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Country Policy and Information Note
China: Opposition to the state

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Contents

Executive summary **4**
Assessment **5**
About the assessment 5
1. Material facts, credibility and other checks/referrals 5
1.1 Credibility 5
1.2 Exclusion 5
2. Convention reason(s) 6
3. Risk 6
3.1 Political opponents 6
3.2 Critics, protestors and human rights defenders 7
3.3 Journalists and other media workers 8
3.4 Internet and social media activists/bloggers 9
3.5 Family members of perceived opponents of the state 10
3.6 Sur place activities 11
4. Protection 11
5. Internal relocation 11
6. Certification 11
Country information **13**
About the country information 13
7. Political system 13
7.1 Chinese Communist Party (CCP) 13
7.2 Political parties 15
7.3 Elections 16
7.4 Constitution 18
8. Protestors and human rights activists 19
8.1 Civil society organisations (CSO's) 19
8.2 Protests 20
8.3 Land disputes 23
8.4 State treatment 24
9. Traditional media and journalists 31
9.1 Law 31
9.2 State regulation and censorship 31
9.3 State treatment 33
10. Internet, social media and bloggers 34
10.1 Cyber law 34

10.2 Access to the internet 35
10.3 Censorship and monitoring 36
10.4 State treatment of bloggers/online activists 39
11. Family members of perceived opponents 41
12. Criminal justice system 42
12.1 Access to a fair trial 42
12.2 Lawyers 43
12.3 Prosecutions 46
13. Prison conditions 46
14. Sur-place activities 48
14.1 Overseas in general 48
14.2 UK 50
Annex A: Table on collective action in public spaces and online dissent 51
Research methodology 57
Terms of Reference 58
Bibliography 60
Sources cited 60
Sources consulted but not cited 63
Version control and feedback 65
Feedback to the Home Office 65
Independent Advisory Group on Country Information 65

Executive summary

China is a one-party state governed by the Chinese Communist Party (CCP), which controls the 3 arms of the government: the executive, legislature and judiciary. Several minor approved non-communist parties exist but their activities are limited, and they are subordinate to the CCP.

Article 35 of the Chinese constitution guarantees citizens the right to enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration but in practice these rights are restricted. The CCP does not tolerate open discussion on sensitive issues or protests which challenge party leadership or contravene the interest of the state.

There are no political opposition groups, and the creation of new political parties is forbidden. A person who is a member of an illegal opposition political group and can show that his/her political opposition has come to the attention of the authorities is likely to be at risk of persecution and/or serious harm.

Persons who openly criticise the state, protest against the government, or are human rights defenders either acting within or outside of China, are likely to attract adverse attention from the authorities. Treatment will vary depending on a person's level of involvement, the nature of the activities, the person's role in those activities and their profile. Low level protesters within China may be subjected to intimidation by police and may be arrested and subsequently released, which in general is not sufficiently serious, by its nature and/or repetition, to amount to persecution and/or serious harm.

Journalists, bloggers and online activists, from within or outside of China, who have openly criticised, or are perceived critics of, the government are likely to attract adverse attention from the authorities. Treatment will vary depending on nature of criticism, the topics they have been critical about, and any previous adverse interest.

Online activity is closely monitored and those posting in popular forums on topics which are trending or in hashtag movements which gather hundreds of thousands of followers, are likely to have their posts removed, censored or their accounts monitored or shut down. However, such treatment alone is not sufficiently serious by its nature and/or repetition to amount to persecution or serious harm.

Each case must be considered on its facts and the onus is the person to demonstrate why they would be at risk.

Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities or internally relocate.

Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Back to Contents

Assessment

About the assessment

This section considers the evidence relevant to this note – that is information in the country information, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is likely to face a real risk of persecution/serious harm by the state because of their actual or perceived opposition to, or criticism of, the state.
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Note: this CPIN considers information related to mainland China but not Hong Kong.

Back to Contents

1. Material facts, credibility and other checks/referrals

1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on Assessing Credibility and Refugee Status.

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants).

1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the Asylum Instruction on Language Analysis).

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Official – sensitive: Not for disclosure – End of section

Back to Contents

1.2 Exclusion

1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention, Humanitarian Protection and the instruction on Restricted Leave.

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Official – sensitive: Not for disclosure – End of section

Back to Contents

2. Convention reason(s)

2.1.1 Actual or imputed political opinion.

2.1.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.

2.1.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, Assessing Credibility and Refugee Status.

Back to Contents

3. Risk

3.1 Political opponents

3.1.1 A person who seeks to establish a political opposition group, whose political opinion or activities has come to the attention of the authorities is likely to be at risk of persecution and/or serious harm. Each case, however, must be considered on its facts with the onus of the person to demonstrate that they are likely to be at risk.

3.1.2 China is an authoritarian state dominated by the Chinese Communist Party (CCP). It remains the country's only authority, ruling since 1949, and controls the 3 arms of government: the executive, the legislature and judiciary (see Political structure).

3.1.3 Article 35 of the Constitution guarantees citizens the right to enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration but in practice these rights are restricted (see Constitution).

3.1.4 Candidates for elections are approved by the CCP. Whilst several approved minor non-communist parties exist their activities are limited, their leaders are chosen by the CCP, and any perceived dissenters are vetted out. There are no significant political opposition groups and the government has forbidden the creation of new political parties (see Political parties).

3.1.5 People who have sought to establish independent political parties or pro-democracy movements have been arrested, imprisoned, placed under house arrest or are in exile (see Political parties).

3.1.6 The law provides for an independent judiciary but in practice, it is unable to operate independently. Detainees may be denied access to lawyers, with some lawyers reporting difficulties in meeting their clients particularly where the cases were politically sensitive. In 2021 over 99.97% of cases resulted in a guilty verdict (see Criminal justice system).

3.1.7 For further guidance on assessing risk, see the Asylum Instruction on Assessing Credibility and Refugee Status.

Back to Contents

3.2 Critics, protestors and human rights defenders

3.2.1 Persons who openly criticise the state and/or protest against the government are likely to attract adverse attention from the authorities. Merely being part of a protest however, is unlikely to amount to persecution on its own and whether a person is likely to be at risk of persecution and/or serious harm will depend on a number of factors such as: the nature of their criticism, and/or the nature of their activities, the person's role and profile in criticising/activities against the state, and any previous adverse state interest.

3.2.2 A person perceived to be a low-level protester may be subject to intimidation by police and may be arrested and subsequently released but this is not sufficiently serious by its nature and/or repetition to amount to persecution or serious harm.

3.2.3 A person who seeks to openly discuss sensitive issues (such as Xinjiang, Taiwan or Tibet), or criticise the state in public speeches, academic discussions, or in remarks to the media is likely to attract adverse attention from the authorities, as can their families. Restrictions on their activities can include controls over freedom of movement, surveillance, arbitrary arrest and administrative detention such as in 'legal education' centres. There are no numbers of those arrested for their actual or perceived criticisms, although vaguely worded charges, such as 'picking quarrels and provoking trouble', charges under corruption and subverting state power are all reportedly used against perceived opponents (see Protestors and human rights activists-State treatment).

3.2.4 Protests do occur but the law does not allow protests that challenge party leadership or contravene the interests of the state. Demonstrations with over 200 people require prior approval which is rarely granted. Information from the Armed Conflict Location and Event Data Project (ACLED) noted that between May 2022 and September 2023 there were 1,273 protests, with 1,208 of those being described as peaceful, 63 resulting in intervention such as attempts to disperse the protest and 2 resulting in excessive force being used against individuals engaged in the protest. Freedom House's "Dissent Monitor" recorded a total of 1,259 group demonstrations between May 2022 and mid-September 2023, most of which were non-political complaints about the commercial sector and elicited a low-level response from authorities such as monitoring and dispersal. There were 14 recorded demonstrations

against central government, and 4 of those resulted in arrests, these protests were all Covid policy related, although some also appeared to also involve protestors chanting slogans related to personal freedoms or anti-government sentiments. The CCP's reaction to criticism of its conduct during the Covid pandemic was particularly sensitive, resulting in the targeted arrest and detention of individual protesters (see Protestors and human rights activists- Protests and State treatment).

3.2.5 The number of detainees held because of their political opinion, criticism of the state, or as a result of their actions is difficult to ascertain because of restrictions on reporting. Dui Hua, a non-profit humanitarian organization who focus on criminal justice and treatment of detainees, using opensource reporting, documented more than 48,000 political detainees as of 30 June 2023. However, the data also includes those perceived to oppose the regime due to their religious practice or ethnicity. No information is available about the charges faced by the vast majority of the 48,000 detainees; of the 4,000 with charge details recorded, more than half were related to religious activity. Prison conditions vary and tend to be worse in detention centres although a number of sources indicate that conditions in penal institutions are harsh, or life-threatening, including inadequate food and deprivation of medical care. A number of sources indicate that persons detained on political or religious grounds are treated more harshly (see Protestors and human rights activists- State treatment).

3.2.6 Civil society organisations (CSOs) must register with the government under strict regulatory requirements. Although hundreds of thousands are registered, only those without a perceived political agenda are tolerated, preventing the formation of independent human rights groups. CSO workers can face harassment, and some who are part of non-sanctioned organisations have been detained (see Civil society organisations (CSO's)).

3.2.7 Human rights defenders can be subjected to harassment, threats, detention, house arrest, enforced disappearance and 'residential surveillance in a (police-) designated location (RSDL, a secret extra-legal detention facility), particularly those who are high profile or outspoken, although there is no information on the scale and extent of those who experience such treatment. Human rights defenders in detention have also been deprived medical treatment, access to lawyers and in some cases, have experienced torture and other forms of coercion in order to extract confessions or to deter others from working on human rights issues (see Protestors and human rights activists- State treatment).

3.2.8 Where a person's actual or perceived opposition to the state is related to their religion or practices decision makers should also refer to the country policy and information notes on China: Christians, China: Muslims (including Uyghurs in Xinjiang) and China: Falun Gong.

Back to Contents

3.3 Journalists and other media workers

3.3.1 Journalists and media workers who openly criticise, or are perceived critics of, the government are likely to attract adverse attention. Being a journalist or media worker does not place a person at risk of persecution or serious

harm for that reason alone. Whether a person is likely to be at risk of persecution and/or serious harm will depend on a number of factors such as the subject matter, the nature, language and tone of the critical material produced, the method of communication, the reach and frequency of the publication, and the publicity attracted, and any previous adverse state interest.

3.3.2 The Chinese media is heavily regulated and censored. The CCP controls news reporting and owns major Chinese news groups and papers such as Xinhua News Agency, China Central Television (CCTV), China Daily and the Global Times (see Traditional media and journalists).

3.3.3 Reporters without borders rank China as 179 out of 180 countries for press freedom, after only North Korea. Only journalists with official government accreditation are allowed to publish news in print or online. Authorities harass, intimidate and use violence against journalists reporting on topics deemed to be political or sensitive. Journalists practice a high degree of self-censorship to avoid the risk of official harassment and penalties (see Traditional media and journalists- State treatment).

3.3.4 There are reports of detention of journalists but given the population of over 1.4 billion the numbers are relatively low with sources recording between 43-100 media workers, including journalists and editors in 2022/23. Those arrested or imprisoned are often detained on charges such as 'espionage', 'subversion' or 'picking quarrels and provoking trouble' (see Traditional media and journalists- State treatment).

Back to Contents

3.4 Internet and social media activists/bloggers

3.4.1 Bloggers/online activists who openly criticise, or are perceived critics of, the government are likely to attract adverse attention.

3.4.2 Whether a person is likely to be at risk of persecution and/or serious harm will depend on a number of factors such as: the subject matter, language and tone of the material produced, the method of communication, the reach and publicity attracted, and any past adverse interest by the authorities.

3.4.3 There are over 1.03 billion internet users in China (around 73% of the population). The state controls the management of the telecommunications infrastructure and is able to remove smartphone apps, restrict access to global internet, restrict connectivity and shut down access in response to specific events (see Access to the internet).

3.4.4 Online activity is closely monitored. Those posting in popular forums on topics which are trending or in hashtag movements which gather hundreds of thousands of followers are likely to have their posts removed, censored or their accounts monitored or shut down. However, such treatment alone is not sufficiently serious by its nature and/or repetition to amount to persecution or serious harm.

3.4.5 The government censors and blocks online activity it deems to be sensitive or critical of individuals, policies or the state. Many foreign websites are blocked and the government reportedly employs tens of thousands of individuals to monitor electronic communications and online content. Internet

companies also employ people to ensure that CCP and government directives on censorship are followed (see Access to the internet and Censorship and monitoring).

3.4.6 Online activists and bloggers who express views critical of the state, views deemed to harm China's reputation, or other subjects deemed sensitive (such as opinions on Taiwan, Tibet or Covid-19 policies), may face bullying, harassment, job dismissal, police interrogation, movement restrictions, prosecution and detention. However, sources do not give specific numbers of those affected (see State treatment of bloggers/online activists).

3.4.7 Reporters Without Borders recorded that from 2022 to 2023 there were a total of 13 bloggers/vloggers detained for their 'journalistic' activity. Freedom House's "Dissent Monitor" collates details of cases of online dissent, where people within China voice grievances or rights against the interests of political authorities, noting that between May 2022 to mid-September 2023 there were 66 instances of online dissent. For most popular posts/hashtag movements, involving hundreds of thousands of posts or followers, the predominant action from the authorities was censorship through the removal of posts. There were 12 recorded incidences, involving a low number of individuals, approximately 16, where arrests/detention occurred. The information shows that the number of posts/the reach of those posts did not appear to affect the reaction by the authorities to the online bloggers/activist. Instead arrests against them were more likely in cases where a person has some previous adverse interest from the government or where they are from a particularly sensitive area such as Tibet (see State treatment of bloggers/online activists and Annex A: Table on collective action in public spaces and online dissent).

Back to Contents

3.5 Family members of perceived opponents of the state

3.5.1 Close family members of high-profile activists, journalists, former political prisoners and those critical of the state may be at risk of persecution or serious harm. This will depend on a number of factors including the profile and activities of their family and the nature of state's interest in them, their own views and activities, and their experience at the hands of the state. Each case must be considered on its facts.

3.5.2 Family members of activists, journalists and former political prisoners can be subject to surveillance, loss of employment, harassment, detention, and restrictions on freedom of movement by the state. In some cases, authorities denied their children entry to pre-school and primary and education.

3.5.3 Where activists, journalists and political opponents have left China their remaining family have sometimes faced harassment from the authorities as a means to persuade them to return (see Family members of perceived opponents).

3.5.4 For further guidance on assessing risk, see the Asylum Instruction on Assessing Credibility and Refugee Status.

Back to Contents

3.6 Sur place activities

3.6.1 Persons outside of China who openly criticise the CCP or who protest against them are likely to attract adverse attention from the Chinese state. Whether a person is likely to be at risk of persecution and/or serious harm on return to China will depend on a number of factors such as a person's level of involvement, the nature of criticism, previous adverse interest, the nature of their activities, the person's role in those activities and their profile. Each case must be considered on its own facts, with the onus on the person to demonstrate why their profile and activities outside of China would place them at risk.

3.6.2 Online activity/views expressed abroad are closely monitored and the CCP restricts views it finds objectionable. Chinese citizens abroad who continue to use accounts initially created in China are subject to the same degree of censorship as those within the country. Safeguard Defenders reported that 'service stations' located abroad which offer helpful services to the diaspora have been utilised by the Chinese police to try and persuade people to return, change their behaviour or cease their activism (see Sur-place activities).

3.6.3 High profile activists outside of China who continue to comment on sensitive subjects are more likely to be monitored. During 2022 and 2023 there have been reports of activists outside of China facing harassment, intimidation and in one reported instance of a protestor assaulted by Chinese officials on their consular grounds in the UK (see Sur-place activities).

