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Country Report on Human Rights Practices 2019 - China

Executive Summary

The People’s Republic of China (PRC) is an authoritarian state in which the Chinese Communist Party (CCP) is the paramount authority. CCP members hold almost all top government and security apparatus positions. Ultimate authority rests with the CCP Central Committee’s 25-member Political Bureau (Politburo) and its seven-member Standing Committee. Xi Jinping continued to hold the three most powerful positions as CCP general secretary, state president, and chairman of the Central Military Commission.

The main domestic security agencies include the Ministry of State Security, the Ministry of Public Security, and the People’s Armed Police. The People’s Armed Police continue to be under the dual authority of the Central Committee of the CCP and the Central Military Commission. The People’s Liberation Army is primarily responsible for external security but also has some domestic security responsibilities. Local jurisdictions also frequently use civilian municipal security forces, known as “urban management” officials, to enforce administrative measures. Civilian authorities maintained effective control of the security forces.

During the year the government continued its campaign of mass detention of members of Muslim minority groups in the Xinjiang Uighur Autonomous Region (Xinjiang). Authorities were reported to have arbitrarily detained more than one million Uighurs, ethnic Kazakhs, Kyrgyz, and other Muslims in extrajudicial internment camps designed to erase religious and ethnic identities. Chinese government officials justified the camps under the pretense of combating terrorism, separatism, and extremism. International media, human rights organizations, and former detainees reported security officials in the camps abused, tortured, and killed detainees. Government documents, as published by international media, corroborated the coercive nature of the campaign and its impact on members of Muslim minority groups in Xinjiang and abroad.

Significant human rights issues included: arbitrary or unlawful killings by the government; forced disappearances by the government; torture by the government; arbitrary detention by the government; harsh and life-threatening prison and detention conditions; political prisoners; arbitrary interference with privacy; substantial problems with the independence of the judiciary; physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others as well as their

family members; censorship and site blocking; interference with the rights of peaceful assembly and freedom of association, including overly restrictive laws that apply to foreign and domestic nongovernmental organizations (NGOs); severe restrictions of religious freedom; substantial restrictions on freedom of movement (for travel within the country and overseas); refoulement of asylum seekers to North Korea, where they have a well-founded fear of persecution; the inability of citizens to choose their government; corruption; a coercive birth-limitation policy that in some cases included forced sterilization or abortions; trafficking in persons; and severe restrictions on labor rights, including a ban on workers organizing or joining unions of their own choosing; and child labor.

Official repression of the freedoms of speech, religion, movement, association, and assembly of Tibetans in the Tibet Autonomous Region (TAR) and other Tibetan areas, and of predominantly Uighurs and other ethnic and religious minorities in Xinjiang, was more severe than in other areas of the country. Such repression, however, occurred throughout the country, as exemplified by the case of Pastor Wang Yi, the leader of the Early Rain Church, who was charged and convicted of “inciting subversion of state power” in an unannounced, closed-door trial with no defense lawyer present. Authorities sentenced him to nine years in prison.

The CCP continued to dominate the judiciary and controlled the appointment of all judges and in certain cases directly dictated the court’s ruling. Authorities harassed, detained, and arrested citizens who promoted independent efforts to combat abuses of power.

In the absence of reliable data, it was difficult to ascertain the full extent of impunity for the domestic security apparatus. Authorities often announced investigations following cases of reported killings by police. It remained unclear, however, whether these investigations resulted in findings of police malfeasance or disciplinary action.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports that the government or its agents committed arbitrary or unlawful killings. In many instances few or no details were available.

In Xinjiang there were reports of custodial deaths related to detentions in the internment camps. In October Radio Free Asia (RFA) reported that “at least 150 people” died in a six-month period while detained at one of four internment camps in Kuchar (Chinese: Kuche), Aksu (Akesu) Prefecture.

In June 2018 Aytursun Eli died in Kashgar (Kashi), Xinjiang, while being questioned in official custody, according to a recorded interview, released during the year, which her mother gave to the official Xinjiang Women’s Federation. Authorities reportedly targeted

the Uighur tour director at Hua An Tourism Company after she returned from a work trip to Dubai. Officials later said she died of a “medical condition” and prevented family members from examining the body.

Although legal reforms in recent years decreased the use of the death penalty and improved the review process, authorities executed some defendants in criminal proceedings following convictions that lacked due process and adequate channels for appeal. Official figures on executions were classified as a state secret. According to the U.S.-based Dui Hua Foundation, the number of executions stabilized after years of decline following the reform of the capital punishment system initiated in 2007. Dui Hua reported an increase in the number of executions for bosses of criminal gangs and individuals convicted of “terrorism” in Xinjiang likely offset the drop in the number of other executions.

b. Disappearance

There were multiple reports authorities detained individuals and held them at undisclosed locations for extended periods.

The government conducted mass arbitrary detention of Uighurs, ethnic Kazakhs, Kyrgyz, and other Muslims in Xinjiang. China Human Rights Defenders reported these detentions amounted to enforced disappearance, since families were often not provided information about the length or location of the detention.

After disappearing in November 2018 following a trip to Xinjiang to lead a photography workshop, award-winning documentary photographer Lu Guang appeared to have been released to his hometown in Zhejiang a “few months” before September, according to his wife. Although Lu was a legal resident of the United States, he was believed to be under “residential surveillance” and restricted from leaving China.

The Uyghur Human Rights Project published a report in January detailing the forced disappearance, imprisonment, and internment of 338 Uighur intellectuals. Many were prominent Uighur scholars and cultural icons. Sanubar Tursun, a singer, was reported disappeared. Qurban Mahmut, a magazine editor who encouraged works on Uighur culture and history, disappeared into an internment camp. Five intellectuals identified in the report died while interned in a camp or shortly after release. This included 40-year-old Mutellip Nurmehmet, who died nine days after his release from an internment camp. Media also reported that prominent Uighur writer Nurmammed Tohti suffered a heart attack during his 70-day detention in an internment camp and died shortly after being released. Camp doctors reportedly ignored his health conditions, and when authorities returned his body home on June 3, his legs were still chained.

According to a December 2019 report, Iminjan Seydin, a professor of Chinese history at the Xinjiang Islamic Institute and founder of the Imin Book Publishing Company who disappeared in May 2017, was tried in May 2019 in a closed-door hearing. A family member stated she learned of the trial months later, in September.

The exact whereabouts of Aikebaier Aisaiti, a Uighur journalist and entrepreneur, remained unknown. He was reportedly detained in Xinjiang in 2016 after participating in a program in the United States and subsequently sentenced to up to 15 years in prison.

Lawyer Wang Quanzhang was transferred in April from the Tianjin Detention Center to a prison in Linyi, Shandong, after his closed-session sentencing in January, which followed his December 2018 closed-court trial and conviction on charges of “subverting state power.” Wang had been held in incommunicado detention since 2015 when he was detained in the “709” nationwide roundup of more than 300 human rights lawyers and legal associates. He was first allowed to see his wife and son on June 28, after nearly four years of detention. His wife told media he appeared “lethargic” and was in poor physical and mental health. She continued to see him once a month, the maximum prison authorities allowed.

In February relatives of detained labor activist Fu Changguo, an employee at the labor organization Dagongzhe, reported they could no longer determine Fu’s whereabouts. Shenzhen’s Second Detention Center, which was previously believed to be in custody of Fu, informed the family in early February that Fu was not on their detainee list. Earlier, in December 2018, the Pingshan District Police Station denied his family’s application for bail, claiming Fu might “destroy or fabricate evidence, and disrupt or conspire to falsify witness statements.” Fu was among more than 50 individuals detained, disappeared, or placed under house arrest between July 2018 and January after being accused of participating in or aiding the labor movement against Shenzhen’s Jasic Technology, a manufacturer of industrial welding equipment (see section 7).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits the physical abuse and mistreatment of detainees and forbids prison guards from coercing confessions, insulting prisoners’ dignity, and beating or encouraging others to beat prisoners. Amendments to the criminal procedure law exclude evidence obtained through illegal means, including coerced confessions, in certain categories of criminal cases. Enforcement of these legal protections continued to be lax.

Numerous former prisoners and detainees reported they were beaten, raped, subjected to electric shock, forced to sit on stools for hours on end, hung by the wrists, deprived of sleep, force fed, forced to take medication against their will, and otherwise subjected to physical and psychological abuse. Although prison authorities abused ordinary prisoners, they reportedly singled out political and religious dissidents for particularly harsh treatment.

Chen Yunfei, who was released from prison in Sichuan in March, reported that during his four-year imprisonment for sweeping the tombs of victims of the 1989 Tiananmen demonstrations, prison guards forced him to maintain stress positions for extended periods of time and held him in solitary confinement in a dark room for several months.

The guards also reportedly beat him and ordered other prisoners to beat him as well. After one such beating, Chen was hospitalized for 40 days. During his incarceration he was denied contact with family or friends.

According to China Human Rights Defenders, Fujian rights advocate lawyer Ji Sizun died on July 10 in the Zhangzhou Xiangcheng Intensive Care Unit (ICU) after his April 26 release from prison, where he was deprived of adequate medical care. During his imprisonment he suffered from strokes and various other diseases that resulted in his paralysis. Authorities allowed his family to visit him for the first time in the ICU on May 6. Ji was malnourished, intubated, unable to eat except through a tube, and could recognize only two of his three sisters. Four security guards were deployed at the ICU, which admitted only one visitor at a time for 15 minutes each. Individuals with knowledge of the case said authorities pressured Ji's family to sign a power of attorney, empowering authorities to immediately cremate his body after death.

In September media outlets reported the custodial death of prodemocracy activist Wang Meiyu. Wang was detained in July after he held up a placard outside Hengyang Normal University in Hunan calling for Chairman Xi Jinping's resignation and for democratic elections in the country. On September 23, police called Wang's wife, Cao Shuxia, saying Wang had died suddenly in a military hospital in Hengyang, where he was detained. Cao said Wang's body was “unrecognizable” when she went to identify it: He was bleeding from his eyes, mouth, ears and nose, and there were bruises on his face. His wife said Wang was a “healthy, normal man” when he was taken into custody. Police did not offer any explanation of the cause of death. Wang's lawyers learned he was moved from a large cell with many other inmates to solitary confinement. Wang's mother said she was offered compensation of 2.98 million yuan (\$420,000). Wang and Cao lost their jobs due to his activism. Cao and her two children were reportedly under house arrest after his death.

Wu Gan, a Chinese blogger and human rights activist, received an eight-year prison sentence on a charge of “subverting state power” from a Tianjin court in 2017, after 952 days in preventive detention. On March 4, Wu's father visited him in Fujian's Qingliu Prison. According to Wu's father, Wu reported sustaining multiple injuries while in police custody in Tianjin and Beijing, which resulted in a heart attack, chronic pain, and a paralyzed hand.

Members of the minority Uighur ethnic group reported systematic torture and other degrading treatment by law enforcement officers and officials working within the penal system and the internment camps. Survivors stated that authorities subjected individuals in custody to electric shock, waterboarding, beatings, rape, stress positions, injection of unknown substances, and cold cells (see section 6, National/Racial/Ethnic Minorities).

There was no direct evidence of an involuntary or prisoner-based organ transplant system. Nevertheless, some activists and organizations continued to accuse the government of involuntarily harvesting organs from prisoners of conscience, especially members of Falun Gong. The PRC government denied the claims, stating it had officially ended the long-standing practice of harvesting the organs of executed prisoners for use

in transplants in 2015. One Australian National University study of PRC official statistics of organ donations said there was “highly compelling evidence” based on statistical forensics that the data was “falsified.” Furthermore, the research paper argued that the government’s organ transplant program involved donations from “nonvoluntary donors who are marked down as ‘citizen donors.’” In June the nongovernmental Independent Tribunal into Forced Organ Harvesting of Prisoners of Conscience in China released a report which found “direct and indirect evidence of forced organ harvesting” in China, citing “extraordinarily short waiting times” and “massive infrastructure development of facilities and medical personnel for organ transplant operations.” Some Xinjiang internment camp survivors reported healthy young men would be spared the physical abuse that other detainees suffered and given health screenings including DNA samples before disappearing, raising these survivors’ concerns that organ harvesting from detainees was taking place in the camps.

The treatment and abuse of detainees under the *liuzhi* detention system, which operates outside the judicial system but is a legal tool for the government to investigate corruption, featured custodial treatment such as extended solitary confinement, sleep deprivation, beatings, and forced standing or sitting in uncomfortable positions for hours and sometimes days, according to press reports (see section 4).

The law states psychiatric treatment and hospitalization should be “on a voluntary basis,” but the law also allows authorities and family members to commit persons to psychiatric facilities against their will and fails to provide meaningful legal protections for persons sent to psychiatric facilities. The law does not provide for the right to a lawyer and restricts a person’s right to communicate with those outside the psychiatric institution.

Prison and Detention Center Conditions

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

Physical Conditions: Authorities regularly held prisoners and detainees in overcrowded conditions with poor sanitation. Food often was inadequate and of poor quality, and many detainees relied on supplemental food, medicines, and warm clothing provided by relatives when allowed to receive them. Prisoners often reported sleeping on the floor because there were no beds or bedding. In many cases provisions for sanitation, ventilation, heating, lighting, and access to potable water were inadequate.

Adequate, timely medical care for prisoners remained a serious problem, despite official assurances prisoners have the right to prompt medical treatment. Prison authorities at times withheld medical treatment from political prisoners.

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, and warm clothing from relatives.

Conditions in administrative detention facilities were similar to those in prisons. Deaths from beatings occurred in administrative detention facilities. Detainees reported beatings, sexual assaults, lack of proper food, and limited or no access to medical care.

In Xinjiang authorities expanded existing internment camps for Uighurs, ethnic Kazakhs, and other Muslims. In some cases authorities used repurposed schools, factories, and prisons to hold detainees. According to Human Rights Watch, these camps focused on “military-style discipline and pervasive political indoctrination of the detainees.”

