Chinese government, called "Spamouflage," continued to make posts on social media favorable to the Chinese government and hostile to opinions contrary to PRC policy. The Canadian government attributed the posting of "thousands" of comments in English and French on Facebook and X accounts of Members of Parliament to the operation.

TECHNOLOGY-ENHANCED AUTHORITARIANISM

Surveillance

USE OF THE NATIONAL ANTI-FRAUD CENTER APP TO SURVEIL CITIZENS

The Commission observed reports of authorities' use of an anti-fraud app called the National Anti-Fraud Center (NAFC) app to monitor cell phone users' online activity, including their use of anti-censorship tools, and to access personal information. The PRC Ministry of Public Security developed the NAFC App and released it in early 2021 to combat internet and telecommunications fraud.¹ As early as September 2021, authorities used the NAFC app for other purposes, including tracking users' access to overseas financial news sites; requiring parents to download the app prior to their children's school enrollment, and requiring tenants to install it prior to the signing of rental leases.² Since the White Paper protests in 2022, grid management workers have conducted arbitrary inspections to check for the presence of, and compel the installation of, the NAFC app, reportedly in part to monitor for anti-censorship tools.³ While the Deputy Director of the Criminal Investigation Bureau of the Ministry of Public Security claimed that the NAFC app is aimed at ". . . enhancing the public's awareness and ability to combat and prevent fraud," a 2022 forensic analysis indicated that the data collected by the app is sent to "private backend servers" that may or may not be used for its stated purpose.⁴ In one case in April 2024, public security officials reportedly accessed a user's cell phone contacts and geolocation data and froze his bank cards and Alipay account after he called a Singaporean bank about a work-related issue.⁵

A report produced by Turquoise Roof and Tibet Watch that forensically analyzed the NAFC app in Tibetan areas found that the NAFC app enabled the capture of large amounts of personal information, including by monitoring call logs and text messages.⁶ The NAFC app has "extensive access" to personal information through "intrusive permissions," such as capturing passwords, voice recording, facial verification, and reading of log files that can be used to query other installed programs.⁷ The app's registration process requires users to "go through facial recognition capture while holding up their government identity card to the camera," which raises concerns about "extensive data collection and monitoring of individual internet user behaviour."⁸ The report hypothesizes that the collected information can be combined with a big data policing platform, such as the "Tibet Underworld Criminal Integrated Intelligence Application Platform" prevalent in the Tibet Autonomous Region, to aggregate and analyze data.⁹ The platform, which is reportedly powered by a database provided by the U.S. company Oracle, gathers and centralizes data from public security bureaus to "directly investigate extremely serious criminal cases" through keyword searches.¹⁰ The platform "takes full advantage of the integrated affordances of 'big data' computing" in order to 'achieve dynamic management and control of key personnel.'¹¹ Human Rights Watch defines the similar terms "key persons" or "key individuals" as individuals seen as a threat to society who should be monitored.¹² According to Turquoise

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Roof and Tibet Watch, the presence of this type of surveillance technology has fostered a “society-wide ‘chilling effect,’” influencing individuals to engage in self-censorship, reducing cultural expression, and bolstering control and conformity.¹³ [For more information on Tibet, see Chapter 17—Tibet.]

Artificial Intelligence

CYBER SOVEREIGNTY

Within the discourse on artificial intelligence (AI), Chinese experts have emphasized control and cultural values, as AI is seen as a threat to Chinese society if left uncontrolled. In April 2024, a researcher at the Jamestown Foundation published an analysis of Chinese AI developments and found a close correlation with the Chinese concept of “cyber sovereignty,” leading to a new ideological framework which some have called “sovereign AI” or “AI sovereignty.”¹⁴ Some Chinese scholars have emphasized the need for “Chinese values” in AI technology.¹⁵ Another group of experts sees a need in China to prevent AI from “digital colonization.”¹⁶ An October 2023 opinion piece in official Chinese media framed technological neutrality as an impossibility because “AI products have a stance.”¹⁷ In August 2023, the Chinese Academy of Sciences released a draft of a “National Artificial Intelligence Law” that would require AI technologies to “adhere to the core socialist values, not incite subversion of state power, overthrow the socialist system, endanger national security and interests, damage the national image, incite secession, [or] undermine national unity and social stability”¹⁸

During the Commission’s 2024 reporting year, Chinese leader Xi Jinping put forth a new policy initiative on AI that may have implicitly demonstrated the Chinese government’s motivation to export its version of AI governance, which prioritizes sovereignty over individual rights. Chinese leader Xi Jinping introduced the Global AI Governance Initiative (GAIGI) at the 10-year-anniversary Belt and Road Forum in October 2023, suggesting that China is “all-in on constructing the AI ecosystems of the developing world.”¹⁹ In addition, the GAIGI emphasizes “respect[ing] other countries’ national sovereignty and strictly abide[ing] by their laws when providing AI products and services.”²⁰ Experts have previously explained that the Chinese government’s use of the word “sovereignty” encompasses the idea of protecting the Party’s power and limiting its human rights obligations.²¹

Malign Influence

MANIPULATION OF INTERNATIONAL PUBLIC OPINION

Chinese entities demonstrated competence in using AI to create social media content aimed at manipulating public opinion.²² In March 2024, First Voice, an opinion unit of Chinese state-owned media outlet *China Global Television Network* (CGTN), used AI to generate a series of animated videos called “A Fractured America” on X and YouTube showing fake strikes and riots happening across America because of income inequality and a lack of accountable democracy.²³ According to *Voice of America*, the series “marks the first

time that the Chinese government has publicly used AI to target the hearts and minds of Americans by implanting the idea of mass riots and civil disobedience.”²⁴ *CGTN* used the U.S. company IBM’s watsonx generative AI platform to make the videos, according to a marketing intelligence firm.²⁵

In December 2023, a research report revealed the first use of an AI-generated human by a Chinese company in an influence campaign comprising a series of 4,500 videos spread across 30 YouTube channels about the “U.S.-China tech war,” competition for rare earths and critical minerals, the collapse of the United States and its partnerships, and other topics.²⁶ Together, the videos attracted about 120 million views and 730,000 subscribers, making the campaign “one of the most successful influence operations” related to China to have ever appeared on social media.²⁷

CHINESE INFLUENCE OPERATION “SPAMOUFLAGE”

An online propaganda and disinformation operation employing a network of automated social media accounts (or “bot” accounts) continued to make posts favorable to the Chinese government on social media platforms.²⁸ The network, known as “Spamouflage,” has been active since at least 2017.²⁹ Media reports noted that Facebook’s parent company, Meta, and federal prosecutors had linked Spamouflage to the Chinese police.³⁰

In October 2023, the government of Canada attributed the posting of “thousands” of English- and French-language comments on Members of Parliaments’ (MPs) Facebook and X accounts to Spamouflage.³¹ According to the government of Canada, the operation “. . . could discourage and make it difficult for MPs to carry out their duties and may dissuade MPs and diaspora communities in Canada from speaking out on issues which concern them,” including by claiming that “a critic of the Chinese Communist Party” had accused MPs of wrongdoing.³² Four accounts linked to Spamouflage reportedly posed “convincingly as Americans” in viral posts and videos about U.S. culture wars.³³ All of the mentioned accounts posted inflammatory content apparently intended to exacerbate political divisions by promoting conspiracy theories and making baseless accusations against individuals, including U.S. President Joseph Biden.³⁴

PROPAGANDA

Chinese entities, in line with PRC policy, covertly broadcast official propaganda without clear attribution. The University of Toronto’s Citizen Lab identified a PRC-based public relations firm called Shenzhen Haimaiyunxiang Media Company as being responsible for a propaganda campaign that disseminated content favorable to the PRC government and hostile to its critics, including foreign governments.³⁵ The campaign consisted of a network of at least 123 PRC-based websites that posed as local news outlets in 30 countries across Europe, Asia, and Latin America.³⁶

Another such Chinese entity was Yihuan Cultural Communication Company (also known as Haixun Press), a Chinese marketing firm, which reportedly used newswire services to publish “pro-Beijing” stories on at least 32 news outlets’ websites.³⁷ Much of the content was reportedly directly reproduced from Chinese state-run

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media and state-funded think tanks, and included “scathing critiques of U.S. policymakers, academics,” and others critical of PRC policies.³⁸ The company reportedly claims to “[work] with over 150 clients that include Chinese government departments, police and state media,” but observers could not determine whether the campaign received funding from the PRC government.³⁹

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¹⁵Matthew Dagher-Margosian, “CCP Cyber Sovereignty Contains Lessons for AI’s Future,” *China Brief*, Jamestown Foundation, April 12, 2024, 31–32; Tencent Research Institute, “AI创新理念与路线之争：有效加速，还是超级对齐？” [The debate over AI innovation concepts and routes: effective acceleration or super alignment?], March 21, 2024.

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IX. Tibet

TIBET

Findings

- The Commission did not observe any interest from People's Republic of China (PRC) officials in resuming formal negotiations with the Dalai Lama's representatives, the last round of which, the ninth, was held in January 2010.
- The PRC continued to restrict, and seek to control, the religious practices of Tibetans, the majority of whom practice Tibetan Buddhism. As part of the broader policy of "sinicizing" religion, PRC authorities in Tibetan areas issued prohibitions on forms of religious worship, including during important religious events or around the times of politically sensitive anniversaries, limited access to religious institutions and places of worship, including Tibetan Buddhist monasteries and temples, and otherwise unduly restricted Tibetans' freedom of religion and belief. The PRC continued to assert control over the process of selection and recognition of Tibetan Buddhist reincarnated teachers, including the Dalai Lama.
- The Commission did not observe reports of Tibetan self-immolations occurring during the 2024 reporting year, the second year since 2021 in which no self-immolations were reported to have occurred.
- PRC authorities maintained a system of residential boarding schools in Tibetan areas that observers fear could constitute a serious threat to Tibetan society and the intergenerational transmission of culture and language.
- Large-scale protests broke out in February 2024 in Derge (Dege) county, Kardze (Ganzi) Tibetan Autonomous Prefecture, Sichuan province, due to official plans for construction of a hydroelectric dam on the Dri Chu (Jinsha) River that will submerge at least two villages and six monasteries, one of which, Wontoe Monastery, contains well-preserved 13th-century murals. Security personnel detained approximately 1,000 Tibetans in connection with the protests; many were later released, but local authorities escalated surveillance and monitoring of local communities in the following months.
- In contravention of international human rights standards, officials punished residents of Tibetan areas for exercising protected rights, including the expression of religious belief, expressing criticism of PRC policies, and sharing information online. Notable cases this past year included those of writer **Pema**, a monk and teacher at Kirti Monastery, who in a lone protest held a portrait of the Dalai Lama and called for the Dalai Lama's return to Tibet and religious freedom for Tibetans; **Semkyi Drolma**, detained for her participation in discussion groups about Buddhism on the social media platform WeChat, and later sentenced to one year and six months in prison for "leaking state secrets"; and **Tenzin Sangpo**, a senior monk at Derge's Wontoe Monastery detained in February 2024 as part of the anti-dam protests.

TIBET

Status of Negotiations between the Chinese Government and the Dalai Lama or His Representatives

During the Commission's 2024 reporting year, the Commission did not observe any interest on the part of People's Republic of China (PRC) officials in resuming formal negotiations with the Dalai Lama or his representatives.¹ The last round of negotiations, the ninth, was held in January 2010.²

Self-Immolations

The Commission did not observe reports of Tibetan self-immolations occurring during the 2024 reporting year, the second year in a row in which no self-immolations were reported to have occurred.³ The Commission has observed 154 self-immolations reported to focus on political or religious issues since 2009 in Tibetan areas.⁴

Religious Freedom for Tibetans

The PRC continued to restrict, and seek to control, the religious practices of Tibetans, particularly practitioners of Tibetan Buddhism. International observers and rights advocacy groups reported on continuing violations of international human rights standards, including the right to freely worship and to choose one's own religion, that result from PRC religious policy and its implementation.⁵ PRC officials exercise political control and supervision of Tibetan Buddhist monastic and educational institutions through the National Religious Affairs Administration (NRAA), a Party office under the United Front Work Department (UFWD), and the Buddhist Association of China, the supervisory organization for Buddhism under the NRAA.⁶ [For more information on religion and religious policy in China, see Chapter 3—Freedom of Religion.]

During the 2024 reporting year, Chinese Communist Party and government organizations continued to organize propaganda campaigns to reach Tibetan Buddhist monks, nuns, and laypersons with messaging reinforcing Party policies.⁷ As part of these campaigns, Party and government officials held events, including lectures, study sessions, and competitions, at monasteries and other religious sites.⁸ In visits to monastic institutions, Party officials responsible for religious or ethnic policy stressed Party leadership over and control of religious institutions, and the responsibility of monastic leadership to guide monks and nuns to adhere to Party policies.⁹ Propaganda events focused on instructing monastics and laypersons on legal provisions restricting religious life, such as the Tibet Autonomous Region (TAR) Measures on the Management of Online Religious Information Services¹⁰ or the national-level Measures on the Management of the Reincarnation of Living Buddhas,¹¹ as well as discussion of major Party policy decisionmaking events, including the 20th National Congress of the Chinese Communist Party and the 7th Tibet Work Forum.¹² UFWD outreach to Tibetans also emphasized Party ethnic policy, including the importance of learning and using Mandarin

Chinese.¹³ [For more information on language rights in Tibet, see Language and Cultural Rights in this chapter.]