Back to Contents

4. Protection

4.1.1 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities.

4.1.2 For further guidance on assessing state protection see the Asylum Instruction, Assessing Credibility and Refugee Status.

Back to Contents

5. Internal relocation

5.1.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.

5.1.2 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction, Assessing Credibility and Refugee Status.

Back to Contents

6. Certification

6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

6.1.2 For further guidance on certification, see Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

Back to Contents

Country information

About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the research methodology. It provides the evidence base for the assessment.

The structure and content of this section follow a terms of reference which sets out the general and specific topics relevant to the scope of this note.

Decision makers must use relevant COI as the evidential basis for decisions.

Back to Contents

Updated 13 November 2023

7. Political system

7.1 Chinese Communist Party (CCP)

7.1.1 BBC news 'How China is ruled' provided a graphic of the political system[1]:

7.1.2 The Australian Government's Department for Foreign Affairs and Trade's (DFAT) Country Report 2021, based on a range of public and non-public available sources including on-the-ground knowledge and discussions with a range of sources, noted that:

'China's political landscape is dominated by the [Chinese Communist Party] CCP … While the Party, executive, legislature, and judiciary are ostensibly separate entities, the Chinese Constitution makes clear that all organs are subordinate to the Party. Government agencies, judicial organs, and businesses have parallel Party structures and/or host Party cells, and senior officials in government, the judiciary, [state-owned enterprises] SOEs and the legislature also concurrently hold Party positions.

'The legislature is known as the National People's Congress (NPC) and holds a full session with about 3,000 members once a year. In practice, the Party's peak leadership body, the seven-member Politburo Standing Committee (PBSC), and Party leading groups and central commissions, are responsible for making key policy decisions. PBSC members are drawn from the subordinate 25-member Politburo, which in turn is drawn from the Party's central committee. The State Council oversees the implementation of policy decisions, as well as regulations and laws adopted by the NPC and its standing committee. The Premier (currently Li Qiang) is head of the State Council and China's Head of Government. President Xi and Premier Li are

[1] BBC News, 'How China is ruled', no date

also members of the PBSC.

'China has four broad levels of government. Subordinate to the national government are provincial governments and autonomous regions. Subordinate to those are prefectures, counties, autonomous counties and municipalities and townships. Shanghai, Beijing, Tianjin and Chongqing are municipalities directly subordinate to the national government. Governments at the provincial level and below are responsible for most public expenditure on health, education, unemployment insurance, social security and welfare.'[2]

7.1.3 The US Department of State (USSD) noted in its 2022 Human Rights report on China, published on 20 March 2023 and covering events in 2022, that it:

'… is an authoritarian state in which the Chinese Communist Party is the paramount authority. Communist Party members hold almost all top government and security apparatus positions. Ultimate authority rests with the Communist Party Central Committee's 24-member Political Bureau (Politburo) and its seven-member Standing Committee. Xi Jinping continued to hold the three most powerful positions as party general secretary, state president, and chairman of the Central Military Commission.'[3]

7.1.4 Bertelsmann Stiftung's Transformation Index (BTI) 2022, which covers the period from 1 February 2019 to 31 January 2021 and assesses the transformation toward democracy and a market economy as well as the quality of governance in 137 countries[4], noted:

'The political system is characterized by the Leninist principle of concentration of state powers with the National People's Congress (NPC) as the formally highest organ of power. In principle, all state organs, the executive and the judiciary at the central level as well as at the local levels, are responsible to the NPC or local People's Congresses, respectively. Thus, the constitutional framework does not establish a system of separation of powers. Since the CCP is constitutionally defined as the supreme ruler, it commands state institutions, and the NPC and local People's Congresses are subject to CCP directives and control. Although the rule of law has been enshrined in the constitution, the CCP remains above the law. Therefore, a system of checks and balances does not exist.'[5]

7.1.5 Freedom House noted, in its 2023 Freedom in the World report for China, covering 2022 events, that: 'Xi was appointed for a third five-year term as CCP general secretary at the 20th Party Congress in October 2022, paving the way for him to remain in power indefinitely. This marked a sharp break from the post–Cultural Revolution practice of maintaining a two-term limit for the country's highest leadership position.'[6]

7.1.6 The CIA World Factbook noted that the Chief of state, since March 2013 is President Xi Jinping, the Vice President, since March 2023, is Han Zheng. The head of government, since March 2023, is Premier Li Qiang[7].

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[2] DFAT, 'Country Information Report - China' (paragraphs 2.17 to 2.19), 22 December 2021
[3] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[4] BTI, 'BTI 2022 China Country Report' (page 2), 23 February 2022
[5] BTI, 'BTI 2022 China Country Report' (page 10), 23 February 2022
[6] Freedom House, 'China: Freedom in the World 2023', 9 March 2023
[7] CIA, 'China- World Factbook', last updated 11 July 2023

Back to Contents

7.2 Political parties

7.2.1 The constitution provides for freedom of association, but CCP policy and the government required that all groups officially register and receive approval from the government. This prevented the formation of autonomous political groups[8].

7.2.2 According to a 2021 article in South China Morning Post (SCMP), a Hong Kong based paper which critics have stated presents China in a friendly light[9], there are 8 officially recognised political parties in addition to the CCP:

- China Democratic League
- China National Democratic Construction Association
- Jiusan Society
- Revolutionary Committee of the Chinese Kuomintang
- China Peasants' and Workers' Democratic Party
- China Association for Promoting Democracy
- China Zhi Gong Party
- Taiwan Democratic Self-Government League[10].

7.2.3 The same article went on to note that:

'One way the Communist Party ensures its supremacy is through its United Front Work Department (UFWD). A secretive organ responsible for managing its relations with political parties inside and outside China, it acts as the "organisation department" for each of the eight parties.

'The UFWD vets membership applications [to the recognised political parties], some of which take several months and meetings, and fills the eight parties' leadership roles.

'"The leaders of these parties, from the general secretary to the members of the central committees, cannot be chosen by the parties themselves but [are chosen] by the Communist Party," Deng [Deng Yuwen, an expert in party politics and former deputy editor of Communist Party publication *Study Times*] said.

'The vetting process ensures that perceived dissenters, such as human rights activists or lawyers, are not allowed in. Police and army personnel are only allowed to join the Communist Party, designed to eliminate any chance of these eight parties challenging the regime's power.'[11]

7.2.4 The BTI 2022 China Country Report noted that: 'Political organizations competing with the CCP, for example, "opposition parties" such as the China Democratic Party, are prohibited.'[12]

[8] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[9] The New York Times, 'A Hong Kong Newspaper on a Mission to Promote …', 31 March 2018
[10] SCMP, 'Are there other political parties in China?', 11 June 2021
[11] SCMP, 'Are there other political parties in China?', 11 June 2021
[12] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022

7.2.5 The United States Department of State (USSD) annual report on human rights in China (USSD report 2022), outlined:

'Official statements asserted "the political party system [that] China has adopted is multiparty cooperation and political consultation" under CCP leadership. The CCP, however, retained a monopoly on political power, and the government forbade the creation of new political parties. The government officially recognized nine parties founded prior to 1949, and parties other than the CCP held 30 percent of the seats in the NPC. These non-CCP members, however, did not function as a political opposition. They exercised very little influence on legislation or policymaking and were only allowed to operate under the direction of the CCP United Front Work Department. The China Democracy Party remained banned, and the government continued to monitor, detain, and imprison its current and former members.'[13]

7.2.6 The 2023 Freedom House report stated that:

'The CCP effectively monopolizes all political activity and does not permit meaningful political competition. Eight small non-communist parties are represented in the Chinese People's Political Consultative Conference (CPPCC), an official advisory body, but their activities are tightly circumscribed, and they must accept the CCP's leadership as a condition for their existence.

'Citizens who have sought to establish genuinely independent political parties or prodemocracy movements are nearly all in prison, under house arrest, or in exile. The authorities continue to hold prodemocracy activists and lawyers in various forms of detention and prison. New Citizens' Movement founder and legal activist Xu Zhiyong, in detention since February 2020, was reportedly tried in secret for "subversion" in June 2022.

'China's one-party system provides no institutional mechanism for organized political opposition, and the CCP has ruled without interruption since winning a civil war against the Nationalist Party (Kuomintang) in 1949. While factions within the CCP have always existed, they do not compete openly or democratically, and they remain unaccountable to the public. Xi Jinping has steadily increased his personal power and authority within the party since 2012, notably by purging rivals and challengers as part of an anticorruption campaign.'[14]

Back to Contents

7.3 Elections

7.3.1 The BTI 2022 Country report for China noted that:

'National level authorities are not selected by free and competitive general elections but are generally chosen by the Organization Department of the Chinese Communist Party. Indirect elections, in which People's Congresses elect the congresses at the next higher level, and the National People's Congress elects the leaders of the executive, merely serve as a procedural legitimization. At the local level, limited venues for participation, such as

[13] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[14] Freedom House, 'China: Freedom in the World 2023', 9 March 2023

elections for village and urban residents' committees as well as village leaders and party branch secretaries exist. However, these organizations are not part of the formal administrative structure, otherwise such elections would not be possible. The nomination of candidates, voter eligibility and election campaigns are subject to local government and party control and manipulation.'[15]

7.3.2 The Congressional Executive Commission on China (CECC), set up by the US Congress to monitor human rights and the development of the rule of law in China[16], 2022 annual report noted that:

'Although the Party declares that it represents ''the fundamental interests of the greatest possible majority of the Chinese people,'' citizens' direct electoral participation is limited to sub-provincial legislative bodies and village and residents committees, the latter of which are semi-autonomous grassroots bodies outside of the state bureaucracy. Elections for these local offices, however, are subject to political interference, such as through candidate selection and harassment of independent candidates. Furthermore, people who participate in elections are required by law to support the Party's leadership unwaveringly.'[17]

7.3.3 The 2023 Freedom House report stated that:

'There are no direct or competitive elections for national executive leaders. The National People's Congress (NPC) formally elects the state president for five-year terms and confirms the premier after he is nominated by the president, but both positions are determined in advance by the top CCP leadership and announced at the relevant party congress. The CCP's seven-member PSC, headed by Xi Jinping in his role as the party's general secretary, sets government and party policy in practice. Xi also holds the position of state president and serves as chairman of the state and party military commissions.'[18]

7.3.4 The USSD report 2022 reported that:

'While the law provides for elections of people's congress delegates at the county level and below, citizens could not freely choose the officials who governed them. The CCP controlled all elections and continued to control appointments to positions of political power. The CCP used various intimidation tactics, including house arrest, to block independent candidates from running in local elections.

'Direct elections occur under a single-party political system, in which citizens may vote only for their local level representatives. All candidates are either members of or approved by the CCP.

'… Election law governs legislative bodies at all levels, although compliance and enforcement varied across the country. Under the law citizens have the opportunity every five years to vote for local people's congress representatives at the county level and below, although in most cases

[15] BTI, 'BTI 2022 China Country Report', 23 February 2022
[16] CECC, 'About', undated
[17] CECC, '2022 Annual Report' (page 146), 16 November 2022
[18] Freedom House, 'China: Freedom in the World 2023', 9 March 2023

higher-level government officials or CCP cadres controlled the nomination of candidates. At higher levels, legislators selected people's congress delegates from among their own ranks. For example, provincial-level people's congresses selected delegates to the NPC. Local CCP secretaries generally served concurrently within the leadership team of the local people's congress, thus strengthening CCP control over legislatures.'[19]

7.3.5 In March 2023 XI Jinping was re-elected as president and Han Zheng elected vice president unanimously with 2,952 votes by the National People's Congress[20].

Back to Contents

7.4 Constitution

7.4.1 Article 34 of the constitution states that: 'All citizens of the People's Republic of China who have reached the age of 18 have the right to vote and stand for election, regardless of ethnic status, race, sex, occupation, family background, religious belief, education, property status or length of residence, except persons deprived of political rights according to law.[21]

7.4.2 Article 35 of the constitution states that: 'Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.'[22]

7.4.3 The law does not allow protests that challenge party leadership or contravene the interests of the state[23]. Gatherings of more than 200 people require prior approval and several sources noted that approval is rarely given and protestors risk being punished for gathering without permission, with the BTI report noting that a permit is almost impossible to obtain for ordinary citizens[24] [25] [26] [27].

7.4.4 The DFAT report 2021 noted:

'Article 35 of China's Constitution states that citizens of the People's Republic of China enjoy the freedoms of: speech, the press, assembly, association, procession and demonstration. In practice a wide-ranging number of topics are considered sensitive and are censored, with those raising them liable to punishment. Sensitive issues include commentary on: political issues and events (including the policy direction of the CCP and nation and sensitive anniversaries); serious economic, health (including COVID-19 origins and the government's handling of the outbreak); land rights and property or environmental issues; labour rights; religious or ethnic issues; or legitimacy of central authorities and the CCP. The sensitivity of topics can change quickly and it is impossible to make a comprehensive list of sensitive topics.

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[19] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[20] CIA, 'China- World Factbook', last updated 11 July 2023
[21] The National Peoples Congress of the Peoples Republic of China 'Constitution'
[22] The National Peoples Congress of the Peoples Republic of China 'Constitution'
[23] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[24] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[25] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022
[26] DFAT, 'Country Information Report - China' (paragraph 3.86), 22 December 2021
[27] Freedom House, 'China: Freedom in the World 2023', 9 March 2023

'Criminal punishment can include a period of deprivation of 'political rights', which might include denial of freedoms such as expression or assembly. These deprivations in practice make it difficult to find employment, to travel, or to obtain a residence or accommodation. The families of political activists may also find their rights similarly circumscribed.'[28]

Back to Contents

Updated 12 December 2023

8. Protestors and human rights activists

8.1 Civil society organisations (CSO's)

8.1.1 The constitution provides for freedom of association, but the CCP require that all groups officially register and receive approval from the government. According to the USSD this has prevented the formation of human rights groups and other organisations which the government believes might challenge their authority[29].

8.1.2 The BTI 2022 Country report for China noted that:

'The state often interferes with freedom of association and assembly. The number of registered social organizations in China has increased from 153,322 (2000) to 817,360 (2018), 444,092 of which are classified as "non-enterprise units run by an NGO." These organizations are not allowed to operate independently; instead, they need to find a governmental host organization and then subject themselves to demanding procedures to obtain registration with the Ministry of Civil Affairs or its local counterparts. This severely restricts their autonomy.

'…Since the government fears that stronger NGOs could limit state control over society, only NGOs with a non-political agenda are tolerated and even supported by the regime.'[30]

8.1.3 The 2023 Freedom House report stated that:

'Both Chinese and foreign nongovernmental organizations (NGOs) lack meaningful autonomy. While hundreds of thousands of NGOs are formally registered, many effectively operate as government-sponsored entities and focus primarily on service delivery. Nearly all prominent NGOs that focused on policy advocacy, including in previously less politically sensitive areas, have been shuttered under government pressure in recent years.

'Engaging in NGO work unsanctioned by the state is risky, and many NGO workers have been detained and jailed. In 2022, it was reported that Cheng Yuan, the founder of an NGO that advocated for the rights of migrant workers and people with chronic health issues and disabilities, had been tortured in prison while serving a multiyear sentence imposed after a secret trial.

'The law requires foreign NGOs to find a Chinese sponsor and register with the Ministry of Public Security, and police have the authority to search NGOs' premises without a warrant, seize property, detain personnel, and

[28] DFAT, 'Country Information Report - China' (paragraphs 3.79 to 3.80), 22 December 2021
[29] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[30] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022

initiate criminal procedures.'[31]

8.1.4 The USSD report 2022 reported that:

'The government maintained tight controls over civil society organizations and, in some cases, detained or harassed NGO workers. Propaganda targeted NGOs, smearing them for any affiliation with foreign governments.

