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**APPENDIX F: Examples of Tencent Facilitating PRC Monitoring, Surveillance, and Censorship**

- According to press reporting, on September 26, 2019, authorities in the eastern province of Shandong detained a user of the social media platform WeChat after he sent content to a friend in the United States. Gao Zhigang was taken away and initially held under criminal detention by police in his home district of Yingze in Shandong's Taiyuan city on suspicion of "picking quarrels and stirring up trouble." Gao told Radio Free Asia that he was detained on the basis of a single video clip he forwarded to his U.S.-based friend. Gao served a 10-month sentence for "slander" of the government and public order. Gao viewed the evidence against him, and realized that it hadn't come from his phone. "The screenshots they provided weren't mine, because I had deleted everything after sending it," he said. "The recipient was also being monitored – by a different police station."<sup>110</sup>
- According to press reporting, on March 16, 2019, China watcher Chenchen Zhang shared an anecdote on Twitter about a member of the Uyghur Muslim minority who was stopped at mainland China's border with Hong Kong and interrogated for three days simply because someone on his WeChat contact list had recently "checked in" with a location setting of Mecca, Saudi Arabia. The authorities apparently feared that the Uyghur man had traveled on pilgrimage to Mecca without permission, warning that such a move could yield 15 years in prison.<sup>111</sup>
- According to press reporting, on January 16, 2019, a Hebei court released a WeChat "map of deadbeat debtors" whereby users are given an on-screen radar that allows them to discover if there is anyone who owes money within a 500 meter radius." Individuals are then encouraged to tell authorities if they believe the person can afford to pay back what they owe.<sup>112113</sup>
- In April 2018, public security authorities from multiple locations in China criminally detained 8 administrators of the National Tourism Chat Group. A group of more than 100 members hosted on social media platform WeChat that reportedly organized humanitarian support for family members of political prisoners. As of June 2018, authorities had formally arrested Guo Qingjun, one of the WeChat group's administrators.<sup>114115</sup>
- According to press reporting, in March 2018, six practitioners of Falun Gong, a spiritual meditation discipline that is severely persecuted by the Chinese regime, were recently arrested and detained for posting messages on WeChat about the regime's ongoing repression of the practice. Four women and two men – Wang Hui, Wang Xin, Han Xiaoqiu, You Tingting, Wang Yong, and Wang Dengli – hailing from different cities and provinces, were arrested and subsequently detained at the Lishui City Detention Center in Zhejiang Province, according to Minghui.org, a U.S.-based website that tracks the persecution in China. Police, prosecutors, and Party agencies have since tried to coerce the

<sup>110</sup> <https://www.rfa.org/english/news/china/monitor-08182020091653.html?searchterm:utf8:ustring=%20wechat>

<sup>111</sup> <https://www.japantimes.co.jp/opinion/2019/03/28/commentary/world-commentary/worried-huawei-take-closer-look-tencent/#.Xz1G0n4pCUI>

<sup>112</sup> <https://freedomhouse.org/report/china-media-bulletin/china-media-bulletin-social-credit-incentives-elite-jailings>

<sup>113</sup> <http://www.chinadaily.com.cn/a/201901/16/WS5c3edfb8a3106c65c34e4d75.html>

<sup>114</sup> <https://www.govinfo.gov/content/pkg/CHRG-115hhr31388/html/CHRG-115hhr31388.htm>

<sup>115</sup> <https://chinachange.org/2018/04/15/eight-detained-for-organizing-humanitarian-assistance-for-political-prisoners-and-their-families/>

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six practitioners into giving up their beliefs, the Minghui report stated. They are scheduled for court hearings at Songyang County Court on March 20.<sup>116</sup>

- According to press reporting, in 2017, construction supervisor and Chinese national Chen Shouli reportedly told a joke in a WeChat chat group. Four days later he was telephoned by Chinese authorities and ordered him in for question. Chen was locked in a cell for five days, he says. According to the police report, his comment on the WeChat messaging app was deemed “picking quarrels and provoking trouble,” a broad offense that encompasses gang fighting and destruction of public property and is punishable by detention without trial. Similarly, auto mechanic and Chinese national Yang Qingsong used an expletive in a WeChat post to question the intelligence of police for doing checks in the rain. Police detained Yang for five days, saying his post to a group with 241 people “created negative social effects.”<sup>117</sup>
- According to 2017 press reporting, Beijing activist Hu Jia said he bought a slingshot online after a friend recommended it for relieving stress. He paid with WeChat’s mobile-payment feature. Mr. Hu said he was later interrogated by a state security agent, who asked if he was planning to shoot out surveillance cameras near his apartment. A few years earlier, Mr. Hu said, he had messaged a friend headed to Taiwan with the names of activists he might want to see while traveling there. Later, he said, state security agents showed up at the friend’s house and warned him against meeting Mr. Hu’s acquaintances.<sup>118</sup>
- According to press reporting, Zhang Haitao was detained on Dec. 2, 2016 and sent to Shaya prison in Xinjiang. Zhang, an outspoken critic of the ruling Chinese Communist Party’s treatment of the mostly Muslim Uyghur ethnic group, is serving a 19-year jail term for “incitement to subvert state power” and spying charges. At Zhang’s trial, the prosecution cited 69 posts to the Chinese social media platform WeChat and 205 Twitter posts and retweets, as evidence of inciting subversion of state power.<sup>119</sup>

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<sup>116</sup> [http://webcache.googleusercontent.com/search?q=cache:f22KCaAorh8J:https://www.theepochtimes.com/chinese-citizens-detained-for-posts-on-social-media-platform-wechat\\_2462475.html&client=firefox-b-1-d&hl=en&gl=us&strip=1&vwsrsc=0](http://webcache.googleusercontent.com/search?q=cache:f22KCaAorh8J:https://www.theepochtimes.com/chinese-citizens-detained-for-posts-on-social-media-platform-wechat_2462475.html&client=firefox-b-1-d&hl=en&gl=us&strip=1&vwsrsc=0)

<sup>117</sup> <https://www.wsj.com/articles/jailed-for-a-text-chinas-censors-are-spying-on-mobile-chat-groups-1512665007>

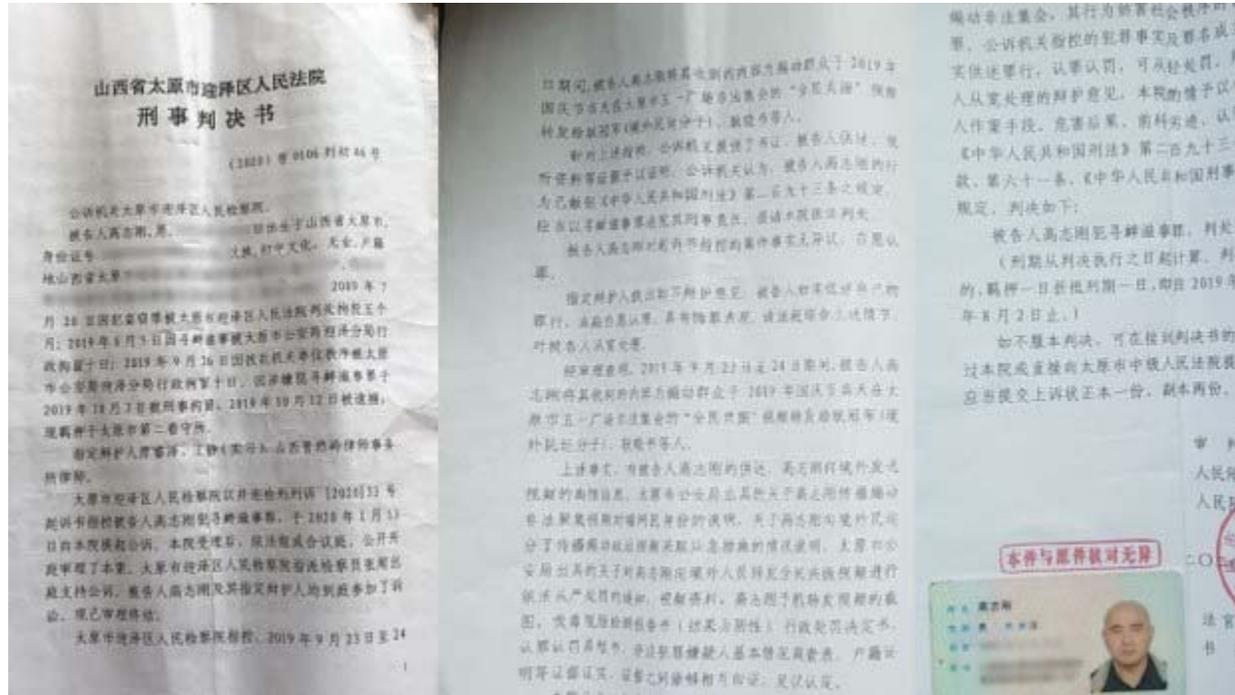
<sup>118</sup> <https://www.wsj.com/articles/chinas-tech-giants-have-a-second-job-helping-the-government-see-everything-1512056284>

<sup>119</sup> <https://www.rfa.org/english/news/china/wife-07292020111256.html?searchterm:utf8:ustring=%20wechat>



# Jailed WeChat User Says Chinese Police Monitor Overseas Accounts Too

2020-08-18



Documents show indictment and court verdict against WeChat user Gao Zhigang. Provided by Geng Guanjun

Authorities in the eastern province of Shandong detained a user of the social media platform WeChat after he sent content to a friend in the United States, providing fresh evidence that the ruling Chinese Communist Party is monitoring communications with WeChat users.

Gao Zhigang was taken away on Sept. 26, 2019 and initially held under criminal detention by police in his home district of Yingze in Shandong's Taiyuan city, on suspicion of "picking quarrels and stirring up trouble."

Following his release, Gao told RFA that he was detained on the basis of a single video clip he forwarded to his U.S.-based friend.

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"After I was detained, I was held under administrative detention for 10 days, and they interrogated me," he said. "Then, on the eighth day, I was transferred to the criminal detention center."

"Then there was a 10-month wait before I was sentenced for 'picking quarrels and stirring up trouble'," he said.

Gao's 10-month sentence for "slander" of the government and public order charges included time already served, and he was recently released after being sentenced last December.

But the twist came when Gao viewed the evidence against him, and realized that it hadn't come from his phone.

"The screenshots they provided weren't mine, because I had deleted everything after sending it," he said. "The recipient was also being monitored -- by a different police station."

"They are able to get into WeChat through a back door and target you."

### **Forwarded to activist overseas**

The video, which referenced a pro-democracy campaign called "Act Together," had been forwarded to Geng Guanjun, a pro-democracy, human rights activist now living in the U.S.

The campaign followed public calls by overseas activist Li Yiping for Chinese people to take to the streets on May 1 to campaign for social justice.

The evidence against him included documents from China's Cyberspace Administration and central propaganda department indicating that these departments directly monitor WeChat conversations.

Geng told RFA that he had never even clicked on the video clip.

Later, he learned that Gao was incommunicado, but didn't find out why until after Gao's release.

"The content of the indictment confirms that the Cyberspace Administration

and propaganda department in China are monitoring WeChat users," he said.

Repeated calls to the Yingze district police department rang unanswered during office hours. Calls to the Yingze district state prosecutor's office also rang unanswered.

Attempts to contact the WeChat customer service number and the media office at WeChat's parent company Tencent were also unsuccessful.

Jin Chun, a former big data engineer at Huawei's Nanjing Research Institute, meanwhile recently told reporters that all Chinese communications companies and internet service providers companies are required to monitor users on behalf of the ruling Chinese Communist Party.

Faced with an official request for data, no company will resist, because they would cease to operate, he said.

### **Growing concerns**

Concerns are growing over overseas censorship and surveillance via Tencent's WeChat social media app, with the U.S. banning business with its parent entity, and rights activists describing it as a "prison" that keeps users within reach of the Chinese Communist Party (CCP)'s censors and law enforcement operations far beyond China's borders.

Launched by Tencent in 2011, WeChat now has more than 1.1 billion users, second only to WhatsApp and Facebook, but the company keeps users behind China's complex system of blocks, filters, and human censorship known as the Great Firewall, even when they are physically in another country.

The app is also used by China's state security police to carry out surveillance and harassment of dissidents and activists in exile who speak out about human rights abuses in the country, or campaign for democratic reform.

In May 2020, researchers at CitizenLab at the Munk School of Global Affairs, University of Toronto, warned that anyone using WeChat, even if they have lived their whole lives outside China, is "subject to pervasive content surveillance that was previously thought to be exclusively reserved for China-registered accounts."

Documents and images transmitted entirely among non-China-registered accounts undergo content surveillance wherein these files are analyzed for content that is politically sensitive in China, the report, titled "We Chat, They Watch," said.

U.S. President Donald Trump has already issued a ban on U.S. transactions with Tencent and ByteDance, the Chinese parent company of video-sharing app TikTok, citing a security threat posed by the transfer of data belonging to U.S. citizens to China.

The order also highlighted reports that the app censors content China deems politically sensitive, including protests over issues of autonomy in Hong Kong and Beijing's abuses of Uyghurs and other Muslim minorities in the Xinjiang Uyghur Autonomous Region (XUAR), and said it could be used to spread disinformation to benefit the CCP.

*Reported by Wong Siu-san and Sing Man for RFA's Cantonese Service.  
Translated and edited by Luisetta Mudie.*

# the japan times

COMMENTARY / WORLD

## Worried about Huawei? Take a closer look at Tencent

BY SARAH COOK

Mar 28, 2019

**WASHINGTON** – It has long been understood that Tencent — the Chinese firm that owns WeChat and QQ, two of the world’s most widely used social media applications — facilitates Chinese government censorship and surveillance. But over the past year, the scale and significance of this activity have increased and become more visible, both inside and outside China.

During the last month alone, several events have illustrated the trend and Tencent’s close relationship with the Chinese authorities. On March 2, Dutch hacker Victor Gevers revealed that the content of millions of conversations on Tencent applications among users at internet cafes are being relayed, along with the users’ identities, to police stations across China. Just three days later, the company’s founder and chief executive, Pony Ma, took his seat among 3,000 delegates to the National People’s Congress, the country’s rubber-stamp parliament. Ma reportedly raised the issue of data privacy even as security agencies were using data from his company’s applications to root out unauthorized religious activity.

On March 16, China watcher Chenchen Zhang shared an anecdote on Twitter about a member of the Uyghur Muslim minority who was stopped at mainland China’s border with Hong Kong and interrogated for three days simply because someone on his WeChat contact list had recently “checked in” with a location setting of Mecca, Saudi Arabia. The authorities apparently feared that the Uyghur man had traveled on pilgrimage to Mecca without permission, warning that such a move could yield 15 years in prison.

As Tencent’s pattern of censorship and data-sharing with China’s repressive government continues and intensifies, now is the time to consider actions that might help protect the basic rights of all users, regardless of their location and nationality.

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## Tencent's role in China

Founded in 1998, Tencent and its popular applications have quickly emerged as ubiquitous elements of China's communications, financial and social fabric. In January, the company declared that WeChat alone had a billion active daily users. While the company has been forced since its inception to comply with strict Chinese Communist Party information controls, the combination of growing government demands and WeChat's near market saturation in China has increased the scope and impact of its complicity.

In the realm of censorship, media reports and expert research indicate that WeChat has been refining the use of artificial intelligence to identify and delete images, which netizens commonly employ to evade censorship and surveillance of text communications. The platform has also shuttered thousands of social media accounts that produced unauthorized news and analysis.

These and other forms of censorship significantly distort the information received by Chinese users on vital topics. Analysis by researchers at Hong Kong University's WeChatscope project, which tracks deletions from some 4,000 public accounts on the platform, found that among the most censored topics in 2018 were major news stories like the U.S.-China trade dispute, the arrest in Canada of Huawei chief financial officer Meng Wanzhou, the #MeToo movement and public health scandals.

Monitoring of user activity on the platform has been made simpler by enhanced enforcement of real-name registration requirements for cellphones, the electronic payment features of WeChat, large-scale police purchases of smartphone scanners and new rules facilitating public security agencies' access to data centers. As indicated above, content from Tencent applications is being directly given to police in some cases.

This surveillance is increasingly leading to legal repercussions for ordinary users. A sample of cases tracked in Freedom House's China Media Bulletin over the past year feature penalties against numerous WeChat users for mocking President Xi Jinping, criticizing judicial officials, commenting on massive floods, sharing information about human rights abuses, or expressing views related to their persecuted religion or ethnicity, be they Uyghur Muslims, Tibetan Buddhists or Falun Gong practitioners. The punishments have ranged from several days of administrative detention to many years in prison, in some cases for comments that were ostensibly shared privately with friends. These dynamics have inevitably encouraged self-censorship on the platform.

## Global expansion

Although WeChat's primary user base is in China, an estimated 100 to 200 million people outside the country use the messaging service. Among them are millions of members of the Chinese diaspora in countries like Canada, Australia and the United States, but there is also broader expansion in much of Asia. Malaysia is reportedly home to 20 million WeChat users, out of a population of 31 million. In Thailand, an estimated 17 percent of the population has a WeChat account. In Mongolia, WeChat was the second most downloaded application in 2017. Merchants in Myanmar's Shan state along the border with China have taken up the app and the number of retailers in Japan that accept WePay (mostly when serving Chinese tourists) increased 35-fold last year. Tencent recently purchased a \$150 million stake in the news aggregator Reddit and is eyeing an entrance into the online video market in Taiwan, according to Taiwanese officials.