PRC authorities in Tibetan areas issued prohibitions on forms of religious worship, including during important religious events or around the times of politically sensitive anniversaries, limited access to religious institutions and places of worship, including Tibetan Buddhist monasteries and temples, and otherwise unduly restricted Tibetans' freedom of religion and belief.¹⁴ Illustrative examples from this past year included:

- **Restrictions on Kalachakra gatherings.** In July 2023 in Qinghai province¹⁵ and in July and September 2023 in Gansu province,¹⁶ authorities prevented organizers, speakers, and attendees from participating in Tibetan Buddhist ceremonies known as Kalachakra. Gansu authorities reportedly canceled the July Kalachakra event in Kanlho (Gannan) Tibetan Autonomous Prefecture (TAP) in part because July 2023 was the 70th anniversary of the founding of Kanlho TAP.¹⁷ Authorities in Qinghai reportedly detained organizers of the July gathering and censored discussion of the event, ordering that photographs and video online be taken down.¹⁸

- **Criminal charges for collecting donations.** In October 2023, police in Darlag (Dari) county, Golog (Guoluo) TAP, Qinghai, announced that they had detained eight Tibetan men on suspicion of “picking quarrels and provoking trouble” and “extortion.”¹⁹ Police issued a statement accusing **Gonnam** and **Gontse** of organizing **Jigme Tenzin, Palden, Lochoe, Namgyal, Norde,** and **Kalsang**²⁰ “in the name of religion” to commit crimes, and offered rewards for informants.²¹ A source told Tibet Watch that authorities detained the eight men “for collecting donations for religious offerings.”²²

- **Detentions over fundraising for *mani* stones.** In December 2023, police in Yulshul (Yushu) TAP, Qinghai, detained four Tibetans—siblings **Nyima** and **Loga**, stone carver **Rinchen**, and **Tsedar**²³—in connection with their work organizing a project to raise funds for the creation of thousands of religious stone engravings (*mani* stones).²⁴ Authorities reportedly accused the four of offenses related to “using religious . . . rights to disturb society” and “deceiving the masses,” and held them at a detention center in Yulshul.²⁵

- **Ban on new admissions at monastery.** Local officials in Markham (Mangkang) county, Chamdo (Changdu) municipality, TAR, prohibited the admission of new monks to Markham's Khyungbum Lura Monastery.²⁶

- **Political education following monk's detention.** In late May 2024, authorities ordered monks at an unidentified monastery in Chigdril (Jiuzhi) county, Golog TAP, to attend 10 days of “political education” following the detention of a resident monk, also unidentified, who had reportedly criticized a local-level legal provision on social media.²⁷ Authorities ordered the monastery's monastic leadership to exert stricter control over monks' comments on social media platforms, and to share the directive with monks' families and neighbors.²⁸

THE DALAI LAMA

Reports continued to emerge this year of Chinese authorities penalizing Tibetans for expressions of reverence for the Dalai Lama, including through harassment and surveillance, detention, and imprisonment. Authorities in Tibetan areas reportedly detained Tibetans in connection with discussions of the Dalai Lama online, praying for him, or displaying or sharing his image, including the following cases:

- In or around September 2023, police in Dingri county, Shigatse (Rikaze) municipality, Tibet Autonomous Region, detained four monks from Dingri's Lhadong Monastery, accusing **Kalsang Tsering, Sonam, Nyima,** and **Phuntsog** of having offered prayers to the Dalai Lama.²⁹ Police raided the monks' rooms, searched other parts of the monastery, and ordered monks and local residents to promise not to conduct prayer gatherings for the Dalai Lama at the monastery or in the village.³⁰ Two officials remained stationed at the monastery, which only houses 14 monks, to conduct surveillance.³¹
- In October 2023, authorities in Dola (Qilian) county, Tsojiang (Haibei) Tibetan Autonomous Prefecture, Qinghai province, detained **Wangchug Tso,** a Tibetan resident of Dola.³² Police told Wangchug Tso's family that she had shared information with Tibetans outside China and used social media platforms to share an image of the Dalai Lama.³³
- Reports on the early 2023 detention of **Tenzin Khyenrab** (also known by his pen name Dong Rangchag) only emerged in February 2024.³⁴ Authorities in Kardze (Ganzi) Tibetan Autonomous Prefecture (TAP), Sichuan province, detained Tenzin Khyenrab, then a 28-year-old monk and writer, for possessing images of the Dalai Lama on his mobile phone.³⁵
- In March 2024, public security officials in Ngaba (Aba) county, Ngaba (Aba) Tibetan and Qiang Autonomous Prefecture, Sichuan, detained **Pema,** a monk and teacher at Ngaba county's Kirti Monastery, after he protested by himself in the county seat.³⁶ Pema reportedly held a portrait of the Dalai Lama and called for the Dalai Lama's return to Tibet and religious freedom for Tibetans.³⁷ He had reportedly also spoken to local authorities about pressure on children to attend state schools instead of the monastery's school.³⁸

*Hundreds of Tibetans Detained after Protests against
Dam Threatening Villages and Monasteries*

In February 2024, hundreds of residents of Derge (Dege) county, Kardze (Ganzi) Tibetan Autonomous Prefecture, Sichuan province, began protesting against the planned construction of a hydroelectric dam on the Dri Chu (Jinsha) River which would flood six monasteries and two villages in the Derge area.³⁹ One of the monasteries threatened by the dam project, Wontoe Monastery, notably contains well-preserved 13th-century murals.⁴⁰ The protests began on February 14; on February 22, authorities deployed armed police to the area in response to the protests, and starting on February 23 detained hundreds of protesters, including monks from nearby

monasteries and local laypeople.⁴¹ Police reportedly beat some of the protesters such that they required hospitalization, and detained residents who went to detention centers to call on authorities to release previously detained protesters.⁴² In total, security personnel detained nearly 1,000 people, including monks and local residents.⁴³

Authorities released many detainees shortly afterward, but kept an unknown number in custody.⁴⁴ Identified detainees included Wontoe Monastery monk **Tenzin Sangpo**⁴⁵ and local official **Tenzin**,⁴⁶ as well as residents of Wompotoe (Wangbuding) township: **Dechen Drolma**,⁴⁷ **Dechen Palmo**,⁴⁸ **Yangkyi**,⁴⁹ **Rinchen Drolma**,⁵⁰ **Tsedrub**,⁵¹ **Rigzin**,⁵² and **Thubphur**.⁵³ On February 27, authorities released around 40 of the detainees but reportedly kept them under surveillance and post-release restrictions on communications outside the region;⁵⁴ by late March, authorities released hundreds of additional protesters.⁵⁵ Some local sources reported that authorities conducted searches for Tibetans who took photos or recorded video of the protests and of officials' reactions to them.⁵⁶ Local officials announced that construction of the dam would continue despite the protests and ordered local residents to comply with official directives.⁵⁷ Authorities in Jomda (Jiangda) county, Chamdo (Changdu) municipality, Tibet Autonomous Region, which neighbors Derge, reportedly conducted individual home visits in two villages that would be displaced by the dam's construction, collecting information on villagers in order to "strengthen social control."⁵⁸

The planned displacement of the Derge-area communities and monastic institutions illustrates a broader trend in Tibet of Party and government officials imposing resettlement plans on Tibetan communities from above, without meaningful community engagement or participation in decisionmaking. A Human Rights Watch report on official relocation and resettlement campaigns in the Tibet Autonomous Region between 2016 and 2023 found that officials justified these campaigns as "poverty alleviation" programs for affected communities or as being necessary for local environmental protection.⁵⁹ Officials often promise state subsidies for those who willingly move, and support for resettled communities in the forms of job training, employment, and improved economic prospects, but with varying success.⁶⁰ While officials working in the relocation programs provide compensation and incentives to households and communities targeted for resettlement, in practice officials exert such pressure on residents that it amounts to coercion.⁶¹ Resettled Tibetans often find themselves in substandard housing, living in areas with incomplete or inadequate infrastructure, and often in places with limited job opportunities.⁶²

The Derge-area dam was not the only hydropower construction project threatening Tibetan communities during the reporting year. In Dragkar (Xinghai) county, Tsolho (Hainan) Tibetan Autonomous Prefecture, Qinghai province, authorities began the forced relocation of monks from Dragkar's Atshog Monastery due to the construction of a dam on the Machu (Yellow) River.⁶³ Local officials reportedly previously rescinded the monastery's protected cultural status.⁶⁴ Once demolition of the monastery began in spring 2024, authorities placed communications and travel restrictions on the area, detaining at least one unidentified Tibetan for documenting the demolition

on social media.⁶⁵ One source reported that Atshog monks had to live in unfinished residential quarters at the relocation site for the monastery.⁶⁶

Continuing Restrictions on Access to Tibetan Areas

The State Department reported that in 2023 PRC authorities maintained heavy restrictions on access to Tibetan areas for diplomats, journalists, and travelers.⁶⁷ The Tibet Autonomous Region (TAR) required foreign diplomats to request permission to visit, unlike other areas of the country; in 2023, PRC authorities did not approve any U.S. consular visits.⁶⁸ PRC officials also “used conspicuous surveillance to intimidate, monitor, harass, and restrict travel” to Tibetan areas outside the TAR.⁶⁹

In its annual report on media freedoms in China, the Foreign Correspondents’ Club of China reported that access to Tibetan areas for foreign journalists remained severely limited, with TAR authorities granting access to reporters only if they participated in state-organized tours or if they applied for special official approval from central government authorities.⁷⁰

Restrictions on the Freedom of Expression and the Free Flow of Information

Chinese authorities continued to restrict contact between Tibetans in Tibetan areas of China and individuals or groups abroad, including by punishing or threatening to punish those found to have contact with Tibetans in exile—often those in India—or who have shared information in Tibet about Tibetans living abroad.⁷¹ Chinese authorities also strictly monitored online communications to find and punish Tibetans who were alleged to have committed crimes online.⁷² Examples of Tibetans detained by Chinese authorities in connection with their exercise of freedom of expression included the following:

- In October 2023, police in Damshung (Dangxiong) county, Lhasa municipality, TAR, detained **Semkyi Drolma**, reportedly in connection with her participation in discussion groups about Buddhism on the social media platform WeChat.⁷³ On December 2, authorities informed Semkyi Drolma’s family that she had been sentenced to one year and six months in prison on a charge related to “leaking state secrets” to someone abroad.⁷⁴
- Authorities in Thewo (Diebu) county, Kanlho (Gannan) Tibetan Autonomous Prefecture, Gansu province, took into custody **Konchog Dragpa**, a monk at Thewo’s Tashi Monastery, in late October 2023, reportedly in connection with having contact with someone outside Tibet.⁷⁵ Konchog Dragpa studied and worked at Kirti Monastery in India for several years before returning to Thewo in 2012.⁷⁶ He was later released on an unknown date.⁷⁷
- In November 2023, authorities in Sershul (Shiqu) county, Kardze TAP, detained **Tsomo** and **Nyidron**, two Tibetan women from Sershul, in connection with voice messages they made in discussion groups on WeChat, discussing Buddhism and encouraging group members to act virtuously.⁷⁸

- Tibetan singer **Gegjom Dorje** disappeared in official custody after authorities in Khyungchu (Hongyuan) county, Ngaba (Aba) Tibetan & Qiang Autonomous Prefecture (T&QAP), Sichuan province, summoned him for questioning in February 2024.⁷⁹ Police reportedly told Gegjom Dorje's family that he was under interrogation, but did not inform them of where he was held or his condition in custody.⁸⁰ His detention came days after *Losar*, the Tibetan New Year, and around one month after he performed a song at a public gathering in which he criticized repressive PRC rule in Tibet and lamented the Dalai Lama's exile from Tibet.⁸¹

PRC official interference in the free flow of information in and out of Tibet, using means including online censorship, surveillance of social media, and punishment of individuals or groups sharing information about Tibet, often prevents timely reporting on developments inside Tibet. Information on some cases of political or religious detention pre-dating the Commission's 2024 reporting year only emerged months or years later; examples of these cases follow.

- In June 2021, police in Ngaba T&QAP detained **Lobsang Tashi**, a monk at Ngaba county's Kirti Monastery, after he led prayer sessions while the area was under anti-coronavirus (COVID-19) lockdown restrictions, refusing to raise the PRC flag at the monastery, and making offerings for COVID-19 victims to the Dalai Lama and Kirti Rinpoche, the leader of Kirti Monastery, who is in exile in India.⁸² Authorities reportedly held a closed trial and sentenced him to three years in prison.⁸³
- On an unknown date early in 2023, authorities in Pema (Bama) county, Golog (Guoluo) TAP, Qinghai province, detained **Palden** (or Golog Palden) after he performed a Tibetan "patriotic song" on the social media platform Kuaishou.⁸⁴ He was later sentenced to three years in prison on unknown charges.⁸⁵
- In spring 2023, authorities in Khyungchu (Hongyuan) county, Ngaba (Aba) T&QAP, detained **Tsultrim**, a Tibetan businessman from Khyungchu, reportedly after he was found to have an image of the Dalai Lama on his cell phone.⁸⁶ In April 2023, the Aba T&QAP Intermediate People's Court sentenced him to two years in prison on a charge related to "contact[ing] separatists outside Tibet."⁸⁷ Police previously detained Tsultrim from July to September 2022, also over his possession of an image of the Dalai Lama on his phone, during which time he was reportedly beaten in custody.⁸⁸
- Public security officials in Ngaba (Aba) county, Ngaba T&QAP, detained **Lobsang Thabkhe**, a monk and the library director at Kirti Monastery, in June 2023.⁸⁹ Authorities reportedly accused him of maintaining contacts outside China and publishing books he had received from Tibetan Buddhist monasteries in India.⁹⁰

Rights advocates and researchers raised concerns about the reported enforced use of a smartphone application, developed by the Ministry of Public Security, to surveil individuals, including Tibetans. Analysis of the "National Anti-Fraud Center" app by Tibet Watch and Turquoise Roof found that the extensive permissions required by the app could pose serious threats to users' privacy and

freedom from intrusive surveillance.⁹¹ A Tibetan who fled China told Tibet Watch that officials in Tibet scanned travelers' phones at checkpoints to look for the app's presence, and forced them to download the app if it was not found.⁹² [For more information on the National Anti-Fraud Center app and digital surveillance, see Chapter 1—Freedom of Expression and Chapter 16—Technology-Enhanced Authoritarianism.]

Language and Cultural Rights

China's Constitution and laws contain provisions affirming the freedom of ethnic minorities to "use and develop"⁹³ their languages, yet Chinese authorities continued to threaten linguistic rights in Tibetan areas, including through implementation of policies promoting or enforcing the use of Mandarin Chinese instead of Tibetan, as well as policies of neglect with regard to minority languages. PRC ethnic policy ignores unrecognized linguistic communities, including in Tibetan areas,⁹⁴ and individuals or communities with languages that lack official recognition are deprived of access to official support in education and other government services.⁹⁵ The U.N. Convention on the Rights of the Child, to which China is a State Party,⁹⁶ recognizes and protects the rights of ethnic and linguistic minority groups to use their languages.⁹⁷ [For more information on language rights and ethnic policy, see Chapter 7—Ethnic Minority Rights.]

Education officials in Sichuan province reportedly ended the use of Tibetan as a language of instruction in primary and middle schools in both Kardze (Ganzi) Tibetan Autonomous Prefecture (TAP) and Ngaba (Aba) Tibetan and Qiang Autonomous Prefecture beginning in September 2023.⁹⁸ Sources said that education department officials did not inform parents or teachers of the change in policy prior to its implementation at the beginning of the school year, causing some to fear that the change could threaten the survival of Tibetan in the area.⁹⁹

PRC officials in some Tibetan areas took other steps to limit the use of Tibetan in educational settings or to discourage its use at home. In Ngaba (Aba) county, Ngaba T&QAP, officials fired a Tibetan language teacher from his job at a primary school and suspended his teaching license after he reportedly advocated greater use of Tibetan in schools.¹⁰⁰ In Nyagchu (Yajiang) county, Kardze TAP, officials reportedly ordered students and teachers to use only Mandarin Chinese to speak with each other.¹⁰¹ Nyagchu officials also shortened the lengths of school breaks, limiting the amount of time students could return home to Tibetan-speaking environments.¹⁰² Authorities in the Tibet Autonomous Region and Gansu and Qinghai provinces reportedly investigated private Tibetan language classes held during the winter break, in some cases conducting checks in residential areas and questioning students about their possible involvement in these courses.¹⁰³ PRC officials in Tibetan areas have issued bans on these private language courses and also seek to prevent students from receiving religious education.¹⁰⁴

Observers expressed fears that limits on students' access to Tibetan-language education, in particular because of the system of residential boarding schools in Tibetan areas, constitute a serious threat to Tibetan society and the intergenerational transmission of

culture and language.¹⁰⁵ Some Tibetans living abroad who were able to visit Tibet reported that many children were unable to converse fully in Tibetan, as their education was conducted nearly entirely in Mandarin Chinese.¹⁰⁶ Sources noted also that the environment in the residential boarding schools compounded the harms posed to Tibetan children due to separation from family and community.¹⁰⁷

“Xizang” Replacing Tibet in Official Discourse

During the reporting year, PRC officials and state- and Party-controlled media continued¹⁰⁸ to promote the use of the Mandarin Chinese-derived term “Xizang” (西藏) instead of “Tibet” in English-language communications. At an officially organized academic conference in August 2023, participants asserted that using “Tibet” had “misled the international community” and that using “Xizang” instead would “enhance China’s international discourse on Tibet.”¹⁰⁹ Following the November 2023 release of a State Council white paper on PRC governance in Tibet that used “Xizang” almost exclusively to refer to the region,¹¹⁰ the *South China Morning Post* reported that use of “Xizang” to replace “Tibet” dramatically increased in official media outlets *Xinhua*, *People’s Daily*, and *China Daily*.¹¹¹ Observers expressed concern that the official change in terminology is part of the broader PRC campaign to assert Chinese control over Tibet.¹¹²

Notes to Chapter 17—Tibet

¹See, e.g., U.S. Department of State, “Report to Congress on Tibet Negotiations, Section 613(b) of the Tibetan Policy Act of 2022 (22 U.S.C. 6901 note),” accessed October 25, 2023.