Administration: The law states letters from a prisoner to higher authorities of the prison or to the judicial organs shall be free from examination; it was unclear to what extent the law was implemented. While authorities occasionally investigated credible allegations of inhuman conditions, their results were not documented in a publicly accessible manner. Authorities denied many prisoners and detainees reasonable access to visitors and correspondence with family members. Some family members did not know the whereabouts of their relatives in custody. Authorities also prevented many prisoners and detainees from engaging in religious practices or gaining access to religious materials.

Independent Monitoring: Authorities considered information about prisons and various other types of administrative and extralegal detention facilities to be a state secret, and the government typically did not permit independent monitoring.

d. Arbitrary Arrest or Detention

Arbitrary arrest and detention remained serious problems. The law grants public security officers broad administrative detention powers and the ability to detain individuals for extended periods without formal arrest or criminal charges. Lawyers, human rights activists, journalists, religious leaders and adherents, and former political prisoners and their family members continued to be targeted for arbitrary detention or arrest.

The law provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but the government generally did not observe this requirement.

In early April courts in Chengdu, Sichuan, tried and convicted four activists—Chen Bing, Fu Hailu, Zhang Junyong, and Luo Fuyu—who had been detained without trial since 2016. They were charged with “picking quarrels and provoking trouble” after producing liquor with a label commemorating the 1989 Tiananmen demonstrations and sentenced to prison terms between three and three-and-one-half years. Three of the accused were forced to use court-appointed lawyers during the trial instead of lawyers they had retained themselves.

Pu Wenqing, mother of Sichuan-based activist Huang Qi, disappeared in December 2018, after plainclothes security personnel detained her at a Beijing train station. She had petitioned central authorities in October 2018 to release her detained son for health reasons and poor treatment within his detention center. At year’s end she

remained under house arrest with no formal charges filed. In a related case, in July Beijing authorities also detained and arrested Zhang Baocheng, who had assisted and escorted the elderly Pu Wenqing around Beijing in 2018 as she sought to petition central authorities over her son’s detention. Beijing police on December 30 charged Zhang, a former member of the now-defunct New Citizens Movement that campaigned for democracy and government transparency, with “picking quarrels, promoting terrorism, extremism, and inciting terrorism.” At year’s end he was awaiting trial.

Arrest Procedures and Treatment of Detainees

Criminal detention beyond 37 days requires approval of a formal arrest by the procuratorate, but in cases pertaining to “national security, terrorism, and major bribery,” the law permits up to six months of incommunicado detention without formal arrest. After formally arresting a suspect, public security authorities are authorized to detain a suspect for up to an additional seven months while the case is investigated.

After the completion of an investigation, the procuratorate may detain a suspect an additional 45 days while determining whether to file criminal charges. If charges are filed, authorities may detain a suspect for an additional 45 days before beginning judicial proceedings. Public security officials sometimes detained persons beyond the period allowed by law, and pretrial detention periods of a year or longer were common.

The law stipulates detainees be allowed to meet with defense counsel before criminal charges are filed. The criminal procedure law requires a court to provide a lawyer to a defendant who has not already retained one; is blind, deaf, mute, or mentally ill; is a minor; or faces a life sentence or the death penalty. This law applies whether or not the defendant is indigent. Courts may also provide lawyers to other criminal defendants who cannot afford them, although courts often did not do so. Lawyers reported significant difficulties meeting their clients in detention centers, especially in cases considered politically sensitive.

Criminal defendants are entitled to apply for bail (also translated as “a guarantor pending trial”) while awaiting trial, but the system did not appear to operate effectively, and authorities released few suspects on bail.

The law requires notification of family members within 24 hours of detention, but authorities often held individuals without providing such notification for significantly longer periods, especially in politically sensitive cases. In some cases notification did not occur. Under a sweeping exception, officials are not required to provide notification if doing so would “hinder the investigation” of a case. The criminal procedure law limits this exception to cases involving state security or terrorism, but public security officials have broad discretion to interpret these provisions.

Under certain circumstances the law allows for residential surveillance in the detainee’s home, rather than detention in a formal facility. With the approval of the next-higher-level authorities, officials also may place a suspect under “residential surveillance at a designated location” (RSDL) for up to six months when they suspect crimes of endangering state security, terrorism, or serious bribery and believe surveillance at the

suspect's home would impede the investigation. Authorities may also prevent defense lawyers from meeting with suspects in these categories of cases. Human rights organizations and detainees reported the practice of RSDL left detainees at a high risk for torture since being neither at home nor in a monitored detention facility reduced opportunities for oversight of detainee treatment and mechanisms for appeal.

Authorities used administrative detention to intimidate political and religious advocates and to prevent public demonstrations. Forms of administrative detention included compulsory drug rehabilitation treatment (for drug users), “custody and training” (for minor criminal offenders), and “legal education” centers for political activists and religious adherents, particularly Falun Gong practitioners. The maximum stay in compulsory drug rehabilitation centers is two years, including commonly a six-month stay in a detoxification center. The government maintained similar rehabilitation centers for those charged with prostitution and with soliciting prostitution.

Arbitrary Arrest: Authorities detained or arrested persons on allegations of revealing state secrets, subversion, and other crimes as a means to suppress political dissent and public advocacy. These charges, including what constitutes a state secret, remained ill 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 remained unclear what this term means. Authorities also detained citizens and foreigners 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 lawyers, religious leaders or adherents, petitioners, and other rights advocates for lengthy periods, only to have the charges later dismissed for lack of evidence. 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.” In some cases public security officials put pressure on schools not to allow the children of prominent political detainees to enroll. 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, annual plenary sessions of the National People's Congress (NPC), 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 forced vacations.

In January the government detained Yang Hengjun, an Australian author and blogger who encouraged democratic reform in China. The government held Yang incommunicado for several months before formally arresting him in August and charging him with spying. On December 2, Australian foreign minister Marise Payne

publicly criticized the circumstances of Yang’s detention, noting his “increased isolation from the outside world, with restrictions on his communications with family and friends, and the resumption of daily interrogation, including while shackled.”

Swedish bookseller and Hong Kong resident Gui Minhui—who went missing from Thailand in 2015, was released by Chinese authorities in 2017, and was detained again in January 2018 while traveling on a train to Beijing—remained in detention, according to press reports, although his whereabouts were unclear. The PRC embassy in Stockholm issued a statement in February denying it had initiated contact with Gui’s daughter Angela. This was in response to her account, published online, of how Sweden’s ambassador to the PRC organized a series of meetings in Stockholm between her and a businessman who claimed he could assist with her father’s case. At year’s end the Swedish government was investigating the matter.

Media reported Shanghai police detained well-known human rights activist Chen Jianfang on March 20. In July a lawyer acting for Chen said Shanghai authorities informed him that Chen was formally arrested in June on charges of “inciting subversion of state power,” although the authorities did not publicly announce Chen’s arrest nor allow her to meet her lawyer. Authorities did not respond to requests by international advocacy organizations to account for Chen’s status and whereabouts.

In January authorities charged Xue Renyi, leader of the environmental activism group Green Leaf Action, with “picking quarrels and provoking trouble.” Police detained Xue in May 2018 after he called for a demonstration demanding improved environmental conditions in Chongqing. Police cited social media posts of Xue in a park holding three leaves, a symbol of his group, as the reason for his arrest. Xue’s location and trial date were unknown at year’s end. In January Chongqing authorities also detained Green Leaf Action-member Pan Bin. His location and status were unknown at year’s end.

On April 27, Yuexiu District police in Guangzhou searched the home of Lai Rifu before taking him away. Lai was a long-time member of the Southern Street Movement that called for an end to one-party rule. Police detained Lai administratively for 10 days at the Yuexiu District Detention Center for the crime of “picking quarrels and provoking trouble” for wearing a T-shirt with the words “civil disobedience.” He was released on May 8. Police detained Lai again on September 16 on the suspicion of “picking quarrels and provoking trouble” after he uploaded a video with “Glory to Hong Kong,” the unofficial anthem of Hong Kong’s prodemocracy movement, on his WeChat and Facebook accounts. Liu was released in October after more than one month in detention.

In October Guangxi secret police detained Qin Yongpei on charges of “inciting subversion of state power,” then formally arrested him in December. He remained in Nanning No. 1 Detention Center without access to lawyers at year’s end. Qin had worked on several human rights cases, including those of “709” lawyers and Falun Gong practitioners, assisted many indigent and vulnerable persons, and publicized misconduct by high-level government and CCP officials. He was disbarred in May 2018

after having practiced law since the mid-1990s. After being disbarred, Qin founded the China Lawyers’ Club to employ disbarred lawyers. The proximate reason for Qin’s arrest was unclear.

Pretrial Detention: Pretrial detention could last longer than one year. Defendants in “sensitive cases” reported being subjected to prolonged pretrial detention. During the period of 2015 to 2018, authorities held many of the “709” detainees and their defense attorneys in pretrial detention for more than a year without access to their families or their lawyers. Statistics were not published or made publicly available, but lengthy pretrial detentions were especially common in cases of political prisoners.

Local authorities initially detained Beijing-based lawyer Li Yuhan, who defended human rights lawyers during the “709” crackdown, at the Shenyang Detention Center in 2017 and later charged Li with “picking quarrels and provoking trouble.” Due to her poor health condition, Li’s attorney submitted multiple requests to Shenyang authorities to release her on medical parole, but each time her request was denied without reason or hearing. Li was scheduled to stand trial on April 9; however, the Shenyang Intermediate People’s Court postponed the trial and heard the case at an unspecified date. Li dismissed her attorneys in June because she was concerned by the pressure they faced defending her case. At year’s end Li remained in detention pending a verdict.

In 2016 the Tiexi District Court in Shenyang detained human rights advocate Lin Mingjie for assembling a group of demonstrators in front of the Ministry of Public Security in Beijing to protest Shenyang Public Security Bureau director Xu Wenyou’s abuse of power. After two years in pretrial detention, in June 2018 Lin was sentenced to two years and six months in prison, including time served. Lin was reportedly released on April 23. Despite Lin’s having been released, however, his attorney had neither heard from him nor knew his whereabouts.

e. Denial of Fair Public Trial

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 both the government and the CCP, particularly in politically sensitive cases. The CCP Central Political and Legal Affairs Commission has the authority to review and direct court operations at all levels of the judiciary. All judicial and procuratorate appointments require approval by the CCP Organization Department.

Corruption often influenced court decisions, since safeguards against judicial corruption were vague and poorly enforced. Local governments appointed and paid local court judges and, as a result, often exerted influence over the rulings of those judges.

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.

Courts are not authorized to rule on the constitutionality of legislation. The law permits organizations or individuals to question the constitutionality of laws and regulations, but a constitutional challenge may be directed only to the promulgating legislative body. Lawyers had little or no opportunity to rely on constitutional claims in litigation. In March 2018 lawyers and others received central government instructions to avoid discussion of the constitutionality of the constitutional amendments that removed term limits for the president and vice president.

Media sources indicated public security authorities used televised confessions of lawyers, foreign and domestic bloggers, journalists, and business executives in an attempt to establish guilt before their criminal trial proceedings began. In some cases these confessions were likely a precondition for release. NGOs asserted such statements were likely coerced, perhaps by torture, and some detainees who confessed recanted upon release and confirmed their confessions had been coerced. No provision in the law allows the pretrial broadcast of confessions by criminal suspects.

In May the United Kingdom broadcasting regulator launched a formal investigation into an allegation that China Global Television Network, the international news channel of China Central Television (CCTV), broadcast a confession forced from a British private investigator imprisoned in China.

Attorney Jiang Tianyong was released in February after fulfilling his two-year sentence for his 2017 conviction on charges of inciting state subversion in Changsha, Hunan. Authorities had prevented Jiang from selecting his own attorney to represent him at a trial that multiple analysts viewed as neither impartial nor fair. Despite his release Jiang was immediately placed under house arrest in his parents' home in Henan. At year's end he remained under strict movement controls by local authorities there despite mounting health problems that worsened in prison. Police built a monitoring station outside his parents' home, where he was supposed to spend most of his time, although sometimes he could visit his sister nearby. Local police prevented him from taking public transportation out of town. “Judicial independence” remained one of the reportedly off-limit subjects the CCP ordered university professors not to discuss (see section 2.a., Academic Freedom and Cultural Events).

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Trial Procedures

Although the amended criminal procedure 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.

Regulations of the Supreme People’s Court require trials to be open to the public, with the exception of cases involving state secrets, privacy issues, minors, or, on the application of a party to the proceedings, commercial secrets. Authorities used the state secrets provision to keep politically sensitive proceedings closed to the public, sometimes even to family members, and to withhold a defendant’s access to defense counsel. Court regulations state foreigners with valid identification should be allowed to observe trials under the same criteria as citizens, but foreigners were permitted to attend court proceedings only by invitation. As in past years, authorities barred foreign diplomats and journalists from attending several trials. In some instances authorities reclassified trials as “state secrets” cases or otherwise closed them to the public.

The Open Trial Network (Tingshen Wang), a government-run website, broadcast trials online; the majority were civil trials.

Regulations require the release of court judgments online and stipulate court officials should release judgments, with the exception of those involving state secrets and juvenile suspects, within seven days of their adoption. Courts did not post all judgments. They had wide discretion not to post if they found posting the judgment could be considered “inappropriate.” Many political cases did not have judgments posted.

Individuals facing administrative detention do not have the right to seek legal counsel. Criminal defendants are eligible for legal assistance, but the vast majority of criminal defendants went to trial without a lawyer.

Lawyers are required to be members of the CCP-controlled All China Lawyers Association, and the Ministry of Justice requires all lawyers to pledge their loyalty to the leadership of the CCP upon issuance or annual renewal of their license to practice law. The CCP continued to require law firms with three or more party members to form a CCP unit within the firm.

Despite the government’s stated efforts to improve lawyers’ access to their clients, in 2017 the head of the All China Lawyers Association told *China Youth Daily* that defense attorneys had taken part in less than 30 percent of criminal cases. In particular, human rights lawyers reported authorities did not permit them to defend certain clients or threatened them with punishment if they chose to do so. Some lawyers declined to represent defendants in politically sensitive cases, and such defendants frequently found it difficult to find an attorney. In some instances authorities prevented defendant-selected attorneys from taking the case and instead appointed their own attorney.