'The regulatory system for NGOs was highly restrictive; specific requirements varied depending on whether an organization was foreign or domestic. All domestic NGOs are required to register with the Ministry of Civil Affairs and find an officially sanctioned sponsor to serve as their "professional supervisory unit." Finding a sponsor was often difficult since the sponsor could be held civilly or criminally responsible for the NGO's activities and sponsorship included burdensome reporting requirements. All organizations are required to report their sources of funding, including foreign funding.

'All domestic NGOs are supposed to have a CCP cell, although implementation was not consistent.

'… The law also states domestic groups cooperating with unregistered foreign NGOs would be punished and possibly banned.

'…Although all registered organizations came under some degree of government control, some NGOs, primarily service-oriented government-operated NGOs or GONGOs, were able to operate with less day-to-day scrutiny. Authorities supported the growth of some NGOs that focused on social problems, such as poverty alleviation and disaster relief. Law and regulations explicitly prohibit organizations from conducting political or religious activities, and organizations that did not comply faced criminal penalties.

'Authorities continued to restrict, evict, and investigate local NGOs that received foreign funding and international NGOs that assisted Tibetan communities in the Tibet Autonomous Region and other Tibetan areas. Almost all were forced to curtail their activities altogether due to travel restrictions, official intimidation of staff members, and the failure of local partners to renew project agreements.'[32]

Back to Contents

8.2 Protests

8.2.1 The DFAT report 2021 stated that: 'Spontaneous protests sometimes occur. Common protest themes are related to labour disputes, environment, land disputes and local corruption. Recent estimates on numbers of protests are not available, but DFAT understands they have become much less common under President Xi.'[33]

8.2.2 The BTI 2022 Country report for China noted that: 'Peaceful demonstrators risk arrest, though small, non-political protests, which are the majority of protests in China, are often ignored by the authorities. However, the

[31] Freedom House, 'China: Freedom in the World 2023', 9 March 2023
[32] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[33] DFAT, 'Country Information Report - China' (para 3.86), 22 December 2021

punishment of protesters has increased under Xi.'[34]

8.2.3 The 2023 Freedom House report stated that:

'Spontaneous demonstrations have provided some outlet for local grievances, though they are frequently met with police violence and criminal prosecution. Solitary protests—in which an individual holds a placard in public, for example—can be criminally punished. Armed police have been accused of opening fire during past protests, particularly in Xinjiang.

'Following widespread spontaneous protests at the end of 2022 against the country's zero-COVID policy—dubbed the "white paper" movement because many participants held up blank pieces of paper, a tactic meant to both evade arrest and implicitly criticize censorship—dozens of protesters were detained, with many reporting abusive interrogation procedures.'[35]

8.2.4 The USSD report 2022 stated:

'Citizens throughout the country continued to gather publicly to protest evictions, forced relocations, and inadequate compensation, often resulting in conflict with authorities or formal charges. Media reported thousands of protests took place during the year across the country. Although peaceful protests are legal, public security officials rarely granted permits to demonstrate. Despite restrictions, many demonstrations occurred, but authorities quickly broke up those motivated by broad political or social grievances, sometimes with excessive force.

'… Authorities continued to clamp down on student protests over COVID-19 lockdowns.

'… In late November protests broke out nationwide against the government's implementation of strict COVID-19 controls. There were numerous reports of police violence against protesters, including some in detention. Following the protests, there were multiple media reports of authorities cracking down on those who participated in the demonstrations. The CCP stated that it would "resolutely crack down… on hostile forces," and media reported that police were calling participants demanding information about their whereabouts and stopping passersby and searching their mobile phones to see if they had [virtual private networks] VPNs or foreign social media apps. In one case police visited a participant's home, saying that the weekend protest was an "illegal assembly." Security forces maintained a massive presence in major cities following the protests to deter further demonstrations. There were reports police detained demonstration participants for extended periods.'[36]

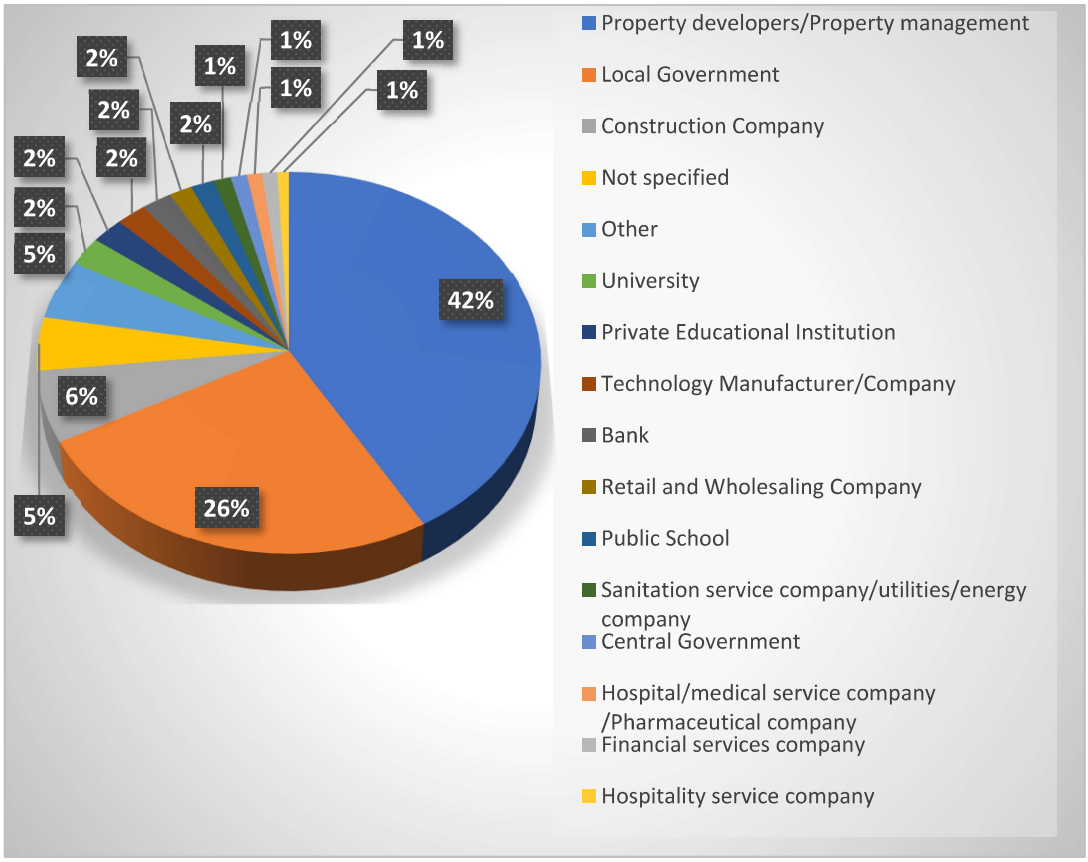
8.2.5 Freedom House have produced a 'China Dissent Monitor' which gives details on 'collective action in public spaces and cases of online dissent'[37]. According to their website: 'Sources for the CDM database include news reports, civil society organizations, and PRC-based social media, as well as the application of a machine-learning algorithm developed by the nongovernmental organization (NGO) Doublethink Lab.'[38] Whilst the data is

[34] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022
[35] Freedom House, 'China: Freedom in the World 2023', 9 March 2023
[36] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[37] Freedom House, 'About China Dissent Monitor', undated
[38] Freedom House, 'About China Dissent Monitor', undated

taken from several different areas and sources it may not reflect all protests/online dissent that have occurred.

8.2.6 The data on the Freedom House dissent monitor documents that between May 2022 to mid-September 2023 there were 1,259 group demonstrations, 173 sign protests and 87 one person demonstrations[39].

8.2.7 CPIT has used data from the Freedom House dissent monitor to produce the below chart which shows the target of the 1,259 group demonstrations by percentage. Where there were less than 10 protests recorded against an organisation these were included in the 'other category'. The majority (42% or 523) were demonstrations against property developers or property management companies. There were 324 (26%) group demonstrations against local government, but these mainly related to delayed housing projects/building quality and protests related to local covid policies. There were 14 group demonstrations against central government, with 10 of those related to Covid 19 policies[40].



8.2.8 The Armed Conflict Location and Event Data Project (ACLED), a non-profit organisation which collects information on political violence and protest events, have a dashboard which records protest events along with other information on political violence. ACLED assesses 4 types of sources when compiling their database on protest events: traditional media, reports by international institutions and NGOs, local partner data and new media (for example, Twitter and WhatsApp)[41]. Protests are defined by ACLED as: '…

[39] Freedom House 'China Dissent Monitor', May 2022- September 2023
[40] Freedom House 'China Dissent Monitor', May 2022- September 2023
[41] ACLED, 'FAQs: ACLED sourcing methodology' (page 1), no date

an in-person public demonstration of three or more participants in which the participants do not engage in violence, though violence may be used against them.'[42] During a similar period to that of the Freedom House Dissent Monitor (May 2022- September 2023) ACLED recorded 1273 protests[43]. Although there was no further information on the nature of those protests.

Back to Contents

8.3 Land disputes

8.3.1 The DFAT report 2021 noted:

'Land disputes are a particularly common reason for protest. Rapid development and high levels of internal migration have led to an increase in contested development and displacement. Land policies and the process to compulsorily acquire land vary from place to place but, across China, land in urban areas is owned by the state and rural areas are collectively managed by villages. Disputes arise when local officials try to sell land and evict existing tenants with low amounts of compensation (thus, disputes are generally complaints against local government which may escalate to the national government, as outlined above). China's new Civil Code (in force 1 January 2021) requires fair and reasonable compensation to be paid for expropriated land but does not define "fair and reasonable". Land sales are an important source of revenue for local governments and corruption in land deals is commonly alleged. 'Thugs,' who intimidate protesters or cut utility supplies, have been used and are allegedly hired by local governments.'[44]

8.3.2 The BTI 2022 Country report for China noted that:

'All land ownership still remains with the state; this means there are no secure property rights for peasants. To address the problem of forced resettlement caused by large-scale governmental construction projects or illegal land grabs by local authorities, the Chinese government in early 2013 promised to better protect land use rights, increase compensations to farmers, even allowing the latter to directly negotiate the sale of rural construction land. This rule also gives farmers the possibility to merge plots and employ modern farming technologies on larger fields, thereby increasing productivity and income. The long-term aim is to push urbanization and pool rural land for large-scale farming by agricultural enterprises.'[45]

8.3.3 The 2023 Freedom House report stated that:

'Property rights protection remains weak. Urban land is owned by the state, with only the buildings themselves in private hands. Rural land is collectively owned by villages. Farmers enjoy long-term lease rights to the land they work, but they have been restricted in their ability to transfer, sell, or develop it. Low compensation and weak legal protections have facilitated land seizures by local officials, who often evict residents and transfer the land rights to developers. Corruption is endemic in such projects, and local

[42] ACLED, 'ACLED Codebook' (page 1), no date
[43] ACLED, 'ACLED Dashboard', accessed 21 November 2023
[44] DFAT, 'Country Information Report - China' (para 3.88), 22 December 2021
[45] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022

governments rely on land development as a crucial source of revenue.'[46]

8.3.4 The USSD report 2022 noted that:

'There continued to be reports that local governments forcibly seized and demolished the homes of citizens without providing adequate replacement housing or financial restitution. Property-related disputes between citizens and authorities sometimes turned violent. These disputes frequently stemmed from local officials' collusion with property developers to pay little or no compensation to displaced residents, a lack of effective government oversight or media scrutiny of local officials' involvement in property transactions, and a lack of legal remedies or other dispute resolution mechanisms for displaced residents. There were reports of authorities detaining and harassing displaced residents when they petitioned for compensation. The problem persisted despite central government claims it had imposed stronger controls over illegal land seizures and taken steps to standardize compensation.'[47]

8.3.5 See also Ability to protest and Protests.

Back to Contents

8.4 State treatment

8.4.1 In a June 2021 press release the UN noted that:

'The UN's independent expert on human rights defenders said today [28 June 2021] she feared activists in China were being arbitrarily sentenced to long terms in prison or house arrest, and tortured, as well as being denied access to medical treatment, their lawyers and families.

'Condemning human rights defenders, in particular to long terms in prison for their peaceful human rights work, abusing them in custody and failing to provide them with adequate medical care is something that cannot continue," said Mary Lawlor, the UN Special Rapporteur on the situation of human rights defenders.

'I have received countless reports indicating that the mistreatment of human rights defenders in Chinese custody remains endemic and may amount to torture and other cruel, inhuman or degrading treatment, despite the plethora of documentation and recommendations from UN mechanisms over the years, including from the Committee Against Torture."

'…Issuing arbitrary prison sentences, in particular long term prison sentences, to defenders in connection to their human rights work is an unacceptable attempt to silence them and their efforts, and to intimidate and deter others from engaging in this legitimate work," Lawlor said. "Many have been denied access to lawyers of their choosing and to their families. In some instances, the same lawyers and their relatives are also targeted.''[48]

8.4.2 The DFAT report 2021 noted:

'People who advocate for human rights and their families are subject to surveillance, threats and detention. DFAT is aware of human rights activists

[46] Freedom House, 'China: Freedom in the World 2023', 9 March 2023
[47] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[48] OHCHR, 'China: Human rights defenders given long jail terms, tortured – UN expert', 28 June 2021

who work in areas such as gender or labour rights who have been detained for their activism. Families of activists have been threatened with the loss of jobs if they speak out. Those who speak out about their treatment by authorities face further detention, limiting the number of available sources and information about the treatment of activists.

'Some private criticism (for example among friends and family) of government is generally tolerated. If the criticism is more widely disseminated, for example on an online platform or deemed too inflammatory or in relation to a particularly sensitive subject, authorities might reprimand the individuals involved.

'High-profile activists and critics are particularly targeted but DFAT is also aware of examples of low-profile but outspoken activists being targeted. Profiles of those who may be affected are difficult to predict accurately. DFAT assesses that high-profile activists are at high risk of official discrimination in the form of detention and imprisonment. The hidden nature of low-profile activists and reluctance to speak out make it difficult to assess the risk to day-to-day critics, but those who criticise the government on sensitive issues can come to the attention of authorities. Any discussion on social media is visible to authorities.

'…Common charges that are used against political dissidents are corruption, subverting state power or what is commonly known as 'picking quarrels and provoking trouble', a term that is not defined in the Criminal Law but a charge that is often used…

'…Residential Surveillance at a Designated Location (RSDL) is sometimes used to detain activists, human rights lawyers and government critics… It may also be used if a suspect does not have a fixed place of residence. RSDL may be used to detain people for up to seven months before their formal arrest or release.

'The primary distinction between RSDL and "black jail" (a secret, extra-legal detention facility) is that RSDL is a formal feature of the Chinese legal system. RSDL also reportedly often entails treatment more severe than in black jails, and occurs in government-run, custom fit-for-purpose facilities, whereas black jails are quasi-administrative holding centres for petitioners and criminals.[49] (See also Prison conditions).

8.4.3 Safeguard Defenders, a Spanish based NGO who work with local partners in Asia to promote and protect human rights[50], in their report 'Drugged and Detained' published in August 2022, detailed how historically, political activists were regularly diagnosed with having a mental illness and committed to prison hospitals. The system of committing these activists was institutionalised in 1988 and Ankang (安康, literally meaning peace and health) asylums were set up for those deemed to be 'criminally insane'. Global condemnation for this practice led to the CCP establishing a Mental Health Law in 2012, with criteria for admitting patients to psychiatric facilities and established that only those who posed a danger to themselves or others

[49] DFAT, 'Country Information Report - China' (para 3.83-3.85, 4.9-4.10 & 4.18,), 22 December 2021
[50] Safeguard Defenders 'about us', undated

could be forced to receive inpatient treatment[51].