Evidence that politicized censorship and surveillance may affect Tencent users outside China has begun to emerge. A 2016 study by Citizen Lab found that conversations between an overseas user and a contact inside China were subject to certain forms of keyword censorship, and that once an account is registered with a Chinese phone number, it remains subject to Chinese controls even outside the country.

In Australia, a more recent study of news sources available to the Chinese diaspora found negligible political coverage of China on the WeChat channels of Chinese-language news providers. Incredibly, between March and August 2017, none of the WeChat channels published a single article on Chinese politics, despite the run-up to the important 19th Party Congress that fall. In Canada, WeChat censors have deleted a member of Parliament's message to constituents praising Hong Kong's Umbrella Movement protesters, manipulated dissemination of news reports related to Meng's arrest, and blocked broader media coverage of Chinese government corruption and leading officials.

Amid a crackdown in Xinjiang, Chinese police have also harnessed WeChat to connect with overseas Uyghurs, demand personal information or details about activists and insert state monitors into private groups.

## How to respond

Regardless of whether Tencent is a reluctant or an eager accomplice to the Chinese government's repressive policies, the reality is that Tencent employees can be expected to censor, monitor and report private communications and personal data, in many cases leading to innocent people's arrest and torture. This should be the starting point for anyone considering using, regulating, or investing in the company's services.

For those inside China, it is nearly impossible today to function without using WeChat to some extent. But users would be well advised to exercise caution, restricting the application to its most practical functions and consulting available guides on enhancing digital security and accessing information on current affairs more safely.

Users outside China, particularly those without family or friends on the mainland, should rethink whether WeChat is really essential to their daily lives. Individuals who do communicate with personal contacts in China can help protect them by directing them to more secure applications if a sensitive topic comes up, or using homonyms to replace potentially problematic terms, as some journalists have reported doing. Users in the Chinese diaspora should explore ways of expanding their sources of news and information beyond what is available on WeChat.

As governments around the world try to tackle problems related to “fake news,” political manipulation and weak data protections on social media platforms like Facebook and Twitter, Chinese counterparts like WeChat should be subject to at least as much scrutiny and regulation — and be held accountable for any violations. Governments and corporations should also restrict usage of WeChat among their employees, particularly those who work with sensitive information, as the governments of Australia and India have recently done. Politicians communicating with their Chinese-speaking constituents should make sure to do so across a diversity of platforms, not just those that are subject to Chinese government control.

International civil society groups can assist users and democratic governments by maintaining up-to-date digital security guides available in Chinese, documenting the extent to which content outside China is censored or monitored on WeChat and exploring legal recourse for those whose rights may have been violated by Tencent’s practices.

Lastly, investors in Tencent should consider the moral and political implications of their support for the firm. Anyone concerned about human rights, electoral interference by foreign powers or privacy violations by tech giants should divest from the firm, including retirement funds. Socially responsible investment plans should exclude Tencent from their portfolios if they have not already.

Even from a financial perspective, Tencent shares may not be a wise purchase. The price has dropped 19 percent over the past year, in part because of tighter government controls on user communications. Given that Chinese regulators are now turning their attention to the gaming industry, the firm’s most profitable area of activity, its value is likely to dip further. As stock analyst Leo Sun has warned, “Investors in Chinese tech companies should never underestimate the government’s ability to throttle their growth.”

No amount of pushback from users, democratic governments, civil society groups, or investors is likely to change Tencent’s complicity with the Chinese government’s repressive activities. Its very survival depends on dutiful adherence to Communist Party directives. But the steps suggested above would do a great deal to limit the current and potential future damage caused by the company’s practices — for individual users, for the world’s open societies and for the very concept of free expression in the digital age.

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*Sarah Cook is a senior research analyst for East Asia at Freedom House and director of its China Media Bulletin. © 2019, The Diplomat; distributed by Tribune Content Agency*

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**KEYWORDS**

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SOCIAL MEDIA ([HTTPS://WWW.JAPANTIMES.CO.JP/TAG/SOCIAL-MEDIA/](https://www.japantimes.co.jp/tag/social-media/)), TENCENT ([HTTPS://WWW.JAPANTIMES.CO.JP/TAG/TENCENT/](https://www.japantimes.co.jp/tag/tencent/)), CHINESE CENSORSHIP ([HTTPS://WWW.JAPANTIMES.CO.JP/TAG/CHINESE-CENSORSHIP/](https://www.japantimes.co.jp/tag/chinese-censorship/))

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# China Media Bulletin: Social credit incentives, elite jailings, #MeTooUyghur (No. 133)

In this issue: How Communist Party scoring schemes incentivize repression, propaganda is going digital, and suppression of Uighurs and cultural censorship extend far beyond China's borders.

## Prize Painting

This seemingly innocuous image of a Chinese painting was shared 990 times within three hours on Sina Weibo before being deleted by censors. Posted on February 14 by television celebrity host Cui Yongyuan to over 20 million followers, the trigger for the deletion appears to be Cui's offering it as a prize to the winner of an essay contest critical of state-run China Southern Airlines. Cui has [accused](#) the airline of leaking his personal information launched the contest to pressure the airline to improve data protections, but censors were wary of an online discussion by customers and employees of problems at the state-run firm. Credit: [Weiboscope](#)

## HEADLINES

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## ANALYSIS: How the Chinese Communist Party Is Incentivizing Repression

*The party's "social credit" scoring systems may be dressed up like games, but the results can be deadly serious.*

*By Sarah Cook*

As the Chinese Communist Party (CCP) moves forward with plans for a "social credit system" that would rate and impose consequences for citizens' behavior, much reporting

and commentary has focused on how such systems could undermine privacy, blacklist undeserving victims, and penalize the party's critics.

But there is an even more disturbing dimension to the social credit phenomenon: The ways in which it may incentivize citizens to act as enforcers for the authoritarian party-state and help to repress their own compatriots. While the nationwide system is not yet in place, examples of similar incentives can be found in a variety of existing CCP policies and practices.

## **Propaganda prizes**

One party-backed reward system that made headlines this month is a [new mobile phone application](#) meant to promote “Xi Jinping Thought” and other propaganda: “Study Xi, Strengthen China” (Xué Xí Qiáng Guó). Along with a steady stream of Xi quotes and state media reports, the app—which has already been downloaded tens of millions of times—incorporates quizzes and other opportunities for users to earn “Xi study points” that can be cashed in for real-world prizes. Importantly, one accumulates points not only for consuming information, but also for sharing articles with friends.

This is not the only example of such digital incentives, nor are they limited to users inside China. An app offered by the English-language state newspaper *China Daily* via Apple's US-based iTunes store also offers users points for reading, liking, and sharing articles, and the points can be converted into virtual coins and used to make purchases from an online store.

At first glance, such user engagement may seem relatively harmless. But sharing Chinese state media content can mean promoting the coerced confessions of lawyers and journalists, or the whitewashing of mass detention policies in Xinjiang. Warping the information environment can do real-world damage.

## **Rewarding acts of repression against minorities**

Various pilot schemes and [disparate systems](#) related to the development of a national social credit mechanism include elements that effectively encourage the repression of religious and ethnic minorities. For instance, an investigation by Nectar Gan published in the *South China Morning Post* on [February 19](#) details how information is collected and points are allotted in the city of Rongcheng in Shandong Province. In one case, 10 points

were granted to a couple “who have a son serving in the army in Tibet,” where Chinese security forces enforce onerous constraints on the fundamental rights of ethnic Tibetans.

In another example from the same town, as reported by *Foreign Policy* in [April 2018](#), those who receive a “city-level award” can earn 30 points. While the article states that such awards can be gained “for committing a heroic act,” they have also been offered to officials who loyally repress the rights of local residents. An official 2014 document from [Hefei in Anhui Province](#), for instance, states that street-level officials were granted an award established by the city because of the effectiveness of their efforts to force local Falun Gong practitioners to “[transform](#),” a euphemism for coercing people to renounce their beliefs, typically with the use of physical and psychological violence.

In Rongcheng, material rewards for high scores include the ability to rent bikes without a deposit, discounts on heating, and eligibility for bank loans. But incentives also exist outside of the nascent social credit system. A comprehensive [2017 Freedom House](#) study on religion in China found that across various faiths, “monetary incentives play a direct role in the enforcement of restrictions on religious practice,” and that “within the party-state system, promotions and bonuses are available to officers who effectively crack down on targeted religious groups and behaviors.”

## **Expanding party evaluation schemes to the general public**

In many ways, Beijing’s social credit plans are a digitized and expanded version of the elaborate performance evaluation system that has shaped the careers of government officials and party cadres throughout the post-Mao era.

That system’s scoring tables and prioritized target categories play a crucial role in encouraging violations of human rights. For instance, one 2002 scoring table from Guangzhou, issued by the [notorious 610 Office](#), a party-based security force leading the anti-Falun Gong campaign, provides the criteria for assessing each township and neighborhood in Tianhe District. It lists 28 indicators for point reductions, including failure to “formulate a reeducation program” or “establish a personal dossier” on local residents known to practice Falun Gong. The scorecard also lists three indicators for point gains, including five points for every local adherent successfully “transformed” and for each time an arrest prevented the dissemination of information sympathetic to Falun Gong.

With regard to [target categories](#), the highest level are the “priority targets with veto power” (*yipiao foujue*, literally “one-ticket veto”). Failure on one such indicator automat-

ically cancels out positive performance in other areas and can by itself result in a cadre being terminated or passed over for promotion. Based on a [Freedom House](#) examination in early 2014 of provincial and city-level documents, the main “veto power” areas designated by the central authorities under Xi Jinping’s leadership at the time were social stability management, population and family planning, and party discipline.

The influence of these evaluation practices on the planned social credit system is clear. Most accounts of pilot programs indicate the existence of scoring tables that include both demerits and rewards. Moreover, party standards and evaluation terminology have begun to appear in regulations governing social credit scores. A set of April 2018 guidelines from the Ministry of Finance relating to accountants, published on the [Credit China](#) website on February 20, 2019, lists Xi Jinping Thought as the ideology guiding the system. It also instructs implementation of a “one-ticket veto system” (*yipiao foujue zhi*) for untrustworthy accountants, while calling for the creation of a unified national credit information platform for the accounting profession.

Given these connections, it seems reasonable to expect that accountants could be punished not just for engaging in fraud or dishonesty, but also for practicing a persecuted religion, calling on officials to declare their assets, mocking the Communist Party in an online post, or petitioning higher authorities over a grievance.

## **Peer informants**

Some existing incentive systems are quite explicit about encouraging private citizens to inform on one another.

In Xinjiang, monetary rewards are routinely offered to those who provide information to authorities about Uighurs’ religious practices. An April 2014 notice posted on a government website in Aksu Prefecture explained that informants could receive up to 50,000 yuan (\$8,000) for reporting on local residents who engage in any of 53 kinds of proscribed behavior. The list included 18 acts related to religion, such as praying in a public place, holding the Islamic Nikah wedding ceremony, or fasting during Ramadan. In Tibet, officials have offered monetary rewards of up to 200,000 yuan (\$31,500) for information on monks associated with a self-immolation or other acts of dissent.

In 2012, the Sina Weibo microblogging platform introduced its own credit system, initially Dubbed “[Weibo Credit](#)” and then replaced by “[Sunshine Credit](#)” in 2016. One feature of the schemes is for users to report one another for activities ranging from harassment

to the spreading of “untrue information.” Each negative report results in a lower score that can lead to a “low-credit user” badge or even the deletion of one’s account. A year after implementing the Weibo Credit system, Sina reported that more than 15 million reports of harmful information had been received; many were related to spam, but at least some likely involved politically sensitive posts. In [October 2017](#), some users complained that the credit system was being abused to delete photos of women showing bare skin, even those that were clearly not pornographic. As one user explained it, “The reason why so many posts are reported is that each supervisor has been given a specific quota every month. They have to file at least 200 reports in exchange for the RMB 200 subsidy.”

In a more recent example, a Hebei court released a WeChat “map of deadbeat debtors” on January 14. According to [China Daily](#), “users are given an on-screen radar, which allows them to discover if there is anyone who owes money within a 500 metre radius.” Individuals are then encouraged to tell authorities if they believe the person can afford to pay back what they owe.

Such peer evaluations are being incorporated into some social credit system pilots. In Rongcheng, a team of 10 municipal representatives are tasked with manually taking note of relevant actions and assigning appropriate scores to residents. Similarly in Qingzhen, a city [in Guizhou](#) Province, a list of 1,000 indicators are reportedly used to assign a point value to citizens, including some based on peer evaluations and community monitoring.

The combination of material rewards and repressive goals is likely to intensify the pressure on local administrators and ordinary citizens to report peaceful but nonconformist behavior by their neighbors. Last month, a petitioner from [Rongcheng](#) was docked 950 credit points after sending more than 1,000 online appeal letters related to a two-decade-old medical dispute involving his mother. Members of one residential community in the city face added penalties in their score assessments for illegally spreading religion.

It is also easy to see how people could be tempted to make false reports, perhaps as an act of personal revenge over some unrelated grudge. Ironically, it is these kinds of practices—reminiscent of the Cultural Revolution—that have so thoroughly undermined social trust in China, the very problem that the social credit systems are presumably aimed at addressing.

## **Official morality versus personal conscience**

To properly understand the Chinese government’s various efforts to promote “good” and deter “bad” behavior, one must place them within the often counterintuitive and inhumane logic of the authoritarian political system. This is a system in which large numbers of people seeking the betterment of their society—by peacefully exposing corrupt officials, revealing rights abuses, investigating health scandals, or defending religious freedom—have been harshly punished and imprisoned. Indeed, one of the central contradictions of the social credit experiment is that many of the most credit-worthy individuals in China (in the [Confucian](#) sense of the word) are those most likely to be penalized under the CCP’s distorted incentive system.

As these programs expand, Chinese users may want to think twice about what kinds of actions they are willing to perform in exchange for rewards. They should consider resisting behavior that violates fellow citizens’ rights or vilifies CCP victims, even if such resistance entails some personal risk. Earning points by doing community service, putting up a basketball hoop at the local playground, or caring for elderly parents can have clear societal benefits. The same cannot be said for informing on a neighbor who fasts during Ramadan, hands out information on the torture of Falun Gong adherents, or shares a joke at Xi Jinping’s expense. A truly moral society calls on its members to exercise their own judgement in distinguishing right from wrong, and to do right regardless of any short-term benefit. Virtue, after all, should be its own reward.

*Sarah Cook is a senior research analyst for East Asia at Freedom House and director of its [China Media Bulletin](#). This article was also published by the [Hong Kong Free Press](#) on February 27, 2019.*

*[Photo caption: Screenshot of the new “Study Xi, Strengthen China” mobile phone application. Credit: [What’s on Weibo](#)]*

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## Party propaganda, modern and traditional, achieves mixed results

Under the leadership of Xi Jinping, Chinese Communist Party (CCP) propaganda efforts have gained significant momentum. On the one hand, Xi is personally promoted with slogans reminiscent of the Mao era that often [appear on billboards](#) and other traditional

platforms. On the other hand, following instructions from [Xi himself](#), state media and other party entities are continually exploring ways to make the CCP's messaging accessible and engaging for younger, more digitally oriented audiences. The results have been uneven at best.

- **CCTV Spring Gala:** The annual Spring Festival Gala program on state broadcaster China Central Television (CCTV) has aired on the eve of Chinese New Year since 1983. While it remains a national tradition and the [most-watched television show in the world](#), ratings have slumped in the past few years. This year's edition, broadcast on February 5, was hailed as a [massive success](#) by CCTV and other [domestic media](#), but a survey of unfavorable online reactions by [Jiayun Feng](#) at *SupChina* led her to voice skepticism about the official claims. Feng noted that while criticism of the gala was banned online last year, along with a [list](#) of sensitive social media search terms, the restrictions seem less tight this time around. Among netizens' complaints was the fact that actor Wu Xiubo, one of the planned hosts of the event, was awkwardly [edited out](#) after appearing in prerecorded footage, as he had been discredited by a series of [extramarital affairs](#) that came to light in late January. Netizens were also [disgruntled](#) to learn that, for the first time, the gala would not feature a crosstalk sketch by comic Feng Gong, reportedly because his segment did not meet strict screening requirements. Despite these minor indignities, this year's gala did manage to avoid the massive [controversy](#) that erupted [last year](#) over a blackface skit.
- **App to promote 'Xi Jinping Thought':** One of the [most downloaded](#) applications on Apple's China app store was, as of February 12, "Study Xi, Strengthen China," which was reportedly developed with the help of tech giant [Alibaba](#). While millions of smartphone owners have [reportedly](#) downloaded the app of their own accord, CCP members must download and interact with it to avoid earning [demerit points](#). Alongside a steady stream of Xi quotes and state media reports, the app incorporates quizzes and other opportunities to earn "Xi Study Points," which can be cashed in for real-world prizes. [China Media Project](#) and [What's on Weibo](#) offer in-depth analyses of the app and how it facilitates a level of user engagement with propaganda that has often eluded the party. One young woman reportedly complained about the app's intrusive impact on her mother, a minor official who is now spending all her free time on it because employers at her school required her to earn a certain quota of

points daily. The app's release follows a larger trend evident under Xi, who [reiterated](#) the need to “boost integrated media development and amplify mainstream tone” through cutting-edge media technology while speaking at a January 25 study session attended by all seven members of the Politburo Standing Committee. In a February 10 article for the China Media Project, researcher David Bandurski [noted](#) that the Communist Youth League has also been assessing its own recent propaganda efforts, identifying the need to better leverage social media platforms to reach young audiences.