²U.S. Department of State, “Report to Congress on Tibet Negotiations, Section 613(b) of the Tibetan Policy Act of 2022 (22 U.S.C. 6901 note),” accessed October 25, 2023.

³Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 285; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 283.

⁴This cumulative total does not include six deaths by self-immolation of Tibetans in 2012 and 2013. Congressional-Executive Commission on China, “CECC Update: Tibetan Self-Immolations,” January 10, 2017. See also International Campaign for Tibet, “Self-Immolation Fact Sheet,” accessed June 13, 2024.

⁵Universal Declaration of Human Rights, adopted and proclaimed by U.N. General Assembly resolution 217A (III) of December 10, 1948, art. 18; International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 18.

⁶See, e.g., International Campaign for Tibet, “Buddhist Association of China Takes a Leading Role in China’s Attempts to Control and Forcibly Reshape Tibetan Buddhism,” May 29, 2024; International Campaign for Tibet, “Party Above Buddhism: China’s Surveillance and Control of Tibetan Monasteries and Nunneries,” March 2021, 10–11.

⁷For past Commission coverage, see, e.g., Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 285–87; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 283–84.

⁸See, e.g., Jampaling Monastery Monastic Management Committee, “昌都市强巴林寺开展 ‘三个意识’ 教育暨 ‘学用国家通用语言文字 铸牢中华民族共同体意识’ 演讲比赛” [Jampaling Monastery in Chamdo municipality convenes speech competition on “three consciousnesses” education and “studying use of the common national language and script, forging a common Chinese national consciousness”], reprinted in Tibet Autonomous Region United Front Work Department, December 29, 2023.

⁹See, e.g., Sog County Committee United Front Work Department, “那曲市索县宗教领域宣讲督导组深入寺庙开展宣讲活动” [Sog county, Nagchu municipality, religious sector propaganda oversight group enters monasteries to convene propaganda activities], reprinted in Tibet Autonomous Region United Front Work Department, March 12, 2024; Driru County Committee United Front Work Department, “那曲市比如县宗教领域开展国旗下讲话专题活动” [Driru county, Nagchu municipality, religious sector convenes special speech activity under the national flag], reprinted in Tibet Autonomous Region United Front Work Department, March 14, 2024.

¹⁰See, e.g., Sera Monastery Monastic Management Committee, “拉萨市色拉寺组织僧人学习《西藏自治区〈互联网宗教信息服务管理办法〉细则》” [In Lhasa municipality, Sera Monastery organizes monks to study “Detailed Rules for the Tibet Autonomous Region ‘Measures on the Management of Online Religious Information Services’”], reprinted in Tibet Autonomous Region United Front Work Department, January 4, 2024.

¹¹See, e.g., Ngari Prefecture Committee United Front Work Department, “阿里地区宗教界代表人士开展 ‘三个意识’ 暨 ‘爱国爱教’ 巡回宣讲活动” [Ngari prefecture religious representatives convene “three consciousnesses” and “love the country, love religion” touring propaganda activities], reprinted in Tibet Autonomous Region United Front Work Department, December 1, 2023.

¹²See, e.g., Shigatse Municipality Committee United Front Work Department, “日喀则市举办宗教界 ‘学习贯彻党的二十大精神 争做四好僧尼’ 暨 ‘三个意识’ 主题知识竞赛和演讲比赛” [Shigatse municipality holds knowledge and speech competitions for religious sector on the themes of “studying and carrying out the spirit of the 20th Party Congress, striving to be four good monks and nuns” and “three consciousnesses”], reprinted in Tibet Autonomous Region United Front Work Department, November 17, 2023.

¹³See, e.g., Chamdo Municipality Committee United Front Work Department, “昌都市强巴林寺管委会打造 ‘党建引领民族团结 石榴花开籽籽同心’ 党建品牌” [In Chamdo municipality, Jampaling Monastery monastic management committee creates Party-building brand of “Party-building leads the way to ethnic unity, united like the seeds of pomegranate blossoms”], reprinted in Tibet Autonomous Region United Front Work Department, October 25, 2023; Shannan Municipal Committee United Front Work Department, “山南市举办宗教界 ‘铸牢中华民族共同体意识 增强 ‘三个意识’ 争做模范僧尼’ 国家通用语言演讲比赛” [Shannan municipality holds speech competition in the common national language for religious sector on “forging a common Chinese national consciousness, increasing the ‘three consciousnesses,’ and striving to be model monks and nuns”], reprinted in Tibet Autonomous Region United Front Work Department, October 18, 2023; Jampaling Monastery Monastic Management Committee, “昌都市强巴林寺开展 ‘三个意识’ 教育暨 ‘学用国家通用语言文字 铸牢中华民族共同体意识’ 演讲比赛” [Jampaling Monastery in Chamdo municipality convenes speech competition on “three consciousnesses” education and “studying use of the common national language and script, forging a common Chinese national consciousness”], reprinted in Tibet Autonomous Region United Front Work Department, December 29, 2023.

¹⁴See, e.g., Kalden Lodoe, “Tibet’s Beloved Annual Yogurt Festival Spoiled by Heavy Police Presence,” *Radio Free Asia*, August 18, 2023; “China Shuts Down Lhasa Temples during National Day Holiday Period,” *Radio Free Asia*, October 9, 2023; Pelbar and Sonam Lhamo, “China Cracks Down on Tibetans during Holy Month,” *Radio Free Asia*, May 28, 2024; Pelbar, “China Restricts Religious Debate Event for Tibetan Monks,” *Radio Free Asia*, June 27, 2024.

¹⁵Thakliha Gyal and Sangyal Kunchok, “Chinese Police Stop Tibetan Buddhist Gathering, Prevent Lama from Preaching,” *Radio Free Asia*, July 20, 2023; Tibet Watch, “Government-Approved Buddhist Teaching Shut Down in Eastern Tibet,” July 21, 2023; International Campaign for Tibet, “Important Tibet Religious Event Prohibited, Organizers Detained,” July 26, 2023.

¹⁶Sangyal Kunchok, “China Blocks Prominent Tibetan Lama from Preaching,” *Radio Free Asia*, July 14, 2023; Lhuboom, “China Restricts Tibetans from Attending Buddhist Kalachakra Sermon,” *Radio Free Asia*, September 14, 2023; Muskan Punia, “Chinese Authorities Restricted Tibetan Buddhists’ Access to the Kalachakra Teachings in Tibet,” *Tibet Post International*, September 20, 2023. At least one attendee detained in connection with the September 2023 teaching was identified: Tsepo, a retired police officer and Chinese Communist Party member, was detained in Triduo (Chenduo) county, Yulshul (Yushu) TAP, Qinghai, when he was traveling with his family to Kanlho TAP Tashi Namgyal, “A Former Chinese Police Officer Arrested from Attending the Kalachakra Teaching,” *Tibet Times*, September 15, 2023. For more information on Tsepo, see the Commission’s Political Prisoner Database record 2024-00052.

¹⁷Sangyal Kunchok, “China Blocks Prominent Tibetan Lama from Preaching,” *Radio Free Asia*, July 14, 2023; International Campaign for Tibet, “Important Tibet Religious Event Prohibited, Organizers Detained,” July 26, 2023.

¹⁸International Campaign for Tibet, “Important Tibet Religious Event Prohibited, Organizers Detained,” July 26, 2023.

¹⁹Tibet Watch, “Eight Tibetans Detained after Collecting Donations for Religious Offering,” October 25, 2023; Tashi Namgyal, “Eight Tibetans of Darlag County, Golok, Are Arrested,” *Tibet Times*, October 27, 2023; Dangqiu, “西藏达日县8名藏人遭警方以‘利用宗教寻衅滋事为由’拘捕” [In Darlag county, Tibet, 8 Tibetans detained by police for “using religion to pick quarrels and provoke trouble”], *Voice of Tibet*, October 30, 2023.

²⁰For more information, see the Commission’s Political Prisoner Database records 2024-00004 on Gonnang, 2024-00005 on Gontse, 2024-00006 on Jigme Tenzin, 2024-00007 on Palden, 2024-00008 on Lochoe, 2024-00009 on Namgyal, 2024-00010 on Norde, and 2024-00011 on Kalsang.

²¹Tibet Watch, “Eight Tibetans Detained after Collecting Donations for Religious Offering,” October 25, 2023; Tashi Namgyal, “Eight Tibetans of Darlag County, Golok, Are Arrested,” *Tibet Times*, October 27, 2023; Dangqiu, “西藏达日县8名藏人遭警方以‘利用宗教寻衅滋事为由’拘捕” [In Darlag county, Tibet, 8 Tibetans detained by police for “using religion to pick quarrels and provoke trouble”], *Voice of Tibet*, October 30, 2023.

²²Tibet Watch, “Eight Tibetans Detained after Collecting Donations for Religious Offering,” October 25, 2023.

²³For more information, see the Commission’s Political Prisoner Database records 2024-00048 on Nyima, 2024-00049 on Loga, 2024-00050 on Tsedar, and 2024-00051 on Rinchen.

²⁴Luosang, “西藏结古多四名藏人因雕刻并展出‘玛尼石’遭中共拘捕” [In Kyegudo, Tibet, four Tibetans detained by CCP because of carving and displaying “mani stones”], *Voice of Tibet*, December 13, 2023; “མ་ཁི་རྩོ་འབྲས་ཁྱི་རྟོན་ལུ་ཆེན་པོ་འཕེན་པའི་བཅའ་ཁྲིའི་དྲུག་འདུག” [Four Tibetans detained for installing mani stones], *Tibet Times*, December 12, 2023; “Four Tibetans Arrested for Inaugurating Mani Stone Mound,” *Tibet Times*, December 13, 2023.

²⁵Luosang, “西藏结古多四名藏人因雕刻并展出‘玛尼石’遭中共拘捕” [In Kyegudo, Tibet, four Tibetans detained by CCP because of carving and displaying “mani stones”], *Voice of Tibet*, December 13, 2023; “མ་ཁི་རྩོ་འབྲས་ཁྱི་རྟོན་ལུ་ཆེན་པོ་འཕེན་པའི་བཅའ་ཁྲིའི་དྲུག་འདུག” [Four Tibetans detained for installing mani stones], *Tibet Times*, December 12, 2023; “Four Tibetans Arrested for Inaugurating Mani Stone Mound,” *Tibet Times*, December 13, 2023.

²⁶Pelbar and Tenzin Pema, “No New Monks Allowed at Buddhist Monastery in Tibet,” *Radio Free Asia*, January 3, 2024.

²⁷“A Tibetan Monk from Golok Arrested for Alleged Political Offences,” *Tibet Times*, June 23, 2024; Tibet Watch, “Tibetan Monk Detained after WeChat Post Criticising Chinese Law,” June 28, 2024.

²⁸“A Tibetan Monk from Golok Arrested for Alleged Political Offences,” *Tibet Times*, June 23, 2024; Tibet Watch, “Tibetan Monk Detained after WeChat Post Criticising Chinese Law,” June 28, 2024.

²⁹Tashi Namgyal, “Four Tibetan Monks Are Arrested in Tibet,” *Tibet Times*, November 24, 2023; “China Arrested Four Tibetan Monks for Allegedly Praying for the Dalai Lama,” *Tibet Post International*, November 24, 2023; Zhacuo, “西藏日喀则四名僧人与果洛班玛县一青年歌手遭中共非法抓捕” [Four monks in Shigatse, Tibet, and a young singer in Pema county, Golok, illegally detained by CCP], *Voice of Tibet*, November 27, 2023. For more information, see the Commission’s Political Prisoner Database records 2023-00247 on Kalsang Tsering, 2023-00248 on Sonam, 2023-00249 on Nyima, and 2023-00250 on Phuntsog.

³⁰Tashi Namgyal, “Four Tibetan Monks Are Arrested in Tibet,” *Tibet Times*, November 24, 2023; “China Arrested Four Tibetan Monks for Allegedly Praying for the Dalai Lama,” *Tibet Post International*, November 24, 2023; Zhacuo, “西藏日喀则四名僧人与果洛班玛县一青年歌手遭中共非法抓捕” [Four monks in Shigatse, Tibet, and a young singer in Pema county, Golok, illegally detained by CCP], *Voice of Tibet*, November 27, 2023.

³¹Tashi Namgyal, “Four Tibetan Monks Are Arrested in Tibet,” *Tibet Times*, November 24, 2023; “China Arrested Four Tibetan Monks for Allegedly Praying for the Dalai Lama,” *Tibet Post International*, November 24, 2023; Zhacuo, “西藏日喀则四名僧人与果洛班玛县一青年歌手遭中共非法抓捕” [Four monks in Shigatse, Tibet, and a young singer in Pema county, Golok, illegally detained by CCP], *Voice of Tibet*, November 27, 2023.

³²“བད་གྲི་བུ་འཛེ་ཞིག་ལ་”གོང་ས་མཆོག་གི་”སྐལ་པར་བརྒྱུད་སྐལ་གཤེད་པའི་ཉེས་མེད་འོག་འཛིན་བརྒྱུད་” [Tibetan woman detained on suspicion of sharing image of Dalai Lama], *Voice of Tibet*, November 13, 2023; Dangqiu, “西藏多拉县女子因在网上分享达赖喇嘛照片遭拘捕” [Woman in Dola county, Tibet, detained for sharing Dalai Lama photos online], *Voice of Tibet*, November 13, 2023. For more information on Wangchug Tso, see the Commission’s Political Prisoner Database record 2023-00246.

³³“བད་གྲི་བུ་འཛེ་ཞིག་ལ་”གོང་ས་མཆོག་གི་”སྐལ་པར་བརྒྱུད་སྐལ་གཤེད་པའི་ཉེས་མེད་འོག་འཛིན་བརྒྱུད་” [Tibetan woman detained on suspicion of sharing image of Dalai Lama], *Voice of Tibet*, November 13, 2023; Dangqiu, “西藏多拉县女子因在网上分享达赖喇嘛照片遭拘捕” [Woman in Dola county, Tibet, detained for sharing Dalai Lama photos online], *Voice of Tibet*, November 13, 2023.