The government suspended or revoked the business licenses or law licenses of some lawyers who took on sensitive cases, such as defending prodemocracy dissidents, house-church activists, Falun Gong practitioners, or government critics. Authorities used the annual licensing review process administered by the All China Lawyers Association to withhold or delay the renewal of professional lawyers’ licenses. In January the Guangdong Department of Justice revoked the license of Liu Zhengqing, a Guangdong lawyer known for defending activists and Falun Gong practitioners. The department charged him with “jeopardizing national security” when defending his clients in court.

Other government tactics to intimidate or otherwise pressure human rights lawyers included unlawful detentions, vague “investigations” of legal offices, disbarment, harassment and physical intimidation, and denial of access to evidence and to clients. In February several lawyers wrote an open letter protesting the government’s harassment of lawyers who took on human rights cases.

In 2015 the National People’s Congress’s Standing Committee amended legislation concerning the legal profession. The amendments criminalize attorneys’ actions that “insult, defame, or threaten judicial officers,” “do not heed the court’s admonition,” or “severely disrupt courtroom order.” The changes also criminalize disclosing client or case information to media outlets or using protests, media, or other means to influence court decisions. Violators face fines and up to three years in prison.

Regulations adopted in 2015 also state detention center officials should either allow defense attorneys to meet suspects or defendants or explain why the meeting cannot be arranged at that time. The regulations specify that a meeting should be arranged within 48 hours. Procuratorates and courts should allow defense attorneys to access and read case files within three working days. The time and frequency of opportunities available for defense attorneys to read case files shall not be limited, according to the guidelines. In some sensitive cases, lawyers had no pretrial access to their clients and limited time to review evidence, and defendants and lawyers were not allowed to communicate with one another during trials. In contravention of the law, criminal defendants frequently were not assigned an attorney until a case was brought to court. The law stipulates the spoken and written language of criminal proceedings shall be conducted in the language common to the specific locality, with government interpreters providing language services for defendants not proficient in the local language. Sources noted trials were predominantly conducted in Mandarin Chinese, even in minority areas, with interpreters provided for defendants who did not speak the language.

Mechanisms allowing defendants to confront their accusers were inadequate. Only a small percentage of trials reportedly involved witnesses. Judges retained significant discretion over whether live witness testimony was required or even allowed. In most criminal trials, prosecutors read witness statements, which neither the defendants nor their lawyers had an opportunity to rebut through cross-examination. Although the law states pretrial witness statements cannot serve as the sole basis for conviction, prosecutors relied heavily on such statements. Defense attorneys had no authority to compel witnesses to testify or to mandate discovery, although they could apply for access to government-held evidence relevant to their case.

According to China Labor Bulletin, Shenzhen police detained labor activists Wu Guijun, Zhang Zhiru, He Yuancheng, Jian Hui, and Song Jiahui on January 20 on the charge of “disrupting social order.” They were reportedly formally charged in late February. The families of some of the activists never received formal notices of detention and did not know where they were held. According to media reports, authorities banned Zhang and Wu from hiring lawyers and warned their families not to take any media interviews.

According to the head of China Labor Watch, the detentions were not connected to any specific activity but were intended to serve as a warning to other labor activists against the backdrop of increasing labor protests and economic stagnation.

On July 22, three public interest lawyers—Cheng Yuan, Liu Yongze, Wu Gejianxiong, also known as the “Changsha Three”—were detained by Changsha Municipal Bureau of State Security authorities on suspicion of “subversion of state power.” The lawyers worked for Changsha Funeng, an organization that litigated cases to end discrimination against persons with disabilities and carriers of HIV and Hepatitis B. Cheng Yuan had also worked on litigation to end the country’s one-child policy and reform its household registration laws. Although Cheng Yuan’s family retained two lawyers to represent him, neither had been able to meet with Cheng Yuan as of year’s end. Authorities also interrogated Cheng Yuan’s wife, Shi Minglei, on multiple occasions about her husband’s work, including forcibly entering her home in Shenzhen on July 22 and seizing her identification card, passport, cell phone, computer, and bank cards.

Political Prisoners and Detainees

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 tens of thousands of political prisoners remained incarcerated, most in prisons and some in administrative detention. The government did not grant international humanitarian organizations access to political prisoners.

Authorities granted political prisoners early release at lower rates than other prisoners. Thousands of persons were serving sentences for political and religious offenses, including for “endangering state security” and carrying out “cult activities.” The government neither reviewed the cases of those charged before 1997 with counterrevolution and hooliganism nor released persons imprisoned for nonviolent offenses under repealed provisions.

Many political prisoners remained either in prison, or under other forms of detention after release, at year’s end, including writer Yang Maodong (pen name: Guo Feixiong); Uighur scholars Ilham Tohti and Rahile Dawut; activist Wang Bingzhang; activist Liu Xianbin; Taiwan prodemocracy activist Lee Ming-Che; pastor Zhang Shaojie; Falun Gong practitioners Bian Lichao and Ma Zhenyu; Catholic Auxiliary Bishop of Shanghai Thaddeus Ma Daqin; rights lawyers Wang Quanzhang, Xia Lin, Gao Zhisheng, Yu Wensheng, and Jiang Tianyong; blogger Wu Gan; and Shanghai labor activist Jiang Cunde.

Criminal punishments included “deprivation of political rights” for a fixed period after release from prison, during which an individual could be denied rights of free speech, association, and publication. Former prisoners reported their ability to find employment, travel, obtain residence permits and passports, rent residences, and access social services was severely restricted.

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 about the cases of their relatives. Authorities barred certain members of the rights community from meeting with visiting dignitaries.

Politically Motivated Reprisal Against Individuals Located Outside the Country

There were credible reports the government attempted to misuse international law enforcement tools for politically motivated purposes as a reprisal against specific individuals located outside the country. There also were credible reports that for politically motivated purposes, the government attempted to exert bilateral pressure on other countries aimed at having them take adverse action against specific individuals.

PRC officials pressured a Montreal-based human rights research institute affiliated with Concordia University to cancel a conference featuring a prominent exiled Uighur leader. Executive director Kyle Matthews of the Montreal Institute for Genocide and Human Rights Studies at Concordia University said he received an email from the PRC consul general in Montreal on March 25, asking him for an urgent meeting to discuss a planned conference on the Uighur minority in the PRC. While he chose to ignore the request and went ahead with the conference as planned, Matthews said he later found out the consul general was also pressuring different individuals in Montreal to cancel the Concordia University event.

Other reports continued throughout the year regarding PRC pressure on Xinjiang-based relatives of persons located outside of China who spoke publicly about the detentions and abusive policies underway inside Xinjiang. Tahir Imin, a Uighur residing outside of China, said that PRC authorities had imprisoned his brother Adil to retaliate against Tahir’s activism abroad. PRC state media also released videos of Xinjiang-based ethnic and religious minorities to discredit their overseas relatives’ accounts to foreign media. The persons in the videos urged their foreign-based family members to stop “spreading rumors” about Xinjiang. The overseas relatives said they had lost communication with their Xinjiang relatives until the videos were released. U.S. citizen Ferkat Jawdat’s mother, who had lost contact with him for a year because she was in an internment camp, called in May to urge Ferkat to stop his activism and media interviews. Relatives of U.S. resident Zumrat Dawut, who spoke to media about her detention in a Xinjiang re-education center, also joined in a video in November urging her to stop “spreading rumors.” The overseas-based relatives said the PRC government coerced their family members to produce such videos.

On November 25, RFA reported Thai authorities had detained Xing Jiang, a Chinese refugee accredited by UNHCR, at the request of Jiangsu provincial public security officials for allegedly “spreading rumors online.”

Civil Judicial Procedures and Remedies

Courts deciding civil matters faced the same limitations on judicial independence as criminal courts. The State Compensation Law provides administrative and judicial remedies for plaintiffs whose rights or interests government agencies or officials have infringed. The law also allows compensation for wrongful detention, mental trauma, or physical injuries inflicted by detention center or prison officials.

Although historically citizens seldom applied for state compensation because of the high cost of bringing lawsuits, low credibility of courts, and citizens’ general lack of awareness of the law, there were instances of courts overturning wrongful convictions. Official media reported that in June Jin Zhehong applied for 21.3 million yuan (\$3 million) in state compensation for his 23 years spent behind bars following an overturned conviction for intentional homicide. The Jilin High People’s Court in an appeal hearing ruled the evidence was insufficient to prove the initial conviction.

The law provides for the right of an individual to petition the government for resolution of grievances. Most petitions address grievances regarding land, housing, entitlements, the environment, or corruption, and most petitioners sought to present their complaints at local “letters and visits” offices. The government reported approximately six million petitions were submitted every year; however, persons petitioning the government continued to face restrictions on their rights to assemble and raise grievances.

Despite attempts at improving the petitioning system, progress was unsteady. While the central government reiterated prohibitions against blocking or restricting “normal petitioning” and against unlawfully detaining petitioners, official retaliation against petitioners continued. Regulations encourage that all litigation-related petitions be handled at the local level through local or provincial courts, reinforcing a system of incentives for local officials to prevent petitioners from raising complaints to higher levels. Local officials sent security personnel to Beijing to force petitioners to return to their home provinces to prevent them from filing complaints against local officials with the central government. Such detentions often went unrecorded and often resulted in brief periods of incarceration in extralegal “black jails.”

Ye Mulan, wife of petitioner Chen Chunzhang, said her husband’s death on November 6 while in police custody was suspicious, and she called on provincial authorities to investigate. According to Ye, Chen was detained in August in Beijing by “interceptors” from Qinkou Township, Fujian, and local police later imprisoned him. (“Interceptors” are enforcement agents sent by local governments to detain petitioners on their way to complain to provincial capitals or to Beijing authorities about their local governments.) Chen had told his lawyer that he had made four statements to police so far but that he had refused to plead guilty to the charges against him. On October 26, local police called Ye to see Chen in a local hospital emergency room; he was alive but unconscious. Police prevented the family from inspecting him up close, although they had asked authorities to check if he had any external signs of injury. Chen died on November 6 after undergoing emergency brain surgery.

On May 15, police in Guizhou detained Huang Yanming for 25 days around the 30th anniversary of the Tiananmen protests and the June 9 Hong Kong protests. Ministry of State Security officers denied him any outside communication and kept him detained in a hotel in Guiyang. No charges were announced.

In June the Beijing Number 2 Intermediate People’s Court criminally tried 12 suspects accused of illegally detaining and beating a petitioner from Jiangxi in 2017. The petitioner, Chen Yuxian from Shangyou, died in Beijing eight hours after the suspects took him away. The 12 suspects were reportedly from an illegal crime group under the guise of a car rental company that had close connections to local government officials, who had demanded the petition be intercepted. The Beijing court had not issued a verdict as of year’s end.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law states the “freedom and privacy of correspondence of citizens are protected by law,” but authorities often did not respect the privacy of citizens. Although the law requires warrants before officers can search premises, officials frequently ignored this requirement. The Public Security Bureau and prosecutors are authorized to issue search warrants on their own authority without judicial review. There continued to be reports of cases of forced entry by police officers.

Authorities monitored telephone calls, text messages, faxes, email, instant messaging, and other digital communications intended to remain private. 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. Foreign journalists leaving the country found some of their personal belongings searched. In some cases, when material deemed politically sensitive was uncovered, the journalists had to sign a statement stating they would “voluntarily” leave these documents in the country.

According to media reports, the Ministry of Public Security used tens of millions of surveillance cameras throughout the country to monitor the general public. Human rights groups stated authorities increasingly relied on the cameras and other forms of surveillance to monitor and intimidate political dissidents, religious leaders and adherents, Tibetans, and Uighurs. 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. The monitoring and disruption of telephone and internet communications were particularly widespread in Xinjiang and Tibetan areas. The government installed surveillance cameras in monasteries in the TAR and Tibetan areas outside the TAR (see Special Annex, Tibet). The law allows security agencies to cut communication networks during “major security incidents.”

According to Human Rights Watch, the Ministry of State Security partnered with information technology firms to create a “mass automated voice recognition and monitoring system,” similar to ones already in use in Xinjiang and Anhui, to help with solving criminal cases. According to one company involved, the system was

programmed to understand Mandarin Chinese and certain minority languages, including Tibetan and Uighur. In many cases other biometric data such as fingerprints and DNA profiles were being stored as well. This database included information obtained not just from criminals and criminal suspects but also from entire populations of migrant workers and all Uighurs applying for passports.

Forced relocation because of urban development continued in some locations. Protests over relocation terms or compensation were common, and authorities prosecuted some protest leaders. In rural areas infrastructure and commercial development projects resulted in the forced relocation of thousands of persons.

Property-related disputes between citizens and government authorities sometimes turned violent. These disputes frequently stemmed from local officials' collusion with property developers to pay little or no compensation to displaced residents, combined with a lack of effective government oversight or media scrutiny of local officials' involvement in property transactions, as well as a lack of legal remedies or other dispute resolution mechanisms for displaced residents. The problem persisted despite central government claims it had imposed stronger controls over illegal land seizures and taken steps to standardize compensation.

The government at various levels and jurisdictions continued implementing pilot programs for “social credit systems” which collect vast amounts of data to create scores for individuals and companies in an effort to address deficiencies in “social trust,” strengthen access to financial credit instruments, and reduce public corruption. The social credit system also collected information on academic records, traffic violations, social media presence, friendships, and adherence to birth control regulations, employment performance, consumption habits, and other topics. These systems were intended to promote social control and self-censorship, since citizens would be liable for their statements, relationships, and even information others shared within closed social media groups. “Social credit scores,” among other things, quantify a person's loyalty to the government by monitoring citizens' online activity and relationships. There were indications the systems awarded and deducted points based on the “loyalty” of sites visited, as well as the “loyalty” of other netizens with whom a person interacted. The systems also created incentives for citizens to police each other. Organizers of chat groups on messaging apps, for example, were responsible for policing and reporting any posts with impermissible content, making them liable for violations.