- **Undermining Uighur culture in the Year of the Pig:** Amid an ongoing assault on Uighur culture, most apparent in a network of [“reeducation” camps](#) where an estimated one million Uighurs and other Turkic Muslims have been detained, Central Asia scholar Darren Byler describes in a February 6 [article](#) several ways in which propaganda is being increased in the Xinjiang region to control Uighur behavior. While the Lunar New Year is not a typical staple of Uighur culture, the beginning of the Year of the Pig was given an enormous spotlight in 2019. Byler cites the broadcast of a Uighur folk dance—performed for a majority Han audience made up in part of state workers who oversee a large internment camp—on CCTV. He also notes the particular sensitivity of this year in the Chinese zodiac, given Islam’s ban on eating pork and the common observance of this prohibition among Uighurs. In keeping with their effort to suppress such religious and cultural distinctions, Chinese officials appear to be taking advantage of the new lunar year to promote non-halal foods and the raising of pigs, a tactic that elderly Uighurs may recall from the years of the Cultural Revolution.
- **Anime series on Marx:** [The Leader](#), an animated series on the life of German socialist philosopher Karl Marx, made its debut on the Chinese streaming website Bilibili on January 28. The first installment of the seven-part series garnered over 2.8 million views in 24 hours, but it may not be achieving its intended aim. According to *Sixth Tone*, “the show’s debut has seen mixed reviews among Chinese viewers, who have paid more attention to [the animated] Marx’s high cheekbones and good looks than his theories.”

## Censorship updates: Tencent trends, foreign journalists, ‘The Paper’ syndication ban

- **Tencent censorship in 2018:** An [analysis of censorship](#) among public accounts on Tencent’s WeChat platform in 2018, published on February 11 by researchers at the University of Hong Kong’s WeChatscope project, found that far more content removals were initiated by the accounts themselves (8,092 articles) than by WeChat administrators (2,950 articles). This suggests that self-censorship has intensified in the increasingly harsh online environment, with constantly shifting “redlines” and a higher risk of account closure. Many of the most censored topics revealed by the analysis—including the [arrest](#) in Canada of Huawei chief financial officer Meng Wanzhou, the ongoing [China-US trade dispute](#), and a Chinese scientist’s controversial use of [gene editing in humans](#)—were also the subjects of official censorship directives to media outlets translated by *China Digital Times*, highlighting the extent to which WeChat censors are implementing official instructions. Efforts by Freedom House and its partners to distribute this media bulletin suggest that Tencent also tightened controls on its QQ email service last year, as newsletter deliveries to QQ email account holders became increasingly unreliable in the latter months of 2018.
- **Worsening conditions for foreign journalists, sources:** The annual [members’ survey](#) of the Foreign Correspondents’ Club of China found that, [once again](#), reporting conditions worsened in the past year, but also that the latest results “painted the darkest picture of reporting conditions inside China in recent memory.” A vast majority (91 percent) of respondents reported being concerned about their phone security; over half (55 percent) reported deteriorated conditions, and nearly half (48 percent) said they were followed or had their hotel room entered without permission. Of 27 respondents who traveled to Xinjiang, all but three reported interference while in the region, and for the first time in three years, a foreign reporter was effectively expelled from the country through a visa denial. Surveillance, detention, and other direct intimidation aimed at Chinese-national assistants and sources were also found to have [increased](#). In response to the survey, one American bureau chief

remarked, “In the past, there were crackdowns, but you knew the reasons and expected them to end. What we’re dealing with now is a new normal.”

- **Syndication ban on ‘The Paper’:** In an unusual move against a state-funded news outlet, central internet content regulators banned syndication of *The Paper* for 30 days beginning on January 21, according to a leaked [directive translated](#) by *China Digital Times*. [Launched in 2014](#) with state funding, *The Paper* is a digital-only news site and mobile-phone app catering to young, well-educated readers who might otherwise not follow state media coverage. Reporting by Hong Kong’s [Apple Daily](#) suggests that this penalty was imposed for the unauthorized breaking of a story confirming the [death](#) of former State Council spokesperson Yuan Mu in December. Yuan had become notorious for comments related to the killing of prodemocracy protesters in 1989. A December 17, 2018, directive translated by *China Digital Times* demanded that only copy from Xinhua news agency and the *People’s Daily* be published on the subject. This is not the first time *The Paper*’s content has been the subject of censorship orders, despite its close state affiliation. Previously leaked directives imposed restrictions on a March [2016 article](#) about illegal vaccines, a February [2017 article](#) on technology used by a fraudulent phone ring, and a February 2017 report citing a Peking University study on [air pollution](#) deaths.

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## Party-state targets elites, intellectuals in recent free expression cases

Although victims of Chinese Communist Party repression come from all social backgrounds, a spate of disappearances, arrests, and prison sentences reported over the past two months have targeted highly educated elites and professionals. Among those detained or imprisoned are lawyers, university professors, prominent scholars, and students from the country’s top universities. The rash of cases may add to pressure on foreign universities or professional groups like bar associations to reexamine their relationships with their Chinese counterparts, particularly because in at least two instances, allegations of receiving foreign funding were used to justify prison sentences.

- **Environmentalist:** Lawyer and environmental activist Chen Wuquan was sentenced to [five years](#) in prison by a Guangdong Province court on January 9 for “picking quarrels and stirring up trouble.” Five codefendants received terms ranging from one year to 18 months. Chen and the others were detained over a year ago for aiding in a [protest](#) against a land reclamation project on Donghai Island in the city of Zhanjiang.
- **Prominent rights lawyer:** On January 28, high-profile human rights lawyer Wang Quanzhang was [sentenced](#) to 4.5 years in prison by a Tianjin court after being held in incommunicado detention for over three years. Wang’s trial was held on December 26, 2018, and the lawyer became the last of the “Black Friday” detainees rounded up in 2015 to face trial or be released. A leaked censorship directive from days before the sentencing, translated by [China Digital Times](#), ordered all news websites to refrain from reporting on the sentence.
- **Civil society organizer:** Liu Feiyue, founder of the well-known Civil Rights and Livelihood Watch documentation website, was sentenced to [five years](#) in prison and a fine of over RMB 1 million (\$150,000) by a Hubei Province court on January 29 for “inciting subversion.” Liu’s mother [claimed](#) that the court broke a promise to give her son a suspended sentence in exchange for her agreement to undergo “ideological work.”
- **Professor:** Zeng Hao, a 45-year-old business professor at Tianhe College, part of Guangdong Province’s Polytechnical Normal University, was [sentenced](#) to 3.5 years in prison and fined RMB 10,000 (\$1,500) on January 29. He had been detained in August 2017 after posting several images related to the Falun Gong spiritual group on Tencent’s QQ platform. Zeng was sentenced without his lawyer or family present.
- **Australian writer:** Writer and blogger Yang Hengjun, a 53-year-old Australian citizen with a PhD from the University of Technology, Sydney, was revealed to have been [detained](#) in China for “criminal activities endangering national security” days after he went missing upon arrival at a Guangzhou airport on January 19. Yang, a former Chinese Ministry of Foreign Affairs employee who later became a spy novelist, has been critical of the Chinese Communist Party in his writings, though not in recent times. In 2011, Yang was briefly [detained](#) while on a trip to China, but later called the incident a “misunderstanding.”

- **Marxist university students:** Seven Marxist students from the elite Peking University and Renmin University were [detained](#) on January 21. They were just the latest to be detained as part of a crackdown in [recent months](#) on Marxist students and graduates of top universities who became active in the labor movement.
- **Uighur intellectuals:** Amid an ongoing [assault](#) on Uighur culture in Xinjiang, a January 28 [report](#) from the Uyghur Human Rights Project details the cases of 388 intellectuals who have been detained since April 2017. They [include](#) 61 university professors and 57 media professionals.

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## HONG KONG: Proposed legal changes could criminalize peaceful dissent

Two legal changes being considered by the Hong Kong government have raised concerns that they could lead to prison sentences for nonviolent acts of political or religious expression, or even for satire.

- **National anthem bill:** On January 23, Hong Kong's government [officially introduced](#) a bill to the legislature that would assign criminal penalties of up to three years in prison and a fine of up to HK\$50,000 (US\$6,400) for those who insult "The March of the Volunteers," the national anthem of the People's Republic of China. The bill, should it become law, would also require schools to follow guidelines on how they teach the anthem. The proposal came just before the nearby Special Administrative Region of Macau passed a similar law on January 26, allowing up to [three years](#) in prison and a hefty fine for the intentional disrespect of "national symbols," including the national anthem. In Hong Kong, prodemocracy lawmakers [criticized](#) ambiguous language in the bill concerning what constitutes an "insult." Meanwhile, members of the prodemocracy group [Demosisto protested](#) the proposed law outside the government headquarters, where they flew a banner reading "the freedom not to praise." In response to criticism, Hong Kong Executive Council convener Bernard Chan [wrote](#) in the *South China Morning Post* that the law would be "impossible to break without openly and deliberately doing so." But a [reply](#)

[letter](#) to Chan’s article highlighted how the legislation would criminalize a common form of satire in Hong Kong. The bill has been [in the works](#) for over a year, since Beijing cracked down on the commercial use of the anthem and then extended a mainland legal provision on respect for the song to Hong Kong, forcing the government there to try to [incorporate it into local law](#). The move was an apparent response to a trend since 2014 of [booing](#) the anthem at Hong Kong soccer games to protest Beijing’s encroachment on the city’s autonomy.

- **Amending extradition rules:** Hong Kong this month began mulling amendments to the Fugitive Offenders Ordinance and the Mutual Legal Assistance in Criminal Matters Ordinance that would ease criminal extraditions involving Hong Kong, Macau, Taiwan, and mainland China. The proposed amendments came in response to murder cases in which Hong Kong authorities were [unable](#) to gain custody of suspects, including a man accused of [murdering](#) a 20-year-old Hong Kong woman during a trip to Taiwan last year. Authorities could not charge him under local Hong Kong laws, and Taiwanese authorities were unable to have him extradited to Taiwan from Hong Kong. The amended ordinances [would allow](#) Hong Kong to surrender fugitives to any region with which the city does not already have a bilateral extradition agreement; requests would be handled on a case-by-case basis. At first glance, political and religious activists from Hong Kong could not be extradited to China for peaceful dissent because the rules require the act in question to be a criminal offense in both jurisdictions. But opponents of the amendments have raised concerns on two grounds: first, that Beijing has been known to punish journalists and other activists on trumped-up charges such as fraud that are also offenses in Hong Kong, and second, that the mainland’s criminal justice system suffers from a variety of basic flaws. As Civic Party lawmaker [Dennis Kwok](#) put it, “Are we really confident handing over an accused person to be tried on the mainland?” Lam Win-kee, the founder of Causeway Bay Books who went missing in 2015 and ended up on the mainland [“confessing”](#) to crimes on state television, told Citizen News that if this amendment passes, he will be [leaving Hong Kong](#). In a February 18 [blog post](#), prominent Chinese law expert Jerome Cohen noted that the rules would be a “major change.” He warned that any “rendition” agreement with China “must not violate the human rights protections” provided under the International Covenant on Civil and Political Rights, which is legally binding in Hong Kong, if not on the mainland.

## BEYOND CHINA: Pressure on Xinjiang refugees, cultural censorship in United States and Europe

- **Xinjiang crackdown follows victims beyond China:** As a crackdown on Uighurs and other Turkic Muslims continues in Xinjiang, some who managed to escape the region are facing surveillance, intimidation, or related diplomatic tensions abroad. Ethnic Kazakh and Chinese national Sayragul Sautbay, who previously worked as an instructor at a Xinjiang reeducation camp and became an early [source for reporting](#) on the mass detention system, fled to Kazakhstan last year. But her status in Kazakhstan is uncertain, and the country is deeply dependent on Chinese investment, leading her to express [fears](#) that she may be sent back to China. Meanwhile, [Qalymbek Shahman](#), also an ethnic Kazakh Chinese citizen, underwent an air-travel odyssey across Asia after escaping from China to Thailand on January 4. He flew from Thailand to Kazakhstan, where he was denied entry, then flew to Uzbekistan, where Chinese officials attempted to have him repatriated. Uzbek authorities ultimately sent him back to Thailand instead. Uighurs who flee further abroad are also being surveilled and intimidated by Chinese authorities. A report from the [Washington Post](#) describes the experiences of Australia-based Uighurs, who fear physical intimidation after Chinese authorities obtained their residential details by threatening their family members back in Xinjiang. In Canada, a speech by Uighur activist [Rukiye Turdush](#) was attended by nationalistic Chinese students who [disrupted](#) the presentation and reportedly attempted to compile information on attendees, allegedly under the supervision of the local Chinese consulate.
- **Uighur exiles and American Muslims speak out:** The overseas Uighur community and other Muslims have begun to speak out about the persecution in Xinjiang. On Twitter, a [#MeTooUyghur campaign](#) has begun to both raise awareness and unofficially campaign for assurances on the health and well-being of individual detainees. The posts typically feature photos or videos about family members who have disappeared into the camp system, and call on Chinese authorities to confirm their status. The effort was prompted in part by a video released by Chinese officials to disprove reports that a prominent Uighur musician had died in custody. Separately, in the United States, over 130

Muslim clerics, scholars, and community leaders signed an [open letter](#) calling for the release of all Uighurs from the Xinjiang camps, and calling on fellow Americans to stop buying products that may be produced in such camps.

- **Spanish theater cancels Shen Yun performance:** A series of classical Chinese dance and music performances by New York-based Shen Yun Performing Arts, scheduled for January 31 to February 2 in Madrid, were abruptly [canceled](#) under apparent pressure from Chinese officials. Many of the troupe’s performers practice Falun Gong, and some of the show’s pieces—in addition to scenes from imperial dynasties and literary classics—portray stories of Falun Gong adherents facing persecution in China. The Royal Theater of Madrid claimed that the cancellation was due to “technical difficulties.” However, on January 22, an official from the Chinese embassy admitted to activists posing as Chinese government officials that he had pressured the theater manager to cancel the performances. In a recording of the call published in the [Epoch Times](#), the official explains how he held out access to the Chinese market as part of the “International League of Theaters of the Silk Road” in exchange for cooperation on “politics.” Shen Yun performances have been targeted by Chinese officials since the group’s inception in 2006. Over [60 incidents](#)—ranging from intimidating theaters and elected officials to online hacking and tire slashing—have been documented around the world, in some cases resulting in last-minute [cancellations](#).
- **Cultural Revolution film pulled from Berlin festival:** The premiere of *One Second*, the latest work by acclaimed Chinese filmmaker Zhang Yimou, was [canceled](#) at the Berlinale film festival on February 13, two days before it was scheduled to screen. The reason cited was “technical difficulties.” However, the film is set during the Cultural Revolution, and it may have failed to garner approval or an additional procedural exit visa from [Chinese state censors](#), particularly given that the Communist Party took more direct control over the entertainment sector in a bureaucratic restructuring last March.
- **US arts center removes Xi paintings:** Organizers of an art exhibition in the town of Cary, North Carolina, showing works by US-based Chinese artist Weng Bing removed three paintings, two of which portrayed Xi Jinping in an unfavorable fashion, just prior to the exhibition’s January 22 opening. According to [Weng](#), the town’s cultural arts manager told her that he personally liked the paintings very much and wanted to protect free speech, but that they

were “political works” and “government departments have to take all views into account,” implying a possible backlash from either Chinese diplomats or members of the diaspora who are sympathetic to Xi’s rule. Weng said she was inspired to include the more political pieces in the show after learning about a [Shanghai woman](#) who was forcibly sent to a psychiatric hospital for defacing a poster of Xi last year.

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## FEATURED PUSHBACK: Regulating Chinese state media abroad

Chinese state media have long had a presence in foreign countries, and Beijing has sought to expand their footprint in recent years. But as their growth gains momentum and international attention, host governments are stepping up enforcement of relevant laws and broadcast codes to regulate the outlets’ activity.

On February 1, China Global Television Network (CGTN) America [registered](#) in the United States under the Foreign Agents Registration Act (FARA). The move followed media reports last [September](#) that the US Department of Justice had asked CGTN and Xinhua News Agency to register, closing a long-standing gap in FARA enforcement. (The distribution company for state-run newspaper *China Daily* had been registered since 1983.) In its [filing](#), CGTN said that it operates as a division of state-owned broadcaster China Central Television (CCTV), but it also asserted that it was registering “in the spirit of cooperation with US authorities” rather than admitting that it properly fell under FARA jurisdiction. CGTN’s new status will require it to submit periodic reports to the Department of Justice and increase transparency surrounding its activities in the United States.

In a similar vein, [civil society activists](#) have called on Britain’s communications regulator, Ofcom, to review the operations of CCTV in the United Kingdom and assess whether the station had violated the country’s broadcast code—including provisions on privacy and fairness—and the Human Rights Act by airing the forced confessions of political prisoners, at least one of whom was a [British citizen](#). In November 2018, the [regulator](#) said it would investigate the complaints but as of late February had not yet issued any decision.