⁶⁰Human Rights Watch, “‘Educate the Masses to Change Their Minds’: China’s Forced Relocation of Rural Tibetans,” May 2024, 18, 45, 64, 77.

⁶¹Human Rights Watch, “‘Educate the Masses to Change Their Minds’: China’s Forced Relocation of Rural Tibetans,” May 2024, 31–33.

⁶²Human Rights Watch, “‘Educate the Masses to Change Their Minds’: China’s Forced Relocation of Rural Tibetans,” May 2024, 44, 46.

⁶³Pelbar, Tenzin Pema, and Gai Tho, “Historic Tibetan Buddhist Monastery Is Being Moved to Make Way for Dam,” *Radio Free Asia*, April 12, 2024; Tibet Watch, “Government Pressure Mounts on Buddhist Monastery in Tibet to Relocate,” April 15, 2024; Tibet Watch, “Demolition of Atsok Monastery Begins with Heightened Restrictions,” June 6, 2024.

⁶⁴Pelbar, Tenzin Pema, and Gai Tho, “Historic Tibetan Buddhist Monastery Is Being Moved to Make Way for Dam,” *Radio Free Asia*, April 12, 2024; Tibet Watch, “Government Pressure Mounts on Buddhist Monastery in Tibet to Relocate,” April 15, 2024.

⁶⁵Tibet Watch, “Demolition of Atsok Monastery Begins with Heightened Restrictions,” June 6, 2024.

⁶⁶Tibet Watch, “Demolition of Atsok Monastery Begins with Heightened Restrictions,” June 6, 2024.

⁶⁷U.S. Department of State, “Report to Congress on Access to Tibetan Areas—Section 4 of the Reciprocal Access to Tibet Act of 2018 (8 U.S.C. 1182 note),” June 7, 2024.

⁶⁸U.S. Department of State, “Report to Congress on Access to Tibetan Areas—Section 4 of the Reciprocal Access to Tibet Act of 2018 (8 U.S.C. 1182 note),” June 7, 2024.

⁶⁹U.S. Department of State, “Report to Congress on Access to Tibetan Areas—Section 4 of the Reciprocal Access to Tibet Act of 2018 (8 U.S.C. 1182 note),” June 7, 2024.

⁷⁰Foreign Correspondents’ Club of China, “Mask Off, Barriers Remain: The Post Covid Reporting Environment in China 2023,” April 8, 2024, 3, 4.

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⁷²See, e.g., “Semkyi Dolma Is Sentenced to One and a Half Years in Prison,” *Tibet Times*, December 8, 2023; Tibet Watch, “Two Sisters Devoted to Community Service Detained in Eastern Tibet,” December 5, 2023.

⁷³“Semkyi Dolma Is Sentenced to One and a Half Years in Prison,” *Tibet Times*, December 8, 2023; Zhacuo, “西藏当雄县一名藏人妇女遭中共非法判处一年零六个月徒刑” [In Damshung county, Tibet, Tibetan woman illegally sentenced to one year and six months in prison by CCP], *Voice of Tibet*, December 11, 2023. For more information on Semkyi Drolma, see the Commission’s Political Prisoner Database record 2023-00269.

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⁷⁷Tashi Namgyal, “A Tibetan Monk, Kunchok Dakpa, Is Arrested,” *Tibet Times*, November 8, 2023; Pelbar, “Buddhist Monk in Tibet Confirmed as Detained by Chinese Authorities,” *Radio Free Asia*, November 8, 2023; Tibet Watch, “Tibetan Monk Detained Again under Suspicion of Contacts with Tibetans Abroad,” November 13, 2023; Pelbar, “དགེ་འདུན་པ་དངོན་མཚོག་གཤམ་པ་ལགས་ལྷ་ཡུན་རིང་འདི་རྒྱུ་བཀག་ཉར་ཆེས་གྲོང་ཡོང་བཞག” [Monk Konchog Dragpa released after long detention], *Radio Free Asia*, January 23, 2024.

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⁹⁴See, e.g., State Council Information Office, “新时代党的治藏方略的实践及其历史性成就” [CPC Policies on the Governance of Xizang in the New Era: Approach and Achievements], November 10, 2023; State Council Information Office, “民族区域自治制度在西藏的成功实践” [Successful Practice of Regional Ethnic Autonomy in Tibet], September 6, 2015, sec. 6. These State Council white papers on the ethnic autonomy system in the Tibet Autonomous Region refer to the use of both Tibetan and Mandarin Chinese in schools, but do not mention use of other languages in educational or other contexts.

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⁹⁷Convention on the Rights of the Child, adopted by U.N. General Assembly resolution 44/25 of November 20, 1989, entry into force September 2, 1990, art. 30.

⁹⁸Tibet Watch, "Tibetan Language Classes Banned in Kardze," October 10, 2023; Pelbar, "China Bans Tibetan Language in Schools in Sichuan Province," *Radio Free Asia*, October 17, 2023.

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¹¹⁰State Council Information Office, "CPC Policies on the Governance of Xizang in the New Era: Approach and Achievements," November 10, 2023. The white paper refers to the "Qinghai-Tibet Plateau" and mentions Tibet Airlines, but for geographical references to Tibet alone exclusively uses "Xizang."

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X. Xinjiang Uyghur Autonomous Region

XINJIANG UYGHUR AUTONOMOUS REGION

Findings

- Research published this past year indicated that the rate of imprisonment for Turkic and Muslim individuals in the Xinjiang Uyghur Autonomous Region (XUAR) was disproportionately high compared to China's overall prison population. According to analysis published by the Uyghur Human Rights Project (UHRP) in April 2024, based on official figures, Uyghurs and members of other non-Han Chinese ethnic groups in the XUAR constituted 34 percent of the number of people estimated to be formally imprisoned in China, although these groups make up only one percent of the country's population. UHRP's analysis estimates that members of ethnic minority groups in the XUAR are formally imprisoned at more than 47 times the rate of Han Chinese people in the region, with 1 in every 26 ethnic minority XUAR residents imprisoned.
- During this reporting year, authorities in the XUAR maintained a system of forced labor that involved Turkic and Muslim individuals, shifting from a system involving former mass internment camp detainees to one that generally involves people who have not been detained. According to observers, officials use forced labor programs to tighten political and social control over Uyghur and other communities in the XUAR. Official data show that authorities planned to transfer at least one million "surplus laborers" through the "poverty alleviation" program in 2023—a figure that did not include all types of forced labor transfers—and that this figure included a significant increase in the number of cross-provincial labor transfers.
- New regulations took effect this reporting year in the XUAR that tightened limits on the religious practices of Muslim residents in the region. In December 2023, the XUAR People's Congress amended the Xinjiang Uyghur Autonomous Region Regulations on Religious Affairs (RRA), which took effect on February 1, 2024. The revised regulations focus on the need to "sinicize" religious practices and venues, in line with government efforts to "sinicize" religious worship nationwide in recent years, and tighten restrictions on the establishment, construction, and renovation of places of worship. Human Rights Watch wrote that according to the text of the revised RRA, "[r]eligious venues are to be, effectively, training grounds that promote the values of the Chinese Communist Party to the people."
- Reports emerged this past year showing that Chinese authorities have continued implementing policies that infringe upon Uyghurs' rights to maintain their own language and culture. In June 2024, Human Rights Watch published research findings, which it produced together with the Norway-based organization Uyghur Hjelp, showing that between 2009 and 2023, Chinese officials had changed the names of more than 600 villages traditionally inhabited by Uyghurs into names that removed their cultural or religious significance. In September 2023, three U.N.

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special rapporteurs issued a press release expressing “grave concern” over reports of a “significant expansion” of the boarding school system in the XUAR. The three experts expressed concern over the fact that the boarding schools into which Uyghur children are placed provide little to no instruction in the Uyghur language, and that these children are pressured to speak and learn only Mandarin Chinese.

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International Criticism of China over Human Rights Violations in the XUAR

During the Commission's 2024 reporting year, countries and human rights organizations expressed concern over human rights conditions in the XUAR and called on the PRC to end human rights abuses in the region. In October 2023, 51 U.N. Member States released a joint statement calling upon China to end its human rights abuses in the XUAR, saying that "[m]embers of Uyghur and other predominantly Muslim minorities in Xinjiang continue to suffer serious violations of their human rights by the authorities of the People's Republic of China."¹ The statement, delivered at the U.N. General Assembly's Third Committee, criticized China for its failure to follow up on recommendations made by the Office of the U.N. High Commissioner for Human Rights (OHCHR) in an August 2022 report that found that the PRC's "arbitrary and discriminatory detention" of Uyghurs and other predominantly Muslim ethnic groups in the XUAR may constitute crimes against humanity.² During the January 2024 session of the U.N. Human Rights Council's (UNHRC) Universal Periodic Review (UPR) of the Chinese government's human rights record, a number of U.N. Member States called on the PRC to improve human rights conditions in the XUAR and to implement the recommendations made in the OHCHR report.³ In its May 31 response to the report of the U.N. Working Group on its UPR review, the PRC rejected such calls.⁴ In June 2024, human rights organizations called upon the OHCHR to take concrete actions to follow up on the recommendations it made in the August 2022 report.⁵

Officials' Comments on "Stability Maintenance" and Counterterrorism Signal Repression

During this reporting year, PRC officials stressed the importance of "maintaining social stability" and implementing counterterrorism efforts in the Xinjiang Uyghur Autonomous Region (XUAR), in what human rights advocates feared signaled a continuation of repressive policies in the region. In August 2023, Chinese leader Xi Jinping visited Urumqi municipality, XUAR, where he told Communist Party and government officials that they must prioritize the maintenance of social stability and heighten counterterrorism efforts.⁶ In the same speech, Xi called on officials to "more deeply promote the sinicization of Islam and effectively control all types of illegal religious activities."⁷ Human Rights Watch said Xi's comments regarding counterterrorism policies indicated "continuing crimes against humanity" in the region.⁸ In January 2024, the State Council released a white paper in support of legal measures enacted in the XUAR over the previous decade in order to combat terrorism.⁹ In May 2024, during a visit to the XUAR, top security official Chen Wenqing called for the "normalization" of counterterrorism efforts in the region and echoed Xi's calls regarding the need to maintain regional social stability.¹⁰ On the day after Chen's visit, a Ministry of Public Security spokesman said at a press conference that there

had not been a terrorist attack in China in more than seven years.¹¹ According to a May 2024 *Radio Free Asia* (RFA) report, risk analyst Anders Corr said in an interview that “[PRC officials] continue to prioritize so-called terrorism when there is no terrorism, and there never really were actual terrorists at all in Xinjiang. And so, that’s the unfortunate issue when they say that they’re normalizing counterterrorism.”¹²

Rate of Imprisonment Disproportionately High for Turkic Muslims

Research published this past year indicated that the rate of imprisonment for Turkic and Muslim individuals in the XUAR was disproportionately high compared to China’s overall prison population.¹³ According to analysis published by the Uyghur Human Rights Project (UHRP) in April 2024, based on official figures, Uyghurs and members of other non-Han Chinese ethnic groups in the XUAR constituted 34 percent of the number of people estimated to be formally imprisoned in China, although these groups make up only one percent of the country’s population.¹⁴ UHRP’s analysis estimates that members of ethnic minority groups in the XUAR are formally imprisoned at more than 47 times the rate of Han Chinese people in the region, with 1 in every 26 ethnic minority XUAR residents imprisoned.¹⁵ UHRP cited analysis of data on sentencing produced by the Xinjiang Victims Database showing that individuals in the XUAR had been sentenced to an average of 8.5 years in prison between 2016 and 2024.¹⁶

Uyghur Scholar Rahile Dawut Sentenced to Life Imprisonment

In September 2023, the San Francisco-based Dui Hua Foundation reported that, according to a Chinese government source, authorities had sentenced Uyghur folklore scholar **Rahile Dawut** to life in prison for a crime related to endangering state security.¹⁷ Rahile Dawut, who formerly taught at Xinjiang University, was “disappeared,” or secretly detained, by officials in December 2017.¹⁸ Authorities tried her in December 2018 at an intermediate people’s court in the XUAR, and the XUAR High People’s Court subsequently rejected an appeal.¹⁹ Rahile Dawut is one among hundreds of Turkic Muslim intellectuals whom authorities detained beginning in 2017 as they carried out mass detention in the XUAR.²⁰

Additional cases of Turkic Muslims sentenced to long-term imprisonment that were reported this past year include the following:

- **Asqar Azatbek.**²¹ In December 2023, *Radio Free Asia* (RFA) reported that in December 2017, Chinese police detained 41-year-old Asqar Azatbek, an ethnic Kazakh and naturalized citizen of Kazakhstan, while he was on the Kazakhstan side of the border at the Khorgos International Center for Boundary Cooperation, which straddles the China-Kazakhstan border.²² Chinese police reportedly dragged him from a Kazakhstan border control office, where they had initially brought him for interrogation, into a car, and forcibly took him to the Chinese side of the border.²³ In December 2018, he was convicted of espionage and fraud by

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the Ili (Yili) Kazakh Autonomous Prefecture (KAP) branch of the XUAR High People's Court and sentenced to 20 years in prison, connected in part to his relationship with an individual from the representative office of Kazakhstan in Urumqi who the court verdict stated worked for Kazakhstan's intelligence agency.²⁴ Authorities held Asqar Azatbek in custody in a prison in Gansu province.²⁵ Authorities twice refused family members permission to visit him in prison, and when they were allowed a brief visit on the third attempt, they said he appeared "very unwell."²⁶

- **Erkin Tewekkul.**²⁷ In May 2024, *RFA* reported that around 2018, an unknown court sentenced Uyghur high school principal Erkin Tewekkul of Urumqi to 12 years in prison, possibly in connection with supporting "separatists" and being "two-faced."²⁸ Authorities detained him in mid-2017 because he had insufficiently praised the Chinese government and Communist Party during classes and school meetings.²⁹ While interrogating him in 2017, authorities criticized him for comforting students several years earlier whose parents had been arbitrarily detained, and accused him of "separatism."³⁰

As in the past reporting year,³¹ reports emerged documenting the deaths of individuals in prison or shortly after they were held in prison. Examples include the following:

- **Abdusemet Rozi**, a 57-year-old Uyghur educator, researcher, and poet, died in a prison in or near Atush (Atushi) city, Kizilsu (Kezilesu) Kyrgyz Autonomous Prefecture, in August 2023.³² Authorities detained Abdusemet Rozi in 2017 and sentenced him to 20 years in prison in 2019 before releasing him for health reasons in 2021 and detaining him again in September 2022.³³ Authorities summoned members of his family after his death to inform them that he had died due to a heart problem, but they reportedly intimidated the family so they would not make inquiries about his death, including whether or not he had been tortured.³⁴ Officials took his body directly to a cemetery instead of returning it to his family members.³⁵

- **Muhter Nesirdin**, a baker who was around 60 years old, died in a prison hospital in the XUAR in June 2023 after vomiting blood due to an unknown condition.³⁶ Authorities reportedly sentenced him to 10 years in prison in 2017 on unknown charges, for reasons including his children's participation in family Quran studies.³⁷ Police only allowed family members to see Muhter Nesirdin's face and not his body after his death.³⁸