8.4.4 The same Safeguard Defenders report went on to note however, that: 'The CCP continues to send activists and petitioners to psychiatric facilities where, they face a range of human rights abuses including arbitrary detention, beatings, forced medication, electroconvulsive therapy and repeated incarceration. … Effectively, police are still using the 'Ankang' system to conveniently punish and remove activists and petitioners from society without the trouble of going through a trial.'[52]

8.4.5 Freedom House's 'Freedom on the Net 2022' report published in October 2022, covering the period of June 2021 to May 2022, noted that: 'Human rights activists and their families have been subject to targeted network disconnections in previous years. … Activists and human rights lawyers have been prosecuted for advocating for democratic rights and governance, exposing police abuses, unionizing efforts, and other online activities.'[53]

8.4.6 The CECC 2022 annual report noted that: '… Chinese authorities continued to suppress the exercise of universal human rights through the use of criminal charges'[54][The full Criminal Law can be accessed via China Law Translate[55]]. It went on to list the commonly applied criminal charges, in relation to human rights activists/political opponents, which included:

- 'Crimes of endangering state security is a category of 12 offenses that carry a maximum of life imprisonment and have been lodged against government critics and rights lawyers.
- 'Picking quarrels and provoking trouble, often considered a catch-all offense and encompassing internet activities, carries up to 10 years in prison and is an offense that the government sometimes uses against people whom it deems to be troublemakers…
- 'Extortion, carrying over 10 years of imprisonment depending on the amount of money involved, has been applied to individuals who petition the government for redress of grievances…
- 'Illegal business activity, carrying a maximum sentence of over five years, has been used in cases involving religious and political publications.'[56]

8.4.7 In January 2023 Radio Free Asia reported that:

'China has shut down the social media accounts of hundreds of people recently released from prison in a bid to deny an online platform to "illegal and unethical" people, the country's audiovisual regulator said.

'The move targets "illegal content" produced by people who "fail to correct their political stances" after completing a prison term, according to an opinion article published on the state-run China News Service.

'It will likely have a profound impact on political prisoners, who are often

[51] Safeguard Defenders 'Drugged and Detained', August 2022
[52] Safeguard Defenders 'Drugged and Detained', August 2022
[53] Freedom House, 'Freedom on the Net 2022', 18 October 2022
[54] CECC, '2022 Annual Report' (page 119), 16 November 2022
[55] China Law Translate, 'Criminal Law (2021 edition)'
[56] CECC, '2022 Annual Report' (pages 119/120), 16 November 2022

prevented from working and placed under ongoing surveillance even after serving their time.'[57]

8.4.8 The USSD report 2022 stated:

'Authorities used administrative detention to intimidate political and religious advocates and to prevent public demonstrations. Forms of administrative detention included … "legal education" centers for political activists …

'Authorities detained or arrested persons on allegations of revealing state secrets, subversion, and other crimes to suppress political dissent and public advocacy. These charges, as well as what constitutes a state secret, remained poorly defined and any piece of information could be retroactively designated a state secret. Authorities also used the vaguely worded charges of "picking quarrels and provoking trouble" broadly against many civil rights advocates. It was unclear what this term means. Authorities also detained individuals under broad and ambiguous state secret laws for, among other actions, disclosing information on criminal trials, commercial activity, and government activity. A counterespionage law grants authorities the power to require individuals and organizations to cease any activities deemed a threat to national security. Failure to comply could result in seizure of property and assets.

'There were multiple reports authorities arrested or detained … rights advocates for lengthy periods without officially issuing a charge or providing a reason. Authorities subjected many of these citizens to extralegal house arrest, denial of travel rights, or administrative detention in different types of extralegal detention facilities, including "black jails" [unlawful detention facilities[58]] …Conditions faced by those under house arrest varied but sometimes included isolation in their homes under guard by security agents. Security officials were frequently stationed inside the homes. Authorities placed many citizens under house arrest during sensitive times, such as during the visits of senior foreign government officials, the 20th Party Congress in October, annual plenary sessions of the National People's Congress (NPC) and the Chinese People's Political Consultative Conference, the anniversary of the Tiananmen massacre, and sensitive anniversaries in Tibetan areas and Xinjiang. Security agents took some of those not placed under house arrest to remote areas on so-called vacations.

'… Government officials continued to deny holding any political prisoners, asserting persons were detained not for their political or religious views but because they had violated the law. Authorities, however, continued to imprison citizens for reasons related to politics and religion. Human rights organizations estimated thousands of political prisoners (not counting persons held in Xinjiang) remained incarcerated, most in prisons and some in administrative detention. The government did not grant international humanitarian NGOs or UN agencies access to political prisoners.

'Many political prisoners remained either in prison or under other forms of detention…

'… Authorities routinely monitored telephone calls, text messages, faxes,

[57] RFA, 'China pulls plug on social media accounts of people who just got out of jail', 24 January 2023
[58] Human Rights Watch, 'China: Secret "Black Jails" Hide Severe Rights Abuses', 11 November 2009

email, instant messaging, social media apps, and other digital communications intended to remain private, particularly of political activists. Authorities also opened and censored domestic and international mail. Security services routinely monitored and entered residences and offices to gain access to computers, telephones, and fax machines.

'…Human rights groups stated authorities relied on cameras and other forms of surveillance to monitor and intimidate political dissidents… These included facial recognition and "gait recognition" video surveillance, allowing police not only to monitor a situation but also to quickly identify individuals in crowds.

'… Citizens often avoided discussing political matters, leaders, or "sensitive" topics for fear of official punishment. Authorities routinely took harsh action against citizens who questioned the legitimacy of the CCP or criticized President Xi's leadership.

'…Those who made comments deemed politically sensitive in public speeches, academic discussions, or remarks to media, or who posted sensitive comments online, remained subject to punitive measures, as did members of their families. In addition, an increase in electronic surveillance in public spaces, coupled with the movement of many citizens' routine interactions to the digital space, signified the government was monitoring an increasing percentage of daily life. Conversations in groups or peer-to-peer on social media platforms and via messaging applications were subject to censorship, monitoring, and action from authorities. The threat of peer-to-peer observation and possible referral to authorities further eroded freedom of speech.'[59] (see also Internet, social media and bloggers)

8.4.9 The UN Committee on Economic, Social and Cultural Rights issued their concluding observations on 3rd March 2023 on China and noted that:

'Noting the information provided during the dialogue with the State party, the Committee is concerned about reports that human rights defenders and lawyers working on human rights issues are systematically subjected to prosecution, reprisals and intimidation for their legitimate activities, including by being arbitrarily sentenced to long terms in prison or under house arrest, tortured, subjected to enforced disappearance and denied access to medical treatment, legal aid and contact with their families, as well as reports of lawyers working on human rights issues being disbarred.'[60]

8.4.10 In April 2023 several news sites reported that Xu Zhiyong and Ding Jiaxi, 2 prominent human rights lawyers and high profile members of civil rights group, 'New Citizens Movement', were convicted of 'subversion of state power' and sentenced to over 14 and 12 years in prison respectively. They were arrested in 2019 for organising a meeting with around 20 fellow activists. Both had previously been jailed for their criticisms of the CCP after calling for more transparency over officials assets[61] [62] [63]. According to an article in The Economist, the group 'New Citizens Movement' '… calls on

[59] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[60] OHCHR, 'Concluding observations on the third periodic report of China', 22 March 2023
[61] VOA News, 'Two Prominent Chinese Rights Activists Jailed for Over a Decade', 10 April 2023
[62] Economist, 'China throws the book at two prominent human-rights lawyers', 13 April 2023
[63] HKFP, 'China jails two prominent human rights lawyers for over ten years', 10 April 2023

Chinese citizens to consider the rights they have under the constitution, such as freedom of speech, and how they are trampled on by the government. In the long run, the movement hopes for a peaceful transition to constitutional democracy. It has also sought to expose official corruption and improve access to education.'[64]

8.4.11 Safeguard Defenders noted in their report, 'Trapped - China's Expanding Use of Exit Bans' published in May 2023 that: 'The Chinese Communist Party (CCP) often targets human rights defenders (HRDs) and their family members with exit bans on the grounds of "national security" or "national interests". It is thought these bans are used as a means to punish HRDs for their rights defence work and also to prevent them from speaking out about the CCP's human rights record overseas.'[65]

8.4.12 The UK's Foreign and Commonwealth Development Office (FCDO) 2022 Human Rights and Democracy Report published in July 2023 noted that:

'China's authorities suppressed peaceful protests against Covid restrictions. Individual protestors were subsequently targeted, detained and arrested. There was mass censorship of protest-related content online, including police targeting of individuals sharing information on social media.

'… Reports of torture and deaths in detention continued to emerge, as did further evidence regarding the expanding use of house arrests and psychiatric hospitals to detain human rights defenders.'[66]

8.4.13 CPIT has used data from the Freedom House dissent monitor to show whether any form of what it terms "repression" (e.g. arrests, violence, or monitoring), took place at the 1,259 demonstrations that occurred between the May 2022 and mid-September 2023. At 941 of those 1,259 (74.7%), there was no "repression" documented on the dissent monitor. However, (i) it may have taken place and been unreported resulting in Freedom House being unable to confirm whether it took place, and (ii) "repression" involves a seemingly broad range of actions[67].

8.4.14 The below table gives the number of protests where the stated "repression" occurred. At most protests a combination of repression took place. CPIT has just counted the most serious state repression that occurred during each protest (as listed in the order below) to produce the table. More detailed information, including all the incidences that took place at each protest, can be found in the dissent monitor[68].

[64] Economist, 'China throws the book at two prominent human-rights lawyers', 13 April 2023
[65] Safeguard Defenders, 'Trapped - China's Expanding Use of Exit Bans' (page 8), 1 May 2023
[66] FCDO, 'Human Rights and Democracy Report 2022' (page 53), 13 July 2023
[67] Freedom House 'China Dissent Monitor', May 2022- September 2023
[68] Freedom House 'China Dissent Monitor', May 2022- September 2023

Type of "repression"	No. of protests where stated "repression" occurred
Arrest/detentions	69
State violence	51
Intimidation	13
Monitoring	141
Expulsion (dispersal of protest)	4
Movement limitations	4
Obstructions	5
Non-state violence	30
Report to employer	1
Total	**318**

8.4.15 The data shows that incidences of repression stated in the table above such as arrests, violence, monitoring and, intimidation occurred more frequently at protests where there were 10-99 participants. Protests where over a 1000+ people participated appeared less likely to result in the authorities intervening in some way with only 6 protests resulting in arrests/detentions and 1 protest monitored[69] .

8.4.16 Using information from the Freedom House dissent monitor, CPIT filtered the results to show the number of protests against central government. There were 14 protests and 10 were related to Covid policies. According to the data, 3 of the protests were monitored by the authorities, at 2 of the protests dispersal of the protest took place and at 2 of the protests attendees were subject to intimidation, although data is unclear about how many attendees this affected. There was no recorded "repression" at 3 of the protests although this does not mean that it did not take place. Four of the protests resulted in some of the attendees being arrested, although no numbers were given. The 4 protests were all Covid related with 3 related to a fire which took place in Urumqi in Xinjiang province. During these 4 protests, protesters chanted slogans calling for personal freedom, freedom of movement, an end to dictatorship or demanded the Xi Jinping step down[70].

8.4.17 ACLED note in their dashboard for China that during the period of May 2022 to September 2023 there were 1273 protests, 1208 protests were peaceful. Sixty-three protests involved intervention[71], which ACLED define as '… when individuals are engaged in a peaceful protest during which there is a physical attempt to disperse or suppress the protest without serious/lethal injuries or the targeting of protesters with lethal weapons reported.'[72] There were only 2 protests were excessive force against protestors was reported[73]. ACLED

[69] Freedom House 'China Dissent Monitor', May 2022- September 2023
[70] Freedom House 'China Dissent Monitor', May 2022- September 2023
[71] ACLED, 'ACLED Dashboard', accessed 21 November 2023
[72] ACLED, 'ACLED Codebook' (page 1), no date
[73] ACLED, 'ACLED Dashboard', accessed 21 November 2023

define excessive force as: '… when individuals are engaged in a peaceful protest and are targeted with lethal violence or violence resulting in serious injuries (e.g. requiring hospitalization).'[74]

Back to Contents

Updated 12 December 2023

9. Traditional media and journalists

9.1 Law

9.1.1 The CECC 2022 annual report noted that:

'Authorities… proposed new requirements that would enhance state control over media organizations and journalists. In October 2021, the government proposed updated regulations [issued by the National Development and Reform Council[75] that would ban the use of private capital to fund news media activities, for example, reporting on topics authorities deemed sensitive, and referencing foreign reporting, livestreaming, and holding journalism events. The government also released draft measures that—if implemented as written—would add to existing journalist certification requirements an annual minimum of 90 hours of continuing education that would include studying ideological concepts developed by Xi Jinping and the Party.'[76]

Back to Contents

9.2 State regulation and censorship

9.2.1 In 2023 Reporters Without Borders (RSF) ranked China 179 out of 180 countries for press freedom, above only North Korea[77] (where the lower the ranking the less free the press are[78]).

9.2.2 The DFAT report 2021 noted:

'The Chinese media is heavily regulated and censored. … All media is controlled and supervised to some extent by the government, and government agencies often provide directives to state media organisations on how to manage and present issues of particular sensitivity. Some media outlets are expected to operate on a more commercial basis and others have content funded by or produced by the Party. Content producers are aware of 'red lines' that must not be crossed and generally self-censor.

'The list of censored information changes rapidly and even traditionally non-political news, including disaster reporting, is censored. When COVID-19 first appeared in Wuhan, references to its emergence in the media were censored. Negative economic news may also be censored, and academic, environment and health sectors have been increasingly censored in recent years. International versions of Chinese media and the media consumed within China are often very different and not a good indication of media available to ordinary Chinese people. For example, the English-language

[74] ACLED, 'ACLED Codebook' (page 1), no date
[75] Quartz, 'China seeks full news monopoly by banning private capital in media', 11 October 2021
[76] CECC, '2022 Annual Report' (page 54/5) 16 November 2022
[77] RSF, 'China', 3 May 2023
[78] RSF, 'Methodology used for compiling the World Press Freedom Index 2023', 3 May 2023

versions of Chinese media might cover the Tiananmen Square anniversary. Those versions are not available inside China and the Chinese language versions will not mention it.'[79]

9.2.3 The CECC 2022 annual report noted that: 'This past year, the PRC enhanced political and ideological control over the media, instructing the media either not to report on— or how to report on—new and previously designated topics.'[80]

9.2.4 The 2023 Freedom House report stated that: 'China is home to one of the world's most restrictive media environments and its most sophisticated system of censorship, particularly online. The CCP maintains control over news reporting via direct ownership, accreditation of journalists, harsh penalties for comments that are critical of party leaders or the CCP, and daily directives to media outlets and websites that guide coverage of breaking news stories.'[81]

9.2.5 The USSD report 2022 stated that:

'Authorities continued to impose ever-tighter control of all print, broadcast, electronic, and social media and regularly used them to propagate government views and CCP ideology. Authorities censored and manipulated the press, social media, and the internet, particularly around sensitive anniversaries and topics such as public health.

'… In many cases potential sources refused to meet with journalists due to actual or feared government pressure. Long-standing journalist contacts continued to decline off-the-record conversations, even concerning nonsensitive topics. So-called taboo topics included not only Tibet, Taiwan, and corruption, but also natural disasters, the #MeToo movement, and COVID-19 policies.