A [December 2018](#) update by Safeguard Defenders to an earlier report on the forced confession phenomenon suggests that more countries should be reviewing CGTN and CCTV programming on their airwaves. Researchers found that of 48 video confessions involving at least 106 people that were aired in China, “at least 29 of those videos aired internationally, often in stark violation and in clear breach of target countries’ TV broadcast regulations.” In at least 27 cases, televised confessions by foreigners were aired in the person’s home country, including in Canada, the United Kingdom, Sweden, and the United States. In many but not all instances, the problematic programming is broadcast in Chinese to the Chinese diaspora via CCTV4, a subsidiary that typically operates separately and holds its own licenses. From this perspective, regulators seeking to fully enforce relevant foreign influence laws and broadcasting codes would be well advised to examine CCTV4’s operations, as well as those of other Chinese-language state-owned media like [China Radio International](#) and their foreign affiliates.

*[Photo caption: Screenshot of forced confession by Swedish activist Peter Dahlin aired on CCTV in January 2016]*

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## WHAT TO WATCH FOR

**Censorship and policy announcements during the ‘Two Sessions’:** The annual plenary session of the National People’s Congress will open in Beijing on March 5, as will the parallel gathering of the Chinese People’s Political Consultative Conference, an advisory body. During the “Two Sessions,” watch for [directives](#) to media on coverage or avoidance of sensitive topics, travel restrictions on activists, and new legislation related to media and internet policy, including the contentious practice of [forced technology transfers](#).

**Restrictions around Tibet unrest anniversary:** March 10 will mark the 60th anniversary of the Dalai Lama’s flight from Tibet and serve as a reminder of popular Tibetan protests against Chinese rule in March 2008, which provoked a major crackdown. During this sensitive period, watch for increased internet censorship and restrictions on access to Tibet. Tour operators have reportedly already announced the [closure](#) of the Tibetan Autonomous Region to foreigners through April 1.

**Huawei's foreign prospects:** Over the past month, debate has continued in countries around the world regarding the benefits and potential security risks of allowing Chinese firm Huawei to take part in the development of national telecommunications infrastructure, particularly 5G, the next generation of mobile service technology. Watch for whether individual countries or the [European Union](#) announce new bans on Huawei, how countries try to [mitigate](#) the risks of the firm's involvement in 5G projects, new evidence of past [problematic](#) behavior, and the responses of both the [company](#) and the Chinese government to their critics.

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## TAKE ACTION

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## Hebei court unveils program to expose deadbeat debtors

By Zhang Yu in Shijiazhuang | [chinadaily.com.cn](http://chinadaily.com.cn) | Updated: 2019-01-16 15:39



Screenshot shows the mini-program.

Deadbeat debtors in North China's Hebei province will find it more difficult to abscond as the Higher People's Court of Hebei on Monday introduced a mini-program on WeChat targeting them.

Called "a map of deadbeat debtors", the program allows users to find out whether there are any debtors within 500 meters.

The debtor's information is available to check in the program, making it easier for people to whistle-blow on debtors capable of paying their debts.

"It's a part of our measures to enforce our rulings and create a socially credible environment," said a spokesman of the court.



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[House Hearing, 115 Congress]  
[From the U.S. Government Publishing Office]

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

ANNUAL REPORT

2018

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ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

\_\_\_\_\_  
OCTOBER 10, 2018  
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I. Executive Summary

### Statement From the Chairs

When the Congressional-Executive Commission on China (Commission) was established in 2000, the prevailing wisdom underpinning U.S.-China relations maintained that increased trade and economic interconnectivity, as well as diplomacy and robust cultural exchange, would lead to greater openness and political liberalization within China.

In the years that followed, the Chinese economy grew dramatically, while the Chinese Communist Party became even more deeply entrenched in the political power structure and deeply committed to preserving its monopoly on power through state-sponsored repression, surveillance, and indoctrination. In the aftermath of the violent suppression of the 1989 Tiananmen protests and the fall of the Berlin Wall later that same year, the late Chinese leader Deng Xiaoping articulated a foreign policy strategy in which China would not try to assume a leadership role in international affairs, but rather "hide its capabilities and bide its time" (taoguang yanghui). Now, under the leadership of current Chinese President and Party General Secretary Xi Jinping, however, we see an ascendant and increasingly aggressive China, seeking to take center stage in the world, and in so doing, determined to shape new global norms on development, trade, the internet, and even human rights. All the while, the fundamental authoritarian character of China's political system remains the same.

The Chinese government's disregard for human rights and the rule of law most directly affects the Chinese people--as evidenced by the more than 1,300 active cases of political and religious prisoners contained in the Commission's far from exhaustive Political Prisoner Database. The Commission's Annual Report painstakingly documents rights violations in ethnic minority regions, religious freedom violations, harassment of rights defenders and lawyers, suppression of free speech, large-scale forced evictions, onerous restrictions on civil society and more--all of which are the markings of a repressive, one-party state.

The report that follows highlights the dire human rights situation inside China and the continued downward trajectory, by virtually every measure, since Xi Jinping became Communist Party General Secretary in 2012 and President in 2013--the latter post likely to be his beyond 2023. Of particular concern is the mass, arbitrary, internment of as many as 1 million or more Uyghurs and other Muslim ethnic minorities in "political reeducation" camps in western China. Reports indicate that this may be the largest incarceration of an ethnic minority population since World War II, and that it may constitute crimes against humanity. Local officials in the Xinjiang Uyghur Autonomous Region (XUAR) have used alarming political rhetoric to describe the purpose of this government policy, including "eradicating tumors" and "spray[ing] chemicals" on crops to kill the "weeds." In response to these developments, an international expert described the XUAR as "a police state to rival North Korea, with a formalized racism on the order of South African apartheid." \1\

China's authoritarianism at home directly threatens our freedoms as well as our most deeply held values and national interests. Inside China, American citizens are targeted with exit bans preventing them from leaving China, often in order to resolve business disputes or pressure their family members or colleagues to cooperate with Chinese courts; American citizens are detained or deported for sending private electronic messages critical of the Chinese government; American journalists are harassed and intimidated; and American business interests are threatened by rampant intellectual property theft and forced technology transfers.

Additionally, the "long arm" of the Chinese Communist Party extends beyond China's borders and is increasingly pervasive and multifaceted under the direction of an enhanced

United Front Work Department, a Party institution used to influence Chinese individuals at home and abroad to neutralize possible challenges to its ideological and policy agenda. The Party's efforts to export its authoritarianism abroad takes a multitude of forms, including but not limited to the following: interference in multilateral institutions; threatening and intimidating rights defenders and their families; imposing censorship mechanisms on foreign publishers and social media companies; asserting ``cyber-sovereignty'' and ``national internets''; influencing academic institutions and critical analysis of China's past history and present policies; and threatening American companies who do not conform with China's narrative on ``sensitive topics'' like Tibet, Hong Kong, and Taiwan. So, too, Chinese government foreign investment and development, which will likely reach record levels with its ambitious and far-reaching Belt and Road Initiative, is accompanied by a robust non-democratic political agenda as are other manifestations of what some experts are calling Chinese ``sharp power.'' The Chinese government is actively seeking to leverage its economic power to extend the influence of its political model.

The ever-expanding scope of domestic repression documented in the pages that follow directly affects an increasing number of Chinese citizens, stirring resentment, dissent, and even activism in unlikely places. As American policymakers revisit the assumptions that previously informed U.S.-China relations, and seek to chart a new path forward, it is vital that our foreign policy prioritizes the promotion of universal human rights and the protection of basic human dignity, principles the Chinese Communist Party is actively trying to redefine. Such pursuits have merit on their own accord, and they are also inextricably linked to vital U.S. national interests, including regional stability in the Indo-Pacific, the future of young and emerging democracies in our hemisphere, and the strength of our own civic institutions domestically. It is in this context that we, as Chairman and Cochairman of the Congressional-Executive Commission on China, submit the Commission's 2018 Annual Report.

Senator Marco Rubio  
Chair

Representative Chris Smith  
Cochair

#### Introduction

In recent years the Congressional-Executive Commission on China (Commission) has reported on Chinese President and Communist Party General Secretary Xi Jinping's consolidation and personalization of political power--a trend which reached new heights at the 19th National Congress of the Chinese Communist Party in October 2017, and the March 2018 meetings (Two Sessions) of the National People's Congress (NPC) and the Chinese People's Political Consultative Conference in Beijing. The political sensitivity of these events was underscored by the control and censorship of news and online discussion, and the implementation of ``stability maintenance'' activities to quash citizen advocacy and petitioning. No clear successor for Party General Secretary emerged during the 19th Party Congress in October, an omission that presaged the passage of amendments to the Party constitution confirming Xi Jinping's paramount authority. The March 2018 amendments enshrining the principle of ``Xi Jinping Thought on Socialism With Chinese Characteristics for a New Era'' in China's Constitution and removing the two-term limit on the presidency signaled Xi's intention to retain leadership of China beyond the end of his second term as president in 2023, a distinct break with China's decades-long model of authoritarian governance grounded in ``collective leadership'' and orderly succession.

Another key development at the Two Sessions was the establishment of an anticorruption agency, the National Supervisory Commission (NSC). The investigatory and supervisory functions of the NSC appear to extend Xi Jinping's signature anticorruption campaign against Party officials to a much

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broader swath of public sector personnel of over 100 million people, including state-owned enterprise employees, public hospital staff, and public educators. Moreover, the NSC is authorized to use ``confinement'' (liuzhi), a new form of extrajudicial detention, for at least three months without a guarantee of access to counsel. The NSC is also authorized to place any private citizen, regardless of their profession or party membership status, under liuzhi if they are suspected of involvement in official misconduct. The structure of the NSC further blurs the line between the Party and government, as does the far-reaching reorganization of Party and government agencies approved at the Two Sessions.

These developments effectively remove many of the protections put in place in the late 1970s and during the 1980s in the wake of the violent and chaotic Cultural Revolution. Deng Xiaoping and Party leadership at that time established these institutional measures, warning China to protect against ``the excessive concentration of power . . . particularly the first secretary, who takes command and sets the tune for everything . . .'' \2\ As Xi emerged this year with near total policymaking authority, many experts drew comparisons to the cult-of-personality era of former Party Chairman Mao Zedong. One commentator deemed it the ``end of China's 40-year-long reform era.'' \3\

While Xi consolidated his political power at central and sub-national levels, the Party and government further tightened the space for civil society and rights advocacy. Many international non-governmental organizations (NGOs) submitted reports in advance of the November 2018 session of the UN Human Rights Council's Universal Periodic Review (UPR) of the Chinese government's compliance with international human rights standards. The NGOs documented multiple violations of international legal standards and worsening conditions for civil society, rights defense, religious freedom, ethnic minority rights, and freedom of expression. Several submissions also highlighted the July 2017 death in custody of writer and Nobel Peace Prize laureate Liu Xiaobo for whom authorities failed to provide adequate medical care. Rights groups also censured the Chinese government for the illegal home confinement of his widow Liu Xia for eight years, despite the absence of any criminal charge or judicial proceeding against her. She was finally released and permitted to travel to Germany in July 2018, mere days before the one-year anniversary of her husband's death in state custody.

Authorities maintained tight restrictions in many spheres of civil society advocacy, often giving priority to the suppression of grassroots mobilization and the sharing of information online. Chinese authorities continued to severely restrict the ability of civil society organizations to work on labor issues, in keeping with a national crackdown on labor NGOs that began in 2015. Strikes continued, however, with the vast majority of strikes this reporting year relating to non-payment of wages. Additionally, the Commission observed continuing restrictions on individuals and groups working on women's rights, the environment, and public health advocacy. Civil society groups' social media accounts were censored or shut down this past year, reflecting the government's awareness of the power of online communications. Moreover, in a related regulatory development, administrators of social media groups (e.g., WeChat, QQ, and other group messaging platforms) may now be held liable for the views expressed by members of their respective chat groups.

Authorities continued to harass, abuse, and detain individuals by means including extralegal ``black jails,'' forced psychiatric commitment of individuals without mental illness, and ``political reeducation'' centers, the latter specifically used to detain members of ethnic minority groups in the Xinjiang Uyghur Autonomous Region (XUAR). Authorities apply broadly defined provisions in the PRC Criminal Law, such as crimes of ``endangering state security'' and ``picking quarrels and provoking trouble,'' for a range of activities that are protected under international human rights standards.

The government violated detainees' rights under the PRC Criminal Procedure Law, including through what appeared to be coerced confessions in the cases of Swedish citizen Gui Minhai and Taiwan NGO volunteer Lee Ming-cheh. Reports showed that authorities continued to deny or failed to provide adequate medical care to detainees, a violation of international human rights standards that may amount to torture. There were also reports of detainees being forced to ingest unknown ``medications.'' The sudden and unexpected death in February 2018 of prominent human rights lawyer Li Baiguang, just weeks after he visited Washington, D.C., led some observers to claim that he was the latest victim in Xi's sweeping crackdown on rights lawyers and advocates. In the more than three years since the July 2015 crackdown on human rights lawyers and defenders, which has affected over 300 individuals and led to 14 criminal convictions, authorities continued to target prominent rights defenders and lawyers with torture (Yu Wensheng), imprisonment (Wu Gan, Jiang Tianyong), cancellation of law licenses (Li Heping, Xie Yanyi) and other forms of harassment. Authorities stopped Li Wenzu, the wife of detained lawyer Wang Quanzhang, from completing a 100-kilometer walk from her home in Beijing municipality to Tianjin municipality, where Wang reportedly is being held, to mark Wang's 1,000th day in incommunicado detention.

The Chinese government remained one of the worst jailers of journalists, with estimates of individuals in detention or imprisoned in connection with their reporting ranging from 41 to more than 50, including the founders of human rights monitoring websites and citizen journalists. Lu Yuyu, founder of an initiative to track labor protests and strikes called ``Not-the-News,'' is serving a four-year sentence in Yunnan province. The cases of Liu Feiyue, founder of the human rights monitoring website Civil Rights & Livelihood Watch; Huang Qi, founder of another rights monitoring website, 64 Tianwang; and Zhen Jianghua, executive director of Human Rights Campaign in China, an online platform that campaigns for human rights advocates and victims of rights abuses, are pending. According to the Foreign Correspondents' Club of China's 2017 survey, working conditions for foreign reporters in China deteriorated in 2017, demonstrated by accounts of official harassment of reporters, news assistants, and sources; attempts to interfere with coverage of issues that authorities deemed ``sensitive''; restrictions on travel to areas along China's borders and ethnic minority regions; and visa renewal delays and denials.

The Party and government continued implementing repressive policies in Tibetan autonomous areas, including extensive and intrusive surveillance, strict regulations and rules to restrict Tibetans' religious and cultural rights, and pervasive displays of police and military force. The Chinese government persists in regarding Tibetans' spiritual leader, the 83-year old Dalai Lama, as a ``mastermind'' of ``separatist forces'' and maintains that only it has the right to decide the Dalai Lama's successor, attempting to exert state control over a venerated and sacred religious process. In a case that drew widespread international condemnation, in May 2018, Chinese authorities in Qinghai province sentenced Tashi Wangchug to five years in prison for ``inciting separatism'' in connection with his interview with the New York Times about his Tibetan language advocacy. In August, the Qinghai High People's Court rejected Tashi Wangchug's appeal.

Official control and scrutiny over religious activity increased as revisions to the Regulations on Religious Affairs took effect in February 2018, national state-sanctioned religious organizations announced major plans to ``sinicize'' religion in China, and the Party's United Front Work Department took over responsibility for direct oversight of religious affairs. In Henan province, authorities reportedly banned at least 100 Protestant churches from meeting after the revised regulations went into effect in February, and also destroyed religious iconography in believers' homes. In September, set against the backdrop of a broader crackdown on Chinese Christians, reports emerged that a deal was imminent between

the Holy See and the Chinese government. Under the reported deal, the Holy See would recognize seven ``illegitimate bishops'' approved by the government, and Chinese authorities would nominate future Chinese bishops that the Holy See would be able to veto. Both sides reportedly agreed not to publish the agreement after its signing. As of mid-September the deal was not yet finalized, but Chinese Catholics had expressed concerns in reaction to earlier reports of an impending agreement that the Holy See would make concessions that would weaken and further divide the Chinese Catholic community. Official repression of Hui Muslim believers also intensified, with local governments in some areas removing ``Arabic style'' architecture, banning children and youth from participating in religious activities, and prohibiting calls to prayer and the sale of the Quran. Authorities also persisted in their crackdown on Falun Gong practitioners, subjecting them to abusive treatment, especially when in custody.

Chinese authorities continued to implement coercive population control policies that violate international standards, despite the shift to a ``universal two-child policy.'' Now in its third consecutive year, the new policy has not been effective in spurring population growth, reportedly prompting the government to commission research on removing birth restrictions completely. Decades of coercive population control policies have exacerbated China's demographic challenges, which include a rapidly aging population, shrinking workforce, and sex ratio imbalance. A lack of economic opportunity and China's sex ratio imbalance contributed to the risk of individuals in Southeast Asian countries being trafficked into China for forced labor and forced marriage. In addition, the Chinese government continued to treat North Korean refugees as illegal economic migrants and maintained a policy of repatriating undocumented North Koreans, leaving the refugees vulnerable to human trafficking within China and imprisonment, torture, or death upon return to North Korea.