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Although the government's goal is to create a unified government social credit system, there were several disparate social credit systems under several domestic technology companies, and the specific implementation of the system varied by province and city.

In Hangzhou the scoring system, which applied to residents 18 years or older, included information on individuals’ education, employment, compliance with laws and regulations (such as tax payments), payment of medical bills, loan repayment, honoring contracts, participating in volunteer activities, and voluntary blood donations.

There were several cases in which an individual’s credit score resulted in concrete limitations on that person’s activities. Users with low social credit scores faced an increasing series of consequences, including losing the ability to communicate on domestic social media platforms, travel, and buy property.

In a separate use of social media for censorship, human rights activists reported authorities questioned them about their participation in human rights-related chat groups, including on WeChat and WhatsApp. Authorities monitored the groups to identify activists, which led to users’ increased self-censorship on WeChat as well as several separate arrests of chat group administrators.

In May a security lapse exposed personal information collected from facial recognition from a system that monitors housing communities in Beijing. The exposed data contained enough information to pinpoint where individuals went, when and for how long, allowing anyone with access to the data—including police—to build up a picture of a person’s day-to-day life.

The government continued to use the “double-linked household” system in Xinjiang developed through many years of use in Tibet. This system divides towns and neighborhoods into units of 10 households each, with the households in each unit instructed to watch over each other and report on “security issues” and poverty problems to the government, thus turning average citizens into informers. In Xinjiang the government also continued to require Uighur families to accept government “home stays,” in which officials or volunteers forcibly lived in Uighurs’ homes and monitored families for signs of “extremism.” Those who exhibited behaviors the government considered to be signs of “extremism,” such as praying, possessing religious texts, or abstaining from alcohol or tobacco, could be detained in re-education camps.

The government restricted the rights of men and women to have children (see section 6, Women).

Local police in Maoming, Guangdong, launched a shaming campaign to urge local telephone fraud suspects to turn themselves in during the Spring Festival. The Public Security Ministry listed Maoming as a major source of telephone fraud in the country. For the criminal suspects who remained at large, police reportedly spray-painted the letters “home of fugitive” on the outside walls of their houses, cut off their water and electricity supplies, and froze their immediate family members’ bank accounts and identification cards.

April media reports indicated the government expanded its use of facial recognition software targeting ethnic minorities, especially Uighurs, from Xinjiang to other areas, including Fujian. The video monitoring system allegedly was able to alert law enforcement agencies to the increased presence of Uighurs in a community in a given period.

According to Freedom House, rapid advances in surveillance technology—including artificial intelligence (AI), facial recognition, and intrusive surveillance apps—coupled with growing police access to user data had turned the country into a “technodystopia” and helped facilitate the prosecution of prominent dissidents as well as ordinary users. A Carnegie Endowment report noted that the country was a major worldwide supplier of AI surveillance technology, such as facial recognition systems, smart city/safe city platforms, and smart policing technology.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution states citizens “enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.” Authorities limited and did not respect these rights, however, especially when their exercise conflicted with CCP interests. Authorities continued 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.

Freedom of Expression: Citizens could discuss many political topics privately and in small groups without official punishment. Authorities, however, routinely took harsh action against citizens who questioned the legitimacy of the CCP. Some independent think tanks, study groups, and seminars reported pressure to cancel sessions on sensitive topics. Those who made politically sensitive comments in public speeches, academic discussions, or remarks to media or posted sensitive comments online, remained subject to punitive measures. 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 the authorities.

In August the Unirule Institute of Economics, a prominent economic think tank, closed its doors after years of increasing government pressure. Founded in 1993 to promote market reforms, a decade ago Unirule was a well-respected institution in the country with the space to disseminate ideas and facilitate dialogue with government leaders. The last few years have seen the shutdown of its website and public office, and as of August the organization was in liquidation.

On April 19, Zi Su was sentenced by a Chengdu court to four years’ imprisonment on charges of subversion. Zi, a retired professor from the Yunnan Communist Party School, was detained in 2017 after releasing an open letter questioning Xi Jinping’s suitability to continue as the CCP’s leader. Prior to his trial in December 2018, the government offered to shorten his sentence if he fired his lawyer and accepted a court-appointed attorney. Zi accepted, reducing his sentence from 10 to four years.

In September a Sichuan court convicted Chengdu-based activist Huang Xiaomin to 30 months’ imprisonment for “picking quarrels and provoking trouble.” Huang had called for direct elections to select party leaders. He was detained for several months before being allowed to hire a lawyer. He was then told to fire his lawyer and accept a court-appointed lawyer in exchange for a more lenient sentence, which he did.

On September 19, local police from Gucheng Township, Chengdu, detained Chen Yunfei for publishing comments in support of Hong Kong’s antiextradition bill movement. Chen had shown public support for the antiextradition protests in Hong Kong and called for a dialogue between Hong Kong leader Carrie Lam and protesters to try to reach a resolution.

Countless citizens were arrested and detained 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 sensitive issues. For example, in Nan Le, Henan, a netizen was arrested for spreading “fake news” about a chemical factory explosion on WeChat. In Lianyungang police arrested 22 persons for “internet rumors,” and in Huzhou a netizen was arrested for “spreading rumors,” while he claimed he was only sharing political views.

This trend was particularly apparent in Xinjiang, where the government had developed a multifaceted system of physical and cyber controls to stop individuals from expressing themselves or practicing their religion or traditional beliefs. Beyond the region’s expansive system of internment camps, the government and the CCP implemented a system to limit in-person speech and online speech. In Xinjiang police regularly stopped persons of certain ethnicities and faith and demanded to review their cell phones for any evidence of communication deemed inappropriate. During the year the government significantly extended the automation of this system, using phone apps, cameras, and other electronics to monitor all speech and movement. Authorities in Xinjiang built a comprehensive database that tracked the movements, mobile app usage, and even electricity and gasoline consumption of inhabitants in the region.

The government also sought to limit criticism of their Xinjiang policies even outside the country, disrupting academic discussions and intimidating human rights advocates across the world. Government officials in Xinjiang detained the relatives of several overseas activists. Chinese embassy officials in Belgium asked a Belgian university to remove information critical of the PRC’s Xinjiang policies from their website, and in February the Belgian author of that critique reported that Chinese government officials disrupted a Xinjiang-focused academic conference in Strasbourg, France. Numerous ethnic Uighurs and Kazakhs living overseas were intimidated into silence by

government officials making threats against members of their family who still lived in China, threats sometimes delivered in China to the relatives, and sometimes delivered by Chinese government officials in the foreign country.

The government increasingly moved to restrict the expression of views it found objectionable even when those expressions occurred abroad. Online, the government expanded attempts to control the global dissemination of information while also exporting its methods of electronic information control to other nations’ governments. During the year there was a rise in reports of journalists in foreign countries and ethnic Chinese living abroad experiencing harassment by Chinese government agents due to their criticisms of PRC politics. This included such criticisms posted on platforms such as Twitter that were blocked within China.

In October PRC authorities publicly condemned a tweet by the professional basketball team Houston Rockets’ general manager that expressed support for Hong Kong protesters, and the state-run CCTV cancelled broadcasts of games involving U.S. professional basketball teams visiting China. The Ministry of Foreign Affairs sent an official from its consulate general in Houston to personally denounce the statement to the Houston Rockets. Similarly, in December Chinese state television cancelled the broadcast of an English Premier League soccer game after one of its players, Mesut Ozil, posted messages on Twitter and Instagram—both of which were blocked in China—denouncing the government’s policies towards Muslims in Xinjiang.

In July Dalian police detained a man only identified as “Lu” for distributing online cartoons that featured pro-Japanese and anti-Chinese contents. The CCP-controlled *Global Times* accused Lu of being “spiritually Japanese” by advocating for Japanese right-wing politics and militarism. In March 2018 Foreign Minister Wang Yi reportedly criticized such pro-Japanese cartoonists as “scum among Chinese people.”

In May Anhui police arrested cartoonist Zhang Dongning on charges of “picking quarrels and provoking trouble” for creating comic books that depicted the Chinese people as pigs. The drawings “distorted historical facts, trampled national dignity, and hurt the feelings of the Chinese people,” according to a police statement. Zhang remained in custody at year’s end.

The government used economic leverage on the mainland to suppress freedom of expression in Hong Kong. In reaction to protests in Hong Kong in August, the mainland government told Hong Kong-based Cathay Airlines that any of its employees who had engaged in “illegal demonstrations, protests, and violent attacks, as well as those who have radical behaviors” were forbidden from working on flights that entered Chinese airspace.

Press and Media, Including Online Media: The CCP and government continued to maintain ultimate authority over all published, online, and broadcast material. 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 issues were reported or to order they not be reported at all.

During the year state media reported senior authorities issued internal CCP rules detailing punishments for those who failed to hew to ideological regulations, ordering a further crackdown on illegal internet accounts and platforms, and instructing media to further promote the interests of the government.

The government continued its tight ideological control over media and public discourse following the restructuring of its regulatory system in 2018. The CCP propaganda department has the ultimate say in regulating and directing media practices and policies in the country. The reorganization created three independent administrative entities controlled by the CCP propaganda department: the National Radio and Television Administration (NART), the General Administration of Press and Publications, and the National Film Bureau. While NART is still ostensibly under the State Council, its party chief was also a deputy minister within the CCP’s propaganda department.

The Cyberspace Administration of China (CAC), which directly manages internet content, including online news media, also promotes CCP propaganda. The CAC served as the representative office to a recently formed CCP committee on cyberspace, which is nominally chaired by President Xi Jinping. One of the CCP propaganda department deputy ministers ran the organization’s day-to-day operations. It enjoyed broad authority in regulating online media practices and played a large role in regulating and shaping information dissemination online.

The internet “clean up” CAC announced in November 2018 continued into 2019. As part of CAC’s 2018 requirements, internet platforms had to submit reports on their activities if their platforms could be used to “socially mobilize” or could lead to “major changes in public opinion.” On January 23, the CAC issued a statement confirming another step in its crackdown on internet content. On April 6, the National Office Against Pornographic and Illegal Publications announced an eight-month crackdown on “vulgar content” online. According to the announcement, the National Office tasked local authorities to conduct inspections of online platforms, including social media, livestreaming, videos, and online games. In July the CAC ordered 26 podcast and music applications to terminate, suspend services, or have “talks” with regulators. According to a CAC notice, these applications were investigated and deemed to have spread “historical nihilism.”

In 2018 the government directed consolidation of China Central Television, China Radio International, and China National Radio into a new super media group known as the “Voice of China,” which “strengthened the party’s concentrated development and management of important public opinion positions.”

All books and magazines continued to require state-issued publication numbers, which were expensive and often difficult to obtain. As in the past, nearly all print and broadcast media as well as book publishers were affiliated with the CCP or the government. There were a small number of print publications with some private ownership interest but no privately owned television or radio stations. The CCP directed the domestic media to refrain from reporting on certain subjects, and traditional broadcast programming required government approval.

Several popular domestic soap operas from 2018 were taken off the air after state-owned newspaper *the Beijing Daily* called the dramas “incompatible with core socialist values.” One such popular show featured Emperor Qianlong and concubines. While episodes from 2018 remained available online, many television stations had canceled similar period dramas in their 2019 programming plans. The National Radio and Television Administration followed up with a temporary ban of historical dramas in late March. The CCP also policed cartological political correctness to ensure that cartoons and documentaries supported the CCP. In one example the domestic television drama *Go Go Squid* was investigated after displaying a map that did not show Taiwan and Hainan Island as part of China.

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, and they faced increasingly serious penalties for crossing those lines, which could be opaque. While the country’s increasingly internet-literate population demanded interesting stories told with the latest technologies, government authorities asserted control over those new technologies (such as livestreaming) and clamped down on new digital outlets and social media platforms.

Because the CCP does not consider internet news companies “official” media, they are subject to debilitating regulations and barred from reporting on potentially “sensitive” stories. According to the most recent All China Journalist Association report from 2017 on the nation’s news media, there were 231,564 officially credentialed reporters working in the country. Only 1,406 worked for news websites, with the majority working at state-run outlets such as *XinhuaNet.com* and *ChinaDaily.com*. Other online outlets also reported on important issues but limited their tactics and topics, since they were acting without official approval.

In January government officials detained Yang Zhengjun, the editor in chief of an online labor rights news outlet, *iLabour*, which reported on harmful working conditions for Chinese laborers. According to RFA, on March 20, police detained Wei Zhili, editor of the citizen media magazine *New Generation* and a labor rights activist, at his Guangzhou home. He was not allowed to meet with his lawyer for 19 days, during which police interrogated Wei five times at the Shenzhen No. 2 Detention Center. Voice of America reported that authorities forbade Wei’s wife, Zheng Churan, from speaking to foreign media about her husband’s detention. Police also detained Wei’s colleague Ke Chengbing in Guangzhou on March 20, but there was no information regarding his status as of year’s end. Authorities formally arrested and charged Yang, Wei, and Ke in August on charges of “picking quarrels.”

In June authorities in Chongqing announced they had convicted Liu Pengfei on unknown charges and sentenced him to two years’ imprisonment. Liu was detained in 2017 while running a WeChat group that reposted foreign press articles in Chinese. Until his conviction was announced, Liu’s condition and location were unknown.

On August 1, Chongqing police arrested former journalist Zhang Jialong. No charges were formally announced, although police reportedly arrested him for social media posts he made in 2017 and earlier. Zhang, a well-known journalist and anticensorship activist, had stopped posting publicly in 2014 after being fired from Tencent, where he worked as an editor, for meeting with then secretary of state John Kerry. His location was unknown at year’s end.

Violence and Harassment: The government frequently impeded the work 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.

Family members of journalists based overseas also faced harassment, and in some cases detention, as retaliation for the reporting of their relatives abroad. As of year’s end, dozens of Uighur relatives of U.S.-based journalists working for RFA’s Uighur Service remained disappeared or arbitrarily detained in Xinjiang.