'… Officially, only state-run media outlets have government approval to cover CCP leaders or other topics deemed "sensitive." While it did not dictate all content to be published or broadcast, the CCP and the government had unchecked authority to mandate if, when, and how particular topics were reported or to order they not be reported at all. The government's propaganda department issued daily guidance on what topics should be promoted in all media outlets and how those topics should be covered. Chinese reporters working for private media companies confirmed increased pressure to conform to government requirements on story selection and content.'[82]

9.2.6 The RSF went on to note that: 'Major Chinese media groups, such as Xinhua News Agency, China Central Television (CCTV), China National Radio (CNR), and newspapers China Daily, People's Daily and the Global Times, are state-owned and directly controlled by the authorities. … In the eyes of the regime, the media's function is to be the party's mouthpiece and to impart state propaganda.'[83]

[79] DFAT, 'Country Information Report - China' (para 3.90 & 3.91), 22 December 2021
[80] CECC, '2022 Annual Report' (page 54/5) 16 November 2022
[81] Freedom House, 'China: Freedom in the World 2023', 9 March 2023
[82] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[83] RSF, 'China', 3 May 2023

Back to Contents

9.3 State treatment

9.3.1 The BTI 2022 Country report for China noted that: 'Citizen journalists who reported about the breakdown of medical facilities in the city of Wuhan, where COVID-19 began to spread in the fall of 2019, have disappeared. Reports on the conditions surrounding the outbreak by Caixin magazine were quickly censored and a number of citizens were arrested for spreading rumors about COVID-19 on social media.'[84]

9.3.2 The USSD report 2022 stated that:

'The government frequently impeded the work of members of the press, including citizen journalists. Journalists reported being subjected to physical attack, harassment, monitoring, and intimidation when reporting on sensitive topics. Government officials used criminal prosecution, civil lawsuits, and other punishment, including violence, detention, and other forms of harassment, to intimidate authors and journalists and to prevent the dissemination of unsanctioned information on a wide range of topics.

'… Journalists faced the threat of demotion or dismissal for publishing views that challenged the government.

'… During the year authorities imprisoned numerous journalists working in traditional and new media. The government also silenced numerous independent journalists by restricting their movement under the guise of pandemic response.

'… Local employees working for foreign press outlets reported considerable harassment and intimidation, in addition to authorities' continued tight enforcement of restrictions on these employees.

'… Journalists operated in an environment tightly controlled by the government. Only journalists with official government accreditation were allowed to publish news in print or online. The CCP constantly monitored all forms of journalist output, including printed news, television reporting, and online news, including livestreaming. Journalists and editors self-censored to stay within the lines dictated by the CCP. They faced serious penalties for crossing those lines, which were often vague, subject to change at the discretion of propaganda officials, and were enforced retroactively. Propaganda authorities forced newspapers and online media providers to fire editors and journalists responsible for articles deemed inconsistent with official policy and suspend or close publications. Government authorities asserted control over technologies such as livestreaming and continued to pressure digital outlets and social media platforms.'[85]

9.3.3 RSF noted in their 2023 World Press Freedom Index that:

'The constitution of the People's Republic of China guarantees "freedom of speech [and] of the press" but the regime routinely violates the right to information, in total impunity. To further silence journalists, it accuses them

[84] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022
[85] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023

of “espionage”, “subversion”, or “picking quarrels and provoking trouble”, three “pocket crimes", a term used by Chinese law experts to describe offences that are so broadly defined that they can be applied to almost any activity. Independent journalists can also be legally placed in solitary confinement for six months under “Residential Surveillance at a Designated Location” (“RSDL”) in China’s “black prisons”, where they are deprived of legal representation and may be subjected to torture.

‘…The Chinese regime uses surveillance, coercion, intimidation and harassment to keep independent journalists from reporting on issues it deems “sensitive”. China is the world’s largest jailer of journalists…’[86]

9.3.4 According to the Committee to Protect Journalists (CPJ) 43 journalists were imprisoned in China at the end of 2022[87]. However, RSF stated in May 2023 that there were more than 100 journalists detained in China[88]. The CPJ defined journalists as including included reporters, editors, photojournalists, columnists, publishers and those jailed because of their work reporting for their outlet[89]; the RSF figures include bloggers as well as journalists[90].

9.3.5 The FCDO 2022 Human Rights and Democracy report noted that: ‘Widespread censorship continued to be deployed to restrict freedom of expression and access to information. Foreign journalists and their Chinese-national staff reported harassment both online and offline, especially when reporting on “sensitive” issues such as protests or human rights. China continued to have the world’s highest number of detained journalists, including citizen journalists such as Zhang Zhan.’[91]

Back to Contents

Updated 13 December 2023

10. Internet, social media and bloggers

10.1 Cyber law

10.1.1 The USSD report 2022 stated that:

‘The law requires internet platform companies operating in the country to control content on their platforms or face penalties.

‘… The law obliges internet companies to cooperate fully with investigations of suspected leaks of state secrets, stop the transmission of such information once discovered, and report the crime to authorities. This was defined broadly and without clear limits. .’[92]

10.1.2 Freedom House, in their ‘Freedom on the Net 2022’ report noted that:

‘The cybersecurity law and Article 84 of a 2015 antiterrorism law introduced fines and detentions of up to 15 days for telecommunications firms and ISPs, as well as relevant personnel, who fail to restrict certain forms of content

[86] RSF, ‘China’, 3 May 2023
[87] CPJ, ‘Explore CPJ's database of attacks on the press’, 1 December 2022
[88] RSF, ‘China’, 3 May 2023
[89] CPJ, ‘FAQs on CPJ data’, undated
[90] RSF, ‘Barometer’, 3 May 2023
[91] FCDO, ‘Human Rights and Democracy Report 2022’ (page 53), 13 July 2023
[92] USSD, ‘2022 Country Reports on Human Rights Practises- China’, 20 March 2023

including “shut[ting] down related services”. Under a cybersecurity rule implemented in June 2020, a government agency must conduct a national security review of the purchases of network products and services made by “critical information infrastructure operators.”

‘… Laws prohibiting offenses including defamation, creating disturbances, illegal commercial activities, and extortion have implications for online speech. Defamation has been interpreted to include “online rumors,” content deemed false, or online expression that “seriously harms” public order or state interests. It carries a possible three-year prison sentence under “serious” circumstances, which apply when the content in question receives more than 5,000 views or is reposted more than 500 times. Online messages deemed to incite unrest or protests are subject to criminal penalties under provisions punishing citizens for “picking quarrels and provoking trouble.” [93]

Back to Contents

10.2 Access to the internet

10.2.1 The DFAT report 2021 noted: ‘Social media is enormously popular in China with messaging apps like WeChat and Twitter-like microblogging site Weibo reportedly having more than a billion users.’[94]

10.2.2 The 2023 Freedom House report stated that:

‘State management of the telecommunications infrastructure enables the blocking of websites, removal of smartphone applications from the domestic market, and mass deletion of social media posts and user accounts that address banned political, social, economic, and religious topics. Thousands of websites have been blocked, many for years, including major news and social media hubs like the *New York Times*, the British Broadcasting Corporation (BBC), YouTube, Twitter, and Facebook.’[95]

10.2.3 The USSD report 2022 stated that:

‘According to Citizen Lab, China-based users of the WeChat platform were subjected to automatic filtering of chat messages and images, limiting their ability to communicate freely.

‘… Furthermore, the companies must comply with authorities’ orders to delete such information from their websites; failure to do so is punishable by relevant departments, such as the Ministry of Public Security and law enforcement authorities.’[96]

10.2.4 Freedom House noted in their ‘Freedom on the Net 2023’ report published in October 2023 that:

‘According to the government’s China Internet Network Information Center (CNNIC), there were 1.07 billion internet users in China—representing 75.6 percent of the population—as of December 2022. That figure represents an increase of 35.5 million since December 2021. Some 99.8 percent of users

[93] Freedom House, ‘Freedom on the Net 2023’, 3 October 2023
[94] DFAT, ‘Country Information Report - China’ (para 3.93), 22 December 2021
[95] Freedom House, ‘China: Freedom in the World 2023’, 9 March 2023
[96] USSD, ‘2022 Country Reports on Human Rights Practises- China’, 20 March 2023

access the internet via mobile devices.

'…The government maintains control over China's gateways to the global internet, giving authorities the ability to restrict connectivity or access to content hosted on servers outside the country. This arrangement is the foundation for the "Great Firewall," the informal name for the government's comprehensive internet censorship system. All service providers must subscribe via the gateway operators, which are overseen by the Ministry of Industry and Information Technology (MIIT).

'…The government has cut internet access in response to specific events, though authorities have relied more on other censorship tactics in recent years. The most dramatic example occurred in 2009, when authorities imposed a 10-month internet disruption in Xinjiang—home to 25.9 million people according to the 2020 census—after ethnic violence in the regional capital, Urumqi.

'… A minority of Chinese internet users, though they number in the tens of millions, access blocked websites with circumvention tools like virtual private networks (VPNs). However, the government has intensified its restrictions on these tools since 2017, when the MIIT banned the use of unlicensed VPNs. Service providers are barred from setting up VPNs without government approval, and illegal VPN operations have been increasingly targeted for closure or blocking. Blocks on VPNs typically escalate ahead of high-profile events, such as annual plenary sessions of the Chinese legislature. VPN providers have noted that a growing technical sophistication of Chinese authorities has been reflected in VPN blocking incidents. In November 2021, the CAC released a draft regulation, titled Network Data Security Management Regulations, that would punish individuals and institutions for helping users circumvent internet censorship. Presumably targeting app stores and hosting sites, the regulations would provide for penalties of up to 500,000 yuan ($70,300).'[97]

Back to Contents

10.3 Censorship and monitoring

10.3.1 The DFAT report 2021 noted that:

'Like traditional media, social media is heavily censored. Algorithms, along with a large number of human staff, "patrol" Chinese online media to identify and censor any mention of sensitive topics… what is deemed sensitive on Chinese internet platforms can change quickly. Sexual content, promotion of extravagant lifestyles and celebrity gossip may be subject to censorship. Internet users have adopted oblique references to sensitive topics to avoid censorship.'[98]

10.3.2 The BTI 2022 Country report for China noted that:

'Although guaranteed by the constitution, freedom of expression is severely curtailed. Still, Chinese citizens increasingly make use of the internet, social media and other mass communication technologies to express critical views, raise public awareness and criticize government actions. The government

[97] Freedom House, 'Freedom on the Net 2023', 3 October 2023
[98] DFAT, 'Country Information Report - China' (para 3.93 & 3.94), 22 December 2021

reacts to this challenge with tightening controls on these technologies, for example by shutting down critical websites, blocking text-message services and censoring online content; moreover, the email and phone communications of political activists are monitored. Censorship has been extended to private groups on the popular social media app "WeChat." In 2018, millions of accounts on Weibo, the Chinese equivalent to Twitter, were deleted. That same year, some Chinese citizens with Twitter accounts were allegedly pressured to remove content from their feeds or shut down their account altogether.

'… Freedom of expression is curtailed not only through surveillance and censorship, but also by flooding social media such as WeChat and Weibo with increasingly attractive content. Propaganda organs, such as the People's Daily, the CCP's party newspaper, are among the accounts with the most followers on these platforms. Propaganda capitalized on the inability of most democracies, especially the United States, to contain COVID-19 infections. Critical voices were drowned out in a barrage of "positive" reports about the containment of the pandemic both in state media and on social media.'[99]

10.3.3 The 2023 Freedom House report stated that:

'The government's vast ability to monitor citizens' lives and communications inhibits online and offline conversations. Administrators of social media applications like WeChat closely monitor user discussions to ensure conformity with government content restrictions. Surveillance cameras, now frequently augmented with facial-recognition software, cover many urban areas and public transportation, and these networks are expanding into rural regions. Devices used by police to quickly extract and scan data from smartphones, initially deployed in Xinjiang, have spread nationwide.

'Police have access to the personal details of broad categories of individuals. China's Cybersecurity Law obliges companies to store Chinese users' data within the country and submit to often intrusive security reviews. Telecommunications companies are required to obtain facial scans of new internet or mobile phone users as part of the real-name registration process, which is combined with mass surveillance tools to closely monitor all residents. Electronic surveillance is supplemented with offline monitoring by neighborhood party committees and "public security volunteers" who are visible during large events.'[100]

10.3.1 The USSD report 2022 stated that:

'… human rights activists reported authorities questioned them regarding their participation in human rights-related chat groups, including on WeChat and WhatsApp. Authorities monitored the groups to identify activists, which led to increased self-censorship on WeChat.

'… Control of public depictions of President Xi was severe, with censors aggressively shutting down any depiction that varied from official media storylines. Censors continued to block images of the Winnie the Pooh cartoon character on social media because internet users used it to

[99] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022
[100] Freedom House, 'China: Freedom in the World 2023', 9 March 2023

represent Xi. Social media sites did not allow comments related to Xi and other prominent PRC leaders.

'… The government tightly controlled and highly censored domestic internet usage, monitoring private online communications without appropriate legal authority. The [Cyberspace Administration of China] CAC operated a website called the Reporting Center for Illegal and Undesirable Information, where internet users can report information deemed harmful to the PRC, including political information.

'… The CAC directly manages internet content, including online news media, and promotes CCP propaganda. It enjoyed broad authority in regulating online media practices and played a large role in regulating and shaping information dissemination online.

'... The government employed tens of thousands of individuals at the national, provincial, and local levels to monitor electronic communications and online content… Internet companies also independently employed thousands of censors to carry out CCP and government directives on censorship. CAC regulations require websites, mobile apps, forums, blogs, instant communications services, and search engines to ensure news coverage of a political, economic, diplomatic, or commentary nature reflects government positions and priorities.

'… The popular communication app WeChat remained heavily censored. Posts regarding sensitive topics such as PRC politics disappeared when sent to or from a China-registered account…Chinese citizens moving abroad who continued to use an account created in China were still subject to censorship.

'… Government censors continued to block content from any source that discussed topics deemed sensitive, such as Hong Kong prodemocracy protests, Taiwan, the Dalai Lama, Tibet, Xinjiang, the 1989 Tiananmen Square massacre, and criticism of the government's zero-COVID policy and foreign policy priorities.'[101]

10.3.2 Freedom House noted in their 'Freedom on the Net 2023' report published in October 2023 that:

'The Great Firewall is the world's most sophisticated internet censorship apparatus. Content that contains criticism of individuals, policies, or events that are considered integral to the one-party system is blocked. The breadth of censorship is constantly growing, leaving Chinese users with access to a highly controlled, monitored, and manipulated version of the internet.

'… The government requires locally hosted websites, social media platforms, and other technology companies to proactively monitor and remove significant amounts of banned content and accounts. They can face severe punishment for failure to comply.

'The scale of content removals, website closures, and social media account deletions continued to expand during the coverage period, reaching new types of platforms and extending to topics that were previously uncensored. Censored topics often involve news, commentary, or criticism related to the

[101] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023

CCP, its officials, and foreign affairs, as well as content related to health, safety, and civil society. Content that violates long-standing taboos is consistently and systematically censored, including content related to the June 4, 1989, Tiananmen Square massacre; Taiwanese independence; and the government's repression of marginalized communities like ethnic minorities in Xinjiang and Tibet.

'…The authorities pressure Chinese internet companies to tightly enforce censorship regulations or risk suspensions, fines, blacklisting, closure, or even criminal prosecution of relevant personnel. This has intensified under the cybersecurity law that took effect in 2017. The CCP's Central Propaganda Department and its local subsidiaries issue regular instructions to news sites and social media platforms on what to restrict.

'… Censors increasingly target "self-media," a category that includes independent writers, bloggers, and social media celebrities. Tens of thousands of self-media accounts have been shut down.'[102]

10.3.3 According to the GreatFire.org, an anti-censorship group that tracks filtering in China, 175 of the top 1,000 most visited websites and social media platforms around the world were blocked in China[103].

10.3.4 A list of all the URL's in the GreatFire database which are blocked can be accessed on their website Censorship of Blocked in China | GreatFire Analyzer.