The long-term viability of Hong Kong's ``one country, two systems'' framework remained tenuous given the continued erosion of Hong Kong's autonomy, as guaranteed under the ``one country, two systems'' policy enshrined in Hong Kong's Basic Law. The ``political screening'' and ultimate disqualification prior to the March 2018 by-election of several prospective candidates for the Legislative Council based on their political beliefs, marked a significant setback for pro-democracy forces and called into question their ability to effectively use the existing political system to secure democratic reforms. Mainland officials used threats and intimidation against individuals based on their political association and beliefs; members of pro-democracy group Demosisto were reportedly detained and extensively questioned when they attempted to leave the mainland and return to Hong Kong. Also, this past year, Hong Kong and mainland officials continued negotiations and finalized ``co-location'' plans for the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link. Activists, politicians, and lawyers criticized the co-location plan, which permits mainland law enforcement to operate in a designated ``Mainland Port Area'' in the Hong Kong train station, in apparent violation of Hong Kong's Basic Law.

The subsequent chapters of this report document these and other human rights and rule of law developments in China during the Commission's 2018 reporting year that spans, roughly, September 2017 through September 2018. General themes and key developments covered in the body of this report are outlined below.

#### Overview

Over the Commission's 2018 reporting year, the following general themes and key developments emerged:

1. Unprecedented Repression of Ethnic Minorities in the Xinjiang Uyghur Autonomous Region
2. Party Control Over Government, Society, and Business

Dramatically Increases

### 3. Increasing Use of Technology as a Tool of Repression

#### Unprecedented Repression of Ethnic Minorities in the Xinjiang Uyghur Autonomous Region

The Xinjiang Uyghur Autonomous Region (XUAR), the area in western China that Chinese officials have promoted as an important hub for Belt and Road Initiative development projects, witnessed a severe deterioration with respect to human rights. Authorities have targeted members of the region's predominantly Muslim ethnic minority populations, including Uyghurs, Kazakhs, Kyrgyz, and Hui, with reports of mass internment in harsh "political reeducation" centers or camps and restrictions on religious practice and ethnic cultural and linguistic traditions. Several leading experts characterized the region as a "digital police" or "surveillance" state, and a potential incubator for high-tech social controls that the government may soon employ more broadly.

Since Chen Quanguo's appointment as XUAR Party Secretary in August 2016, reports have documented the escalation of rights abuses against local ethnic minority populations. Chen previously served in the same position in the Tibet Autonomous Region (TAR), where he imposed similarly onerous restrictions. This past year the mass surveillance and securitization of the XUAR was starkly illustrated by the extrajudicial detention of 1 million or more individuals in "political reeducation" centers or camps--making it the largest mass internment of an ethnic minority population in the world today. Individuals may be detained for a number of reasons, including frequency of prayer, expression of "politically incorrect" views, history of travel abroad, and connections with people outside of China. Detentions appear to be indefinite in most cases. Regional government authorities reportedly ordered officials in some XUAR jurisdictions to meet detention quotas, and local orphanages were reportedly overcrowded due to the number of children requiring care while both parents are held in the camps. A May 2018 Associated Press report documented propagandistic slogans that detainees were required to chant-- "Thank the Party! Thank the Motherland! Thank President Xi!"--before being permitted to eat. The "political reeducation" centers are reportedly fortified with barbed wire, reinforced doors, and bombproof surfaces. Security personnel have subjected detainees to torture (including the use of interrogation chairs called "tiger chairs"), medical neglect and maltreatment, solitary confinement, sleep deprivation, lack of adequate clothing in cold temperatures, and other forms of abuse. Reports have also emerged of a number of deaths in the camps. Reports in May 2018 indicated that Chinese authorities were soliciting public bids for the construction of more camps and additional security features for existing ones. In addition to those detained in "political reeducation" centers, rights groups reported that as of June 2018, authorities may have forced an additional 2.2 million XUAR residents to attend day or evening "education sessions."

Analysis of Chinese government data published by the organization Chinese Human Rights Defenders (CHRD) in July 2018 showed that 21 percent of all criminal arrests in China in 2017 took place in the XUAR, which has 1.5 percent of China's population. These figures do not include detentions in "reeducation" camps, which are carried out extrajudicially, though authorities reportedly transferred some "reeducation" camp detainees to prison after a period of time. It remained difficult for foreign journalists, NGO representatives, or senior diplomats to travel or work freely in the region, making precise reporting on the numbers of those detained in the camps difficult to ascertain. Figures ranged anywhere from hundreds of thousands to upwards of a million, according to rights groups, scholars, and media organizations. Authorities in the XUAR show no indication of slowing or halting the detentions, and in fact government procurement documents indicate plans to build additional detention facilities, underscoring the ongoing

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nature of the crisis.

Those not subject to ``transformation through education'' in detention still faced daily intrusions in their home life, including compulsory homestays whereby Communist Party officials are sent to live with local Uyghur and Kazakh families, including families with no adult male present because the men in the family have been detained in ``reeducation'' camps. Families are required to provide information regarding their daily prayer habits and political views and are subjected to ``political education'' administered by the live-in Party official.

The data-driven surveillance in the XUAR is facilitated by iris and body scanners, voice pattern analyzers, DNA sequencers, and facial recognition cameras in neighborhoods, on roads, and in train stations. Two large Chinese firms, Hikvision and Dahua Technology, have profited greatly from the surge in security spending, reportedly winning upwards of US\$1.2 billion in government contracts for large-scale surveillance projects in the XUAR. Authorities employ hand-held devices to search smart phones for encrypted chat applications (apps) and require residents to install monitoring apps on their cell phones. More traditional security measures are also employed, including extensive police checkpoints. The rise in security personnel has accompanied the proliferation of ``convenience police stations,'' a dense network of street corner, village, and neighborhood police stations that enhance authorities' ability to closely surveil and police local communities.

Developments in the XUAR had a direct impact on U.S. interests, most notably the detention of dozens of family members of at least six U.S.-based Uyghur journalists employed by Radio Free Asia, as well as the detention of dozens of family members of prominent U.S.-based Uyghur rights activist, Rebiya Kadeer, in an apparent attempt by the Chinese government to silence effective reporting on human rights conditions in the XUAR and Uyghur rights advocacy. Additionally, reports emerged of Chinese authorities attempting to influence, intimidate, and otherwise harass other Uyghurs living abroad, including in the United States, to get them to return to China, or monitor and silence them while abroad.

#### Party Control Over Government, Society, and Business Dramatically Increases

This past year, the purview of the Party continued to expand into many sectors of public life, eliminating the tenuous separation that previously existed between the Party and government agencies. In previous decades, the Party had allowed experimentation and varying degrees of autonomy in local- and provincial-level implementation of central policy decisions. Under Party General Secretary Xi Jinping, that modicum of autonomy continues to shrink with the Party apparatus reasserting itself over the government. In September 2017, senior Party officials began a process of amending China's Constitution, which was finalized in the March 2018 meeting of the National People's Congress. A new sentence was added to Article 1 in China's Constitution after ``[t]he socialist system is the basic system of the People's Republic of China'' that reads, ``The defining feature of socialism with Chinese characteristics is the leadership of the Communist Party of China.'' More significantly for Xi Jinping's personalization of power, ``Xi Jinping Thought on Socialism With Chinese Characteristics for a New Era'' was added to both the Party Constitution and China's Constitution, joining Mao Zedong Thought and Deng Xiaoping Theory as the three principles guiding Chinese political life. Central to the doctrine, and Xi's aspirational promise of the ``Chinese dream,'' is the supremacy of the Chinese Communist Party and one-party rule.

In another major move to elevate and consolidate the Party's control over government work, at the end of March, the Party Central Committee issued a massive restructuring plan for Party and government agencies to be completed by the end of

2018. This process has been described by expert Carl Minzner as the ``re-Partyization of the bureaucracy.'' One of the key changes in this sweeping reorganization plan was the rise of the United Front Work Department (UFWD), a Party institution used to influence and neutralize possible challenges to its ideological and policy agenda. The functions of the State Administration for Religious Affairs (SARA), which previously oversaw religious affairs, are now subsumed by the UFWD. Some commentators noted that the change was evidence that the Party views control of religious affairs as central to maintaining its power. The stated rationale for the restructuring of SARA was to unify and strengthen the Party's control over ``religious work.'' In addition to religious affairs work, the UFWD has also taken over management of ethnic affairs, including the management of regions with sizeable ethnic minority populations like the Xinjiang Uyghur Autonomous Region and Tibet Autonomous Region--consistent with Xi Jinping's emphasis on the importance of ``sinicizing'' ethnic and religious minorities. The UFWD also absorbed the Overseas Chinese Affairs Office, giving the Party much clearer authority to monitor and manage the affairs of Chinese citizens who are living outside of China. One analyst voiced concern that this was an ``unprecedented extension of Party influence abroad.''

The reorganization plan also restructured authority and managerial responsibilities of Party entities and Chinese government agencies in the area of the press and media. The plan positioned the Party's Central Propaganda Department (CPD) in a ``leadership'' role with direct management responsibilities for news media, publishing, and film. While the CPD and its lower level bureaus have long coordinated ideological messaging, the CPD's enhanced managerial role reportedly reflects Party efforts to rein in increasingly complex digital news, communications, and entertainment platforms and ensure dissemination of a unified message about China within and outside of China. Among the key provisions addressing managerial structures and authority was the merger of three major broadcast entities--China Central Television, China National Radio, and China Radio International--into China Media Group domestically and Voice of China internationally. Official explanations of the broadcasting agency's global name of Voice of China emphasize its role in ``telling China's story well'' to an international audience in polished and innovative ways.

The Party also sought to expand its role in commercial enterprises. In October 2017, the Party amended its constitution to stipulate that Party committees play a ``leading role'' in the decisionmaking of state-owned enterprises (SOEs). Multiple SOEs also reportedly proposed granting internal Party groups a greater decisionmaking role in joint ventures with foreign companies. The government is also reportedly exploring purchasing stakes in major technology firms including Alibaba and Tencent.

#### Increasing Use of Technology as a Tool of Repression

This reporting year, consistent with the trend regarding the Party's expanding reach, the Commission observed the Party and government re-inserting itself into the private lives of Chinese citizens through expanded collection of biometric data, growing surveillance networks, and continued development of the social credit system. Reports show that social and political management of the Chinese people was aided by smart technology and advances in artificial intelligence (AI) in new ways this past year, including efforts to create ``a pervasive system of algorithmic surveillance.'' \5\ The Chinese government continued to expand its video surveillance system this past year, with the primary aim of ``maintaining social stability.'' Also known as Skynet, the system included over 27 million surveillance cameras nationwide as of September 2017. The effort was buttressed by the creation of biometric databases to contain information gathered from saliva and blood samples from individuals, in some cases collected without their informed

consent, amplifying privacy concerns. As of December 2017, the government had also reportedly spent 3.1 billion yuan (approximately US\$500 million) on ``Sharp Eyes,' considered the rural version of China's Skynet surveillance project. By 2020, China aims to complete a nationwide facial recognition and surveillance network, with ``100 percent surveillance and facial recognition coverage and total unification of its existing databases across the country.'` \6\

Chinese companies like Alibaba (and its affiliate Ant Financial) and Tencent (which owns the popular messaging platform WeChat) can be required to hand over data on Chinese citizens. Ant Financial, which has pioneered the commercial credit rating product Sesame Credit, has indicated its intention to ``share information collected on trustworthiness and untrustworthiness with the State Credit Information-Sharing Platform in a timely manner.'` \7\ The PRC Cybersecurity Law, which took effect in June 2017, requires companies to store user data inside mainland China, resulting in growing privacy concerns. American companies, including Apple, which transferred operations of iCloud services for mainland Chinese accounts to a state-owned firm in February 2018, will likely be compelled to disclose users' information to authorities, a particular concern for users who may be targeted because they are perceived as a threat to the Party.

As of March 31, 2018, access to non-licensed virtual private networks (or VPNs)--previously used to send secure emails or data or to access websites blocked by Chinese authorities--is no longer permitted. While most analyses of this development centered around the far-reaching censorship implications, a secondary impact is the strengthening of the state's surveillance apparatus as it relates to foreign companies whose electronic communications and data transmissions are increasingly vulnerable.

The government continued to work with Chinese companies to develop and implement a social credit system based on the governing principle, ``once untrustworthy, always restricted.'` \8\ Pilot projects of the nascent social credit system have begun to aggregate vast amounts of data on citizens, with a view toward shaping and even engineering citizens' behavior. The social credit system is grounded in a broader political control framework known as ``social management' or ``social governance,' which the Party views as vital to maintaining power. The system does not simply rate financial activities, rather it aims to reward or punish a variety of actions pertaining to economic as well as social and political conduct.\9\ According to media reports, at least 9 million Chinese have been banned from travelling domestically in connection to the social credit system, though the system is still in its pilot stages. One observer described the Party's plans for the social credit system as ``Orwellian' and ``a preemptive way of shaping the way people think and shaping the way people act.'` \10\

#### Notes to Section I--Executive Summary

\1\ Rian Thum, ``What Really Happens in China's `Re-Education' Camps,' New York Times, 15 May 18.

\2\ Evan Osnos, ``Xi Jinping May Be President for Life. What Will Happen to China?'' New Yorker, 26 February 18.

\3\ James Doubek, ``China Removes Presidential Term Limits, Enabling Xi Jinping To Rule Indefinitely,' NPR, 11 March 18.

\4\ Gerry Shih, ``China's Mass Indoctrination Camps Evoke Cultural Revolution,' Associated Press, 18 May 18.

\5\ Anna Mitchell and Larry Diamond, ``China's Surveillance State Should Scare Everyone,' Atlantic, 2 February 18.

\6\ ``China Aims for Near-Total Surveillance, Including in People's Homes,' Radio Free Asia, 30 March 18.

\7\ National Development and Reform Commission, ``Commission Signs Memorandum of Understanding on Rewards and Punishments With Ant Financial Services Group' [Woweiyu mayi jinrong fuwu jituan lianhe jiangcheng beiwanglu], 3 August 16.

\8\ Jamie Fullerton, ``China's `Social Credit' System Bans Millions From Travelling,`` Telegraph, 24 March 18.

\9\ Shazeda Ahmed, ``Who's Really Responsible for Digital Privacy in China?`` Asia Society, ChinaFile, 30 May 18.

\10\ Simina Mistreanu, ``Life Inside China's Social Credit Laboratory,`` Foreign Policy, 3 April 18.

Executive  
Summary

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Summary

Recommendations to Congress and the Administration

As mentioned earlier in the Executive Summary, there is a growing consensus that U.S.-China policy is in need of a readjustment. In December 2017, the Administration released the ``National Security Strategy of the United States of America'' (NSS), which identified the current Chinese government as a ``revisionist power'' seeking to ``shape a world antithetical to U.S. values and interests'' and engaged in efforts to ``repress'' its society. There has long been the temptation to view human rights and the rule of law as tangential issues in bilateral relations, sidelined from economic and security interests, but the NSS concluded by saying that the U.S. Government must ``raise our competitive game'' and employ all of the ``tools of national power'' to deal with the challenges coming from illiberal and authoritarian states, including China. In this vein, the Commission makes the following recommendations for consideration by Congress and the Administration, recognizing that, since the end of World War II, a shared commitment to universal principles and the rule of law are the foundation upon which cooperative alliances and security partnerships, multilateral consultative mechanisms, and the free flow of trade and investment depend. Any effort to rethink U.S. Government approaches to the current Chinese government should recognize that pressing for adherence to universal standards and insistence on greater reciprocity advance American economic and security interests and the interests of Chinese citizens eager for peace, rights protections, and genuine political reform.

Advocate for Political Prisoners. In meetings with Chinese government officials, Administration officials at the highest levels and Members of Congress should raise cases of human rights abuse and publicly articulate why China's continued detention of political and religious prisoners harms U.S.-China relations. Experience demonstrates that raising individual prisoner cases, publicly and privately, can result in improved treatment, lighter sentences or, in some cases, release from custody, detention, or imprisonment. As demonstrated by the case of Liu Xia, who left China in July 2018 and is now living in Germany, sustained and consistent international advocacy on behalf of prisoners can bring results. The Administration should consider creating a Special Advisor for Religious and Political Prisoners to coordinate interagency efforts on behalf of political and religious prisoners in China and globally. Members of Congress are encouraged to ``adopt'' individual prisoners and advocate on their behalf, including through the Tom Lantos Human Rights Commission's ``Defending Freedoms Project'' or the Commission's #FreeChinasHeroes initiative.

Embed Human Rights Throughout Bilateral Relations. The Administration should develop a comprehensive strategy to advance human rights through other issues on the U.S.-China agenda. Working with Congress, the Administration should develop an action plan and implementation guidelines to embed human rights, rule of law, and democratic accountability goals into the critical mission strategies of all U.S. Government entities interacting with the Chinese government. Isolating human rights discussions only to State Department-led bilateral human rights dialogue implies that human rights concerns are

unconnected to other bilateral interests. The Administration should consider creating an Interagency Policy Committee (IPC) to coordinate human rights policy on China throughout the U.S. Government.

**Prioritize Reciprocity.** The Administration should seek a rules-of-the-road agreement that will correct long-standing diplomatic, trade, investment, media, and cultural and academic exchange imbalances in U.S.-China relations. The Administration should take appropriate actions to ensure that U.S.-based news and social media outlets and academic and non-governmental organizations (NGOs) have the same freedom to operate, publish, and broadcast afforded to a growing number of Chinese government-sponsored and funded think tanks, academic institutions, and media entities in the United States. The Administration should take steps to limit the growth of Chinese government-funded Confucius Institutes and Confucius Classrooms on U.S. college campuses and in primary and secondary schools, and seek greater transparency and faculty oversight over those that continue to operate as part of U.S. academic institutions.