A journalist could face demotion or job loss for publishing views that challenged the government. In many cases potential sources refused to meet with journalists due to actual or feared government pressure. During the year the scope of censorship grew to the point that, according to several journalists, “almost all topics are considered sensitive.” For example, whereas in past years business news reporting had been relatively free of control, many journalists’ contacts were hesitant to express themselves openly even on this topic. During the year authorities imprisoned numerous journalists working in traditional and new media.

On June 10, the discipline inspection commission of the CCP’s Beijing branch accused Dai Zigeng, former publisher and cofounder of popular daily newspaper the Beijing News, of “serious violations of discipline and law.”

Prominent Chinese journalist Huang Xueqin, known for her publications about the #MeToo movement in China, was arrested in Guangzhou in October after she wrote about antigovernment protests in Hong Kong. Officials charged her with “picking quarrels and provoking trouble.” At year’s end she remained in detention.

Restrictions on foreign journalists by central and local CCP propaganda departments remained strict, especially during sensitive times and anniversaries. The Foreign Correspondents’ Club of China (FCCC) published a report in January detailing conditions for foreign journalists in the country. More than half (55 percent) of journalists who responded to the FCCC’s survey said reporting conditions had further deteriorated over the prior 12 months. They reported the government regularly surveilled foreign journalists, both in person and, increasingly, via electronic means. Of respondents, 91 percent expressed concern about the security of their telephones, and 66 percent worried about surveillance inside their homes and offices. Half of the journalists said this surveillance diminished their ability to report in the country.

In August a Canadian journalist working for a foreign outlet was detained while reporting in Guangdong. Local police detained the journalist and a PRC news assistant in a rural area, then drove them to a police station in a larger town, held them for seven hours, confiscated their electronic devices, copied all the data on their cell phones, and tried to compel the PRC colleague to sign a confession before putting them on a train out of town. The officials followed them onto the train, separated the two, and continued to intimidate them.

During the Hong Kong protests, mainland government authorities escalated their harassment of foreign journalists, stopping numerous journalists at border crossings near Hong Kong and at airports in Beijing and elsewhere, threatening them with visa obstacles, and making copies of their electronic devices. Journalists said this impeded their ability to gather and disseminate reports about the protests.

Foreign press outlets reported local employees of foreign news agencies were subjected to official harassment and intimidation. A citizen who was assisting a foreign journalist on a reporting trip was detained by local police, then chained to a chair for a full day before being released. Government officials contacted and harassed many Chinese citizen employees’ family members in an attempt to pressure them away from their reporting work. Both the local citizens and their foreign employers lacked recourse in these cases and were generally hesitant to address grievances with authorities due to fear of experiencing even greater repression.

Government harassment of foreign journalists was particularly aggressive in Xinjiang. According to the January FCCC report, 26 of 28 foreign journalists who traveled to Xinjiang in 2018 reported that government officials told them reporting was restricted or prohibited. This continued throughout the year, as numerous foreign journalists reported being followed constantly while in Xinjiang, with government agents stepping in to block access to some areas, intimidating local inhabitants so they would not talk to the journalists, and stopping the journalists—sometimes many times per day—to seize their cameras and force them to erase pictures. Foreign journalists also had trouble securing hotel rooms, since authorities directed hotels to prohibit the journalists’ stays.

Media outlets that reported on commercial issues enjoyed comparatively fewer restrictions, but the system of post-publication review by propaganda officials encouraged self-censorship by editors seeking to avoid the losses associated with penalties for inadvertently printing unauthorized content.

Government officials also sought to suppress journalism outside their borders. While in past years these efforts largely focused on Chinese-language media, during the year additional reports emerged of attempts to suppress media critical of China regardless of language or location. In March government officials warned a Swedish media outlet to cease its “serious political provocations,” for publishing a Swedish-language editorial that supported a position that Chinese officials opposed. Another government official threatened to blacklist a Russian journalist if the journalist did not retract an article in a Russian newspaper detailing negative Chinese economic statistics.

Censorship or Content Restrictions: The State Council’s Regulations on the Administration of Publishing grant broad authority to the government at all levels to restrict publications based on content, including mandating if, when, and how particular issues are reported. While the Ministry of Foreign Affairs daily press briefing was generally open, and the State Council Information Office organized some briefings by other government agencies, journalists did not have free access to other media events. The Ministries of Defense and Commerce continued allowing select foreign media outlets to attend occasional press briefings.

Official guidelines for domestic journalists were often vague, subject to change at the discretion of propaganda officials, and enforced retroactively. Propaganda authorities forced newspapers and online media providers to fire editors and journalists responsible for articles deemed inconsistent with official policy and suspended or closed publications. Self-censorship remained prevalent among journalists, authors, and editors, particularly with post facto government reviews carrying penalties of ranging severity.

Journalist arrests and dismissals for reporting on sensitive issues continued. One of the country’s few prominent investigative reporters, Liu Wanyong, announced he was leaving the profession, blaming the shrinking space for investigating and publishing accurate news. The Weibo accounts of several bloggers, including Wang Zhian, a former state broadcast commentator who wrote about social issues, were blocked.

Control over public depictions of President Xi increased, with censors aggressively shutting down any depiction that varied from official media storylines. Censors continued to block images of the Winnie the Pooh cartoon on social media because internet users used the symbol to represent President Xi Jinping. Social media posts did not allow comments related to Xi Jinping and other prominent Chinese leaders.

Domestic films continued to be subject to government censorship. In July the head of the government’s film regulatory body, the National Film Bureau, gave a speech to government officials and film industry representatives exhorting them to use films to promote Chinese political values. Throughout the year the government forbade the release of a number of new movies—including several films with prominent directors and large budgets—because they ran afoul of government censors. Shortly before its July 5 release date, the historical war drama *The Eight Hundred* was removed from distribution despite numerous theatrical trailers and an \$80 million budget. Similarly, in February the film *One Second* by world-famous director Zhang Yimou was pulled from the Berlin Film Festival only days before its debut for “technical difficulties,” a common euphemism for censorship in China. Another film, *Better Days*, was pulled from the same festival after the movie failed to receive the necessary permissions from Chinese authorities. The head of the National Film Bureau explicitly encouraged domestic filmmakers to find more “valuable and heavy” topics and materials in the country’s “excellent traditional culture,” “revolution culture,” and “advanced culture of socialism.”

In October, when the U.S. comedy show *South Park* ran an episode depicting the PRC’s censorship practices, authorities banned the episode and other *South Park* content from local television and internet.

Newscasts from overseas news outlets, largely restricted to hotels and foreign residence compounds, were subject to censorship. Individual issues of foreign newspapers and magazines were occasionally banned when they contained articles deemed too sensitive. Articles on sensitive topics were removed from international magazines. Television newscasts were blacked out during segments on sensitive subjects.

Politically sensitive coverage in Chinese, and to a lesser extent in English, was censored more than coverage in other languages. The government prohibited some foreign and domestic films deemed too sensitive or selectively censored parts of films before they were released, including *Bohemian Rhapsody* and *Top Gun: Maverick*. Under government regulations, authorities must authorize each foreign film released in the country, with a restriction on the total number that keeps annual distribution below 50 films.

Authorities continued to ban books with content they deemed inconsistent with officially sanctioned views. The law permits only government-approved publishing houses to print books. Newspapers, periodicals, books, audio and video recordings, or electronic publications may not be printed or distributed without the approval of central authorities and relevant provincial publishing authorities. Individuals who attempted to publish without government approval faced imprisonment, fines, confiscation of their books, and other punishment. The CCP also exerted control over the publishing industry by preemptively classifying certain topics as state secrets.

In May media reported that three government officials in Chongqing and Yunnan were disciplined for “secretly purchasing, reading, and keeping overseas books and publications with serious political problems.”

In the fall the Ministry of Education directed all school libraries to review their holdings and dispose of books that “damage the unity of the country, sovereignty or its territory; books that upset society’s order and damage societal stability; books that violate the Party’s guidelines and policies, smear or defame the Party, the country’s leaders and heroes.” Officials at a state-run library in Zhenyuan, Gansu, responded by burning a pile of “illegal books, religious publications, and especially books and articles with biases,” according to a notice and photograph on the library’s website, which circulated widely online.

New cases of extraterritorial book censorship occurred: government censors required that books printed domestically conform to government propaganda guidelines, even if those books were written by a foreign author for a foreign audience. In February an Australian bookseller reported that PRC officials forbade a Chinese company from publishing a book that included political content they found objectionable, even though the books would have been shipped out of China as soon as they were printed.

On the 30th anniversary of the June 4, 1989, Tiananmen Square massacre, the government made an array of efforts to block all public mention of that historical event, not just in China but even in other countries. Within the country the government preemptively targeted potential critics, including elderly parents of the massacre victims, jailing them or temporarily removing them from major cities. Online censorship

increased, with government censors aggressively blocking even indirect references and images from all online platforms, including, for example, an image of books lined up facing a cigarette packet in a pattern invoking the famous video of a man facing down tanks on a Beijing street. The CNN website, normally accessible in the country, was blocked on June 4, and officials broke up a live CNN newscast in Beijing on June 4 by rushing between a news reporter and cameraman as they were broadcasting, demanding CNN staff stop reporting. Other international media outlets faced increased monitoring and detentions for reporting focused on the anniversary, including one reporter who was detained for six hours. Censors at domestic internet companies said tools to detect and block content related to the 1989 crackdown reached unprecedented levels of accuracy, aided by machine learning as well as voice and image recognition.

The new Heroes and Martyrs Law makes it illegal to insult or defame prominent communists. Citing this law, the CAC ordered major domestic news app Bytedance to rectify information “slandering” Fang Zhimin, a prominent communist historical figure, and to punish the individuals responsible for publishing the defamatory information. Sichuan police arrested a prominent female blogger for violating the Heroes and Martyrs Law because in one of her videos she paired a red scarf, “which symbolized the revolutionary tradition,” with an “inappropriately short” skirt. On March 28, the court sentenced the blogger, identified in court documents only by her last name “Tang,” to 12 days’ incarceration, a fine, and removal of her videos.

Authorities often justified restrictions on expressions on national security protection grounds. In particular, government leaders generally cited the threat of terrorism in justifying restricting freedom of expressions by Muslims and other religious minorities. These justifications were a baseline rationale for restrictions on press movements, publications, and other forms of repression of expression.

Internet Freedom

Although the internet was widely available, authorities heavily censored content. The government continued to employ tens of thousands of individuals at the national, provincial, and local levels to monitor electronic communications and online content. The government reportedly paid personnel to promote official views on various websites and social media and to combat alternative views posted online. Internet companies also independently employed thousands of censors to carry out CCP and government directives on censorship. When government officials criticized or temporarily blocked online platforms due to content, the parent corporations were required to hire additional in-house censors, creating substantial staffing demands well into the thousands and even tens of thousands per company.

In the first three weeks of January, the CAC closed 730 websites and 9,300 mobile apps, and during the second quarter of the year, it shuttered a total of 2,899 websites. The CAC announced that it had deleted more than seven million pieces of online information, and 9,382 mobile apps by April. These were deemed “harmful” due to

inappropriate content, which included politically sensitive materials. For example, in July alone the CAC reportedly collected nearly 12 million “valid” reports of online “illegal and harmful” information.

The CAC also specifically ordered Tencent’s “Tiantian Kuaibao” news app to make changes, alleging it had been spreading “vulgar and low-brow information that was harmful and damaging to the internet ecosystem,” per the CAC statement. New approvals for offerings on Tencent’s gaming platforms were frozen for nine months in 2018 for any new video game approvals as part of an industry-wide tightening of the video game market, but this was the first time the news app had been criticized. Tencent’s popular messaging app WeChat announced in late February that it had closed more than 40,000 public accounts since the beginning of the year and removed 79,000 articles. The announcement stated the contents of the closed accounts were “false, exaggerated and vulgar” and that they “conveyed a culture of hopelessness and depression,” which “tarnished users’ taste” and the overall environment of the platform.

The law requires internet platform companies operating in the country to control content on their platforms or face penalties. According to Citizen Lab, China-based users of the WeChat platform are subject to automatic filtering of chat messages and images, limiting their ability to freely communicate.

On April 8, popular social media site Weibo (similar to Twitter and owned by Sina) announced it had suspended more than 50 popular accounts “according to relevant laws and regulations,” as they included “politically harmful information.” Account owners received notifications from Weibo that the suspensions would last 90 to 180 days. Account holders included Yu Jianrong, a prominent scholar of rural development and activist for the country’s peasants, who reportedly had not published information deemed sensitive for several years but had 7.2 million followers at the time his Weibo account shut down.

The government continued to issue an array of regulations implementing the Cybersecurity Law, which took effect in 2017. The law allows the government to “monitor, defend, and handle cybersecurity risks and threats originating from within the country or overseas sources,” and criminalizes using the internet to “create or disseminate false information to disrupt the economic or social order.” The law also codifies the authority of security agencies to cut communication networks across an entire geographic region during “major security incidents,” although the government had previously implemented such measures before the law’s passage.

Xinhua issued an authoritative news piece in January stating that the China Netcasting Services Association (CNSA) had released two new documents regarding short-video market regulation: one on regulation of the platforms and one concerning censorship. The new censorship measures imposed stricter criteria for short videos online. The guidelines, which were believed to have been issued at the government’s direction, banned 100 types of inappropriate content, from videos of users dressing up in Communist Party costumes to those “promoting money worship and hedonism.” The CNSA documents openly discussed the “content review” standards it expected of these online video services. Other content to be removed included anything that “attacks

China’s political or legal systems,” “content that damages China’s image,” “foot fetishes or sexual moaning,” and “spoofing the national anthem.” The documents called for platforms to expand their internal censorship teams as business grows and changes, and to keep at least one “content review” employee on staff for every 1,000 new videos posted to their platform each day.