- **Memettursun Imin**, 32, was one of six individuals from Haneriq (Hannanlike) town, Yengisheher (Shule) county, Kashgar prefecture, confirmed to have died in prison.³⁹ The cause of his death was unclear, but he was reportedly serving a prison term on a charge or charges related to accessing foreign websites.⁴⁰ Authorities detained around 120 people from his village in 2017, often detaining older residents for having listened to religious readings at weddings and funerals, and detaining younger residents for reasons related to their mobile phone usage.⁴¹ Memettursun Imin's wife, 29-year-old

Uyghur Nurimangul Hashim, died following a police interrogation after viewing her husband's body, possibly from a heart attack or from being beaten by police.⁴² Her father, **Hashim Qurban**, died in prison three years earlier, and her mother, **Gulqiz Helihem**, was serving a prison sentence.⁴³ Both parents were detained after authorities accused them of engaging in "religious extremism."⁴⁴

AUTHORITIES DETAIN ETHNIC KAZAKH JOURNALISTS AND SCHOLARS

During this reporting year, authorities detained a number of ethnic Kazakh journalists and intellectuals in the XUAR. Examples include the following:

- Authorities in Urumqi detained *Xinjiang TV* journalists **Kairat Domalin** and **Kuandyk Koben** in or around April 2024.⁴⁵ As of July 2024, information regarding their whereabouts and any charges against them remained unknown.⁴⁶ In an interview with *RFA*, Serikzhan Bilash, the founder of Atajurt Kazakh Human Rights, said authorities may have detained Kuandyk Koben because of his documentation of historic buildings marginalized by officials in the XUAR.⁴⁷ According to Serikzhan Bilash, authorities also detained several other well-known ethnic Kazakh journalists who had worked for the *Xinjiang Daily* newspaper and various magazines.⁴⁸
- In the latter part of 2023, police in the XUAR took 45-year-old scholar **Duman Zhaqyp** into custody after he had been placed under "soft detention" for five years.⁴⁹ He previously worked as an associate researcher at the Language Research Institute of the Xinjiang Academy of Social Sciences.⁵⁰ It was unclear where authorities held Duman Zhaqyp following his 2023 detention, or whether they filed any charges against him.⁵¹ *RFA* reported that according to a member of Atajurt Kazakh Human Rights who is close to Duman Zhaqyp's friends and relatives, authorities had placed him under soft detention because of his research on history and Kazakh language and literature.⁵² Serikzhan Bilash also told *RFA* that authorities had recently detained more than a dozen ethnic Kazakhs in the XUAR literary sphere.⁵³

U.N. SPECIAL RAPPORTEUR RAISES CASE OF GULSHAN ABBAS

In June 2024, U.N. Special Rapporteur on human rights defenders Mary Lawlor called on PRC authorities to provide information regarding the whereabouts and health of imprisoned Uyghur doctor **Gulshan Abbas**, stating that she was "... appalled by the continued imprisonment of Gulshan Abbas in apparent retaliation for her sister's criticism of the Chinese authorities' treatment of Uyghurs."⁵⁴ In December 2020, relatives of Gulshan Abbas, citing an unnamed source, reported that Chinese authorities had sentenced her to 20 years in prison in March 2019.⁵⁵ A Ministry of Foreign Affairs spokesman subsequently confirmed that authorities had sentenced Gulshan Abbas to prison.⁵⁶ Authorities initially detained her in the XUAR, in September 2018, six days after her sister Rushan Abbas spoke at a think tank in Washington, D.C. about Uyghur rights issues.⁵⁷

Forced Labor Involving Turkic and Muslim XUAR Residents

During this reporting year, authorities in the XUAR maintained a system of forced labor that involved Turkic and Muslim individuals, shifting from a system involving former mass internment camp detainees to one that generally involves people who have not been detained.⁵⁸ According to observers, officials use forced labor programs to tighten political and social control over Uyghur and other communities in the XUAR.⁵⁹ Under the framework of “poverty alleviation,” XUAR government authorities reportedly planned to significantly increase the transfer of ethnic minority workers to provinces outside the XUAR in 2023.⁶⁰ Research produced by scholar Adrian Zenz indicated Chinese officials’ recent expansion of forced labor transfers and plans to continue them through at least 2025.⁶¹ Official data show that authorities planned to transfer at least one million “surplus laborers” through the “poverty alleviation” program in 2023—a figure that did not include all types of forced labor transfers—and that this figure included a significant increase in the number of cross-provincial labor transfers.⁶²

In conjunction with forced labor programs targeting rural Uyghurs, authorities have confiscated land held by Uyghur farmers and transferred the land use rights of Uyghur farmers to state-run cooperatives and developers.⁶³ Farmers, who are forced into wage labor, reportedly receive little to no compensation for the loss of their farmland.⁶⁴ In one example, official media reported in November 2023 that in a town in Mongghulkure (Zhaosu) county, Ili (Yili) Kazakh Autonomous Prefecture (KAP), over 90 percent of agricultural land use rights had been transferred, and more than 500 laborers in one of the town’s villages had been transferred, following the transfer of more than 1,600 acres of the village’s land.⁶⁵ In May 2024, *RFA* reported that a Uyghur official from Ghulja (Yining) county, Ili KAP, had been sentenced to 10 years in prison in 2019, years after he advocated for local farmers who were being forced to sell their land to a company developing a tourist site.⁶⁶ In April 2024, authorities detained a Uyghur villager in Qumul (Hami) municipality after she submitted a complaint to the government and posted a video on the social media platform *Douyin* in which she protested against officials’ confiscation of her land.⁶⁷ Police deleted the video posted by the villager, known as Beliqiz, who had made a living by cultivating less than two acres of land.⁶⁸ [For more information on forced labor involving Turkic and Muslim XUAR residents, see Chapter 14—Business and Human Rights.]

Updated ILO Handbook Targets Uyghur Forced Labor

In February 2024, the International Labour Organization (ILO) updated its guidelines on forced labor surveys to include a new chapter on state-imposed forced labor that discusses forced labor conditions prevalent in the XUAR and Tibetan areas of China.⁶⁹ Scholar Adrian Zenz noted that the 2024 ILO Handbook included discussion of “labor transfers” targeting minority populations, as well as the assertion that states use forced labor for political and not just economic reasons, both of which apply to the cases of Uyghur and Tibetan forced labor.⁷⁰ While the ILO had published a preliminary set of guidelines to measure forced labor in 2012, these guidelines were limited by their technical nature and did not fully describe conditions such as the state-imposed forced labor that is common in the Uyghur case.⁷¹ The ILO also published a set of more widely known forced labor indicators in 2012, but these indicators were not designed to measure state-imposed forced labor occurring outside of detention facilities, such as the type of labor employed by PRC authorities in the XUAR and Tibetan areas.⁷² [For more information on the updated ILO guidelines, see Chapter 10—Human Trafficking.]

Population Control Measures Reduce Uyghur Birth Rates

Reports published this past year documented the reduction in birth rates in recent years among the Uyghur population in the XUAR, due to authorities’ implementation of population control measures in the region. An analysis of official PRC data published in March 2024 by Björn Alpermann of the University of Würzburg in Germany showed that birth restrictions enforced against Uyghur women in the XUAR were among the factors that had led to a decrease in the growth rate of the Uyghur population.⁷³ Alpermann noted that the increase in the Uyghur population in the last decade had also been stunted by factors including the mass detention of young men and women in the XUAR, and, indirectly, by the separation of children from their parents.⁷⁴ Alpermann additionally noted that 2020 census data showed an increase in the Han Chinese population in the XUAR between 2010 and 2020, which he attributed to state-led migration of Han Chinese to the region.⁷⁵ Both Alpermann, in his piece, and Zenz, in a separate article, wrote that PRC officials had attempted to “optimize” the ethnic composition of the XUAR through methods including birth restrictions on the Uyghur population and increasing the Han Chinese population in the region.⁷⁶ In July 2023, in its submission in advance of the U.N. Human Rights Council’s Universal Periodic Review of the Chinese government’s human rights record, the Uyghur Human Rights Project highlighted the PRC’s efforts to reduce the birth rate of the Uyghur population through forced sterilization and other forced family planning measures.⁷⁷

Congressional Hearing Sheds Light on Organ Harvesting

At a March 2024 Commission hearing, experts testified about the practice of organ harvesting in China, and the state-sponsored trade in human organs, which caters to both foreign and domestic patients.⁷⁸ Scholar Matthew Robertson of Australian National

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University attested to the vulnerability of Uyghurs to organ harvesting, due to factors including the forced collection of biometric data in detention and the lack of accountability for deaths in custody.⁷⁹ Commission Chair Chris Smith and Co-Chair Jeff Merkley called for the passage of the Stop Forced Organ Harvesting Act, which authorizes sanctions for those involved in the illegal trafficking of human organs.⁸⁰

Freedom of Religion

XUAR government officials curtailed Muslim residents' freedom to practice their religious beliefs, including by holding Turkic Muslims in detention for observing their faith.⁸¹ During this reporting year, Chinese leader Xi Jinping and XUAR Communist Party Secretary Ma Xingrui emphasized the need to "sinicize" Islam in the region, which both officials tied to the issue of regional security.⁸² As in previous reporting years,⁸³ XUAR authorities placed restrictions on Muslims' observance of Ramadan.⁸⁴ An *Economist* reporter observed during a visit to the XUAR that Muslim residents appeared to be prohibited from fasting during the Ramadan period, and some mosques in Urumqi and Turpan municipality had been closed, repurposed, or partially demolished.⁸⁵ *Radio Free Asia* (RFA) reported that officials in different cities in the region used surveillance, the distribution of free food, and mandatory attendance at events to prevent Muslims from fasting.⁸⁶ *RFA* also reported that during the Muslim holiday of Eid al-Adha (Qurban Eid in Uyghur) on June 17, security personnel in various locations in the XUAR held activities for Uyghurs aimed at distancing them from observing the religious elements of the holiday and strengthening their loyalty to the Chinese government and Communist Party.⁸⁷ For instance, on the eve of the holiday, in Guchung (Qitai) county, Changji Hui Autonomous Prefecture, police asked Uyghur "relatives" with whom they had been matched in an earlier surveillance program to watch movies about communism at a museum.⁸⁸

**Amended Regulations Further Restrict Religious Freedom
in the XUAR**

New regulations took effect this reporting year in the XUAR that tightened limits on the religious practices of Muslim residents in the region. In December 2023, the XUAR People's Congress amended the Xinjiang Uyghur Autonomous Region Regulations on Religious Affairs (RRA), which took effect on February 1, 2024.⁸⁹ The revised regulations focus on the need to “sinicize” religious practices and venues, in line with government efforts to “sinicize” religious worship nationwide in recent years, and tighten restrictions on the establishment, construction, and renovation of places of worship.⁹⁰ In addition, the revised regulations contain a new chapter mandating official control over religious education and ensuring the cultivation of “patriotic religious talents.”⁹¹ The RRA were first issued in 1994⁹² and last amended in 2014.⁹³ The 2014 regulations broadened XUAR officials' authority to limit religious practices, control online expression, and restrict the wearing of beards or attire perceived to have religious connotations.⁹⁴ Human Rights Watch wrote that according to the text of the revised RRA, “[r]eligious venues are to be, effectively, training grounds that promote the values of the Chinese Communist Party to the people.”⁹⁵

[For more information on official restrictions on Muslims' right to practice their faith throughout China, see Chapter 3—Freedom of Religion.]

*Official Policies Violate Uyghurs' Right to
Maintain Their Own Language and Culture*

Reports emerged this past year showing that Chinese authorities have continued implementing policies that infringe upon Uyghurs' right to maintain their own language and culture.⁹⁶ The freedom of ethnic minority groups to express their cultural and religious identities is guaranteed by the PRC Regional Ethnic Autonomy Law⁹⁷ and international law such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.⁹⁸ In June 2024, Human Rights Watch published research findings, which it produced together with the Norway-based organization Uyghur Hjelp, showing that between 2009 and 2023, Chinese officials changed the names of more than 600 villages traditionally inhabited by Uyghurs into names that removed their cultural or religious significance.⁹⁹ Officials implemented most of the name changes between 2017 and 2019, at a time of escalating repression of human rights in the XUAR, in southern areas of the region where Uyghurs comprise the majority of the population.¹⁰⁰ Authorities altered village names containing references to Uyghurs' cultural and religious practices, as well as to Uyghur historical narratives, and replaced them with names such as “Happiness,” “Unity,” and “Harmony.”¹⁰¹ Reacting to the changes in an interview with *RFA*, Maya Wang, acting China director at Human Rights Watch, said, “On a very fundamental level, erasing the symbols of people, the language and culture, is about erasing who they are and teaching them to fear.”¹⁰²

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UYGHUR CHILDREN IN BOARDING SCHOOLS AT RISK OF LOSING LANGUAGE AND CULTURE

In September 2023, the U.N. Special Rapporteur on minority issues, Special Rapporteur in the field of cultural rights, and Special Rapporteur on education issued a press release expressing “grave concern” over reports of a “significant expansion” of the boarding school system in the XUAR.¹⁰³ The three experts expressed concern over the fact that the boarding schools into which Uyghur children are placed provide little to no instruction in the Uyghur language, and that these children are pressured to speak and learn only Mandarin Chinese.¹⁰⁴ The experts also voiced concern over the forcible separation of children from their families and communities, saying that the policy would “undermine their ties to their cultural, religious and linguistic identities.”¹⁰⁵ The experts also noted the recent closure of schools in the XUAR where students had been taught in Uyghur and other ethnic minority languages.¹⁰⁶ Many of the ethnic minority children placed in boarding schools have reportedly had at least one parent in detention, and authorities have placed some children in orphanages or other state-run facilities while forcing or coercing their parents to work.¹⁰⁷ The forcible displacement of ethnic minority children has been carried out in violation of the PRC Law on the Protection of Minors and the U.N. Convention on the Rights of the Child, which the PRC has signed and ratified.¹⁰⁸ [For information on the placement of Tibetan children in boarding schools, see Chapter 17—Tibet.]

Transnational Repression of Uyghurs and Other Turkic Muslims

Reports published this past year documented the PRC’s continued transnational repression of Uyghurs and other Turkic Muslims, through harassment and intimidation, to prevent them from speaking out about human rights conditions in the XUAR.¹⁰⁹ In February 2024, authorities in Turkey detained six individuals for allegedly spying on local Uyghurs and Uyghur groups on behalf of PRC authorities.¹¹⁰ In May, shortly after Xi Jinping conducted a state visit to France, a group of unidentified individuals gathered at the home of Paris-based Uyghur **Gulbahar Jelilova**, rang the doorbell of her apartment, and called her cell phone.¹¹¹ Dilnur Reyhan, president of the European Uyghur Institute, said the visit may have been meant to intimidate **Gulbahar Jelilova**, who was previously detained at multiple mass internment camps in the XUAR.¹¹²

UYGHURS IN THAILAND

A group of more than 40 Uyghur asylum seekers remained in immigration detention in Bangkok, Thailand, reportedly due to PRC pressure on Thai authorities not to allow them to seek refuge in a third country.¹¹³ The detainees were among 500 Uyghurs who fled the XUAR to Thailand and other Southeast Asian countries around a decade ago in hopes of reaching Turkey.¹¹⁴ In February 2024, two U.N. working groups and six U.N. special rapporteurs wrote a letter to the Thai government expressing concern about the conditions in which the Uyghurs were being held and asking for an investigation into the deaths of five Uyghurs previously held in immigration

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detention, attributing the deaths to “their prolonged detention, inhumane conditions in which they were held, and inadequate medical care.”¹¹⁵ [For more information on the transnational repression of Turkic Muslims, see Chapter 20—Human Rights Violations in the U.S. and Globally.]