Back to Contents

10.4 State treatment of bloggers/online activists

10.4.1 The DFAT report 2021 noted: 'Social media users in China must register with their real names and the content they create can be used against them in criminal proceedings.'[104]

10.4.2 The 2023 Freedom House report stated that:

'Numerous citizen journalists and bloggers were detained, disappeared, or criminally charged during 2022 for their reporting and online posts. Zhang Zhan, a citizen journalist and former human rights lawyer, continued to serve a 4-year prison sentence for "picking quarrels and provoking trouble" for her reporting on the COVID-19 pandemic. The whereabouts of many others detained for reporting on the pandemic remain unknown.

'Citizens continue to be charged and sentenced to sometimes long prison terms for critical or satirical social media posts on a variety of subjects, notably the government's response to the COVID-19 pandemic, and criticism or perceived criticism of Xi or the CCP. In addition to criminal punishment, internet users face account deletions, job dismissals, arbitrary detention, and police interrogation over such posts.'[105] Freedom House do not give numbers of citizen journalists/bloggers who were detained/disappeared and do not define what is meant by numerous.

[102] Freedom House, 'Freedom on the Net 2023', 3 October 2023
[103] GreatFire, 'Online Censorship In China', undated
[104] DFAT, 'Country Information Report - China' (paragraph 3.93), 22 December 2021
[105] Freedom House, 'China: Freedom in the World 2023', 9 March 2023

10.4.3 The USSD report 2022 stated that:

'Authorities routinely took harsh action against citizens who questioned the legitimacy of the CCP or criticized President Xi's leadership.

'… Authorities arrested or detained countless citizens for "spreading fake news," "illegal information dissemination," or "spreading rumors online." These claims ranged from sharing political views or promoting religious extremism to sharing factual reports on public health concerns, including COVID-19.

'… Citizen journalists faced a difficult climate, with authorities seeking to control content published through social media, including "self-media" or "we-media" accounts. These are typically blogs operated independently on social media without official backing from established outlets. Self-media was one of the biggest emerging trends, with a report by the State Information Center noting that in 2020 online media accounted for 80 percent of the country's media market. The restrictions had the effect of clamping down on self-employed reporters, who also could not be accredited by the National Press and Publication Administration, which administers tests and grants the licenses required for citizens to work in the profession. Unaccredited reporters may face legal fallout or even criminal charges.

'… Domestic internet authorities led by the Cybersecurity Defense Bureau targeted individuals accused of defaming the government online, whether in public or private messages.

'…Authorities continued to use the [WeChat] app to monitor political dissidents and other critics, some of whom were detained by police or sentenced to prison for their communications.'[106]

10.4.4 Reporters Without Borders list those detained due to their journalistic activity, the list does not include those imprisoned for reasons unrelated to their work or where a link to their work has not been confirmed. From 2022 to 2023 they note a total of 114 people detained, with 13 of those listed as bloggers/vloggers[107].

10.4.5 Freedom House's 'Freedom on the Net 2023' noted that:

'Security officials have increasingly resorted to harassing and coercing users to delete content, particularly from the platform formerly known as Twitter, which is blocked in China. A small but savvy community of internet users access Twitter via circumvention tools, enabling participation in conversations that are heavily censored within the Great Firewall, including on protests. Over the past several years, numerous users faced reprisals for their Twitter activities, including prison time, with many forced to delete their posts en masse.

'… Chinese citizens are regularly jailed for their online activities, and the risk of being detained or imprisoned has increased considerably in recent years. Rapid advances in surveillance technology and growing police access to user data have helped facilitate the rise in prosecutions.

[106] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[107] RSF, 'Barometer', 2023

'… Cases of extralegal intimidation and violence involving internet users are widespread, including in detention. People detained in ordinary criminal cases often experience torture, and political and religious prisoners experience especially severe treatment.

'Law enforcement officials frequently summon individuals for questioning in relation to online activity, an intimidation tactic referred to euphemistically as being "invited to tea." For example, activists who expressed opposition to the Chinese government's attempts to exercise greater political control over Hong Kong have been summoned.

'Activists have also been experienced movement restrictions during sensitive political events, effectively keeping them away from their normal online activities.'[108]

10.4.6 Freedom House have produced a 'China Dissent Monitor' which gives details on 'collective action in public spaces and cases of online dissent'[109]Freedom House defines online dissent as where someone within China '… voice grievances, assert rights, or advance their interests or the public interest in contention with the interests of political authorities, social authorities, or social structures.'[110] The data on the dissent monitor shows that between May 2022 to mid-September 2023 there were 66 recorded instances of online dissent. Of the 66 instances that Freedom House recorded there were 31 that resulted in some form of action[111]. See Annex A: Table on collective action in public spaces and online dissent for more detailed information on these cases.

Back to Contents

Updated 20 November 2023

11. Family members of perceived opponents

11.1.1 Safeguard Defenders report 'INvoluntary Returns' published in in January 2022 noted that:

'Often the first people police turn to when trying to locate and contact an overseas target are their family members or close friends. Their role as middlemen is to persuade the target to return. In 2018, Zhuang Deshui, deputy director of the Research Centre for Government Integrity-Building at Beijing University said that the most common way to secure the return of a wanted suspect overseas was to use their family or friends as intermediaries as it is cheaper and faster than trying to use means, such as extradition.

'… The types of harassment used against family members or friends to force them to persuade the overseas target to return include:

- Surveillance
- Interrogations
- Loss of employment

[108] Freedom House, 'Freedom on the Net 2023', 3 October 2023
[109] Freedom House, 'About China Dissent Monitor', undated
[110] Freedom House, 'About China Dissent Monitor', undated
[111] Freedom House 'China Dissent Monitor', May 2022- September 2023

- Freeze of assets
- Removing children from school or parent's care
- Other threats to safety or freedom.

'… Exit bans are used to prevent relatives from leaving China, effectively keeping them hostage until the target gives themselves up.'[112]

11.1.2 The USSD report 2022 noted that:

'In some cases public security officials put pressure on schools not to allow the children of prominent political detainees to enroll.

'… Authorities frequently subjected former political prisoners and their families to surveillance, telephone wiretaps, searches, and other forms of harassment or threats. For example, security personnel followed the family members of detained or imprisoned rights activists to meetings with foreign reporters and diplomats and urged the family members to remain silent regarding the cases of their relatives.

'…Government authorities also interfered in families' living arrangements when a family member was involved in perceived sensitive political activities.

'… Family members of journalists based overseas also faced harassment, and in some cases detention, as retaliation for the reporting of their relatives abroad.'[113]

Back to Contents

Updated 20 November 2023

12. Criminal justice system

12.1 Access to a fair trial

12.1.1 The DFAT report 2021 noted: 'The Party and non-judicial authorities exercise direct influence in individual cases through Political-Legal Committees (PLCs) at each level of government. These Committees supervise and direct the work of courts and other legal institutions. They focus mostly on matters related to politics and political opinion, but can influence verdicts and outcomes, especially when the case is sensitive or important.'[114]

12.1.2 The 2023 Freedom House report stated that:

'Violations of due process are widespread in practice. Trials of human rights activists, religious dissidents, and other human rights defenders are routinely held in secret, with even family members being denied information or entry. While adjudication of routine civil and administrative disputes is considered more fair, cases that touch on politically sensitive issues or the interests of powerful groups are subject to decisive "guidance" from party political-legal committees.'[115]

[112] Safeguard Defenders, 'INvoluntary Returns' (pages 25, 28 & 30), 18 January 2022
[113] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[114] DFAT, 'Country Information Report - China' (para 5.7), 22 December 2021
[115] Freedom House, 'China: Freedom in the World 2023', 9 March 2023

12.1.3 The USSD report 2022 noted that:

'Although the law states the courts shall exercise judicial power independently, without interference from administrative organs, social organizations, and individuals, the judiciary did not exercise judicial power independently. Judges regularly received political guidance on pending cases, including instructions on how to rule, from national and local governments and the CCP, particularly in politically sensitive cases. The CCP directs court operations and approves all judicial and procuratorate appointments.

'Corruption often influenced court decisions since safeguards against judicial corruption were vague and poorly enforced. A CCP-controlled committee decided most major cases, and the duty of trial and appellate court judges was to craft a legal justification for the committee's decision.

'Although the law reaffirms the presumption of innocence, the criminal justice system remained biased toward a presumption of guilt, especially in high-profile or politically sensitive cases.

'Courts often punished defendants who refused to acknowledge guilt with harsher sentences than those who confessed. The appeals process rarely reversed convictions, and it failed to provide sufficient avenues for review. Remedies for violations of defendants' rights were inadequate.

'Authorities often closed trials to the public and used the state secrets provision to keep politically sensitive proceedings closed, sometimes even to family members, and to withhold a defendant's access to defense counsel.'[116]

Back to Contents

12.2 Lawyers

12.2.1 According to a report in China Justice Observer at the end of 2022 there were 510,000 Chinese lawyers in private practice and 94,000 government lawyers in China[117].

12.2.2 The DFAT report 2021 noted:

'Detainees may be denied access to lawyers on the basis of a matter being related to "state secrets". Lawyers themselves may be held in detention if they represent clients who are involved in sensitive cases. In other cases lawyers may have their registration revoked if they take on sensitive clients, which can limit access to legal representation of defendants as lawyers self-exclude themselves to avoid arrest. Lawyers are not present in most criminal trials.

'…Lawyers are banned from engaging in activities that "endanger national security" or "disrupt social order". Lawyers who defend human rights activists may be punished. This may involve disbarment or restrictions on ability to meet with clients.[118]

[116] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[117] China Justice Observer, 'MOJ Announces Number of Chinese Lawyers in 2022', 17 May 2023
[118] DFAT, 'Country Information Report - China' (para 4.14 & 4.19), 22 December 2021

12.2.3 The BTI 2022 Country report for China noted that:

'The bar lacks independence, as the All-China Lawyers Association is institutionally subordinated to the Ministry of Justice. Particularly in criminal cases and defense of rights cases, lawyers are curtailed when performing their duties, especially in conducting investigations and gathering evidence. In addition, lawyers are often harassed and even debarred when representing defendants in human rights cases. Since 2007 when the authority to review death sentences was given back to the Supreme People's Court, the number of death sentences and immediate executions has dropped significantly, although it is still considered the highest in the world.'[119]

12.2.4 Reuters, in a special report published in September 2022 noted that:

'Chinese and foreign legal scholars say the use of the legal code to stifle dissent delivers the appearance of legitimacy in an era when Xi is calling for the Party to rule China through "law-based governance." China has expanded its legal profession in recent years, but rights attorneys find the deck stacked against them.

'They account for a tiny fraction – about 300 – of the country's more than 500,000 registered lawyers. They are up against the so-called "iron triangle," the prosecutors, judges and police who cement the Party's absolute control over the justice system. For suspects in politically sensitive cases, verdicts are usually determined in advance, and the rights of defendants are routinely violated during investigations and pre-trial procedures, some Chinese lawyers and human rights groups say.

'…rights lawyers face harassment and intimidation on lonely trips to help clients in far-flung courts, prisons and police stations. Ordinary citizens stand little chance against the state.'[120]

12.2.5 The CECC 2022 annual report noted that:

'This past year, lawyers faced additional restrictions that are inconsistent with their ethical duty to loyally advance their clients' interests. In October 2021, the quasi-governmental agency All China Lawyers Association issued provisional regulations with the stated goal of strengthening professional ethics. Without providing a definition, the regulations prohibit lawyers from ''hyping up'' cases by means including publishing open letters, organizing online gatherings, and generating public opinion to affect case handling. Some observers said that the regulations violate lawyers' right to free speech and undermine government accountability, which may lead to wrongful convictions. The regulations further prohibit lawyers from denying the Party's leadership, criticizing national policies, or instigating discontent toward the Party and the government. Provisions requiring lawyers to speak in line with official policies are in conflict with the duty of loyalty that lawyers owe their clients, particularly in administrative litigation where government actions are in dispute.

'…This past year, Chinese authorities continued to persecute rights

[119] BTI, 'BTI 2022 China Country Report: BTI 2022', 23 February 2022
[120] Reuters, 'A human rights lawyer pays the price of standing up to Xi's China', 22 September 2022

advocates and lawyers and undermine lawyers' ability to render legal help, by means including criminal prosecution, license revocation, and physical attack.'[121]

12.2.6 For examples of cases where human rights lawyers have been subjected to criminal prosecution, license revocation and attacks during the year see the 2022 CECC report[122].

12.2.7 The USSD report 2022 noted that:

'The law stipulates detainees be allowed to meet with defense counsel before criminal charges are filed, although lengthy detention without access to lawyers before charges were filed was common. Lawyers reported significant difficulties meeting their clients in detention centers, especially in cases considered politically sensitive.

'…Human rights lawyers reported authorities did not permit them to defend certain clients or threatened them with punishment such as revoking licenses if they chose to do so; defendants in politically sensitive cases frequently found it difficult to find an attorney. Other government tactics to intimidate or otherwise pressure human rights lawyers included unlawful detention, vague "investigations" of legal offices, disbarment, harassment, physical intimidation, and denial of access to evidence and to clients.

'Despite regulations that defense attorneys should be allowed to meet suspects or defendants, lawyers often had no pretrial access to their clients (especially in sensitive cases), had limited time to review evidence, and were not allowed to communicate with defendants during trials. Similarly, criminal defendants were frequently not assigned an attorney until a case was brought to court.'[123]

12.2.8 A July 2023 press release from the Law Society of England and Wales noted

'The continuing erosion of judicial independence and the independence of the legal profession in China remains a worry. Lawyers have been subject to harassment, surveillance, politically motivated prosecutions, unfair trials, arbitrary deprivation of liberty, enforced disappearances and torture – largely due to the types of cases and clients they represent.

'According to the Law Society, when lawyers find themselves detained, they are denied access to effective legal assistance, leaving them vulnerable to human rights abuses. Many lawyers are suspended or disbarred with little justification and pressured to demonstrate their political allegiance to the ruling party.

'The Chinese authorities' intimidation tactics have a chilling effect on human rights and the rule of law. It fosters a climate of fear and insecurity for lawyers carrying out crucial work to speak out against the severe abuse of state powers taking place throughout the country. The Chinese government is not only undermining the independence of the legal profession, but it is also obstructing access to justice and preventing the effective exercise of

[121] CECC, '2022 Annual Report' (pages 135/136), 16 November 2022
[122] CECC, '2022 Annual Report' (pages 136- 138), 16 November 2022
[123] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023

human rights in the country.'[124]

12.2.9 The website 29 Principles, a UK based non-profit organisation that supports lawyers working under authoritarian regimes[125], details human rights lawyers who have been sanctioned/arrested/detained. As of February 2023 the site lists 15 lawyers, legal scholars and advocates who have either been imprisoned or disappeared, 29 lawyers, paralegals and legal scholars have been released from detention and 71 lawyers have been disbarred for human rights work[126]. For more details and further information on those who have been arrested, disbarred, released from detention and legal firms who have shut due to their work on HR issues see List of Oppressed Chinese Human Rights Lawyers[127].

Back to Contents

12.3 Prosecutions

12.3.1 The 2023 Freedom House report stated that:

'Prosecutions rely heavily on confessions, many of which are obtained through torture, despite laws prohibiting such practices. Forced confessions are often televised. An ongoing crackdown on human rights lawyers has left many defendants without effective or independent legal counsel.

'Extrajudicial forms of detention remain widespread. The practice of "residential surveillance in a designated location" allows the police to hold individuals in secret detention for up to six months and has been deployed against human rights defenders and lawyers, and government critics.'[128]

12.3.2 Safeguard Defenders reported in 2022 that: 'In 2021, over 99.97% of criminal trials at first instance resulted in guilty verdicts, a record high since 1980 when data was first recorded. Likewise, the number of not guilty verdicts continued to plummet, to a record breaking low of only 511 last year - this compared with more than 1.715 million judgments made.'[129]

12.3.3 According to a report in the Guardian there has been a system in place since 2016 which encourages defendants to plead guilty in exchange for a more lenient sentence[130].