CAC regulations on Internet News Information Services require websites, mobile apps, forums, blogs, instant communications services, and search engines to ensure news coverage of a political, economic, diplomatic, or commentary nature conforms to official views of “facts.” These regulations extend longstanding traditional media controls to new media, including online and social media, to ensure these sources also adhere to CCP directives.

In June censors abruptly shut down the app of the financial news aggregator wallstreetcn.com, which had been downloaded more than 100 million times, as well as its website. Earlier in the year, regulators fined wallstreetcn.com for distributing news without a license, and disrupting “online news order.” In the shutdown notice the CAC said that wallstreetcn.com was in breach of cybersecurity measures.

The CAC also required all live-streaming platforms, video platforms, commercial websites, web portals, and apps to register with the CAC. Online content platforms by licensed central media and their affiliates were not required to register.

Regulators required a special permit for transmission of audio and visual materials on blogging platforms such as Weibo and instant messaging platforms such as WeChat. Platform managers were made directly responsible for ensuring user-posted content complies with their permit’s scope. This includes television shows, movies, news programs, and documentaries, which many netizens consumed exclusively through social media channels. The rules prohibit the uploading of any amateur content that would fall under the definition of news programming or “sensitive” topics.

The finalization of the Cybersecurity Law in 2017 also bolstered real-name registration requirements for websites and social media platforms, imposing penalties on network operators that provide services to users who do not provide real-name information. In response, Baidu and Sina Weibo announced accounts without real name registration would have restricted access to certain website functions (e.g., commenting on posts). Cybercafes in Xingtai and Shanghai also began using facial recognition to match users with their photographs printed on national identification documents. In March, following a chemical plant explosion outside of Shanghai, the local government jammed drones sent by media outlets to capture footage of the explosion.

In December 2018 the Zhuhai Court sentenced prominent anticensorship campaigner Zhen Jianghua to a jail term of two years for “inciting subversion of state power” in a closed-door trial. He was released from prison on November 8. Zhen, also known by his online moniker GuestsZhen, reportedly provided technical guidance to domestic Internet users on how to circumvent the Great Firewall to make their posts visible overseas. He was also the executive governor of a website, Rights Movement, which helped collect and disseminate information on rights protections.

Many if not most of the major international news and information websites were blocked, including the *New York Times* and *Wall Street Journal*, as well as the websites of human rights organizations such as Amnesty International and Human Rights Watch. The government further restricted this space during the year, adding the *Washington Post*, the *Guardian*, *Huffington Post*, Australia's the *Age* and *News*, and Wikipedia to the list of websites blocked by the so-called Great Firewall.

Government censors continued to block content from any source that discussed topics deemed sensitive, such as Taiwan, the Dalai Lama, Tibet, Xinjiang, and the 1989 Tiananmen Square massacre. The Hong Kong protests that occurred during the year were subject to heavy, selective censorship: the government initially struck any mention of the protests from media and online discussions, then began to allow and even promote reports criticizing the protesters, while continuing to prohibit access to positive or neutral reporting on the protesters, including reporting that detailed the protesters' demands for democracy and accountability for police actions.

On August 5, Sun Yat-sen University doctoral student Chen Chun joined the protests in Hong Kong and posted his support for the Hong Kong protesters on his Weibo account. Other netizens reported him to Guangdong police, and his account was shut down.

Censorship on Chinese-owned social media platforms of users in other countries also occurred. In November TikTok, which was owned by Bytedance, blocked the account of a foreign-based user who had posted a video to raise awareness of the continuing human rights abuses in Xinjiang. After a public outcry, TikTok restored her account and admitted her video had been temporarily removed “due to human moderation error.”

The government also punished Chinese citizens for expressing their opinions on foreign social media platforms while outside the country. In November a court in Wuhan sentenced Luo Daiqing to six months' imprisonment on charges of “provocation” for posting a set of images mocking Chinese leaders on Twitter. Luo posted the images while living in Minnesota, where he was a student; he was arrested in July on a visit home to Wuhan.

The government also significantly increased censorship of business and economic information. In June at least 10 prominent blogs that published financial news and analyses were shut down and had all past content erased. This happened at the same time that government propaganda sources were publishing specific new messages about the country's economy.

Thousands of social media and other websites remained blocked, including Facebook, Twitter, Instagram, Google, and YouTube.

Despite being blocked in China, Twitter was estimated to have millions of users there. A recent round of government attention on Twitter users in China started in late 2018. A Chinese dissident who lived in Beijing said the Beijing Municipal Public Security Bureau summoned him twice on suspicion of “inciting subversion of state power” and presented printed pages of his tweets as evidence. Internet monitors and activists tallied at least 40 cases of government authorities pressuring users in person to delete

their tweets or their Twitter accounts. One user spent 15 days in a detention center, while police threatened another user’s family, and a third Twitter user was chained to a chair for eight hours of interrogation.

During the year authorities continued to manipulate the content of individual Twitter accounts. There were reports of authorities forcing individuals to give them access to their Twitter accounts, which authorities then used to delete their tweets. In March the anonymous netizen behind @AirMovingDevice, a Twitter account that specialized in using publicly available data to critically analyze government activity, declared she or he would be deleting all previous tweets and ceasing communication, adding, “it is not my intention to subvert state or Party authority.”

Authorities continued to jail numerous internet writers for their peaceful expression of political views. On July 29, a court in Sichuan sentenced prominent blogger Huang Qi—a Chinese internet pioneer who once won CCP praise for using the web to “combat social ills”—to 12 years in prison for “deliberately disclosing state secrets” and “illegally providing state secrets to foreign entities.” The charges arose from Huang’s efforts to publicize cases of human rights abuses on the *64Tianwang* blog. Huang Qi had been jailed twice previously, for a total of eight years, as a result of his blogging that exposed local government malfeasance and brutality. After Huang’s release from those sentences, he continued his blogging activities.

On January 29, a court in Hubei sentenced Liu Feiyu to five years in prison for “inciting subversion of state power” because he ran a news portal publicizing government corruption and human rights abuses. In addition, there were continuing reports of cyber operations against foreign websites, journalists, and media organizations carrying information that the government restricted internet users in the country from accessing. As in the past, the government selectively blocked access to sites operated by foreign entities, including the websites or social media platforms of health organizations, educational institutions, NGOs, social networking sites, and search engines.

References to same-sex acts, same-sex relations, and the scientifically accurate words for genitalia remained banned following a 2017 government pronouncement listing same-sex acts/relations as an “abnormal sexual relation” and forbidding its depiction. A Weibo account featuring lesbian topics, where more than 143,000 users swapped information, was abruptly shut down in April and then reopened several weeks later. Several scenes in the movie *Bohemian Rhapsody* that depicted the main character’s gay relationships were cut out of the version shown in Chinese movie theaters.

While such censorship was effective in keeping casual users away from websites hosting sensitive content, many users circumvented online censorship by using various technologies. Information on proxy servers outside the country and software for defeating official censorship were available, although frequently limited by the Great Firewall. Encrypted communication apps such as Telegram and WhatsApp and VPN services were regularly disrupted, especially during “sensitive” times of the year.

The State Secrets 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. 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 police and the Ministry of Public Security.

On June 9, police in Jiuxiangling District summoned Guo Yongfeng, a Christian and former participant of a local democratic movement who lived in Shenzhen, to Xili Police Station in response to his online post about his intention to sue Tencent for banning several of his social media accounts. Police warned Guo against disseminating information online about rights protection and organizing related assemblies, and they did not release him until he wrote a letter of guarantee.

Academic Freedom and Cultural Events

The government continued restrictions on academic and artistic freedom and on political and social discourse at colleges, universities, and research institutes. Restrictive Central Propaganda Department regulations and decisions constrained the flow of ideas and persons.

Many intellectuals and scholars exercised self-censorship, anticipating that books or papers on political topics would be deemed too sensitive to be published. Censorship and self-censorship of artistic works was also common, particularly artworks deemed to involve politically sensitive subjects. Authorities frequently denied Western musicians permission to put on concerts, scrutinized the content of cultural events, and applied pressure to encourage self-censorship of discussions.

The government and the CCP Organization Department continued to control appointments to most leadership positions at universities, including department heads. While CCP membership was not always a requirement to obtain a tenured faculty position, scholars without CCP affiliation often had fewer chances for promotion. Academic subject areas deemed politically sensitive (e.g., civil rights, elite cronyism, civil society, etc.) continued to be off-limits. Some academics self-censored their publications, faced pressure to reach predetermined research results, or were unable to hold conferences with international participants during politically sensitive periods. Foreign academics claimed the government used visa denials, along with blocking access to archives, fieldwork, or interviews, to pressure them to self-censor their work. The use of foreign textbooks in classrooms remained restricted, and domestically produced textbooks continued to be under the editorial control of the CCP.

Undergraduate students, regardless of academic major, must complete political ideology coursework on subjects such as Marxism, Maoism, Deng Xiaoping thought, and Xi Jinping thought. In February the CCP’s Central Committee and the State Council made public the government’s *Education Modernization Plan 2035*, which specified 10 strategic tasks, the first task being to study Xi Jinping thought, implement it throughout the education system, including at primary and secondary education levels, and strengthen political thought education in institutes of higher education.

Multiple media reports cited a tightening of ideological controls on university campuses, with professors dismissed for expressing views not in line with CCP thought. In March Tsinghua University Professor Xu Zhangrun was suspended due to a series of essays he wrote criticizing policies of the CCP and Xi Jinping. In August 2018 Professor Yang Shaozheng was expelled from Guizhou University for publishing “politically mistaken speech and politically harmful articles,” including an article that estimated the total cost of maintaining the CCP apparatus. After his expulsion the government stripped his teaching credentials, prevented him from finding new employment, and on June 4, state security officials arrested him for “picking quarrels and provoking trouble.” He was then released, but authorities detained him again in August and cancelled his health coverage and social benefits. In December Fudan University, Nanjing University, and Shaanxi Normal University revised their charters, adding a pledge to highlight the party’s overall leadership in schoolwork and removing a reference to “freedom of thought.” Students at Fudan University protested the revisions by singing the university’s official anthem, which included a reference to “freedom of thought.”

University professors also continued to come under scrutiny after their students reported them for comments deemed politically sensitive or inappropriate. In some cases the university assigned the students to act as informants. In July a university professor in Chengdu was suspended from teaching for two years after students filed a complaint for remarks deemed to have shown insufficient appreciation for Chinese culture and innovation. Professor Tang Yun of Chongqing University was banned from teaching and demoted for making “politically incorrect statements” while lecturing on Chinese author Lu Xun. Professor Tang had his teaching credentials cancelled after students reported his statements to party representatives at the school.

Crackdowns against student labor activists on university campuses increased early in the year. In January the *New York Times* reported that more than 20 students at elite Chinese universities had been forced to watch videotaped confessions of detained labor activists to pressure the students to abandon their activism. Additional students and several recent graduates from Peking and Renmin Universities were reportedly detained and held incommunicado after releasing statements decrying police use of coerced confession videos. In May CNN reported six Marxist university students had been disappeared in the lead up to International Labor Day and the 100th anniversary of the May 4 student protests. One of the missing student labor activists, Qiu Zhanxuan, released a video and written testimony detailing abuse at the hands of police, including being strip-searched and forced to listen to a marathon speech by Xi Jinping at high volume.

Foreign universities establishing joint venture academic programs in the country must establish internal CCP committees and grant decision-making power to CCP officials. In August Reuters reported a surge in arrests and deportations of foreign teachers over the past six months as part of a continuing effort to crack down on foreign influence.

During the academic year, schools faced new prohibitions on the use of international curricula. The Ministry of Education forced the suspension of the advanced placement (AP) exams on U.S. history, world history, European history and human geography. The government allowed tests in other subjects, including calculus, biology, and chemistry, to continue.

Authorities on some occasions blocked entry into the country of individuals deemed politically sensitive and, in some cases, refused to issue passports to citizens selected for international exchange programs who were considered “politically unreliable,” singling out Tibetans, Uighurs, and individuals from other minority areas. A number of other foreign government-sponsored exchange selectees who already had passports, including some academics, encountered difficulties gaining approval to travel to participate in their programs. Academics reported having to request permission to travel overseas and, in some cases, said they were limited in the number of foreign trips they could take per year.

The CCP’s reach increasingly extended beyond the country’s physical borders. In multiple instances overseas Chinese students monitored and pushed back against on-campus speech or activity considered to be critical of China, oftentimes in coordination with the government. In February the *Washington Post* reported a group of Chinese students at McMaster University in Ontario, Canada, sought guidance from the PRC embassy and filmed the presentation of Uighur activist Rukiye Turdush about China’s mass internment of Muslims. In August the *Times* of London reported that China aimed to manipulate United Kingdom media and influence public officials through British universities, citing training provided by a University of Westminster media research center with links to the Chinese government on how to handle the British media, and the targeting of United Kingdom government officials, academics, and business executives by Leeds University’s Business Confucius Institute. In August Australia established a University Foreign Interference Task Force to increase consultation between its schools and government to protect national interests out of growing concern about foreign influence on Australian campuses. On November 14, the task force released a set of guidelines designed to protect against such foreign interference by safeguarding the reputation of Australian universities, protecting academic freedom, and ensuring academic institutions and the Australian economy can maximize the benefits of research endeavors.