Notes to Chapter 18—Xinjiang Uyghur Autonomous Region

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⁴U.N. Human Rights Council, Report of the Working Group on the Universal Periodic Review—China, Addendum, A/HRC/56/6/Add.1, May 31, 2024. See also U.N. Human Rights Council, Report of the Working Group on the Universal Periodic Review—China, A/HRC/56/6, March 11, 2024.

⁵Human Rights Watch, “China: UN Should Act on Crimes Against Humanity,” June 20, 2024; Emma Farge, “Campaigners Urge UN Rights Chief to Act on China Xinjiang Abuse Report,” *Reuters*, June 21, 2024.

⁶“习近平在听取新疆维吾尔自治区党委和政府、新疆生产建设兵团工作汇报时强调：牢牢把握新疆在国家全局中的战略定位 在中国式现代化进程中更好建设美丽新疆” [When listening to the work reports of the Xinjiang Uyghur Autonomous Region Party Committee and Government and the Xinjiang Production and Construction Corps, Xi Jinping stressed: firmly grasp Xinjiang’s strategic position in the overall national situation and better build a beautiful Xinjiang in the process of Chinese-style modernization], *Xinhua*, reprinted in PRC Central People’s Government, August 26, 2023; Helen Davidson, “Xi Urges More Work to ‘Control Illegal Religious Activities’ in Xinjiang on Surprise Visit,” *Guardian*, August 28, 2023; Kinling Lo, “Chinese Leader Xi Jinping Doubles Down on ‘Social Stability’ as Top Priority for Xinjiang while Pushing Economic Development,” *South China Morning Post*, August 27, 2023.

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¹⁸ Shohret Hoshur and Gulchehra Hoja, “Noted Uyghur Folklore Professor Serving Prison Term in China’s Xinjiang,” *Radio Free Asia*, July 13, 2021.

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¹⁰⁹See, e.g., Chinese Human Rights Defenders, “If I Disobey, My Family Will Suffer”: Collective Punishment of Human Rights Defenders’ Families in China—the Annual Report on the Situation of Human Rights Defenders (2023),” April 15, 2024, 15–17; Safeguard Defenders, adapted from a research report by Yalkun Uluyol, “Targeted in Türkiye: China’s Transnational Repression Against Uyghurs,” 2023, 3, 5–20; Sam Judah, “China Using Families as ‘Hostages’ to Quash Uyghur Dissent Abroad,” *BBC*, July 31, 2023. For information on the transnational repression of Uyghurs and other Turkic Muslims in previous years, see Congressional-Executive Commission on China, *2023 Annual Report* (Washington: May 2024), 315; Congressional-Executive Commission on China, *2022 Annual Report* (Washington: November 2022), 310–11, 348–50; Congressional-Executive Commission on China, *2021 Annual Report* (Washington: March 2022), 140.

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XI. Hong Kong and Macau

HONG KONG AND MACAU

Findings

- As the Chinese Communist Party and government increasingly interfered with Hong Kong's affairs in violation of the "one country, two systems" principle, the Hong Kong government continued to implement various repressive policies purportedly to protect national security. The arbitrary application of national security laws has led to the imprisonment of dissidents and activists, further eroding fundamental freedoms in the city.
- Ongoing criminal prosecution on charges involving national security and sedition against individuals who peacefully exercised their rights included news media executives **Jimmy Lai** and **Chung Pui-ken**, human rights lawyer **Chow Hang-tung**, and student activist **Joshua Wong Chi-fung**.
- Hong Kong police issued warrants of arrest on at least 13 exiled activists and offered rewards for information leading to their arrest. These individuals advocated for democratic reform and for imposing financial sanctions on Hong Kong and People's Republic of China (PRC) officials who perpetrated human rights violations. A group of United Nations (U.N.) experts expressed serious concern over the case, saying that the Hong Kong government was punishing people for political speech.
- Some foreign judges on Hong Kong's highest court resigned, with one of them explaining the factors that had profoundly compromised the rule of law: 1) The National Security Law severely limited judges' freedom of action; 2) the National People's Congress Standing Committee could overturn judges' decisions; and 3) authorities were intent on quashing even peaceful dissent.
- The Hong Kong government's application to order unspecified social media companies to take down a popular protest song was granted by an appellate court, which reversed a lower court that denied the application based on protection of civil liberties considerations.
- Annual vigils commemorating the violent suppression of the 1989 Tiananmen protests were no longer held. In past years, authorities initially denied applications to hold the vigils on public health grounds. More recently, no such applications have been made, because the organizing group dissolved after its core leaders became political prisoners.
- Allegations emerged this year of physical and sexual violence taking place at a juvenile detention facility. Prison guards reportedly abused political prisoners and sometimes did so using other inmates as proxies. Avenues through which abuse could be reported were ineffective because abusers exploited security camera blind spots and victims were too afraid to step forward publicly to file complaints.

HONG KONG AND MACAU

Introduction

As the Chinese Communist Party and government continued to interfere with Hong Kong's affairs in violation of the "one country, two systems" principle, the Hong Kong government implemented various repressive policies purportedly to protect national security.¹ The arbitrary application of national security laws has led to the prosecution and imprisonment of dissidents and activists, further eroding fundamental freedoms in the city.

Institutional Reform to Increase Party Control

The creation of a Party-controlled office suggests an increase in involvement in Hong Kong's affairs by central authorities. The Hong Kong and Macao Work Office of the Chinese Communist Party Central Committee held its first public meeting in July 2024, after being created pursuant to a plan that aimed to augment the Party's centralized control.² Led by the Party, the new office is an expansion of what was formerly an entity under the State Council, an affiliation which would be retained in name only.³ Some observers have interpreted the change as an indication that PRC authorities would take more direct control over Hong Kong affairs, which is inconsistent with the "one country, two systems" principle.⁴

Article 23 Legislation

Despite the existence of a set of national security laws passed in 2020, Hong Kong authorities swiftly pushed through additional national security laws, something that they were unable to accomplish due to popular resistance two decades ago when the city tolerated political dissent. Hong Kong's Basic Law, which is the equivalent of the city's constitution, requires the Hong Kong government to enact laws to prohibit a range of acts that would undermine national security.⁵ The government's previous attempt in 2003 to legislate in this area was abandoned after its plan was met with widespread protests involving half a million people.⁶ In 2024, and after a "near-total purge of the political opposition,"⁷ the government's second attempt moved forward swiftly, and the law was passed in mid-March, shortly after a month-long public consultation during which the text of the bill remained undisclosed.⁸

Public participation in the legislative process diminished in 2024. Whereas over 90,000 submissions of public opinion were received in 2002, there were only 13,147 submissions in 2024.⁹ Submissions expressing opposition likewise dropped from over 35 percent to 0.71 percent.¹⁰ Groups expressing concerns pointed to the vague definition of criminal offenses and the high bar for invoking a defense based on public interest.¹¹

The new law, passed by a unanimous vote in the reconstituted Legislative Council,¹² is titled *Safeguarding National Security Ordinance*.¹³ Supplementing the National Security Law passed by the National People's Congress Standing Committee in June 2020, the new ordinance amended existing laws regarding four offenses (treason, insurrection, theft of state secrets and espionage, and

sabotage) and added the new offense of external interference.¹⁴ The amendments expand the scope of the offenses and increase the maximum sentence length.¹⁵ In addition, “[t]he Ordinance allows police to apply for extended pretrial detention, restrictions on suspects’ consultation with legal representatives, and restrictions on bail for national security cases. [The law] also authorizes punitive measures (including the termination of HKSAR [Hong Kong Special Administrative Region] passports) against ‘absconders’ overseas with pending warrants in the HKSAR and against individuals who provide absconders with funds or financial assets,” according to analysis by the Congressional Research Service.¹⁶

While the PRC government praised the Article 23 legislation for improving legal certainty and social stability,¹⁷ a spokesperson for the U.S. Department of State said it was “fast-tracked through the nondemocratically elected legislative council after a truncated public comment period,” and contains vaguely defined offenses that present potential risks to U.S. citizens and other American interests.¹⁸ Officials of the European Union and the United Nations expressed similar concerns that the legislation could be incompatible with international human rights law.¹⁹

Erosion of Fundamental Freedoms

Hong Kong officials continued to use national security as a pretext to systematically eliminate political dissent. Some notable examples are as follows:

FREEDOM OF THE PRESS

- **Apple Daily.** As part of the Hong Kong government’s effort to restrict press freedom,²⁰ police raided the pro-democracy newspaper *Apple Daily*, froze its assets, and arrested founder **Jimmy Lai Chee-ying** and several senior executives, forcing the newspaper to close in June 2021.²¹ Pleading not guilty, Lai stood trial in December 2023 on criminal charges of “collusion with foreign countries or external elements” and “conspiracy” to commit said offense under the National Security Law.²² Irregularities reported include allegations that a government witness suffered torture when he was detained in mainland China²³ and that Lai’s legal team received death and rape threats and were the targets of online surveillance and cyber-attacks.²⁴ As of June 2024, the prosecution had completed presenting evidence and the trial was adjourned for further submissions.²⁵
- **RSF representative denied entry.** In April 2024, Hong Kong officials at the airport detained **Aleksandra Bielakowska**, who was an advocacy officer for Reporters Without Borders (RSF), deporting her after six hours of questioning during which she and her belongings were searched three times.²⁶ Bielakowska was traveling to Hong Kong to meet with other journalists and to monitor Jimmy Lai’s trial.²⁷ An RSF director said that the organization had “never experienced such blatant efforts by authorities to evade scrutiny of court proceedings in any country . . .”²⁸
- **Stand News.** The non-profit digital news outlet shuttered in December 2021 after police raided its newsroom and arrested

seven people on suspicion of conspiring to publish seditious materials, ultimately charging two of them, namely, former chief editor **Chung Pui-kuen** and acting chief editor **Patrick Lam**. The trial concluded in June 2023, but the court twice postponed the verdict, which remained pending as of April 2024.²⁹ In presenting the closing argument, defense counsel asserted that the accused were merely reporting the truth, consistent with the news outlet's purpose.³⁰

FREEDOM OF EXPRESSION

- **Protest song ban.** In May 2024, a spokesperson for YouTube confirmed that it had blocked access by viewers in Hong Kong to a popular protest song known as “Glory to Hong Kong” in compliance with a court order that enjoined unspecified defendants from distributing or reproducing the song.³¹ The subject order stemmed from a June 2023 application made by the Hong Kong government for an injunction to ban the song, citing the 2020 National Security Law and alleging that the protest song had been used to insult the national anthem.³² The court that originally heard the case denied the government's application, having weighed the government's stated national security objectives against the potential chilling effects on free speech;³³ that decision, however, was overturned on appeal.³⁴ According to *Bloomberg*, “[t]he injunction represents a potent new tool for the government to order the mass removal of content,”³⁵ and the *New York Times* characterized the injunction as an attempt “to root out the remaining vestiges of political dissent in the city”³⁶ Previously, Google, which owns YouTube, had resisted the government's requests to bury search results for the song after it was erroneously played in two public events.³⁷

- **National anthem arrests.** In June 2024, Hong Kong police arrested three people because they “turned their backs toward the pitch and did not stand for the playing of the national anthem” before a soccer game.³⁸ In response to people booing the Chinese national anthem at sports events, the Legislative Council in 2020 passed a law requiring people to stand while the anthem is played on certain occasions; it also criminalizes public and intentional insults of the anthem, an offense that carries up to three years in jail.³⁹

- **National anthem at schools.** In June 2024, the Education Bureau issued an inspection report faulting students' voices being “slightly weak” when singing the national anthem, further advising that “[s]chools need to help students form a habit of singing the national anthem with confidence.”⁴⁰ School inspectors received some pushback as they admonished two schools for failing to incorporate sufficient national security materials in the curriculum even though the schools served students with intellectual disabilities.⁴¹

Tiananmen Commemoration

Consistent with the PRC government's policy of silencing expression relating to the violent suppression of the 1989 Tiananmen protests in Beijing municipality, the Hong Kong government has since 2020 banned the holding of vigils on the anniversary of June 4th at Victoria Park, breaking a three-decade-long tradition.⁴² This past year, the government likewise targeted other forms of commemoration of the event:

- **“Pillar of Shame” sculpture.** National security police in May 2023 seized from a university storage unit an eight-meter-tall sculpture titled “Pillar of Shame” that artist Jens Galschiøt created to commemorate protesters who died during the 1989 protests.⁴³ The statue had stood on the Hong Kong University campus for 24 years before the school removed it in December 2021.⁴⁴ Police seized the sculpture as evidence of incitement to subversion in a criminal case against **Lee Cheuk-yan, Albert Ho, and Chow Hang-tung**, leaders of the group that had been organizing the annual vigils.⁴⁵ In responding to the artist's demand that the sculpture be returned to him, Secretary for Security Chris Tang said it was common for people to use “peaceful advocacy” and “artistic creations” as a pretext to endanger national security, adding that rights were not absolute and could be restricted on security grounds.⁴⁶
- **Banner display.** In September 2023, postgraduate student **Zeng Yuxuan** pleaded guilty to a sedition charge and was sentenced to six months in jail for planning to publicly display a banner containing an image of the “Pillar of Shame” sculpture as part of a world-wide commemoration event.⁴⁷
- **Performance art.** On June 3, 2024, police removed performance artist **Sammu Chen** from the location near Victoria Park where he was allegedly “causing chaos” after he mimed writing “8964” in the air, representing the June 4, 1989, date of the historical event at Tiananmen.⁴⁸ Police detained Chen and took him to a police station before releasing him.⁴⁹

FREEDOM OF ASSEMBLY

- **Unauthorized assembly acquittal overturned.** In January 2024, the Court of Final Appeal (Hong Kong's highest court) overturned the High Court's decision acquitting pro-democracy activist and barrister **Chow Hang-tung** for unauthorized assembly.⁵⁰ Chow originally was sentenced to 15 months in prison based on allegations that she had made social media posts and had written newspaper articles calling for people to join the annual Tiananmen vigil in June 2021, which police had banned on public health grounds.⁵¹ Contrary to the High Court's ruling, the Court of Final Appeal held that the legality of the ban could not be raised as a defense in a criminal proceeding.⁵²
- **Yuen Long Station mob attack commemoration.** In July 2023, police carried out stop-and-search operations around Yuen Long, arresting 10 people, 2 of whom displayed items that showed support for the pro-democracy movement.⁵³ Police also ordered journalists to register their identities and produce credentials.⁵⁴ The police operations took place on the fourth

anniversary of the July 2019 mass attack on commuters at the Yuen Long subway station.⁵⁵ Residents had accused police of having colluded with gang members in the 2019 mob attack.⁵⁶