Back to Contents

Updated 12 December 2023

13. Prison conditions

13.1.1 The DFAT report 2021 noted: 'Prison conditions vary significantly in different parts of the country and depend on local economic conditions. Conditions in prisons are generally better than conditions in detention centres. Those held on sensitive political activity grounds are likely to experience worse

[124] The Law Society 'Systemic persecution of human rights lawyers in China', 18 July 2023
[125] The 29 Principles, 'Who we are', undated
[126] The 29 Principles, 'List of Oppressed Chinese Human Rights Lawyers', updated 22 February 2023
[127] The 29 Principles, 'List of Oppressed Chinese Human Rights Lawyers', updated 22 February 2023
[128] Freedom House, 'China: Freedom in the World 2023', 9 March 2023
[129] Safeguard Defenders, 'China's criminal justice system in the Age of Covid', 8 June 2022
[130] The Guardian, 'Number of people prosecuted in China's courts up 12% in five…', 29 May 2023

treatment than others.'[131]

13.1.2 The 2023 Freedom House report stated that:

'Conditions in places of detention are harsh, with reports of inadequate food, regular beatings, and deprivation of medical care. In addition to their use to extract confessions, torture and other forms of coercion are widely employed in efforts to force political and religious dissidents to recant their beliefs. Impunity is the norm for police brutality and suspicious deaths in custody. Citizens and lawyers who seek redress for such abuse are often meet with reprisals or imprisonment. Many political and religious dissidents have died in prison or shortly after release due to ill-treatment or denial of medical care.'[132]

13.1.3 The USSD report 2022 noted that:

'Although prison authorities abused ordinary prisoners, they reportedly singled out political and religious dissidents for particularly harsh treatment.

'… Conditions in penal institutions for both political prisoners and criminal offenders were generally harsh and often life threatening or degrading.

'… Political prisoners were sometimes held with the general prison population and reported being beaten by other prisoners at the instigation of guards. Some reported being held in the same cells as death row inmates. In some cases authorities did not allow dissidents to receive supplemental food, medicine, or warm clothing from relatives.'[133]

13.1.4 Dui Hua, a non-profit humanitarian organization who focus on criminal justice and treatment of detainees[134], collated information on political prisoners in China using mainly open-source reporting. They reported that as of 30 June 2023 there were 48,205 political prisoners, although this number includes religious practitioners, ethnic minorities and petitioners seeking redress for grievances[135].

13.1.5 The same source note that the top crimes for those detained were as follows[136].

Crime	Number detained
Organizing/using a cult to undermine implementation of the law	2,897
Picking quarrels and provoking troubles	448
Endangering State Security – Splittism; Inciting splittism	432
Endangering State Security – State Secrets; Espionage	235
Endangering State Security – Subversion; Inciting subversion	99

13.1.6 The FCDO 2022 Human Rights and Democracy report noted that: 'Respect

[131] DFAT, 'Country Information Report - China' (para 5.13), 22 December 2021
[132] Freedom House, 'China: Freedom in the World 2023', 9 March 2023
[133] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[134] Dui Hua Foundation 'Who We Are', no date
[135] Dui Hua Foundation, 'Political Prisoner Database', 30 June 2023
[136] Dui Hua Foundation, 'Political Prisoner Database', 30 June 2023

for rule of law remained a significant concern. China continued its widespread use of 'Residential Surveillance in a Designated Location', a form of solitary confinement outside of the formal judicial system that denies individuals access to lawyers, leaving detainees exposed to severe human rights violations.'[137]

Back to Contents

Updated 20 November 2023

14. Sur-place activities

14.1 Overseas in general

14.1.1 Freedom House's report 'Out of Sight, Not Out of Reach', published in February 2021, noted that:

'China conducts the most sophisticated, global, and comprehensive campaign of transnational repression in the world. Efforts by the Chinese Communist Party (CCP) to pressure and control the overseas population of Chinese and members of minority communities are marked by three distinctive characteristics. First, the campaign targets many groups, including multiple ethnic and religious minorities, political dissidents, human rights activists, journalists, and former insiders accused of corruption. Second, it spans the full spectrum of tactics: from direct attacks like renditions, to co-opting other countries to detain and render exiles, to mobility controls, to threats from a distance like digital threats, spyware, and coercion by proxy. Third, the sheer breadth and global scale of the campaign is unparalleled. Freedom House's conservative catalogue of direct, physical attacks since 2014 covers 214 cases originating from China, far more than any other country.

'…Human rights defenders, journalists, and others who criticize the CCP have come under target as well… Chinese journalists, political cartoonists, activists, and the teenage son of a detained rights lawyer who have fled China have been threatened or detained in neighboring countries like Thailand and Myanmar, and in some cases, forcibly returned to the mainland.'[138]

14.1.2 The DFAT report 2021 noted: '… A person that has been active in protests outside of mainland China (including Hong Kong) against the Chinese Government is likely to attract the attention of government, especially if they are high-profile, but interest in a lower-level protester is not impossible.'[139]

14.1.3 In March 2022, The Guardian reported that: 'US prosecutors have accused Chinese government agents of trying to spy on and intimidate dissidents living in the United States.'[140] The LA Times reported that three cases had been filed by federal prosecutors accusing five men of acting on behalf of the Chinese government. The charges against the men include conspiring to act as agents of the Chinese government, conspiring to bribe a federal official in connection with their scheme to obtain the tax returns and conspiracy to

[137] FCDO, 'Human Rights and Democracy Report 2022' (page 53), 13 July 2023
[138] Freedom House, 'Out of sight not out of reach' (page 15 & 19), February 2021
[139] DFAT, 'Country Information Report - China' (para 5.85), 22 December 2021
[140] The Guardian, 'Prosecutors accuse China of campaign to spy on and harass…', 16 March 2022

commit interstate harassment, among other offenses[141].

14.1.4 Radio Free Asia reported in May 2022 that:

'The Chinese Communist Party (CCP)'s law enforcement agencies routinely track, harass, threaten and repatriate people who flee the country, many of them Turkic-speaking Uyghurs, under its SkyNet surveillance program that reaches far beyond China's borders, using a variety of means to have them forcibly repatriated. … China will target ethnic groups like the Uyghurs, but also political dissidents, rights activists, journalists and former officials using its overseas networks.'[142]

14.1.5 The Safeguard Defenders report '110 Overseas: Chinese Transnational Policing Gone Wild', published in September 2022 noted that Chinese police 'service stations' are now present in dozens of nations on five continents and are frequently referred to as '110 Overseas' after the national police emergency phone number. According to papers found by Safeguard Defenders, police in China have utilised these overseas 'service stations' to conduct 'persuasion to return' activities on foreign soil, notably in Europe. While overseas hometown groups frequently offer helpful services to the community, they have now mostly been taken over by the CCP's United Front organisations, which aim to exert more and more control over the Chinese diaspora[143].

14.1.6 A Safeguard Defenders report of January 2022 noted that there are 2 main categories of people who are the targets of China's extraterritorial policing:

'… those suspected of economic crimes or crimes related to their official duties and, second, critics of the CCP, such as rights defenders and other activists. These are often treated differently. For the first group, the objective is to secure their return to China where they can be prosecuted. However, for the second group, the aim is rather more to frighten them into changing their behaviour, usually giving up their activism. The line between the two can often be blurred, as China usually presents such returns, or other forms of transnational repression, as related to economic crimes.'[144]

14.1.7 The USSD report 2022 reported that:

'The government and its agents engaged in acts to intimidate or exact reprisals against individuals outside of China, including against Uyghurs, dissidents, and foreign journalists.

'During the year [2022] multiple sources reported on attempts to suppress media and expression critical of the PRC regardless of language or location with threats and harassment.

'…There were credible reports the PRC attempted to misuse international law enforcement tools for politically motivated purposes as a reprisal against specific individuals located outside the country.

'…The government restricted the expression of views it found objectionable, even when those expressions occurred abroad. Online, the government

[141] LA Times, 'Chinese spies plotted to stalked Olympic skater, feds say', 18 March 2022
[142] RFA 'China casts its 'SkyNet' far and wide, pursuing tens of thousands who flee…', 4 May 2022
[143] Safeguard Defenders, '110 Overseas' (pages 3,5 & 11), 12 September 2022
[144] Safeguard Defenders, 'INvoluntary Returns' (page 21), 18 January 2022

expanded attempts to control the global dissemination of information while also exporting its methods of electronic information control to other nations' governments.'[145]

Back to Contents

14.2 UK

14.2.1 According to the most recent census, in 2011, the England and Wales British Chinese population numbered approximately 390,000[146].

14.2.2 In October 2022 multiple news agencies reported that a Hong Kong pro-democracy protester had been pulled into Chinese consulate grounds in Manchester and beaten up. The protestor, was one of several who were displaying banners mocking the Chinese Communist Party and President Xi Jinping, had previously fled Hong Kong and is in the UK on a British national (overseas) visa[147] [148] [149]. Following the incident the UK requested that 6 Chinese officials waived their right to diplomatic immunity to allow police to interview them. However, in December 2022 China removed the 6 officials from the UK[150] [151] [152].

14.2.3 On 11 July 2023 several news sites reported that Hong Kong campaigners had alleged that China sent a spy to infiltrate a UK House of Commons invitation-only briefing by Hong Kong dissidents Finn Lau and Christopher Mung. The Chinese man allegedly tried to gain access to the briefing, claiming to be a tourist on an official tour. He gave a name not on the list and refused to state who he was representing, reports state that he left after a brief stand off[153] [154] [155] . The 2 Hong Kong dissidents Finn Lau and Christopher Mung are wanted by the Beijing-controlled Hong Kong police who, on 5 July 2023 announced that £100,000 would be given for information leading their arrests, with Hong Kong's leader John Lee saying that they would be pursued for life[156] [157].

Back to Contents

[145] USSD, '2022 Country Reports on Human Rights Practises- China', 20 March 2023
[146] UK Government Race Disparity Unit, 'Chinese ethnic group', 27 January 2020
[147] BBC News, 'Hong Kong protester dragged into Manchester Chinese …', 17 October 2022
[148] The Guardian, 'Protester condemns 'barbaric' attack in Manchester outside…', 19 October 2022
[149] HKFP, 'Hong Kong victim slams 'barbaric' attack at China's consulate in…', 20 October 2022
[150] HKFP, 'China removes 6 diplomats from UK after attack on Hong Kong…', 14 December 2022
[151] BBC News, 'China diplomats leave UK over Manchester protester attack', 14 December 2022
[152] Reuters, 'China removes six officials after Manchester consulate incident …', 14 December 2022
[153] The Daily Mail, 'China sends a 'spy' disguised as a tourist to infiltrate HoC briefing…', 11 July 2023
[154] Metro News, 'China sends 'spy disguised as tourist' to infiltrate Parliament', 12 July 2023
[155] The Express, 'China sends spy 'disguised as tourist' to infiltrate key meeting in…', 12 July 2023
[156] The Independent, 'Hong Kong activists with arrest warrants demand meeting…', 6 July 2023
[157] iNews 'UK urged to ban judges from working in Hong Kong after dissidents hit with…', 6 July 2023

Annex A: Table on collective action in public spaces and online dissent

The below table gives details on 'collective action in public spaces and cases of online dissent' taken from the Freedom House 'China Dissent Monitor'[158].

Mode, number of posts, Website and interactions with post	Issue	Repression type
Hashtag movement 100,000+ posts on Weibo 100,000,000+ interactions	Fund withdrawal/freeze- Weibo users protesting against banks for halting withdrawals	Censorship 2 of the most popular hashtags were completely censored
Popular post, 1 Post which appeared on Douyin, Kuaishou and WeChat 10,000,000+ interactions	Poverty- An Internet user posted a video online of an ethnic Yi wedding. The videos focus was local customs but also depicted poverty which the government felt was inconsistent with their messaging about poverty alleviation success.	Censorship, intimidation, interrogation The poster was contacted by local communist and party officials in a joint call. The police also visited and interrogated him and the video was deleted from several sites.
Popular post, 1 post which appeared on Douyin	Corruption- A user published a video on Douyin using their real ID and accusing a police officer of the Xiushui Police Station of involvement in a "protection racket".	Arrest/detention Police administratively detained the user for 10 days for "public insult" and "false defamation"
Commemoration, individual post, 1 post which appeared on WeChat	State violence- Ludong University graduate who had previously conducted sign protests espousing human rights, posted the Chinese characters for "8964" in WeChat.	Arrest/detention The graduate was arrested

[158] Freedom House 'China Dissent Monitor', May 2022- September 2023

Mode, number of posts, Website and interactions with post	Issue	Repression type
Cyber protest, 10-99 posts which appeared on Weibo 100+ interactions	State violence- Weibo users posted 'It's my duty' to secretly commemorate the June fourth incident online.	Censorship The posts and those using similar wording were deleted.
Hashtag movement, 10,000+ posts which appeared on Weibo 100,000,000+ interactions	Fraud, state violence, corruption- Citizens across the country used their real names to issue public complaints, describing injustices, and demanding remedy. Many participants in this hashtag movement accused officials of dereliction or abuse of power, but some also directed their complaints at corporate fraud.	Arrest/detention At least one participant in the online movement was detained for "picking quarrels and provoking trouble".
Popular post performance art, 1 post 1,000,000+ interactions	Covid 19 policies- A Shanghai cinematographer randomly combined 600 commonly used Chinese propaganda phrases into some meaningless words and sentences. He posted a video online of a recording of these words being played on the street expressing his dissatisfaction with the epidemic prevention policy.	Censorship The video was viewed more than1.3 million times before it was deleted
Hashtag movement, 100,000+ posts which appeared on Weibo 1,000,000,000+ interactions	Covid 19 policies- Hundreds of netizens discussed an incident where a woman and her father were detained for resisting police efforts to prevent them from going to the hospital. Users were critical of the authorities' implementation of covid measures in this case and sympathized with the woman and her father.	Censorship The comment section of one related post with more than 15,000 comments was apparently disabled.
Popular post, 1 post which appeared on WeChat	Corruption- A driver published WeChat posts criticizing local traffic police after receiving a fine.	Arrest/detention The driver was placed in administrative detention for 5 days after determining that he had "insulted police online".

Mode, number of posts, Website and interactions with post	Issue	Repression type
Individual post on WeChat		Arrest/detention A Pro-democracy dissident was detained by police on suspicion of "picking quarrels and provoking trouble" for "spreading news from overseas that is not verified by the government and making insulting remarks about the party and the leader" on WeChat. He was later arrested and detained by the procuratorate.
Popular post, 1 post which appeared on Douyin	Land rights- A resident in a village within Sanjia Town posted videos accusing the police of interfering in a land dispute and helping the village party secretary seize villager land.	Arrest/detention Dongfang police administratively detained him for 7 days
1 post on Weibo	Xuan Kejiong, a well-known reporter, posted a poem on Weibo about the cicada, which sparked suspicion that it was a veiled criticism of Xi Jinping.	Censorship Although Xuan deleted the post himself, his Weibo account was still suspended, and he was reportedly scolded by his employer. All discussions of the poem were censored.
Collective petitioning	Covid 19 policies- A Shanghai resident initiated the "Shanghai Citizens' Petition" during the lockdown, calling on the government to stop the Zero-Covid policy and compensate citizens.	Arrest/detention He was arrested on suspicion of picking quarrels and provoking trouble.