Authorities in Xinjiang disappeared or detained several prominent Uighur academics and intellectuals. Some officials and academics were charged with being “two-faced,” a euphemism referring to members of minority groups serving state and party occupations who harbor “separatist” or “antiofficial” tendencies, including disagreeing with official restrictions on minority culture, language, and religion. Those disappeared and believed to be held in the camps or otherwise detained included Rahile Dawut, an internationally known folklorist; Abdukerim Rahman, literature professor; Azat Sultan, Xinjiang University professor; Gheyretjan Osman, literature professor; Arslan Abdulla, language professor; Abdulqadir Jalaaladdin, poet; and Yalqun Rozi, writer. Rahile Dawut’s Han Chinese student Feng Siyu was also detained. Authorities detained former director of the Xinjiang Education Supervision Bureau Satar Sawut and removed Kashgar University president Erkin Omer and vice president Muhter Abduhopur; all were

disappeared at year’s end. Courts delivered a suspended death sentence for “separatism” to Halmurat Ghopur, former president of Xinjiang Medical University Hospital. Religious scholars Muhammad Salih Hajim and Abdulnehed Mehsum died in the camps, according to reports during the year from international organizations. Tashpolat Tiyip, former president of Xinjiang University, remained detained on charges of “separatism,” and some human rights groups reported he had been sentenced to death. Economist Ilham Tohti remained in prison, where he was serving a life sentence after his conviction on separatism-related charges in 2014.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

While the constitution provides for freedom of peaceful assembly, the government severely restricted this right. The law stipulates such activities may not challenge “party leadership” or infringe upon the “interests of the state.” Protests against the political system or national leaders were prohibited. Authorities denied permits and quickly suppressed demonstrations involving expression of dissenting political views.

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.

In July residents from Wuhan, the capital of Hubei, protested a planned waste incineration plant in the city’s Yangluo District. Media had reported in 2013 that five such plants in Wuhan were substandard and emitted dangerous pollutants. Protests grew over several days, involving up to 10,000 demonstrators, until the local government dispersed them.

On December 26, police from Shandong coordinated with other police nationwide to arrest human rights activists and participants who gathered in Xiamen, Fujian, in early December to organize civil society and plan nonviolent social movements in the country. Suspected charges included “incitement to subvert state power” and “subversion of state power”; the latter crime carries a minimum 10-year prison sentence if convicted. At the end of the year, police held at least four activists in “residential surveillance at a designated location”: organizer Ding Jiaxi and activists Zhang Zhongshun, Li Yingjun, and Dai Zhenya. Their families had no information on their whereabouts. Some human rights activists or those indirectly connected to the meeting participants fled the country or went into hiding inside the country. Several others involved in the meeting, including human rights lawyers, were held for several days in police custody in various jurisdictions for questioning and investigation.

Concerts, sports events, exercise classes, or other meetings of more than 200 persons require approval from public security authorities. Large numbers of public gatherings in Beijing and elsewhere were canceled at the last minute or denied government permits, ostensibly to ensure public safety.

Freedom of Association

The constitution provides for freedom of association, but the government restricted this right. CCP policy and government regulations require that all professional, social, and economic organizations officially register with and receive approval from the government. These regulations prevented the formation of autonomous political, human rights, religious, spiritual, labor, and other organizations that the government believed might challenge its authority in any area. The government maintained tight controls over civil society organizations and in some cases detained or harassed NGO workers.

The regulatory system for NGOs was highly restrictive, but specific requirements varied depending on whether an organization was foreign or domestic. Domestic NGOs were governed by the Charity Law and a host of related regulations. Domestic NGOs could register in one of three categories: a social group, a social organization, or a foundation. All domestic NGOs are required to register under the Ministry of Civil Affairs and find an officially sanctioned sponsor to serve as their “professional supervisory unit.” Finding a sponsor was often challenging, since the sponsor could be held civilly or criminally responsible for the NGO’s activities. All organizations are also required to report their sources of funding, including foreign funding. Domestic NGOs continued to adjust to this new regulatory framework.

In 2016 the CCP Central Committee issued a directive mandating the establishment of CCP cells within all domestic NGOs by 2020. According to authorities, these CCP organizations operating inside domestic NGOs would “strengthen guidance” of NGOs in areas such as “decision making for important projects, important professional activities, major expenditures and funds, acceptance of large donations, and activities involving foreigners.” The directive also mandates authorities to conduct annual “spot checks” to ensure compliance on “ideological political work, party building, financial and personnel management, study sessions, foreign exchange, acceptance of foreign donations and assistance, and conducting activities according to their charter.”

In 2017 the Law on the Management of Foreign NGOs’ Activities in Mainland China (Foreign NGO Management Law) came into effect. The law requires foreign NGOs to register with the Ministry of Public Security and to find a state-sanctioned sponsor for their operations. NGOs that fail to comply face possible civil or criminal penalties. The law provides no appeal process for NGOs denied registration, and it stipulates NGOs found to have violated certain provisions could be banned from operating in the country. The law also states domestic groups cooperating with unregistered foreign NGOs will be punished and possibly banned. On November 25, the Foreign Ministry publicly confirmed for the first time that public security authorities had investigated and penalized a foreign NGO, in this case the New York-based Asia Catalyst, for carrying out unauthorized activities.

Some international NGOs reported it was more difficult to work with local partners, including universities, government agencies, and other domestic NGOs, as the law codified the CCP's perception that foreign NGOs were a “national security” threat. Finding an official sponsor was difficult for most foreign NGOs, as sponsors could be held responsible for the NGOs' conduct and had to undertake burdensome reporting requirements. After the Ministry of Public Security published a list of sponsors, NGOs reported most government agencies still had no unit responsible for sponsoring foreign NGOs. Professional supervisory units reported they had little understanding of how to implement the law and what authorities would expect of them. The vague definition of an NGO, as well as of what activities constituted “political” and therefore illegal activities, left many business organizations and alumni associations uncertain whether they fell within the purview of the law. The lack of clear communication from the government, coupled with harassment by security authorities, caused some foreign NGOs to suspend or cease operations in the country. As of December 31, approximately 510 foreign NGO representative offices (representing 420 distinct organizations) had registered under the Foreign NGO Management Law, with nearly half of those focusing on industry or trade promotion activities.

According to the Ministry of Civil Affairs, by the end of 2017, there were more than 800,000 registered social organizations, public institutions, and foundations. Many experts believed the actual number of domestic NGOs to be much higher. Domestic NGOs reported foreign funding continued to drop, as many domestic NGOs sought to avoid such funding due to fear of being labeled as “subversive” in the face of growing restrictions imposed by new laws. NGOs existed under a variety of formal and informal guises, including national mass organizations created and funded by the CCP that are organizationally prohibited from exercising any independence, known as government-operated NGOs, or GONGOs.

For donations to a domestic organization from a foreign NGO, the Foreign NGO Management Law requires foreign NGOs to maintain a representative office in the country to receive funds, or to use the bank account of a domestic NGO when conducting temporary activities. By law foreign NGOs are prohibited from using any other method to send and receive funds, and such funding must be reported to the Ministry of Public Security. Foreign NGOs are prohibited from fundraising and “for-profit activities” under the law.

Although all registered organizations came under some degree of government control, some NGOs, primarily service-oriented 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 refused to comply faced criminal penalties.

Authorities continued to restrict and evict local NGOs that received foreign funding and international NGOs that provided assistance to Tibetan communities in the TAR 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.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/> (<https://www.state.gov/religiousfreedomreport/>).

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government at times did not respect these rights.

The government increasingly silenced activists by denying them permission to travel, both internationally and domestically, or keeping them under unofficial house arrest.

In-country Movement: Authorities continued to maintain tight restrictions on freedom of movement, particularly to curtail the movement of individuals deemed politically sensitive before key anniversaries, visits by foreign dignitaries, or major political events, as well as to forestall demonstrations. Freedom of movement for Tibetans continued to be very limited in the TAR and other Tibetan areas. Uighurs faced draconian restrictions on movement within Xinjiang and outside the region. Although the use of “domestic passports” that called for local official approval before traveling to another area was discontinued in 2016, identification checks remained in place when entering or leaving cities and on public roads. In Xinjiang, security officials set up checkpoints managing entry into public places, including markets and mosques, that required Uighurs to scan their national identity card, undergo a facial recognition check, and put any baggage through airport-style security screening. Such restrictions were not applied to Han Chinese in these areas.

The government maintained restrictions on the freedom to change one's workplace or residence, the national household registration system (*hukou*) continued to change, and the ability of most citizens to move within the country to work and live continued to expand. While many rural residents migrated to the cities, where the per capita disposable income was approximately three times the rural per capita income, they often could not change their official residence or workplace within the country. Most cities had annual quotas for the number of new temporary residence permits they could issue, and all workers, including university graduates, had to compete for a limited number of such permits. It was particularly difficult for rural residents to obtain household registration in more economically developed urban areas.

The household registration system added to the difficulties faced by rural residents, even after they relocated to urban areas and found employment. According to the *Statistical Communique of the People's Republic of China on 2019 National Economic and Social Development*, published in February by the National Bureau of Statistics of China, 286 million individuals lived outside the jurisdiction of their household registration. Migrant workers and their families faced numerous obstacles with regard to working

conditions and labor rights. Many were unable to access public services, such as public education for their children or social insurance, in the cities where they lived and worked because they were not legally registered urban residents.

From May to July, non-Beijing residents applied for a Beijing hukou under the special municipality's new points-based system. Under the new policy enacted in 2018, nonnatives of the city under the legal retirement age who have held a Beijing temporary residence permit with the city's social insurance records for seven consecutive years and were without a criminal record were eligible to accumulate points for the hukou. Those with “good employment, stable homes in Beijing, strong educational background, and achievements in innovation and establishing start-ups in Beijing” were reportedly likely to obtain high scores in the point-based competition.

Under the “staying at prison employment” system applicable to recidivists incarcerated in administrative detention, authorities denied certain persons permission to return to their homes after serving their sentences. Some released or paroled prisoners returned home but did not have freedom of movement.

Foreign Travel: The government permitted legal emigration and foreign travel for most citizens. Government employees and retirees, especially from the military, continued to face foreign travel restrictions. The government expanded the use of exit controls for departing passengers at airports and other border crossings to deny foreign travel to some dissidents and persons employed in government posts. Throughout the year many lawyers, artists, authors, and other activists were at times prevented from exiting the country. Authorities also blocked the travel of some family members of rights activists and of suspected corrupt officials and businesspersons, including foreign family members.

Border officials and police sometimes cited threats to “national security” as the reason for refusing permission to leave the country, although often authorities provided no reason for such exit bans. Authorities stopped most such persons at the airport at the time of their attempted travel.

Most citizens could obtain passports, although individuals the government deemed potential political threats, including religious leaders, political dissidents, petitioners, and ethnic minorities, routinely reported being refused passports or otherwise prevented from traveling overseas.

Uighurs, particularly those residing in Xinjiang, reported great difficulty in getting passport applications approved at the local level. They were frequently denied passports to travel abroad, particularly to Saudi Arabia for the Hajj, to other Muslim countries, or to Western countries for academic purposes. Since 2016 authorities ordered Xinjiang residents to turn in their passports or told residents no new passports were available. Foreign national family members of Uighur activists living overseas were also denied visas to enter the country. The government continued its concerted efforts to compel Uighurs studying abroad to return to China, often pressuring relatives in Xinjiang to ask their overseas relatives to return. Authorities also refused to renew passports for Uighurs living abroad, compelling them to either return to China or

pursue ways to maintain legal status in other countries. Upon return, many of these Uighurs, or persons connected with the Xinjiang residents, were detained or disappeared.

Tibetans faced significant hurdles in acquiring passports, and for Buddhist monks and nuns, it was virtually impossible. Authorities' unwillingness to issue or even renew old passports for Tibetans created, in effect, a ban on foreign travel for the Tibetan population. Han Chinese residents of Tibetan areas did not experience the same difficulties.

The government continued to try to prevent many Tibetans and Uighurs from leaving the country and detained many when they attempted to leave. Some family members of rights activists who tried to emigrate were unable to do so.

Exile: The law neither provides for a citizen's right to repatriate nor addresses exile. The government continued to refuse re-entry to numerous citizens considered dissidents, Falun Gong activists, or “troublemakers.” Although authorities allowed some dissidents living abroad to return, dissidents released on medical parole and allowed to leave the country often were effectively exiled.

Chen Xiaoya, author of the *History of Civil Rights Movement 1989*, was turned away by Guangxi customs officials when she tried to travel abroad on January 10. Customs officers told her that she was banned from leaving the country because she might jeopardize national security.

Fuzhou-based human rights activist Zhuang Lei attempted to visit Hong Kong on June 6 but was stopped by Shenzhen enforcement officers at the border. Zhuang, who claimed to have no criminal record, was referred to Fuzhou's domestic security police by the Shenzhen officers. Zhuang believed he was prevented from traveling to Hong Kong due to concerns that he might participate in the Hong Kong protests against an extradition bill on June 9.

Families of “709” lawyers faced difficulties applying for passports or were barred from leaving the country.

Foshan dissident Chen Qitang was released from Sihui Prison on May 24, after serving four and one-half years in jail for “subversion of state power.” After his release, he was prevented from returning home.

On June 1, police in Guilin and Liuzhou summoned internet users who had discussed on social media their plans to travel to Hong Kong to participate in the annual gathering in Victoria Park commemorating the 30th anniversary of the Tiananmen Square massacre, and ordered them not to go to Hong Kong. In April the 1990s Cantonese pop song “Ren Jian Dao” was banned nationwide, including on Apple Music, because the lyrics were believed to be making a reference to the 1989 massacre.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Although restricting access to border areas, the government regularly cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), which maintained an office in Beijing.

Abuse of Migrants, Refugees, and Stateless Persons: There were reports North Korean agents operated clandestinely within the country to repatriate North Korean citizens against their will. In addition, North Koreans detained by PRC authorities faced repatriation unless they could pay bribes to secure their release. North Korean refugees were either detained in holding facilities or placed under house arrest at undisclosed locations. Family members wanting to prevent forced returns of their North Korean relatives were required to pay fees to Chinese authorities purportedly to cover expenses incurred while in detention. While detained North Koreans were occasionally released, they were rarely given the necessary permissions for safe passage to a third country.

Refoulement: The government continued to consider North Koreans as illegal “economic migrants” rather than refugees or asylum seekers and refouled many of them to North Korea. Missionaries in China involved in helping North Koreans reach safe destinations said that Chinese authorities’ crackdown on North Korean defectors had intensified since Kim Jong Un took power.

In April Chinese authorities apprehended three North Korean women, three men, and a 10-year-old girl who fled from North Korea. RFA reported in August that China had detained 60 North Korean defectors and had refouled them to North Korea where they faced harsh punishments including torture, forced abortions, forced labor, sexual violence, or death.