**Focus on Commercial Rule of Law.** Working with Congress, the Administration should press the Chinese government to discontinue harmful practices and policies that have the effect of restricting or limiting U.S. trade and investment in China to address the lack of reciprocity between the United States and China and strengthen existing laws and regulations to scrutinize Chinese investments in various U.S. business sectors, including by bolstering the capacity of the Committee on Foreign Investment in the United States (CFIUS) as required by the John McCain National Defense Authorization Act (Public Law No. 115-232). The Administration should publish information collected from U.S. businesses about requests from the Chinese government regarding censorship, data and forced technology transfers, and surveillance, and work with like-minded World Trade Organization members to pursue negotiations on restriction of cross-border data transfers and to develop meaningful rules to address restrictions on digital trade.

**Hold Officials Accountable for Abuses.** The Administration should use the powers granted in Executive Order 13818 to hold accountable individuals complicit in "serious human rights abuse and corruption" in China and also use the list-based sanctions available in the Global Magnitsky Human Rights Accountability Act (Global Magnitsky) (Public Law No. 114-328), the International Religious Freedom Act of 1998 (22 U.S.C. 6401 et seq.) and the Foreign Relations Authorization Act of 2000 (Public Law No. 106-113) to levy financial sanctions or deny U.S. entry visas to Chinese officials complicit in torture and arbitrary detentions; severe religious freedom restrictions; and forced abortions, sterilizations, or human trafficking, including human trafficking for the purpose of organ removal.

**Condition Law Enforcement Cooperation.** The U.S. Government should stop all cooperation on the extradition of Chinese nationals who have fled to avoid pending corruption charges until a law enforcement agreement can be signed that guarantees verifiable due process protections and an end to torture in detention and all forms of arbitrary detention, including the Chinese Communist Party's and National Supervisory Commission's extrajudicial forms of detention called shuanggui and liuzhi, respectively, and Chinese public security officials' use of "residential surveillance at a designated location."

**Promote Internet Freedom and Counter Foreign Disinformation.** The Administration should view ideological competition as a critical strategic challenge as the Chinese government has intensified the use of disinformation, propaganda, economic intimidation, and political influence operations to weaken commitments to universal human rights and promote the Chinese political-economic model globally. The Administration should develop a comprehensive interagency action plan to counter disinformation emanating from authoritarian countries, including by actively opposing the Chinese government's efforts to establish a new international

norm in ``internet sovereignty,`` expanding digital security training for civil society advocates, and prioritizing a robust internet freedom agenda that transparently uses congressionally-appropriated funds to circumvent China's ``Great Firewall`` and other ``smart technologies`` through the funding and wide distribution of effective technologies that provide the greatest possible access to the internet in China and globally. The Senate should move swiftly to consider the Administration's choice as CEO of the U.S. Agency for Global Media (formerly the Broadcasting Board of Governors or BBG) and to work with the nominee to strengthen U.S. public diplomacy efforts.

Expand Vital Global Alliances. International responses to gross violations of human rights have the greatest impact when the United States exercises leadership. The Administration should develop a multilateral strategy on China with other countries, as the Chinese government has used multilateral institutions to undermine human rights norms and close off discussion of its failures to uphold its international obligations. The Administration should also continue coordination with businesses and NGOs to develop unified messages about unfair industrial policies, digital protectionism, and about the harm to U.S. and global interests from legislation such as the PRC Law on the Management of Overseas Non-Governmental Organizations' Activities Non-Mainland China, the PRC Cybersecurity Law, and the recently revised Regulations on Religious Affairs.

Help Address the ``Missing Girl`` Problem. The Administration should integrate the provisions of the Girls Count Act (Public Law No. 114-24) into foreign assistance programs to help address the social and economic issues created by the Chinese government's population control policies. In addition, Congress should continue to link U.S. contributions to the UN Population Fund (UNFPA) for use in China with the end of all birth limitation and coercive population control policies in China.

Prioritize Religious Freedom Diplomacy. Religious groups continue to be the largest segment of China's civil society and there is academic research that shows that countries respecting and protecting religious freedom are often more politically stable, prosperous, and suffer from fewer incidents of domestic terrorism. Therefore, the U.S. and China share mutual interests in advancing this fundamental freedom. The Administration should issue a presidential policy directive to implement a global strategy on international religious freedom reflecting the priority placed on this issue in the ``National Security Strategy of the United States of America.`` The Administration should use all the tools available in the International Religious Freedom Act (22 U.S.C. 6401 et seq.) and the Frank Wolf International Religious Freedom Act (Public Law No. 114-281) to make targeted responses to escalating religious freedom abuses in China and hold officials accountable for abuses.

Address Abuses in the Xinjiang Uyghur Autonomous Region (XUAR). In addition to employing Global Magnitsky sanctions targeting officials responsible for or complicit in the mass detentions, severe religious restrictions, and intrusive surveillance targeting Uyghurs and other ethnic minority Muslims in the XUAR, the Administration should consider initiating a joint statement with other nations at the UN Human Rights Council or, if appropriate, consider requesting an open debate or briefing at the UN Security Council. The Administration should calibrate the nature and scope of its counterterrorism and law enforcement cooperation and, through the Office of the Director of National Intelligence and the Justice Department, create guidelines for such cooperation to ensure that the United States does not condone or assist in Chinese authorities' crackdown on domestic political dissent or restrictions on the freedoms of expression or religion.

Revamp Export Controls. The Administration should consider restarting an interagency process to determine if new technologies should be added to the United States Munitions

List (USML) at the State Department's Directorate of Defense Trade Controls (DDTC), because of their ability to enhance surveillance and the ability of security forces to repress universally recognized human rights. Additionally, the End-User Review Committee (ERC), composed of representatives of the Departments of Commerce, State, Defense, Energy and, where appropriate, the Treasury, should add XUAR police and government entities to the ``Entity List'' of prohibited end-users and the Commerce Department Bureau of Industry and Security should increase scrutiny of any purchase of technology or equipment that may expand efforts to deny the right to life, liberty, or the security of person of ethnic minority populations in the XUAR.

Reiterate U.S. Interest in Hong Kong's Autonomy. The Administration should continue to issue annually the report outlined in Section 301 of the United States-Hong Kong Policy Act of 1992 (Public Law No. 102-383), subject to congressional directives, and provide clear assessments of the overall trajectory in Hong Kong, as understanding threats to the city's autonomy and the rule of law are critical for appraising whether the special status granted to Hong Kong under U.S. law is warranted. Members of the Administration and Congress should express through public statements, official visits, and resolutions the important connection between a free press, a vibrant civil society, an independent judiciary, and expanded democratic governance in Hong Kong and the mutual interests shared by the United States and China in maintaining Hong Kong as a center of business and finance in Asia.

Expand Mandate of Foreign Agents Registration Act (FARA). The Administration and Congress should work together to expand the mandate of FARA to encompass individuals working for foreign state-owned media and government-backed or Party-affiliated think tanks or non-profit organizations operating in the United States. Congress should consider legislation that increases reporting requirements for universities and other NGOs that receive financial or in-kind contributions from entities affiliated with the Chinese Communist Party or government.

Protect Civil Society From Political Influence Operations. The Administration should work with U.S. businesses, non-governmental organizations, and academic institutions to formulate a code of conduct for interacting with Chinese government-affiliated entities to counter influence operations that are manipulative, coercive, or corrupting of democratic institutions, and to help protect human rights and academic freedom. In addition, the State Department should collect and disseminate information about best practices for monitoring and controlling foreign influence operations and provide information about the Chinese ministries, entities, and individuals engaged in foreign influence operations and their connections with agencies of the Chinese Communist Party or government. As the Administration develops new strategies to deal with existing threats, new messaging and policies should also be created to avoid fostering an atmosphere of suspicion of Chinese Americans and Chinese nationals living and studying in the United States, as they are potentially victims and targets of influence operations.

Promote Dialogue Regarding Tibet. The Administration and Congress should work together to press for unrestricted access to Tibetan autonomous areas in China, facilitate the full implementation of the Tibetan Policy Act of 2002 (Public Law No. 107-228), and urge renewed dialogue between Chinese government officials and the Dalai Lama's representatives. Administration officials, including the President, should meet with the Dalai Lama in his capacity as a spiritual leader, and with the leaders of the Central Tibetan Administration.

Congressional Action To ``Raise Our Competitive Game.'' As part of the Administration's efforts to ``raise our competitive game'' in the face of challenges by a growing global authoritarianism, the Congress should be seeking to

provide new authorities, resources, and ideas to counter China's mercantilist economic policies and Belt and Road Initiative; harden America's abilities to counter disinformation and political subversion; prioritize internet freedom, digital security, and circumvention of China's ``Great Firewall''; and place reciprocity at the core of U.S. diplomatic engagement with China, including by considering passage of the Fair Trade with China Enforcement Act (S. 2826/H.R. 6001, 115th Cong., 2nd Sess.); the National Economic Security Strategy Act of 2018 (S. 2757, 115th Cong., 2nd Sess.); the Countering the Chinese Government and Communist Party's Political Influence Operations Act (H.R. 6010/S. 3171, 115th Cong., 2nd Sess.); the Hong Kong Human Rights and Democracy Act of 2017 (S. 417/H.R. 3856, 115th Cong., 1st Sess.); the Reciprocal Access to Tibet Act (S. 821/H.R.1872, 115th Cong., 1st Sess.); and the Stop Higher Education Espionage and Theft Act (S. 2903, 115th Cong., 2nd Sess.).

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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 15 to 0.

Voted to adopt: Senators Rubio, Lankford, Cotton, Daines, Young, Feinstein, Merkley, Peters, and King; Representatives Smith, Pittenger, Hultgren, Kaptur, Walz, and Lieu.

[GRAPHIC(S) NOT AVAILABLE IN TIFF FORMAT]

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Political Prisoner Database

Recommendations

When composing correspondence advocating on behalf of a political or religious prisoner, or preparing for official travel to China, Members of Congress and Administration officials are encouraged to:

Check the Political Prisoner Database (PPD) (<http://ppdcecc.gov>) for reliable, up-to-date information on a prisoner or groups of prisoners. Consult a prisoner's database record for more detailed information about the prisoner's case, including his or her alleged crime, specific human rights that officials have violated, stage in the legal process, and location of detention or imprisonment, if known.

Advise official and private delegations traveling to China to present Chinese officials with lists of political and religious prisoners compiled from database records.

Urge U.S. state and local officials and private citizens involved in sister-state and sister-city relationships with China to explore the database, and to advocate for the release of political and religious prisoners in China.

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#### A POWERFUL RESOURCE FOR ADVOCACY

The Commission's 2018 Annual Report provides information about Chinese political and religious prisoners 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 own advocacy and research work, including the preparation of the Annual Report, and routinely uses the database to prepare summaries of information about 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 <http://ppdcecc.gov>. (Information about the PPD is available at <https://www.cecc.gov/resources/political-prisoner-database>.)

The PPD received approximately 502,900 online requests for prisoner information during the 12-month period ending July 31, 2018--a change of approximately 27.96 percent over the 393,000 requests reported in the Commission's 2017 Annual Report for the 12-month period ending July 31, 2017. During the 12-month period ending in July 2018, the United States remained the country of origin for the largest share of requests for information, with approximately 23.7 percent of such requests. India was in the second position, with approximately 5.9 percent of such requests, followed by France (3.3 percent), Brazil (3.0 percent), China (2.8 percent), Japan (2.8 percent), the Philippines (2.7 percent), Italy (2.6 percent), Germany (2.6 percent), the United Kingdom (2.1 percent), and Hong Kong (2.0 percent).

Internet Protocol addresses that do not provide information about the name of the registrant or the type of domain were the source of the largest share of online requests for information during the Commission's 2018 reporting year, accounting for approximately 37.0 percent of the 502,900 requests for information in the 12-month period ending in July 2018. The approximate number of requests from other sources are as follows: Domains ending in .net were second, with 15.5 percent of requests for PPD information. Domains ending in .com were third, with 15.4 percent of online requests for information, followed by Brazil (.br) with 2.7 percent, then by domains for Italy (.it), India (.in), and Japan (.jp) with 2.2 percent each, for Germany (.de) with 1.9 percent, for France (.fr) with 1.5 percent, for Poland (.pl) with 1.1 percent, for the European Union (.eu) with 1.0 percent, and Australia (.au) with 0.9 percent. U.S. Government (.gov) domains accounted for 0.7 percent of requests for information, educational domains ending in .edu with 0.2 percent, and domains ending in .org with 0.1 percent of requests. Domains for China (.cn) accounted for 0.1 percent of such requests.

#### POLITICAL PRISONERS

The PPD seeks to provide users with prisoner information that is reliable and up-to-date. Commission staff members work to maintain and update political prisoner records based on the staff member's area of expertise. Staff seek to provide objective analysis of information about individual prisoners, and about events and trends that drive political and religious imprisonment in China.

As of September 1, 2018, the PPD contained information on 9,345 cases of political or religious imprisonment in China. Of those, 1,392 are cases of political and religious prisoners currently known or believed to be detained or imprisoned, and 7,953 are cases 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 than 1,392 cases of current political and religious imprisonment in China. Commission staff

work on an ongoing basis to add cases of political and religious imprisonment to the PPD.

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 Dui Hua Foundation continues to do so. The Commission also relies on its own staff research for prisoner information, as well as on information provided by non-governmental organizations (NGOs), other groups that specialize in promoting human rights and opposing political and religious imprisonment, and other public sources of information.

#### MORE POWERFUL DATABASE TECHNOLOGY

The PPD has served since its launch in November 2004 as a unique and powerful resource for the U.S. Congress and Administration, other governments, NGOs, educational institutions, and individuals who research political and religious imprisonment in China, or who advocate on behalf of such prisoners. The July 2010 PPD upgrade significantly leveraged the capacity of the Commission's information and technology resources to support such research, reporting, and advocacy.

In 2015, the Commission enhanced the functionality of the PPD to empower the Commission, the U.S. Congress and Administration, other governments, NGOs, and individuals to strengthen reporting on political and religious imprisonment in China and advocacy undertaken on behalf of Chinese political prisoners. The upgrade allows the PPD full text search and the basic search both to provide an option to return only records that either include or do not include an image of the prisoner. In addition, the 2015 enhancement allowed PPD record short summaries to accommodate more text as well as greater capacity to link to external websites.

The PPD aims to provide a technology with sufficient power to handle the scope and complexity of political imprisonment in China. The most important feature of the PPD is that it is structured as a genuine database and uses a powerful query engine. Each prisoner's record describes the type of human rights violation by Chinese authorities that led to his or her detention. These types include violations of the right to peaceful assembly, freedom of religion, freedom of association, and freedom of expression, including the freedom to advocate peaceful social or political change and to criticize government policy or government officials.

The design of the PPD allows anyone with access to the internet to query the database and download prisoner data without providing personal information to the Commission, and without the PPD downloading any software or Web cookies to a user's computer. Users have the option to create a user account, which allows them to save, edit, and reuse queries, but the PPD does not require a user to provide any personal information to set up such an account. The PPD does not download software or a Web cookie to a user's computer as the result of setting up such an account. Saved queries are not stored on a user's computer. A user-specified ID (which can be a nickname) and password are the only information required to set up a user account.

#### Notes to Section I--Political Prisoner Database

\1\ The Commission treats as a political prisoner an individual detained or imprisoned for exercising his or her human rights under international law, such as peaceful assembly, freedom of religion, freedom of association, and freedom of expression, including the freedom to advocate peaceful social or political change, and to criticize government policy or government officials. (This list is illustrative, not exhaustive.) In most cases, prisoners in the PPD were detained or imprisoned for attempting to exercise rights guaranteed to them by China's Constitution and law, or by international law, or both. Chinese security, prosecution, 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. If authorities permit a defendant to entrust someone to provide him or her legal counsel and defense, as the PRC Criminal Procedure Law guarantees in Article 32, 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.

\2\ CECC, 2017 Annual Report, 5 October 17, 63.

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Specific Findings and Recommendations

A summary of specific findings follows below for each section of this Annual Report, covering each area that the Commission monitors. In each area, the Commission has identified a set of issues that merit attention over the next year, and, in accordance with the Commission's legislative mandate, submits for each a set of recommendations to the President and the Congress for legislative or executive action.

Freedom of Expression

Findings

In March 2018, the Chinese Communist Party Central Committee issued a large-scale plan to restructure the functional authority and managerial responsibilities of Party entities and Chinese government agencies, provisions of which reinforced the Party's ideological control by assigning to the Party Central Propaganda Department functional control of the press, publishing, and film. The plan also brought together China's three major broadcast news entities--China Central Television, China National Radio, and China Radio International--under a newly formed ``mega'' agency called China Media Group, to be known as Voice of China internationally.

International press freedom advocacy organizations again ranked China as among the most restrictive for press freedoms throughout the world. The Chinese government continued to be one of the worst jailers of journalists in the world, with estimates of individuals in detention or imprisoned ranging from 41 to more than 50. Authorities detained and held a closed trial for Zhen Jianghua, the executive director of human rights monitoring website Human Rights Campaign in China. Other citizen journalists in detention included Huang Qi, Jiang Chengfen, Wang Jing, Chen Tianmao, and Yang Xiuqiong of the website 64 Tianwang, and Liu Feiyue and Ding Lingjie of the website Civil Rights & Livelihood Watch.