Mode, number of posts, Website and interactions with post	Issue	Repression type
Popular post, joint letter, 1 post which appeared on WeChat	Political change- Three long-time Communist Party members over the age of 70 jointly signed an open letter and posted it on WeChat. It called on the Party to revise its rules, remove the principle of "the Party leads everything", and prohibit leading cadres from cults of personality.	Intimidation, monitoring The signatories were subsequently intimidated and monitored by police and state security personnel.
Popular post, joint letter	Covid 19 policies- After infection cases were found at Wudang Lewan International Experimental School, more than 2,000 students were isolated in the dormitory and required to do Covid-19 test every day. Students sent out a SOS letter via social media.	Censorship The letter appears to have been censored and blocked.
Individual post, 1 post which appeared on Weibo	Covid 19 policies- A Weibo user wrote a post to express grief and criticism of strict pandemic prevention measures after multiple Lhasa residents jumped to their deaths following more than 45 days of lockdown	Censorship The post was later deleted.
Individual post, 1 post which appeared on Weibo	Covid 19 policies- A Tibetan man in Lhasa published a Weibo post criticizing the pandemic lockdown for causing a person to jump to their death.	Arrest/detention Police subsequently arrested him, forcing him to record a video confessing that his speech was an "illegal act".
Individual post, art/performing, 1 post which appeared on Kuaishou	Freedom of belief Five Tibetan men, including the singer Derab, performed a song celebrating the Dalai Lama for a music contest on Kuaishou.	Arrest, detention, censorship The video was censored and police detained the men.
Individual post, 1 post which appeared on WeChat	Political change- The dissident Xu Kun in Kunming expressed his support for the Sitong Bridge protester on WeChat	Arrest/detention He was taken away for questioning by the police the same day.

Mode, number of posts, Website and interactions with post	Issue	Repression type
Individual post, 1 Post which appeared on WeChat	Political change- Wang Wei, one of the founders of the "Coalition of Shenzhen Citizens", expressed his support for the Sitong Bridge protester on WeChat.	Arrest/detention Detained by the Luyi County Public Security Bureau
Art/performing	Censorship- Students at Communication University of China in Nanjing composed a song to support the protests of A4 Movement happening across China.	Censorship
Hashtag movement, 1,000+ posts which appeared on Weibo 1,000,000 interactions	Covid 19 policies pay and benefits- Following the lifting of the zero covid policy those seeking medical treatment increased. Medical students in many cities who were undergoing standardized training were dissatisfied that the school did not provide appropriate protective measures, did not pay reasonable salaries, and prohibited them from returning to their hometowns. Numerous posts with the hashtag "Medical Master's" (as in Master's degree) appeared on Weibo in solidarity with them.	Censorship The hashtag and related posts were later censored or deactivated.
Individual post on WeChat	Censorship- Nankai University lecturer Wu Yannan was warned by the school for supporting students who protested after the Urumqi fire but refused to delete her public messages as demanded by the university.	Psychiatric hospitalization She was forcibly sent to a psychiatric hospital. Wu later admitted to having psychological symptoms such as delusions a few days earlier.
Popular post Douyin 100,000+ interactions	Sexual harassment A female college student in Yantai City complained about sexual harassment by a male classmate. The school counsellor blamed the female student for the incident. Intense discussions on victim-blaming occurred online.	Censorship

Mode, number of posts, Website and interactions with post	Issue	Repression type
Individual post on Weibo	Sexual harassment A student in Hangzhou City accused her teacher of sexually harassing her through WeChat, causing her to suffer psychological trauma. The University responded to the public confirming the teacher had been inappropriate and they would apply punishments to him.	Censorship
Individual post on Weibo	Sexual assault A young university teacher reported that the dean of her school sexually assaulted her. The school issued a statement that it would investigate the case.	Censorship
Individual post on Weibo	Freedom of belief A lawyer posted stating they were obstructed him from meeting their client	Censorship
Individual post on Weibo	Freedom of belief The Linfen Mission Covenant Church issued a statement on Weibo in response to large-scale arrests of their church members as well as the Linfen City Procuratorate's review and prosecution of its members.	Censorship The statement originally posted on Weibo was censored by the government afterward.
Individual post	School policy Students accused Shenyang Urban Construction College of falsely enrolling students. When enrolling students, the College said they offered a full-time college degree, but four years later, students only received an adult education certificate.	Censorship Students were forced to delete their posts revealing the scandals on Douyin.
Popular post on Douyin	Land rights A citizen in Anhui province posted on Douyin to reveal her experience of forcible demolition.	Arrest/detention They were arrested on the charge of picking quarrels and provoking trouble.

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information – Training Manual, 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

Back to Contents

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the country information.

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Political system
    - Political structure
    - Political parties
    - Elections
- Illegal political parties
    - General
- Opposition and human rights activists
    - Opposition groups
    - Ability to protest
    - Protest movement
    - Land disputes
    - Human rights lawyers
    - Treatment by the state
    - Monitoring of activists
    - Monitoring of overseas activity
- Traditional media and journalists
    - Media outlets
    - Press freedom and censorship
    - Treatment by the state
- Internet social media and bloggers
    - Access to the internet
    - Social networking sites
    - Bloggers and online activists
    - Censorship
    - State treatment of bloggers/online activists
    - Monitoring
- Treatment of family members of political/perceived activists
- Relevant possible criminal sanctions

    - Constitution
    - Penal code
    - Law on cybersecurity
- Arrests, detention and imprisonment
    - General police effectiveness
    - Arrests of political activists
    - Prosecutions
    - Political/opposition prisoners
    - Treatment in detention of political/opposition prisoners
- Judiciary
    - Access to justice and a fair trial
    - Lawyers
    - Human rights lawyers

Back to Contents

Bibliography

Sources cited

Armed Conflict Location & Event Data Project (ACLED),

'About ACLED', undated, no date. Last accessed 21 November 2023

'ACLED Codebook' (page 1), no date. Last accessed: 21 November 2023

'ACLED Dashboard'. Last accessed 21 November 2023

Australian Government, Department of Foreign Affairs and Trade (DFAT), 'Country Information Report - China', 22 December 2021. Last accessed: 20 November 2023

BBC News,

'How China is ruled', undated. Last accessed: 20 November 2023

'Hong Kong protester dragged into Manchester Chinese consulate grounds and beaten up', 17 October 2022. Last accessed: 22 May 2023

'China Xinjiang: Ten dead in Urumqi residential block fire', 25 November 2022. Last accessed: 21 August 2023

'China diplomats leave UK over Manchester protester attack', 14 December 2022. Last accessed: 22 May 2023

Bertelsmann Stiftung (BTI), 'BTI 2022 China Country Report', 23 February 2022. Last accessed: 15 May 2023

Central Intelligence Agency (CIA), World Factbook, 'China', updated 14 November 2023. Last accessed: 22 November 2023

China Law Translate, 'Criminal Law (2021 edition)'. Last accessed: 12 December 2023

Committee to Protect Journalists (CPJ),

'Explore CPJ's database of attacks on the press', 1 December 2022. Last accessed: 22 November 2023

'FAQs on CPJ data', undated. Last accessed: 5 June 2023

Congressional Executive Commission on China (CECC),

'About', undated. Last accessed: 31 May 2023

'2022 Annual Report', 16 November 2022. Last accessed: 16 May 2023

The Daily Mail, 'China sends a 'spy' disguised as a tourist to infiltrate HoC briefing by Hong Kong dissidents', 11 July 2023. Last accessed: 22 November 2023

Dui Hua Foundation,

'Who We Are', undated, Last accessed: 7 June 2023

'Political Prisoner Database', 31 March 2023. Last accessed: 7 June 2023

The Economist, 'China throws the book at two prominent human-rights lawyers', 13 April 2023. Last accessed: 2 2023

The Express, 'China sends spy 'disguised as tourist' to infiltrate key meeting in heart of Commons', 12 July 2023. Last accessed: 12 July 2023

Freedom House,

'Out of sight not out of reach', February 2021. Last accessed: 26 July 2023

'China: Freedom in the World 2023' 9 March 2023. Last accessed: 13 November 2023

'Freedom on the Net 2023', 3 October 2023. Last accessed: 20 November 2023

'About China Dissent Monitor', undated. Last accessed: 22 November 2023

'China Dissent Monitor', May 2022- September 2023. Last accessed: 22 November 2023

GreatFire, 'Online Censorship In China' undated. Last accessed: 16 May 2023

The Guardian,

'Prosecutors accuse China of campaign to spy on and harass dissidents in US', 16 March 2022. Last accessed: 22 May 2023

'Protester condemns 'barbaric' attack in Manchester outside China consulate', 19 October 2022. Last accessed: 22 May 2023

'Number of people prosecuted in China's courts up 12% in five years, report shows', 29 May 2023. Last accessed: 7 June 2023

Hong Kong Free Press (HKFP),

'Hong Kong victim slams 'barbaric' attack at China's consulate in Manchester', 20 October 2022. Last accessed: 22 May 2023

'China removes 6 diplomats from UK after attack on Hong Kong protester at Manchester consulate', 14 December 2022. Last accessed: 22 May 2023

'China jails two prominent human rights lawyers for over ten years', 10 April 2023. Last accessed: 25 July 2023

Human Rights Watch, 'China: Secret "Black Jails" Hide Severe Rights Abuses', 11 November 2009. Last accessed: 31 May 2023

The Independent, 'Hong Kong activists with arrest warrants demand meeting with Cleverly', 6 July 2023. Last accessed: 12 July 2023

iNews 'UK urged to ban judges from working in Hong Kong after dissidents hit with bounty for arrest', 6 July 2023. Last accessed: 12 July 2023

LA Times, 'Chinese spies plotted to stalked Olympic skater, feds say', 18 March 2022. Last accessed: 31 May 2023

The Law Society 'Systemic persecution of human rights lawyers in China', 18 July 2023. Last accessed: 25 July 2023

Metro News, 'China sends 'spy disguised as tourist' to infiltrate Parliament', 12 July 2023. Last accessed: 12 July 2023

The National People's Congress of the Peoples Republic of China, 'Constitution', Last accessed: 15 May 2023

The New York Times, 'A Hong Kong Newspaper on a Mission to Promote China's Soft Power', 31 March 2018. Last accessed: 13 November 2023

Quartz, 'China seeks full news monopoly by banning private capital in media', 11 October 2021. Last accessed: 12 December 2023

UK Government, Foreign and Commonwealth Development Office (FCDO), 'Human Rights and Democracy Report 2022', 13 July 2023. Last accessed: 12 December 2023

UK Government Race Disparity Unit, 'Chinese ethnic group', 27 January 2020. Last accessed: 20 November 2023

UN Office for High Commissioner for Human Rights (OHCHR),

'China: Human rights defenders given long jail terms, tortured – UN expert', 28 June 2021. Last accessed: 18 July 2023

Committee on Economic, Social and Cultural Rights 'Concluding observations on the third periodic report of China, including Hong Kong, China, and Macao, China', 22 March 2023. Last accessed: 18 July 2023

Radio Free Asia (RFA)

'China casts its 'SkyNet' far and wide, pursuing tens of thousands who flee overseas', 4 May 2022. Last accessed: 23 May 2023

'China pulls plug on social media accounts of people who just got out of jail', 24 January 2023. Last accessed: 18 July 2023

Reporters Without Borders (RSF),

'China', 3 May 2023. Last accessed: 5 June 2023

'Methodology used for compiling the World Press Freedom Index 2023', 3 May 2023. Last accessed: 5 June 2023

Reuters,

'A human rights lawyer pays the price of standing up to Xi's China', 22 September 2022. Last accessed: 18 July 2023

'China removes six officials after Manchester consulate incident, UK says', 14 December 2022. Last accessed: 22 May 2023

Safeguard Defenders,

'about us', undated. Last accessed: 6 June 2023

'INvoluntary Returns', 18 January 2022. Last accessed: 23 May 2023

'China's criminal justice system in the Age of Covid', 8 June 2022. Last accessed: 18 July 2023

'Drugged and Detained', August 2022. Last accessed: 17 July 2023

'110 Overseas: Chinese Transnational Policing Gone Wild', 12 September 2022. Last accessed: 26 July 2023

'Trapped - China's Expanding Use of Exit Bans', 1 May 2023. Last accessed: 23 May 2023

South China Morning Post (SCMP), 'Are there other political parties in China?', 11 June 2021. Last accessed: 24 July 2023

The 29 Principles,

'Who we are', undated. Last accessed: 25 July 2023

'List of Oppressed Chinese Human Rights Lawyers', updated 22 February 2023. Last accessed: 25 July 2023

US Department of State (USSD), '2022 Country Reports on Human Rights Practises- China', 20 March 2023. Last accessed: 21 November 2023

Voice of America (VOA) News, 'Two Prominent Chinese Rights Activists Jailed for Over a Decade', 10 April 2023. Last accessed: 18 July 2023

The Washington Post, 'Anti-Xi protest in Beijing on Sitong bridge shocks China', 14 October 2022. Last accessed: 21 August 2023

Back to Contents

Sources consulted but not cited

Amnesty International, 'Death sentences and executions 2022', 16 May 2023. Last accessed: 13 November 2023

Asia Society Policy Institute, 'Understanding the Black Box of Chinese Politics', undated. Last accessed: 25 July 2023

Australian Government Department of Foreign Affairs and Trade (DFAT), 'Statement on sentencing of Xu Zhiyong and Ding Jiaxi', 11 April 2023. Last accessed: 25 July 2023

Carnegie Endowment for International Peace, 'Is Democratic Opposition to China's Repression in Xinjiang Getting Stronger?', 31 March 2021. Last accessed: 25 July 2023

Center For Strategic International Studies, 'Public Opinion in China: A Liberal Silent Majority?', 9 February 2022. Last accessed: 25 July 2023

China Aid, 'New Citizens' Movement Founders sentenced over a decade for subversion', 10 April 2023. Last accessed: 18 July 2023

China Change 'The Citizens Movement', 21 June 2022. Last accessed: 25 July 2023

Chinese Human Rights Defenders (CHRD) "Persisting in Resisting" -Annual Report on the Situation of Human Rights Defenders in China (2022)', 15 March 2023. Last accessed: 18 July 2023

China Justice Observer, 'How Many Crimes Are Punishable by Death in China', 23 November 2020. Last accessed: 13 November 2023

Council on Foreign Relations (CFR), 'The Chinese Communist Party', Last updated 6 October 2022. Last accessed: 24 July 2023

The Guardian, 'China jails two leading human rights lawyers after closed-door trial', 10 April 2023. Last accessed: 18 July 2023

International Service for Human Rights (ISHR), 'China- End disappearances of human rights activists, say UN experts', 23 March 2020. Last accessed: 18 July 2023

OMCT, 'China: Acts of torture against human rights lawyer Chang', 17 September 2021. Last accessed: 18 July 2023

PBS News hour, 'China scrutinized for secret police watching and intimidating Chinese dissidents abroad',18 May 2023. Last accessed: 26 July 2023

Politico, 'China arrests human rights activists en route to EU embassy in Beijing', 14 April 2023. Last accessed: 18 July 2023

Safeguard Defenders, 'China announces expansion of Sky Net and long-arm policing', 28 March 2022. Last accessed: 23 May 2023

Sky News, 'Chinese consulate violence: Police identify 'number of offences' during Manchester demonstration', 21 November 2022. Last accessed: 22 May 2022

The State Council Information Office- The Peoples Republic of China 'China's Law-Based Cyberspace Governance in the New Era', 16 March 2023. Last accessed: 19 July 2023

Tibetan Centre for Human Rights and Democracy (TCHRD), 'Tibetan Political Prisoner Database', undated. Last accessed: 6 June 2023

Times of India, 'China hunts dissidents abroad with global network of spies: Report', 19 July 2022. Last accessed: 26 July 2023

Voice of America (VOA), 'UK Expects Waiver of Chinese Consul's Diplomatic Immunity in Dragging Incident', 21 October 2022. Last accessed: 22 May 2023

World coalition against the death penalty, 'China Death Penalty 2022', 15 February 2022. Last accessed: 13 November 2023

Back to Contents

Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **4.0**
- valid from **14 December 2023**

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: Not for disclosure – End of section

Back to Contents

Changes from last version of this note

Update to country information

Back to Contents

Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

Back to Contents

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website.

Back to Contents