CIVIC PARTICIPATION

- **612 Fund.** In August 2023, police arrested 10 individuals connected with the defunct 612 Humanitarian Relief Fund, which was created to provide assistance to protesters who were arrested or otherwise targeted by the government.⁵⁷ The arrestees were suspected of “conspiring to collude with a foreign country or with external elements to endanger national security” and inciting a riot, according to a police statement.⁵⁸ The arrests followed the May 2022 convictions of five of the fund’s former trustees for failing to register the fund.⁵⁹

- **Spark Alliance.** Initially set up in 2016, Spark Alliance was a crowdfunded initiative that financed bail applications filed on behalf of people arrested during the 2019 protests.⁶⁰ University student **Yu Yan-yuk**, one of four people arrested in December 2019 in connection with Spark Alliance, was sentenced to one year and four months in prison by the District Court on the charge of money laundering.⁶¹

- **Crackdown on other financial support for dissent.** Police likewise targeted other efforts that helped political dissidents, arresting four people in July 2023 and seven in May 2024 for allegedly providing financial support to absconders from the National Security Law and for helping post seditious materials online.⁶² The May 2024 arrests were the first under the new Article 23 legislation and included Chow Hang-tung and her mother.⁶³

- **Hong Kong 47.** In May 2024, the West Kowloon Magistrates’ Courts convicted 14 of 16 defendants who pleaded not guilty in a case where police arrested 47 individuals in connection with an informal primary election in July 2020 designed to improve coordination among pro-democracy candidates.⁶⁴ *Reuters* characterized the proceedings as “Hong Kong’s biggest ever national security trial against the city’s democratic opposition . . .”⁶⁵ Prosecutors had charged the defendants with subversion, alleging that the defendants tried to gain control of the Legislative Council for the purpose of bringing down the local and central governments.⁶⁶ Most defendants were denied bail and had spent over three years in detention since their January 2021 arrests.⁶⁷ As of June 2024, mitigation pleas were underway, and the defendants had not been sentenced.⁶⁸

Judicial Independence

Following the convictions in the Hong Kong 47 case, Jonathan Sumption resigned from the Court of Final Appeal as an overseas non-permanent judge.⁶⁹ Finding that the Hong Kong 47 decision “is symptomatic of a growing malaise in the Hong Kong judiciary,” Lord Sumption penned an op-ed saying that the ruling was legally indefensible because the Basic Law expressly authorized what the defendants set out to do with the informal primary election.⁷⁰ He then proceeded to list factors that had “profoundly compromised” the rule

of law: 1) The National Security Law severely limited judges' freedom of action; 2) the National People's Congress Standing Committee could overturn judges' decisions; and 3) authorities were intent on quashing even peaceful dissent.⁷¹ Lord Sumption observed that Hong Kong was "slowly becoming a totalitarian state" and found it unrealistic that him remaining on the court would help sustain the rule of law.⁷² Judge Lawrence Collins, who resigned at the same time as Lord Sumption, said he was leaving "because of the political situation in Hong Kong."⁷³ With their resignations, the number of overseas judges decreased from 15 to 8 as of June 2024.⁷⁴

Prison Abuse

A *Radio Free Asia* article reported multiple instances of physical and sexual abuse at a detention facility called Pik Uk Correctional Institution, which housed part of the growing juvenile prison population of 450 individuals.⁷⁵ Former detainees at the facility reported that prison guards would carry out abuses, sometimes using inmates as their proxies, by means including sexual assault, beating, slapping, and hitting palms and soles with a metal ruler.⁷⁶ One alleged victim of sodomy required hospitalization, and a victim of beating attempted suicide.⁷⁷ A former detainee reported discriminatory treatment of political prisoners, highlighting an example where guards subjected detainees to corporal punishment for singing a protest song but allowed others to sing songs that were not political.⁷⁸

Mechanisms through which complaints of abuse can be made have been ineffective. Prison guards and their proxies reportedly exploited security camera blind spots, which partly contributed to the fact that most complaints of abuse filed with the Correctional Services Department were found to be unsubstantiated.⁷⁹ Likewise, Justices of the Peace, who are persons appointed by the government to visit custodial institutions or detained persons,⁸⁰ fail to ameliorate the situation because victims are unwilling to approach them publicly for fear of reprisal.⁸¹

Transnational Repression

As extraterritorial enforcement is authorized under national security laws, Hong Kong authorities targeted exiled activists and exerted additional pressure by harassing their family members in Hong Kong. The arrest of a Hong Kong official in the United Kingdom also exposed the government's scheme of monitoring exiled activists in an apparent effort to undermine their advocacy.⁸²

• **Bounties on exiled activists.** In July and December 2023, Hong Kong police issued warrants of arrest for 13 overseas activists of Hong Kong origin based on national security charges. These individuals are—1) Kevin Yam, 2) Yuan Gong-yi, 3) Kwok Wing-hang, 4) Hui Chi-fung, 5) Mung Siu-tat, 6) Lau Cho-dik 7) Law Kwun-chung, 8) Kwok Fung-ye, 9) Cheng Man-kit, 10) Fok Ka-chi, 11) Choi Ming-da, 12) Hui Wing-ting, and 13) Joey Siu.⁸³ Police offered rewards of HK\$1,000,000 each (approximately US\$128,000) for information on the suspects, further stating that authorities would stop "activities that endanger national security" using

various methods including “cutting off proceeds from their crimes and other funding sources, as well as identifying their accomplices in Hong Kong and holding them accountable.”⁸⁴ Police also harassed some of the wanted individuals’ family members, summoning them for questioning and raiding their homes.⁸⁵ In response to the bounties, four United Nations experts expressed serious concern and observed that “[t]he charges appear to seek to punish statements allegedly made by each individual criticising the Chinese government’s policies and their activities in support of democracy in Hong Kong.”⁸⁶ Similarly, a U.S. Department of State spokesperson condemned the Hong Kong police’s action, adding that “[t]he extraterritorial application of the Beijing-imposed National Security Law is a dangerous precedent that threatens the human rights and fundamental freedoms of people all over the world.”⁸⁷

• **Assaults at APEC.** Protesters, including activists from Hong Kong, were assaulted by people believed to be organized by PRC entities during Xi Jinping’s visit to San Francisco in November 2023 for the Asia-Pacific Economic Cooperation (APEC) summit.⁸⁸ In December, activists recounted at a press conference the harassment and assault they experienced or witnessed, which included one incident where a group of men threw an activist to the ground and beat him unconscious.⁸⁹ About two dozen young Tibetan-American protesters also were victims of assault.⁹⁰ The counterprotesters, wearing red headbands and red scarves, reportedly were bused to the location by the PRC embassy and consulates in the United States.⁹¹ Carrying PRC flags, the counterprotesters used flagpoles as weapons and the flags to cover the assault from view.⁹² A spokesperson for the Chinese Embassy denied responsibility and instead claimed that the counterprotesters were victims of assault.⁹³ The violent acts, coupled with San Francisco police’s alleged inaction, prompted activists to express concern for their personal safety when conducting future advocacy work.⁹⁴

• **Surveillance through HKETOs.** In May 2024, United Kingdom police arrested three individuals on national security charges for allegedly engaging in “information gathering, surveillance and acts of deception that were likely to materially assist the Hong Kong intelligence service.”⁹⁵ One of the arrestees was an office manager of the Hong Kong Economic and Trade Office (HKETO) in London.⁹⁶ While official sources did not disclose the specific facts underlying the charges, Hong Kong Chief Executive John Lee did not answer directly when asked whether “Hong Kong authorities had spent any resources to perform surveillance on individuals in Britain, including Hong Kong activists . . .”⁹⁷ In addition, Executive Council convenor Regina Ip said gathering intelligence on activists by Hong Kong’s overseas trade outposts was “legal.”⁹⁸

[For more information on the Party’s efforts to repress fundamental freedoms abroad, see Chapter 20—Human Rights Violations in the U.S. and Globally.]

Freedom of Religion

Recent national security legislation and government policies have put freedom of religion under threat, according to reports by advocacy groups Hong Kong Watch and the Committee for Freedom in Hong Kong Foundation.⁹⁹ While people were allowed to worship, several factors provided “early warning signs” that further erosion of religious freedom would continue.¹⁰⁰ One such sign is the practice of prosecuting religious leaders for political reasons under the broadly defined offenses in the 2020 National Security Law.¹⁰¹ Additionally, the law’s authorization of search and seizure prompted at least one major church to restructure in order to hedge against the risk of asset seizure by the government.¹⁰²

Uncertainties created by the law also promoted self-censorship: One cardinal, for example, advised clergy to be cautious in their sermons, and the Hong Kong Catholic Diocese announced in May 2022 that it would no longer hold masses commemorating the violent suppression of the Tiananmen protests in 1989.¹⁰³ Increasing regulatory restrictions presented new challenges to religious groups, such as those that tried to raise funds to promote democratic values, those with international connections, and those that needed to rent space from government-subsidized schools.¹⁰⁴

Authorities perceive religion as a political risk. Mainland authorities have accused some religious groups of providing support to protesters,¹⁰⁵ while a Party-owned news outlet advocated that an antiquated law authorizing warrantless searches on Chinese temples should be extended to all religious groups, suggesting a policy direction of imposing additional restrictions on religion due to political considerations.¹⁰⁶

Furthermore, the Hong Kong government has adopted the PRC policy of sinicizing religion, hosting and monitoring meetings on the topic.¹⁰⁷ According to one practitioner, sinicization is a policy that casts out religious teaching that does not conform to the Party’s ideology.¹⁰⁸ The emerging phenomenon of houses of worship displaying the PRC national flag, which was not standard practice in Hong Kong, might become the norm and represents increasing encroachment of political indoctrination in the religious space.¹⁰⁹

Universal Periodic Review

On January 23, 2024, the Working Group on the Universal Periodic Review held a meeting to examine China’s human rights record, during which 161 delegations made statements.¹¹⁰ Some Member States expressed concern about rapidly declining human rights and rule of law, recommending that the Hong Kong government repeal the National Security Law and discontinue the prosecution of individuals for exercising their fundamental rights, additionally noting the extraterritorial repression of advocacy work.¹¹¹ They also called on the government to restore civil society and to protect political rights, as provided for in the International Covenant on Civil and Political Rights (ICCPR).¹¹² In response to the recommendations, China rejected calls to repeal the National Security Law, asserting that the law’s provisions and its enforcement were compliant with

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the ICCPR, implicitly denying that it had intimidated human rights lawyers and journalists.¹¹³

Travel Advisories for Hong Kong and Macau

Shortly after the Article 23 legislation was passed in March 2024, the governments of the United States, the United Kingdom, Canada, Australia, and Taiwan advised travelers to exercise caution due to the arbitrary enforcement of national security laws in Hong Kong.¹¹⁴ Recognizing a similar risk in Macau, the U.S. Government also highlighted that it had limited ability to provide emergency services to U.S. citizens in Macau because the PRC government required U.S. diplomatic personnel to be granted visas prior to traveling there.¹¹⁵ The Hong Kong government defended the national security laws and their enforcement, characterizing the travel advisories as interference and scaremongering.¹¹⁶

Notes to Chapter 19—Hong Kong and Macau

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XII. Human Rights Violations in the U.S. and Globally

HUMAN RIGHTS VIOLATIONS IN THE U.S. AND GLOBALLY

Findings

- The People's Republic of China (PRC) continued a multifaceted campaign of transnational repression against Hong Kongers, Tibetans, Uyghurs, journalists, Chinese university students, and others to stifle dissent and intimidate individuals in emigrant and diaspora communities. Examples include the issuance of HK\$1,000,000 (US\$127,600) bounties on 13 overseas activists, intelligence-gathering efforts in diaspora communities, and the harassment of China-based relatives of overseas targets.
- The PRC's transnational repression efforts were observed leading up to, during, and after the November 2023 Asia-Pacific Economic Cooperation (APEC) Summit in San Francisco, California.
- This reporting year, the Commission observed reports of PRC authorities forcibly repatriating overseas Chinese citizens **Lu Siwei** and **Yang Zewei**, also known as Qiao Xinxin, through extrajudicial means.
- The PRC targeted foreign politicians and governments by attempting to influence democratic elections and shape public opinion abroad about the Chinese Communist Party and government, including in Canada, the Solomon Islands, and Taiwan.
- PRC authorities continued to make efforts to influence processes and procedures within the U.N. system to limit public awareness of China's human rights abuses in the international community. This past year, reports detailed the PRC's efforts to influence and impede the U.N. Human Rights Council's Universal Periodic Review (UPR) and several U.N. Special Procedures.

HUMAN RIGHTS VIOLATIONS IN THE U.S. AND GLOBALLY

Transnational Repression

During the Commission's 2024 reporting year, the People's Republic of China (PRC) continued a multifaceted campaign of transnational repression to intimidate and enhance control over critics, Uyghurs, Hong Kongers, and others.¹ "Transnational repression" refers to transnational efforts to stifle dissent or independent organizing within emigrant or diaspora communities.² Freedom House characterized China's transnational repression campaign as the "most sophisticated, global, and comprehensive" in the world.³ In several reported cases, authorities harassed or intimidated the China-based relatives of overseas targets as an indirect way to compel the compliance of the targets themselves, coercing them into silence or to return to China.⁴ Targets of the PRC's transnational repression from this past year include:

- **Hong Kongers.** In July 2023, Hong Kong authorities issued HK\$1,000,000 (US\$128,000) bounties on eight overseas activists: Ted Hui Chi-fung, Anna Kwok Fung-ye, Dennis Kwok Wing-hang, Finn Lau Cho-dik, Nathan Law Kwun-chung, Christopher Mung Siu-tat, Kevin Yam, and Elmer Yuen Gong-yi.⁵ In December 2023, authorities expanded the list to include five additional overseas pro-democracy activists: Simon Cheng Man-kit, Tony Choi Ming-da, Johnny Fok Ka-chi, Frances Hui Wing-ting, and Joey Siu.⁶ These individuals all live either in the United States, the United Kingdom, or Australia.⁷ These bounties marked the first major instance of Hong Kong officials extraterritorially using the *PRC Law on Safeguarding National Security* to accuse overseas activists of crimes, such as "collusion" with foreign forces and incitement to "secession" and "subversion."⁸ Hong Kong police mounted additional pressure on the wanted activists by investigating and interrogating several of their family members in Hong Kong.⁹ On June 12, 2024, Hong Kong authorities initiated specific measures, such as the cancellation of Hong Kong passports and the prohibition on the provision of funds, under the *Safeguarding National Security Ordinance* (also known as "Article 23" legislation), against Simon Cheng, Tony Choi, Johnny Fok, Christopher Mung, Finn Lau, and Nathan Law—all six individuals are based in the United Kingdom.¹⁰ Finn Lau called the Hong Kong government's actions "an explicit act of transnational repression," while an expert theorized that the main motive for these measures was to deter Hong Kongers from "donating . . . or sharing . . . [these overseas activists'] social posts."¹¹ [For more information about Hong Kong, see Chapter 19—Hong Kong and Macau.]