Working conditions for foreign reporters in China generally deteriorated in 2017, according to the Foreign Correspondents' Club of China (FCCC). An FCCC survey noted official harassment of foreign reporters, news assistants, and sources; attempts to interfere with the coverage of issues that authorities deemed ``sensitive''; restrictions on travel to areas along China's border and ethnic minority autonomous regions; and visa renewal delays and denials. Chinese officials rejected the FCCC survey findings, with one who questioned the legitimacy of the FCCC by alleging it is

an ``unregistered, illegal organization.''

This past year, authorities continued to formulate new regulations to control and censor online news and media outlets, technology companies, and users of social media, and in the process, operationalize the PRC Cybersecurity Law.

The Commission observed reports about censorship of topics relating to areas with large ethnic minority populations, such as the Tibet Autonomous Region and the Xinjiang Uyghur Autonomous Region; Taiwan and Hong Kong; the spiritual movement Falun Gong; and anniversaries of past events and persons. Censorship of the news and social media commentary on the news was particularly intense this reporting year in connection with two major political events--the 19th National Congress of the Chinese Communist Party in October 2017 and the annual meetings of the National People's Congress and its advisory body, the Chinese People's Political Consultative Conference, in March 2018.

Despite heavy and pervasive censorship, social media platforms continued to be an everyday channel of expression for Chinese citizens to discuss concerns about a range of news events and public interest issues. This past year, these concerns included sexual harassment on Chinese university campuses; racism on television; the forced eviction of thousands of non-local residents from Beijing municipality; and the removal of presidential term limits from China's Constitution, with many posts in protest of Chinese President and Party General Secretary Xi Jinping's consolidation of power.

The Commission observed a wide range of cases that illustrated the Chinese government and Communist Party's violations of international human rights standards and provisions in China's Constitution on the right to freedom of expression, such as preventing author Jia Pingwa from traveling to an international literary scholarship conference in New York City in January 2018; detentions--and arrest in the case of Guo Qingjun--of administrators of a social media group who provided humanitarian assistance to the families of political prisoners; the announcement of a five-year prison sentence for Tibetan language rights advocate Tashi Wangchug; and the death of writer and democracy advocate Yang Tongyan (pen name Yang Tianshui) while on medical parole. Although the Chinese government permitted Liu Xia, the widow of writer and Nobel Peace Prize laureate Liu Xiaobo, to travel to Germany in July 2018 after holding her in arbitrary detention for nearly eight years, rights advocates raised concerns that her freedom of speech would be compromised since the Chinese government did not allow her brother Liu Hui to leave China with her.

#### Recommendations

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

Give greater public expression, including at the highest levels of the U.S. Government, to the issue of press freedom in China, condemning the harassment and detention of both domestic and foreign journalists; the denial, threat of denial, or delay of visas for foreign journalists; and the censoring or blockage of foreign media websites. Consistently link press freedoms to U.S. interests, noting how censorship and restrictions on journalists and media websites prevent the free flow of information on issues of public concern, including public health and environmental crises, food safety problems, and corruption, and act as a trade barrier

for foreign media and companies attempting to access the Chinese market. Raise these issues with Chinese officials during bilateral dialogues. Assess the extent to which China's treatment of foreign journalists contravenes its World Trade Organization or other obligations.

Sustain, and where appropriate expand, programs that develop and widely distribute technologies that will assist Chinese human rights advocates and civil society organizations in circumventing internet restrictions, in order to access and share content protected under international human rights standards. Continue to maintain internet freedom programs for China at the U.S. Department of State and the U.S. Agency for Global Media (formerly the Broadcasting Board of Governors) to provide digital security training and capacity-building efforts for bloggers, journalists, civil society organizations, and human rights and internet freedom advocates in China.

Raise with Chinese officials, during all appropriate bilateral discussions, the costs to U.S.-China relations and to the Chinese public's confidence in government institutions that are incurred when the Chinese government restricts political debate, advocacy for democracy or human rights, and other forms of peaceful political expression. Emphasize that such restrictions violate international standards for the restrictions on free expression, particularly those contained in Article 19 of the International Covenant on Civil and Political Rights and Article 19 of the Universal Declaration of Human Rights. Emphasize that such restrictions erode confidence in media and government institutions. Submit questions for China's next UN Human Rights Council Universal Periodic Review in November 2018, asking China to explain what steps it will take to ensure its restrictions on free expression conform to international standards.

Urge Chinese officials to end unlawful detention and official harassment of Chinese rights advocates, lawyers, and journalists subject to reprisal for exercising their right to freedom of expression. Call on officials to release or confirm the release of individuals detained or imprisoned for exercising freedom of expression, such as Zhen Jianghua, Liu Feiyue, Huang Qi, Ding Lingjie, Jiang Chengfen, Wang Jing, Chen Tianmao, Yang Xiuqiong, Guo Qingjun, Tashi Wangchug, and other political prisoners raised in this report and in the Commission's Political Prisoner Database. Raise this issue in bilateral dialogues as well as through multilateral institutions, such as at China's UN Human Rights Council Universal Periodic Review scheduled to take place in November 2018, and at the UN Human Rights Council Working Group on Arbitrary Detention.

#### Worker Rights

##### Findings

The All-China Federation of Trade Unions (ACFTU) remains the only trade union organization permitted under Chinese law. In January 2018, the state-run news agency Xinhua reported that the ACFTU had 303 million members in 2017. The U.S. Government and international observers noted that the ACFTU typically prioritized Chinese Communist Party interests over the interests of workers and did not effectively represent workers.

Workers' right to collective bargaining remained limited in law and in practice. Observers noted the need for workers to establish trade unions

that are truly independent from government and enterprise interests. In addition to curbing effective union representation, authorities have also restricted the ability of Chinese labor non-governmental organizations (NGOs) to train workers in collective bargaining.

During this reporting year, Chinese authorities continued to severely restrict the ability of civil society organizations to work on labor issues, including domestic organizations that received foreign funding and international civil society organizations. The situation for civil society organizations has not improved since a crackdown on labor NGOs began in December 2015, and has deteriorated further during the first year of implementation of the PRC Law on the Management of Overseas NGOs' Activities in Mainland China.

The Chinese government did not publicly report on the number of worker strikes and protests, and NGOs and citizen journalists continued to face difficulties in obtaining comprehensive information on worker actions. The Hong Kong-based NGO China Labour Bulletin (CLB), which compiles data on worker actions collected from traditional news and social media, recorded 1,257 strikes in 2017. The CLB communications director estimated that CLB was able to document between 5 and 10 percent of the total number of worker actions in China between 2013 and 2017.

Major worker actions were reported, including in March 2018, when an estimated 3,000 sanitation workers protested wage cuts in Changning district, Shanghai municipality. Also in March 2018, 6,000 workers from five factories in Zhuhai municipality, Guangdong province, protested a plan to sell the factories. In April 2018, crane operators went on strike across 19 provinces in China to protest low pay.

Against the backdrop of the ongoing, and in some sectors worsening, problem of wage arrears this past year, central authorities reiterated goals from 2016 to resolve the problem of migrant worker wage arrears. In December 2017, the State Council General Office released new measures on wage arrears, reiterating the goal of a 2016 State Council opinion to resolve the issue.

During this reporting year, government data showed a continued decline in workplace deaths, though the Commission continued to observe reports of lax enforcement of work safety laws and regulations. According to the National Bureau of Statistics of China, in 2017, a total of 37,852 people died in workplace accidents, down from 43,062 deaths in 2016, and 66,182 deaths in 2015. Coal mine deaths have reportedly declined steadily and significantly over the past fifteen years, down to 375 in 2017, compared to 7,000 in 2002.

In March 2018, as part of a sweeping government restructuring plan, central authorities announced plans to dismantle the State Administration of Work Safety, transferring responsibility for work safety to a new Ministry of Emergency Management. CLB criticized the bureaucratic changes as highlighting how ``the Chinese government is more concerned with disaster management and control rather than in preventing workplace accidents in the first place.''

#### Recommendations

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

Press the Chinese government to immediately release labor advocates who are in prison or detention for the

exercise of their lawful rights. Specifically raise the cases of Lu Yuyu and Fu Tianbo.

Call on the Chinese government to respect internationally recognized rights to freedom of association and collective bargaining, and allow workers to organize and establish independent labor unions. Raise concern in all appropriate trade negotiations and bilateral and multilateral dialogues about the Chinese Communist Party's role in collective bargaining and elections of trade union representatives, emphasizing that in a market economy wage rates should be determined by free bargaining between labor and management.

Promote and support bilateral and multilateral exchanges among government officials, academics, legal experts, and civil society groups to focus on labor issues such as freedom of expression, collective bargaining, employment discrimination, and occupational health and safety. Seek opportunities to support capacity-building programs to strengthen Chinese labor and legal aid organizations involved in defending the rights of workers.

When appropriate, integrate meaningful civil society participation into bilateral and multilateral dialogues, meetings, and exchanges. Invite international unions and labor NGOs as well as domestic civil society groups from all participating countries to observe relevant government-to-government dialogues.

Support China's increased engagement and cooperation with the International Labour Organization (ILO) through funding for ILO technical cooperation projects with China. Request that the ILO increase its work with China on observing core labor standards, including freedom of association and the right to organize.

#### Criminal Justice

##### Findings

During the Commission's 2018 reporting year, authorities continued to use various forms of arbitrary detention--such as extralegal ``black jails'' and forced psychiatric commitment of individuals without mental illness--to deprive individuals of their liberty, contravening international human rights standards. Authorities also continued to use administrative forms of detention that circumvented judicial oversight and protections for detainees' rights under the PRC Criminal Procedure Law (CPL).

In March 2018, the National People's Congress passed the PRC Supervision Law, authorizing the National Supervisory Commission (NSC) to investigate suspected official misconduct using methods including ``confinement'' (liuzhi), an extrajudicial form of detention that allows NSC officials to hold individuals without a guarantee of access to counsel. In May 2018, the first reported death in ``confinement'' occurred, that of Chen Yong. Chen's body reportedly showed signs of abuse, and officials said Chen ``collapsed'' during interrogation but did not specify a cause of death.

Authorities continued to detain individuals under broad provisions in the PRC Criminal Law--such as crimes of ``endangering state security'' and ``picking quarrels and provoking trouble''--to suppress rights advocacy and other activities protected under international human rights standards.

Authorities continued to abuse detainees' rights under the CPL. Some detainees gave what appeared to be scripted, coerced confessions, in some cases on camera. For example, Swedish citizen Gui Minhai gave a televised confession for allegedly cooperating with

Swedish authorities to attempt to leave China, after Chinese authorities detained him as he traveled to Beijing municipality with Swedish diplomats for a medical exam. In another case, Taiwan college employee and non-governmental organization (NGO) volunteer Lee Ming-cheh gave what appeared to be a coerced confession in court for ``subversion of state power.'' Officials denied some detainees access to counsel, such as human rights website editor Ding Lingjie and internet commentator Chen Jieren.

Authorities held some rights advocates, lawyers, petitioners, and others in prolonged pretrial detention, including under ``residential surveillance at a designated location'' (RSDL), a form of incommunicado detention that can last up to six months, restricts access to counsel, and places detainees at risk of abuse by authorities. Observers reportedly were unable to contact rights lawyer Wang Quanzhang since authorities detained him on July 10, 2015. Wang's wife reported in July 2018 that another lawyer reported seeing Wang in a Tianjin municipality detention center. Authorities reportedly postponed the June 20, 2018, trial of 64 Tianwang website founder Huang Qi, whom authorities detained on November 28, 2016. According to an August 18, 2018, Radio Free Asia report, authorities had not set a new trial date. Authorities also placed rights lawyer Yu Wensheng and environmental petitioner Ji Shulong under RSDL.

Authorities continued to torture and otherwise abuse detainees in some cases. Officials in Shenyang municipality, Liaoning province, reportedly detained rights lawyer Li Yuhan and allowed other detainees to throw her food on the floor, urinate on her food, and throw cold water on her. Officials in Yu county, Zhangjiakou municipality, Hebei province, reportedly placed a hood over lawyer Wu Quan; took him to a basement; bound him to an interrogation chair for 48 hours; and deprived him of water, sleep, and sufficient clothing for the first 24 hours.

Authorities continued to develop technology-based means to help public security officials track persons of interest--based in part on large-scale, sometimes involuntary collection of personal data--raising concerns about privacy and public security officials' capacity to crack down on rights advocates and other targeted persons. The manner in which authorities collected personal data, including biometric data, appeared to violate privacy protections in international human rights instruments, and the Commission did not observe any efforts by the Chinese government to bring the collection or use of such information in line with international standards.

The Chinese government continued to claim that it reserved the death penalty for a small number of crimes and only the most serious offenders, while Amnesty International estimated that China carried out more executions than all other countries combined. China continued to classify statistics on its use of the death penalty as a state secret, and the Commission did not observe official reports on overall death penalty numbers. In December 2017, authorities in Lufeng city, Shanwei municipality, Guangdong province, sentenced to death 10 people variously for murder, robbery, and drug-related crimes--in a public trial in a stadium--and then immediately executed them. This past year, the Commission did not observe any rulemaking efforts to ban harvesting organs from executed prisoners. At a trafficking conference at the Vatican in 2018, the head of the China Organ Transplant Response System reported that authorities made 220 arrests over the previous 10 years in connection to illegal organ transplants and noted that authorities

continued to combat the practice.

#### Recommendations

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

Call on the Chinese government to publicly commit to a specific timetable for ratification of the International Covenant on Civil and Political Rights, which the Chinese government signed in 1998 but has not yet ratified.

Include discussion of rights protections for government critics and rights advocates in a wide range of bilateral and multilateral discussions with Chinese officials. Stress to the Chinese government the importance of procedural compliance and effective legal representation in criminal cases in relation to the goal of rule-based governance. Publicly convey support for human rights advocates whom officials have deprived of liberty on unsubstantiated criminal charges and for apparent political or religious reasons.

Urge Chinese officials to end all forms of arbitrary detention, as well as forms of extrajudicial detention that are imposed without meeting the standards for a fair trial as set forth in the International Covenant on Civil and Political Rights and other international human rights instruments.

Consult with Chinese officials regarding progress toward adopting the recommendations made in February 2016 by the UN Committee against Torture in relation to China's compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, such as the call to repeal the provisions in Chinese law allowing for "residential surveillance at a designated location." Further, encourage Chinese officials to extend invitations to all UN special rapporteurs and other special procedures that have requested visits to China.

Urge Chinese officials to adopt a legal and regulatory framework for information technology-based policing practices that meets international human rights standards. Such a framework should include, for example, privacy protections, restrictions on police authority to collect personal information without consent, and protections against discriminatory practices, including profiling of ethnic and religious minorities. Encourage Chinese officials to require police who use information technology to complete appropriate human rights training, and impose strict penalties for officials who authorize or carry out preemptive detentions.

Stress to the Chinese government the need for greater transparency on the number and circumstances of executions, and urge Chinese officials to further limit the crimes for which the death penalty is applicable. Urge the Chinese government to ban explicitly in national legislation the harvesting of organs from executed prisoners.

Continue and, where appropriate, expand support for programs involving U.S. entities engaging with reform-minded Chinese organizations and individuals (both within and outside the government) that draw on comparative experience to improve the criminal justice process. For example, the experience of the United States and other jurisdictions can inform China as it charts a path toward reducing reliance on confessions, enhancing the role of witnesses at trials, and creating more reliable procedures for reviewing death penalty cases.

Freedom of Religion

AR-1221

## Findings

Both Chinese and international law provide guarantees of religious freedom. Despite these guarantees, the Commission continued to observe widespread and systematic violation of the principles of religious freedom, as Chinese authorities exercised broad discretion over the religious practice of Chinese citizens.

The importance of ``religious work'' to the Chinese Communist Party agenda has undergone an ``unprecedented increase'' with ``major innovations'' under Party General Secretary Xi Jinping. Party and government officials continued to emphasize several key policy principles in religious affairs during this reporting year. These included ``guiding'' religious groups to support Party leadership and the political system; shaping religious practice in China to promote and assimilate to a Chinese cultural identity (``sinicization''); and using Chinese religious groups to facilitate connections with other countries, particularly those hosting Belt and Road Initiative projects.

In March 2018, the Party's sweeping reorganization plan for Party and government institutions included a provision directing the Party's United Front Work Department (UFWD) to take over the government agency responsible for religious affairs at the national level, making the national-level UFWD directly responsible for administering policies pertaining to religion in China.

The Chinese government's regulatory framework for religion imposed increased restrictions on religious freedom after revisions to the Regulations on Religious Affairs took effect on February 1, 2018. The revisions increased official control and scrutiny over religious activity. The revisions also established new legal responsibilities and penalties for violations of the regulations. Religious believers and academic experts predicted that the restrictions would increase official pressure on religious groups, particularly those not registered with the government. Many groups refuse to register because registration requires submitting to the direction of a state-sanctioned patriotic religious association. Other laws and Party policies also continued to restrict citizens' freedom to hold religious beliefs and practice religion.

While government and Party officials rarely targeted Chinese Buddhist and Taoist communities with direct suppression, they nonetheless continued to subject these religions to extensive regulation and control. Official regulation also included restrictions aimed at stemming the perception of commercialization of Buddhist and Taoist religious practices.

The government maintained measures that impede the freedom of Chinese Catholic congregations to be led by clergy who are selected and who conduct their ministry according to the standards called for by Catholic religious beliefs. The government also continued to harass, detain, or hold incommunicado certain leading Catholic clergy. In May 2018, the national religious organizations for Catholics passed a five-year plan for the ``sinicization'' of Catholicism in China.

Party and government officials maintained restrictions on the religious activities of Chinese Protestants, with some believers facing harassment, surveillance, detention, imprisonment, and other abuse because of their religious activities. A U.S.-based organization that advocates for religious freedom,

ChinaAid Association, reported that both instances of official persecution and the number of believers affected had increased in 2017 from the prior year. Academic experts on Chinese religion and society stated that the continued escalation of repression was due in part to Party officials' concern that Christian communities pose a challenge to the Party's monopoly on political power. In several instances, authorities detained house church members on the charge of ``organizing and using a cult to undermine implementation of the law'' under Article 300 of the PRC Criminal Law.

The Commission noted reports of continued repression of Falun Gong practitioners, by means of harassment, arbitrary detention, and prosecution. International organizations continued to express concern over reports that organs of detained prisoners have been used in numerous organ transplant operations in China, including those of Falun Gong practitioners. Medical professionals and international advocacy organizations disputed Chinese health officials' claims that organ procurement systems have been reformed in compliance with international standards, citing ethical concerns about organ sourcing raised by short wait times for organ transplants and discrepancies in data on organ transplants.

During this reporting year, official restrictions on the religious freedom of Hui Muslim believers increased. The local government in Ningxia Hui Autonomous Region, a region in which Hui Muslims are concentrated, launched a ``rectification campaign'' that included the removal of ``Arabic style'' domes and decor from mosques and other buildings, prohibitions on calls to prayer, removal of the Quran and books on Islam from retail shops, and the closure of schools teaching Arabic. Hui Muslim believers in the Xinjiang Uyghur Autonomous Region have also been sentenced for ``cult'' or other offenses for ``privately preaching the Quran.''

Religious communities outside of the five religions that are the main objects of official regulation continued to exist in China, with some continuing to enjoy tacit recognition and support, while others faced suppression from authorities.

#### Recommendations

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

Call on the Chinese government to guarantee to all citizens freedom of religion in accordance with its international human rights obligations. Stress to Chinese authorities that freedom of religion includes the right to freely adopt beliefs and practice religious activities without government interference, particularly those based on political goals.

Stress to the Chinese government that the right to freedom of religion includes: the right of Buddhists and Taoists to carry out activities in temples and select monastic teachers independent of state controls; the right of Catholics to be led by clergy who are selected and who conduct their ministry according to the standard called for by Catholic religious beliefs; the right of Falun Gong practitioners to freely practice Falun Gong inside China; the right of Muslims to freely preach, undertake overseas pilgrimage, select and train religious leaders, and wear clothing with religious significance; the right of Protestants to exercise their faith free from state controls over doctrine and worship, and free from harassment, detention, and other abuses for public and private

manifestations of their faith, including the display of crosses; and the right of members of other religious communities to be free from state control and harassment.

Call for the release of persons confined, detained, or imprisoned for peacefully pursuing their religious beliefs, as well as those confined, detained, or imprisoned in connection to their association with them. The Administration should use existing laws to hold accountable Chinese government officials and others complicit in severe religious freedom restrictions, including by using the sanctions available in the Global Magnitsky Human Rights Accountability Act (Public Law No. 114-328) and the International Religious Freedom Act of 1998. Ensure that conditions related to religious freedom are taken into account when negotiating any applicable trade agreement as mandated by the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law No. 114-26).

Publicly and privately advocate on behalf of persons whom Chinese authorities continue to severely harass or have detained for exercising their freedom of religion or belief. Some of the many cases in need of legal, humanitarian, and other forms of advocacy include Catholic clergy pressured by Chinese authorities to join the Catholic Patriotic Association, such as Coadjutor Bishop Augustine Cui Tai of Xuanhua district, Zhangjiakou municipality, Hebei province; Bishop James Su Zhimin of Baoding municipality, Hebei province; Father Lu Danhua of Qingtian county, Zhejiang province; and Bishop Thaddeus Ma Daqin of Shanghai municipality, whose movement reportedly remains restricted within Sheshan Seminary in Shanghai. A number of leaders of officially sanctioned Protestant groups have been prosecuted and sentenced after protesting official measures against their churches in recent years, including Zhang Shaojie of Nanle county, Puyang municipality, Henan province, as well as Bao Guohua and Xing Wenxiang, both of Jinhua municipality, Zhejiang province. Members of unofficial Protestant groups ('`house churches''), including 27 Protestant believers across six different localities within Yunnan province, have received criminal sentences for ``organizing and using a cult to undermine implementation of the law'' under Article 300 of the PRC Criminal Law. The U.S.-based non-governmental organization Dui Hua Foundation reportedly found 800 official records of persons sentenced in 2017 under Article 300 in Chinese judicial databases, a majority of whom apparently are Falun Gong practitioners. Representative cases of Falun Gong practitioners in the Commission's Political Prisoner Database include Deng Cuiping of Yuxi municipality, Yunnan, who is currently serving a six-year prison sentence; Bian Lichao of Tangshan municipality, Hebei, who is serving a 12-year prison sentence; and Zhang Ming and Li Quanchen of Dandong municipality, Liaoning province. Members of Congress and Administration officials are encouraged to consult the Commission's Political Prisoner Database for information on political and religious prisoners.

Encourage U.S. political leaders to visit religious sites in China to raise awareness of and promote freedom of religion.

#### Ethnic Minority Rights

#### Findings

At the March 2018 meetings of the National People's Congress and the Chinese People's Political

Consultative Conference in Beijing (Two Sessions), Chinese Communist Party and government authorities changed the mechanisms they use to implement policies toward ethnic minorities, as the Party's United Front Work Department (UFWD) assumed control of the work of the government departments overseeing ethnic affairs (the State Ethnic Affairs Commission) and religion (the State Administration for Religious Affairs). A number of observers expressed the view that the UFWD's newly expanded powers represented an official move toward tighter Party control over ethnic affairs and policies promoting ethnic assimilation over ethnic pluralism.

Authorities targeted ethnic Hui communities with policies and restrictions limiting Hui Muslims' religious practices. During the Two Sessions, Yang Faming, Chairman of the China Islamic Association, stressed that Muslims in China should incorporate Chinese characteristics into Islamic religious rituals, culture, and architecture, avoid the expansion of the concept of ``halal'' into secular life, and adhere to ``socialist core values.'' According to an American historian, Yang's speech reflected a formal declaration of a policy trend that officials had begun implementing in regions with significant Hui populations beginning in fall 2016.

Government and Party officials implemented policies limiting ethnic minorities' freedom to engage in cultural practices and speak or learn their languages. In December 2017, international media and rights advocates reported that in a policy implemented in September, Xinjiang Uyghur Autonomous Region (XUAR) education authorities had ended the use of Mongolian as a language of instruction in elementary and lower middle schools in Bayangol (Bayinguoleng) Mongol Autonomous Prefecture, XUAR.

Mongol herders in the Inner Mongolia Autonomous Region (IMAR) demonstrated and petitioned authorities over the government's role in the loss of their traditional grazing lands, the harmful ecological effect of state development on grassland and livestock, and the government's failure to provide herders with adequate compensation for their land. As in past reporting years, authorities detained some of the Mongol herders who peacefully protested.

#### Recommendations

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

Continue to build the capacity of Mongol, Uyghur, and Tibetan groups working to advance human rights, environmental protection, economic development, and rule of law in China through U.S. foreign assistance funding and by encouraging additional support from both UN and non-governmental sources.

Convey to the Chinese government the importance of respecting and protecting ethnic minority cultures and languages. Urge Chinese officials to provide ethnic minority students and parents a choice of what language or languages of instruction should be used at schools they attend in accordance with the PRC Regional Ethnic Autonomy Law and the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Call on Chinese officials to establish mechanisms that preserve and expand existing instruction in ethnic minority languages from preschool through the university level.

Call on the Chinese government to allow Mongol herders to exercise their fundamental rights of freedom of expression, association, and peaceful assembly, as well as the right to be free from arbitrary detention.

Convey to Chinese officials the importance of consulting with ethnic minority communities regarding the impact of proposed development on their traditional grazing lands.

Urge Chinese authorities to allow Hui and other predominantly Muslim ethnic minority populations to freely engage in Islamic religious rituals, as a matter of the right of religious freedom, and in accordance with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, as well as China's Constitution, which prohibits discrimination based on religion.

#### Population Control

##### Findings

During the Commission's 2018 reporting year, Chinese government authorities continued to promote and implement coercive population control policies that violate international standards, including the 1995 Beijing Declaration, the 1994 Programme of Action of the Cairo International Conference on Population and Development, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The amended PRC Population and Family Planning Law and provincial-level regulations limit couples' freedom to build their families as they see fit.

The Chinese Communist Party and government implemented the ``universal two-child policy'' for a third consecutive year in 2018, and government statistics showed that the policy was not effective in spurring population growth. The National Bureau of Statistics of China (NBS) reported that the number of total births in 2017 was 17.23 million, 630,000 less than the 2016 NBS figure. The National Health and Family Planning Commission (NHFPC) had predicted in 2016 that the universal two-child policy would result in 3 million additional births per year.

During this reporting year, central Party and government officials pledged to strengthen supporting policies that facilitate implementation of family planning policies. Some local governments introduced supporting policies--including longer paid maternity leave, financial incentives and subsidies, and other benefits--to encourage couples to have a second child.

During this reporting year, central authorities issued a plan to restructure Party and government agencies, including merging the NHFPC and several other agencies to create a new National Health Commission (NHC) under the State Council. The NHC will assume oversight of responsibilities related to family planning management and services, in addition to managing an aging population and other health-related matters. Some observers saw the restructuring plan as an indication that authorities plan to eventually eliminate birth limit policies. Experts from academic institutions affiliated with the Party and government, as well as a provincial government report on population development, called for ending the birth limit policies. The NHC reportedly stated that authorities were considering ending the two-child birth limit.

According to a May 2018 Bloomberg News report, central government authorities reportedly were considering and may have reached a decision to end birth limit policies due to demographic concerns, such as the declining birth rate, aging population, and shrinking workforce. The report also cited international criticism of the policies as a factor in the decision.

The amended PRC Population and Family Planning Law contains provisions that prohibit officials from infringing upon the ``legitimate rights and interests'' of citizens while implementing family planning policies. Some provincial population planning regulations and local government authorities, however, continued to explicitly instruct officials to carry out abortions, often referred to as ``remedial measures,'' for illegal pregnancies. Local authorities continued to promote the implementation of harsh and invasive family planning measures. Officials imposed or threatened various punishments to enforce family planning policies, including heavy fines, job termination, detention, and abortion.

Decades of population control policies have exacerbated China's demographic challenges, which include a rapidly aging population, shrinking workforce, and sex ratio imbalance. China's total fertility rate has dropped from approximately 3 births per woman in the late 1970s to an estimated 1.6 births per woman in 2017, below the replacement rate of 2.1 births per woman necessary to maintain a stable population. The National Bureau of Statistics of China reported that from 2016 to 2017, China's working-age population (persons between the ages of 16 and 59) declined by 5.48 million people to 901.99 million, while the elderly population (persons aged 60 or older) increased by 10.04 million in 2017 to 240.90 million people, or 17.3 percent of the total population. The overall sex ratio in 2017 was 104.81 males to 100 females, and there were approximately 32.66 million more males than females in China.

International media reports continued to suggest a link between China's sex ratio imbalance and the trafficking of foreign women into China for forced marriage or commercial sexual exploitation. Reports also indicated that decades of birth limits under China's population control policies combined with a traditional preference for sons may have encouraged a black market for illegal adoptions.

#### Recommendations

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

Press Chinese government officials to bring the PRC Population and Family Planning Law into conformance with international standards set forth in international agreements, including the 1995 Beijing Declaration, the 1994 Programme of Action of the Cairo International Conference on Population and Development, the Convention on the Rights of the Child, and the International Covenant on Economic, Social and Cultural Rights.

Highlight the looming demographic challenges currently facing China in bilateral meetings with Chinese government officials--including a rapidly aging population, shrinking workforce, and sex ratio imbalance. As the universal two-child policy may not adequately address these demographic challenges, urge the Chinese government to heed the recommendations of domestic and international demographic experts by ending, as soon as possible, all birth restrictions on families and abolishing ``social compensation fees.''

Use authorities provided in the Foreign Relations Authorization Act of 2000 (Public Law No. 106-113) and the Global Magnitsky Human Rights Accountability Act (Public Law No. 114-328) to deny entry into the United States of and impose sanctions against Chinese officials who have been directly involved in the formulation, implementation, or enforcement of China's

coercive family planning policies, including those who have forced men and women to undergo sterilizations and abortions.

Call on China's central and local governments to vigorously enforce provisions of Chinese laws that provide for punishment of officials and other individuals who engage in these abuses.

Publicly link, with supporting evidence, the sex ratio imbalance exacerbated by China's population control policies with potential regional humanitarian and security concerns--human trafficking, crime, increased internal and external migration, and other possible serious social, economic, and political problems--and discuss and address these issues in bilateral and multilateral dialogues.

#### Special Topic: Forced Evictions in Beijing Municipality

##### Findings

In November 2017, Beijing municipal authorities responded to a fire in a migrant neighborhood with a campaign of forced evictions. On November 18, a fire broke out in an apartment building, killing 19 people. Of the 19 victims, 17 were migrants, meaning they were registered in localities outside of Beijing under the Chinese government's household registration (hukou) system.

Following the fire, the Beijing government launched a campaign to inspect buildings for fire hazards, which resulted in large-scale forced evictions and demolitions in migrant neighborhoods across Beijing. Some affected residents reported being forced to leave their homes within three days, with some given a few hours' notice or less. The Commission did not observe official reports on the number of people evicted in Beijing, but international media estimated that tens of thousands were affected. The number of migrants in Beijing reportedly fell by 132,000 from the end of 2016 to the end of 2017.

As events unfolded, some migrants and locals attempted to confront government officials over their evictions. Non-governmental organizations, companies, and individuals offered assistance to displaced migrants. Internet users engaged in online debates and criticized the eviction campaign as videos showing evictions, demolitions, and displaced migrant workers spread quickly on Chinese social media.

The government responded by restricting domestic reporting on the evictions, and censoring online discussion and civil society groups. Authorities also detained an artist for sharing videos of the evictions and detained six others, reportedly for helping the artist flee. Authorities released the seven on bail and forced the artist to leave Beijing and return to his hometown in another province.

Some observers viewed the eviction campaign that began in November 2017 as part of the Beijing government's long-term plan to limit the population of Beijing. In September 2017, central authorities approved Beijing municipal authorities' plan to cap Beijing's population at 23 million by 2020. In December 2017, central authorities also approved a plan to cap Shanghai's population at 25 million by 2035.

Actions taken by Chinese government officials enforcing the eviction campaign in Beijing contravene both international standards and Chinese law, and restrictions arising from the hukou system contravene international human rights standards guaranteeing freedom of residence.

## Recommendations

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

Call on Chinese authorities to end forced evictions across China, and to follow both international and Chinese law in providing adequate notice, compensation, and assistance to residents when public safety requires demolishing dangerous structures.

Encourage the Chinese government to expand both the rights of migrant workers in China, and the space for civil society organizations that provide social services and legal assistance to migrant workers, rather than cracking down on such organizations. Note that improving the rights of migrant workers and expanding their access to social services is likely to lower the chances of spontaneous, large-scale protests, while large-scale forced evictions could increase the likelihood of such protests.

Call on Chinese authorities to accelerate reforms to the hukou system, including lowering restrictions on migration to major cities and centers of economic opportunity; equalizing the level and quality of public benefits and services tied to local hukou and residence permits; and implementing laws and regulations to provide equal treatment for all Chinese citizens, regardless of place of birth, residence, or hukou status.

Support programs, organizations, and exchanges with Chinese policymakers and academic institutions engaged in research and outreach to migrants, in order to advance legal and anti-discrimination assistance for migrants and their families, and to encourage policy debates aimed at eliminating inequality and discrimination connected to residence policies, including the hukou system.

## Status of Women

### Findings

Employment discrimination against women continued to be a serious problem this past year. Employers routinely discriminate against women in hiring, wages, and promotion. Discriminatory and sexualized views of women were pervasive in job recruitment advertisements. Gender inequality in employment has increased during the period of market liberalization, and much of the disparity is attributed to the shifting of responsibility for child care from the state system (via publicly funded maternity leave and nursery schools) to the private sector, with the resulting burden falling disproportionately to individual women and employer-funded maternity leave. Employers viewed women as more costly than male employees, and such discrimination has worsened with the implementation of the "universal two-child policy."

Women in China continued to face challenges with domestic and sexual violence. While there were improvements in implementation of the PRC Anti-Domestic Violence Law evidenced by increased awareness and the publishing of local implementing regulations, other challenges remained. Chinese courts maintained an evidentiary standard for proving domestic violence that was difficult for victims to meet, and victims escaping abusive domestic situations received inadequate support in seeking shelters.

Women in China continued to lack secure rights to property due to a combination of discriminatory