- **Tibetans.** A report published this past year by the Tibetan Centre for Human Rights and Democracy revealed efforts to silence members of the Tibetan diaspora.¹² According to a September 2023 interview with an official in the Central Tibetan Administration, an estimated 80 to 90 percent of Tibetan refugees with family and relatives still living in Tibet have suffered repressive PRC tactics.¹³ PRC authorities attempted to sever connections between diaspora members and their relatives in

the Tibet Autonomous Region and coerced Tibetan activists abroad to cease speaking out against the Chinese Communist Party.¹⁴ Many Tibetans also reported attempts by the Party to recruit them to spy on their fellow diaspora members, exacerbating distrust and fear in their communities.¹⁵ [For more information about the PRC's persecution of Tibetans, see Chapter 17—Tibet.]

- **Uyghurs.** Reports this past year revealed that Uyghur diaspora members faced transnational repression around the globe. One report by the Human Rights Foundation noted that “the Uyghur diaspora experiences intimidation, harassment, threats, and censorship on a daily basis.”¹⁶ Despite long serving as a safe destination for Uyghur refugees, Türkiye has become less safe in recent years due to the Chinese Communist Party's well-established intelligence-gathering efforts and threats from Turkish police against Uyghur exiles in the country.¹⁷ Uyghurs interviewed for another report shared personal anecdotes of financial exploitation and coercion and threats against friends and family still in the Xinjiang Uyghur Autonomous Region (XUAR) by Chinese police.¹⁸ Uyghur journalists in the U.S. also raised concerns this reporting year of spies within their communities, as well as the threat of detention of their friends and family in the XUAR, both aimed at discouraging them from publishing stories about sensitive topics.¹⁹ [For more information about the PRC's persecution of Uyghurs, see Chapter 18—Xinjiang Uyghur Autonomous Region.]

- **Journalists.** Australian journalist and researcher Vicky Xu detailed in an April 2024 essay about the PRC surveillance and threats she faced in recent years for her work exposing human rights abuses committed by the Chinese Communist Party and government.²⁰ She recounted being intimidated by men in front of her apartment complex, learning about her China-based family and friends “disappearing,” and receiving warnings from the Australian Federal Police that she was being targeted by foreign agents.²¹ In June 2024, the Commission observed reports of PRC authorities appearing to physically block Australian journalist Cheng Lei at an event featuring Chinese Premier Li Qiang and Australian Prime Minister Anthony Albanese in Canberra.²² Cheng speculated that the attempts were likely to prevent her “from saying something or doing something that they think would be a bad look.”²³ [For more information on the PRC's repression of journalists, see Chapter 1—Freedom of Expression.]

- **Chinese university students.** Reports and congressional testimony detailed transnational repression efforts against Chinese students abroad.²⁴ Amnesty International reported in May 2024 about Chinese and Hong Kong students “living in fear of intimidation, harassment, and surveillance as Chinese authorities seek to prevent them [from] engaging with ‘sensitive’ or political issues while overseas.”²⁵ The authors of the report conducted interviews with 32 current students and recent graduates from the mainland, Hong Kong, and Macau who studied at universities in eight countries; almost

half of the interviewees claimed they had been photographed or recorded at events by individuals that they believe did so on behalf of the PRC.²⁶ Moreover, nearly a third of the interviewees reported that PRC officials had harassed their families back home, and more than half admitted to self-censoring their conversations and posts online out of fear of being monitored, including on non-Chinese social media.²⁷ Georgetown University law student Zhang Jinrui detailed how Chinese police interrogated his family in China following his participation in campus events critical of the Chinese government's actions.²⁸ Zhang himself was also approached, threatened, and recorded by other Chinese students on campus for speaking out against China's zero-COVID policy.²⁹ In June 2024, the Commission held a hearing where a Chinese student at Columbia University testified that "the intensity of transnational repression against outspoken Chinese overseas students has only escalated," saying that it occurred, "[in] most cases, through personal harassment, transnational surveillance, and the coercion of proxies—in this case meaning the interrogation and intimidation of family members in China."³⁰ The student, dressed in a disguise and choosing to testify with an alias, took precautions "even though it will only delay the inevitable police visit to [her] parents."³¹

According to a December 2023 report by *Axios*, there are two types of PRC overseas centers: 1) service centers, and 2) police-community cooperation centers, the latter of which may either have official relationships with host governments or operate "under the radar."³² The report provided an overview of a PRC overseas service center based in Dar es Salaam, Tanzania, with "extensive" ties to the Chinese government and the China Council for the Promotion of Peaceful National Reunification, an organization managed by the United Front Work Department tasked to "monitor overseas Chinese citizens."³³ Although the service center provides necessary assistance and resources, experts expressed concerns about the Chinese government's use of transnational repression to prevent dissent and control members of Tanzania's Chinese communities.³⁴

During the Commission's 2024 reporting year, *Radio Free Asia* (RFA) published an investigative report about a PRC overseas police station in New York City (NYC). *RFA* journalist Jane Tang interviewed individuals in NYC's Chinese diaspora, revealing specific instances of PRC harassment and intimidation perpetrated by members of America ChangLe Association ("ChangLe"), a community hub based in Manhattan's Chinatown that supports residents of Fujianese descent.³⁵ *RFA*'s report revealed that "Harry" Lu Jianwang and Chen Jinping, two men whom the U.S. Department of Justice charged in April 2023 with "conspiring to act as agents of the PRC government as well as obstructing justice by destroying evidence of their communications with [a PRC Ministry of Public Security] official," were both involved with ChangLe's operations, with Lu serving as the chairman of the association.³⁶ Although Lu stepped down from the chairmanship position, he later became president of another overseas Chinese association located across the street from ChangLe in Chinatown.³⁷

Harassment of APEC Summit Peaceful Protesters

The Commission observed the PRC's transnational repression efforts leading up to, during, and after the November 2023 Asia-Pacific Economic Cooperation (APEC) Summit in San Francisco due to clashes between advocacy groups and pro-Chinese Communist Party demonstrators. Advocacy groups and pro-democracy activists peacefully assembled outside the summit during Xi Jinping's visit, to protest human rights abuses perpetrated by the Chinese Communist Party and government.³⁸ The Chinese consulate reportedly mobilized overseas pro-Party communities to counter-protest by incentivizing them with money, transportation, and lodging.³⁹

Video evidence and eyewitness accounts detailed instances of seemingly coordinated pro-Party demonstrators harassing and physically attacking peaceful protestors, including by 1) taking a banner from the advocacy group Students for a Free Tibet; 2) beating peaceful protestors with metal rods, umbrellas, and flag poles; and 3) seizing advocates' phones and tossing them into nearby water, presumably because they contained evidence of such attacks.⁴⁰ The Commission wrote a letter to U.S. Attorney General Merrick Garland in December 2023 requesting an investigation into the violence committed by counter-protestors outside of the APEC Summit, as well as to determine "whether the violence was planned or instigated by elements of the Chinese Communist Party or Chinese diplomats in the United States."⁴¹ The Commission has not received a response, as of June 2024.

Extraditions to China

"Operation Fox Hunt," which officially launched ten years ago by the PRC government, began as a joint effort between multiple high-ranking agencies to track down fugitives and return them to China, either through international cooperation mechanisms or "voluntary" returns.⁴² According to one estimate, the operation forcibly returned at least 283 individuals from at least 56 countries and two territories through extrajudicial means in the past decade.⁴³

This reporting year, the Commission observed reports of PRC authorities forcibly repatriating overseas Chinese citizens through extrajudicial means. Examples from this reporting year include the following:

- **Lu Siwei**,⁴⁴ a disbarred human rights lawyer from China known for representing rights lawyers and pro-democracy activists, disappeared for 28 days after Lao police detained him in July 2023 for "illegal entry."⁴⁵ Lu had fled to Laos with the aim of then traveling to the United States to reunite with his wife and daughter.⁴⁶ Despite calls by UN human rights experts and 85 non-governmental organizations to release Lu and prevent his refoulement to China,⁴⁷ in September, Lao officials repatriated Lu to China where he was immediately detained by PRC authorities under suspicion of "illegally crossing a border."⁴⁸ Mary Lawlor, U.N. special rapporteur on the situation of human rights defenders, denounced the Lao authorities' decision to deport Lu and called on PRC authorities to release him.⁴⁹ Authorities released Lu on bail pending trial in October 2023.⁵⁰

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- **Yang Zewei**,⁵¹ also known as Qiao Xinxin, was abducted from his home in Laos in May 2023.⁵² Yang worked as a journalist in China before moving to Laos, where he launched an online campaign named “Ban the Great Firewall” to advocate for the end of internet censorship in China.⁵³ Yang’s brother messaged him the month before his abduction to warn him that PRC authorities were harassing his family in China, prompting Yang to publish a “declaration to not commit suicide” on social media in case he suddenly disappeared.⁵⁴ Reports confirmed that six Chinese and two Lao police officers took Yang away from his home in handcuffs, and Yang later resurfaced in a Chinese detention facility in Hunan province, formally arrested for “inciting subversion of state power.”⁵⁵

Malign Influence

The Commission continued to observe reports of the PRC’s attempts to target foreign politicians and governments, influence democratic elections abroad, and shape public opinions about the Chinese Communist Party and government. These efforts illustrate the PRC’s malign influence campaign,⁵⁶ violating various articles of the International Covenant on Civil and Political Rights, which China has signed but not ratified.⁵⁷ Examples include:

- **Canada:** PRC authorities continued to target Canadian Member of Parliament (MP) Michael Chong this year,⁵⁸ likely spearheading a 10-day disinformation campaign about him on WeChat focused on his family, background, and political views.⁵⁹ Media reports focused on an ongoing federal inquiry showed that Canadian intelligence officials recently revealed that the PRC government “clandestinely and deceptively” interfered in Canada’s 2019 and 2021 federal elections to support China-friendly candidates and suppress those critical of the Chinese Communist Party and government.⁶⁰
- **Solomon Islands:** The PRC attempted to influence Solomon Islands’ April 2024 general elections—elections the *Associated Press* said would “shape relations with China.”⁶¹ Experts noted an increase of PRC “aid” delivery and detailed evidence of coordinated efforts between the PRC and Russia to amplify misleading narratives about the United States’ engagement in the Solomon Islands.⁶² The Solomon Islands had previously signed security agreements with the PRC, which contributed to an increase of Chinese influence and the “deterioration of due process and good governance,” according to an analysis by the Center for Strategic & International Studies.⁶³
- **Taiwan:** The PRC attempted to influence Taiwan’s January 2024 general elections and “coax and coerce the Taiwanese population into accepting closer ties” with China, as described by the German Marshall Fund.⁶⁴ According to commentary published by the Macdonald-Laurier Institute, “while Beijing often tries to shape other countries’ political environments in its favour ahead of general elections . . . its interference in Taiwan is much more direct,” with the use of cognitive warfare, military threats, propaganda, economic retaliation, and measures to further isolate Taiwan in the international community.⁶⁵ The

PRC, in addition, “tried to co-opt businesspeople and opposition politicians,” reportedly offering local politicians discounted or all-expenses-paid trips to mainland China.⁶⁶ Leading up to Taiwan’s May 2024 presidential inauguration, PRC authorities sanctioned five Taiwanese political commentators for “spreading rumors to smear the mainland.”⁶⁷ *Bloomberg* referred to the sanctions as an attempt to “[pile] pressure on incoming president Lai Ching-te just days before he takes office,”⁶⁸ with the Taiwan Foreign Correspondents’ Club describing them as “an affront to free speech and the rights of journalists to operate without intimidation or reprisal.”⁶⁹

Efforts to Impede U.N. Human Rights Bodies

PRC authorities continued to make efforts to influence processes and procedures within and around the U.N. system to limit public awareness of China’s human rights abuses in the international community.⁷⁰ For example, in January 2024, Chinese government-organized groups occupied the few seats available for nongovernmental organizations to sit in the room at the interactive dialogue of the Universal Periodic Review (UPR), a review of China’s human rights record that takes place once every five years.⁷¹ Prior to the UPR, China’s diplomatic mission reportedly lobbied countries for “valuable support to China.”⁷² The Chinese delegation to the U.N. promoted boycotting events on “sensitive” topics relating to late human rights activist Cao Shunli,⁷³ media freedom in Hong Kong, and human rights abuses in the XUAR.⁷⁴ [For more information on China’s UPR at the U.N. this reporting year, see Chapter 2—Civil Society.]

Scholar Rana Siu Inboden in a May 2024 article described the PRC’s attempts to interfere with the United Nations Special Procedures, which are independent human rights experts who monitor and report on thematic and country-specific human rights situations.⁷⁵ Methods deployed by the PRC include 1) targeting Special Procedure mandate holders who highlight PRC human rights abuses through public criticism; 2) selectively funding mandates that may “elevate the work, visibility, and impact” of initiatives that supported the PRC’s vision of human rights; and 3) using institutional power to change regulations, practices, and mechanisms in an attempt to stifle certain initiatives.⁷⁶ Despite the Chinese government’s efforts, however, Inboden notes that the Special Procedures remains the U.N.’s “most active and responsive” tools for raising public awareness of human rights abuses in China.⁷⁷

Notes to Chapter 20—Human Rights Violations in the U.S. and Globally

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XIII. Additional Views of Commission Members

Additional Views of Senator Dan Sullivan

Once again, the Commission has produced a very valuable report. It is critical that we stay focused on the values at stake in U.S.-China relations, even as the breadth of the relationship—and more often, rivalry—expands. This is exactly why the Commission was created. It is, therefore, unfortunate that the report has again strayed from its intended purpose and statutory mandate.

I care deeply about the environment. Americans, especially Alaskans, live amidst an abundance of natural beauty and resources. They maintain an abiding interest in responsibly managing them. For that matter, the people of China have an interest in managing and maintaining their own environment. The problem is that monitoring the efforts of Chinese authorities to do so is not part of the Commission's legislative mandate. The same holds for international commitments the PRC may have made to address climate change.

Beyond the question of focus, on this and other issues, the Commission continues to use as benchmarks international agreements and other policy statements outside its writ. The Commission's mandate identifies two United Nations documents against which to evaluate the state of human rights in China: the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights. It does not reference the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights, or the Convention on the Rights of Persons with Disabilities.

What's more, none of these supplemental agreements have been ratified by the Senate. It makes little sense for American officials to cite Chinese compliance with documents over which there is no consensus in the United States itself. If anything, citing them mistakenly implies U.S. consent to their contents and expectations for U. S. compliance.

I raised these concerns in reaction to last year's report. Not only were my concerns not addressed, but the 2024 report is arguably further beyond the Commission's scope. It brings in an additional document outside the Commission's mandate, the "UN Framework Principles on Human Rights and the Environment." This declaration is not even subject to the advice and consent of the Senate. It is a promulgation by a UN Special Rapporteur of 16 principles "reflecting the application of existing human rights obligations in the environmental context." The document leaves a great deal to interpretation. The U.S. is not even signed up to some of these so-called underlying "obligations."

In slipping its legislative mandate, the Commission opens the way to examine any range of issues at play in the U.S.-China relationship. This distracts from its purpose—monitoring human rights and rule of law in China. And by moving beyond the international agreements identified as benchmarks in its mandate, the commission opens the way to lend credence to virtually any multilateral set of norms. This would be fine if the Commission were a private

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research organization. But it is not. The Congressional-Executive Commission is composed of officials of the U.S. government.

Not to take away from the fine and diligent work of the commission staff. I am proud of its work and my association with the Commission. But for the reasons stated above, I must abstain again from voting on the annual report.