Access to Asylum: The law does not provide for the granting of refugee or asylum status. The government did not have a system for providing protection to refugees but generally recognized UNHCR-registered refugees in China. Asylum applicants and refugees remained in the country without access to education or social services and were subject to deportation at any time.

North Korean refugees and asylum seekers, particularly young women living on the margins of society, were vulnerable to trafficking and forced marriages as a result of their unrecognized status. Authorities continued to forcibly repatriate North Korean refugees and asylum seekers, including trafficking victims, generally treating them as illegal economic migrants. The government detained and deported them to North Korea, where they faced severe punishment or death, including in North Korean forced-labor camps. The government did not provide North Korean trafficking victims with legal alternatives to repatriation.

UNHCR reported that Chinese officials continued to restrict its access to border areas. Authorities sometimes detained and prosecuted citizens who assisted North Korean refugees, as well as those who facilitated illegal border crossings.

Access to Basic Services: Refugees, including North Korean asylum seekers in the country seeking economic opportunities generally did not have access to health care, public education, or other social services due to lack of legal status.

Durable Solutions: The government largely cooperated with UNHCR when dealing with the local settlement in China of Han Chinese or ethnic minorities from Vietnam and Laos living in the country since the Vietnam War era. The government and UNHCR continued discussions concerning the granting of citizenship to these long-term residents and their children, many of whom were born in China.

g. Stateless Persons

International media reported as many as 30,000 children born to North Korean women in China, most of whom were trafficked and married to Chinese spouses, had not been registered because their North Korean parent was undocumented, leaving the children de facto stateless. These children were denied access to public services, including education and health care, despite provisions in the law that provide citizenship to children with at least one PRC citizen parent. Chinese fathers reportedly sometimes do not register their children to avoid exposing the illegal status of their North Korean partners.

Section 3. Freedom to Participate in the Political Process

The constitution states, “all power in the People’s Republic of China belongs to the people” and the organs through which citizens exercise state power are the NPC and the people’s congresses at provincial, district, and local levels. In practice the CCP dictated the legislative agenda to the NPC. 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 standing for local elections.

In March the NPC removed the two-term limit for the positions of president and vice president, clearing the way for Xi Jinping to remain in office.

Elections and Political Participation

Recent Elections: On March 4, the NPC’s 2,980 delegates elected the president and vice president, the premier and vice premiers, and the chairman of the Central Military Commission. The NPC Standing Committee, which consisted of 175 members, oversaw the elections and determined the agenda and procedures for the NPC. The selection of NPC members takes place every five years, and the process is controlled by the CCP.

The NPC Standing Committee remained under the direct authority of the CCP, and all important legislative decisions required the concurrence of the CCP’s seven-member Politburo Standing Committee. Despite its broad authority under the state constitution, the NPC did not set policy independently or remove political leaders without the CCP’s approval.

According to Ministry of Civil Affairs’ 2016 statistics, almost all of the country’s more than 600,000 villages had implemented direct elections by ordinary citizens for members of local sub-governmental organizations known as village committees. The direct election of officials remained narrow in scope and strictly confined to the lowest rungs of local governance. Corruption, vote buying, and interference by township-level and CCP officials continued to be problems. The law permits each voter to cast proxy votes for up to three other voters.

The 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 higher-level government officials or CCP cadres controlled the nomination of candidates. At higher levels legislators selected people’s congress delegates from among their 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.

Political Parties and Political Participation: 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 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.

No laws or regulations specifically govern the formation of political parties. The China Democracy Party (CDP) remained banned, and the government continued to monitor, detain, and imprison current and former CDP members. CDP founder Qin Yongmin, detained with his wife Zhao Suli in 2015, began his 13-year jail term in 2018 in Hubei’s Qianjiang Prison for “subversion of state power.” After his wife was released, she and Qin’s brother visited him in January and noted prison authorities denied him reading and writing materials and that Qin’s physical and mental health were deteriorating due to his forced hard labor.

Participation of Women and Minorities: Women and members of minority groups held few positions of significant influence in the government or CCP structure. Among the 2,987 appointed delegates to the 13th NPC during the year, 742 (25 percent) were

women. Following the 19th Party Congress, one member of the CCP Central Committee’s 25-member Politburo was a woman. There were no women in the Politburo Standing Committee.

The election law provides a general mandate for quotas for female and ethnic minority representatives, but achieving these quotas often required election authorities to violate the election law.

A total of 438 delegates from 55 ethnic minorities were members of the 13th NPC, accounting for 16 percent of the total number of delegates. All of the country’s officially recognized minority groups were represented. The 19th Party Congress elected 15 members of ethnic minority groups as members of the 202-person Central Committee. There was no ethnic minority member of the Politburo, and only one ethnic minority was serving as a party secretary of a provincial-level jurisdiction, although a handful of ethnic minority members were serving as leaders in provincial governments. An ethnic Mongolian woman, Bu Xiaolin, served as chair of the Inner Mongolia Autonomous Region, equivalent to a provincial governor. An ethnic Hui woman, Xian Hui, also served as chair of the Ningxia Hui Autonomous Region.

Section 4. Corruption and Lack of Transparency in Government

Although officials faced criminal penalties for corruption, the government and the CCP did not implement the law consistently or transparently. Corruption remained rampant, and many cases of corruption involved areas heavily regulated by the government, such as land-usage rights, real estate, mining, and infrastructure development, which were susceptible to fraud, bribery, and kickbacks. Court judgments often could not be enforced against powerful special entities, including government departments, state-owned enterprises, military personnel, and some members of the CCP.

Transparency International’s analysis indicated corruption remained a significant problem in the country. There were numerous reports of government corruption—and subsequent trials and sentences—during the year.

In March 2018 the NPC adopted the National Supervision Law, which codified the joint National Supervisory Commission-Central Commission for Discipline Inspection (NSC-CCDI). The NSC-CCDI is charged with rooting out corruption, and its investigations can target any public official, including police, judges, and prosecutors; the commission can investigate and detain individuals connected to targeted public officials. The creation of the NSC essentially vested the CCDI, the CCP’s internal discipline investigation unit that sits outside of the judicial system, with powers of the state. Rules governing NSC-CCDI investigations, operations, and detentions remained unclear.

NSC-CCDI detention, known as *liuzhi*, faced allegations of detainee abuse and torture. Liuzhi detainees are held incommunicado and have no recourse to appeal their detention. While detainee abuse is proscribed by the National Supervision Law, the

mechanism for detainees to report abuse is unclear. According to the compensation law, however, suspects wrongly accused of corruption can receive compensation for time spent in liuzhi.

Although liuzhi operates outside the judicial system, confessions given while in liuzhi were used as evidence in judicial proceedings. According to press reports and an NGO report released in August, liuzhi detainees experienced extended solitary confinement, sleep deprivation, beatings, and forced standing or sitting in uncomfortable positions for hours and sometimes days.

According to state media, the Discipline Inspection Commission and Supervision Commission in Maoming City, Guangdong, put 11 individuals in liuzhi detention between March and April 2018 for investigation of bribery or negligence of duty. One provincial official head of the liuzhi detention system said suspects averaged 42.5 days in detention before being transferred into the criminal justice system.

Corruption: In numerous cases government prosecutors investigated public officials and leaders of state-owned enterprises, who generally held high CCP ranks, for corruption.

While the tightly controlled state media apparatus publicized some notable corruption investigations, in general very few details were made public regarding the process by which CCP and government officials were investigated for corruption. In September Meng Hongwei, serving as the country's first Interpol president in Lyon, France, while retaining his position as a PRC Ministry of Public Security vice minister, disappeared after arriving in China on a September 25 flight. Media outlets reported Meng was taken into custody by “discipline authorities” upon his arrival for suspected corruption. The government announced Meng was being monitored while the NSC-CCDI investigated him and his associates for allegedly taking bribes; at year's end additional details about the case were unavailable.

In 2018 anticorruption investigations probed the high-profile suicide of Zhang Yi, president of the Langfang Chengnan Orthopedic Hospital, when he detailed the corrupt practices that interfered in hospital management and funds. On March 26, a Gu'an County court in Langfang City, Hebei, began hearing the trial for 12 suspects accused of committing crimes including organizing, leading, and participating in a criminal organization; extortion; provoking troubles; intentional injury; intentional destruction of property; forcing deals; capital embezzlement; graft; and fraud. The court did not pass its judgment immediately. The Gu'an court sentenced Yang Yuzhong to 25-years' imprisonment, the maximum prison sentence allowed. After Yang's family appealed the ruling, an appeals court in August affirmed the original judgment: 25-years' imprisonment for Yang Yuzhong and 18- and 10-years' imprisonment for two major members of Yang's organized crime group.

Financial Disclosure: A regulation requires officials in government agencies or state-owned enterprises at the county level or above to report their ownership of property, including that in their spouses' or children's names, as well as their families' investments in financial assets and enterprises. The regulations do not require declarations be made

public. Instead, they are submitted to a higher administrative level and a human resource department. Punishments for not declaring information vary from training on the regulations, warning talks, and adjusting one’s work position to being relieved of one’s position. Regulations further state officials should report all income, including allowances, subsidies, and bonuses, as well as income from other jobs, such as giving lectures, writing, consulting, reviewing articles, painting, and calligraphy. Officials, their spouses, and the children who live with them also are required to report their real estate properties and financial investments, although these reports are not made public. They are required to report whether their children live abroad as well as the work status of their children and grandchildren (including those who live abroad). Officials are required to file reports annually and are required to report changes of personal status within 30 days.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The government sought to maintain control over civil society groups, halt the emergence of independent NGOs, and hinder activities of civil society and human rights groups. The government frequently harassed independent domestic NGOs and in many cases did not permit them to openly monitor or comment on human rights conditions. The government made statements expressing suspicion of independent organizations and closely scrutinized NGOs with financial or other links overseas. The government took significant steps during the year to bring all domestic NGOs under its direct regulatory control, thereby curtailing the space for independent NGOs to exist. Most large NGOs were quasi-governmental, and government agencies had to sponsor all official NGOs.

The United Nations or Other International Bodies: The government remained reluctant to accept criticism of its human rights record by other nations or international organizations. The government sharply limited the visits of UN experts to the country and rarely provided substantive answers to queries by UN human rights bodies. A dozen requests for visits to the country by UN experts remained outstanding.

The government used its membership on the UN Economic and Social Council’s Committee on NGOs to block groups critical of China from obtaining UN accreditation and barring accredited activists from participating in UN events. The government also retaliated against human rights groups working with the United Nations, eliciting the criticism of UN Secretary-General Antonio Guterres.

Government Human Rights Bodies: The government maintained each country’s economic, social, cultural, and historical conditions determined its approach to human rights. The government claimed its treatment of suspects, considered to be victims of human rights abuses by the international community, was in accordance with national law. The government did not have a human rights ombudsman or commission.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape of women is illegal and carries a sentence that ranges from three years in prison to death. The law does not safeguard same-sex couples or victims of marital rape. The separate law on sexual assault includes male victims, but it has a maximum penalty of five years in prison. Of the reported cases, most allegations of rape were closed through private settlement rather than prosecution. Some persons convicted of rape were executed.

Domestic violence remained a significant problem. Some scholars said victims were encouraged to attempt to resolve domestic violence through mediation. Societal sentiment that domestic violence was a personal, private matter contributed to underreporting and inaction by authorities when women faced violence at home. The Family Violence Law defines domestic violence as a civil, rather than a criminal, offense. Web publication *Sixth Tone* reported 25 percent of families had experienced domestic violence.

The government supported shelters for victims of domestic violence, and some courts provided protections to victims, including through court protective orders prohibiting a perpetrator of domestic violence from coming near a victim. Nonetheless, official assistance did not always reach victims, and public security forces often ignored domestic violence. Legal aid institutions working to provide counseling and defense to victims of domestic violence were often pressured to suspend public activities and cease all forms of policy advocacy, an area that was reserved only for government-sponsored organizations.

According to women’s rights activists, a recurring problem in the prosecution of domestic violence cases was a failure by authorities to collect evidence, including photographs, hospital records, police records, or children’s testimony. Witnesses seldom testified in court.

Courts’ recognition of domestic violence improved, making spousal abuse a mitigating factor in crimes committed in self-defense.

Sexual Harassment: The law prohibits sexual harassment against women; however, there is no clear legal definition of sexual harassment. Offenders are subject to a penalty of up to 15 days in detention, according to the Beijing Public Security Bureau. It remained difficult for victims to file a sexual harassment complaint and for judges to reach a ruling on such cases. Many women remained unwilling to report incidents of sexual harassment, believing the justice system was ineffectual, according to official media. Several prominent media reports of sexual harassment went viral on social media, helping to raise awareness of the problem, particularly in the workplace.

In September 2018 Liang Songji and Zhang Wuzhou witnessed police officers beating and forcing female lawyer Sun Shihua to strip naked at a police station in Guangzhou’s Liwan District. They published accounts of the incident on social media, for which Guangzhou police detained both in October 2018. Prosecutors charged them with rumor mongering and obstructing police from performing official duties. After an initial trial on August 11, the Liwan District Court sent the case back to the procuratorate for

further investigation, but no new evidence was submitted. Liang and Zhang were sentenced on October 25, Liang to 18 months in jail for “picking quarrels and provoking trouble” and Zhang to 16 months in jail on the charges of “picking quarrels and provoking trouble” and “obstruction of official duties.”

Although many women experienced workplace sexual harassment, very few reported it. Human Rights Watch cited one statistic showing nearly 40 percent of women said they experienced sexual harassment in the workplace.

The Law on the Protection of Women’s Rights and Interests empowers victims to file a sexual harassment complaint with their employer, authorities, or both. Employers who failed to take effective measures to prevent sexual harassment could be fined.

Some women’s NGOs that sought to increase public awareness of sexual harassment reported harassment by public security and faced challenges executing their programs.

State media claimed the number of coerced abortions had declined in recent years in the wake of loosened regulations, including the implementation of the two-child policy. Nevertheless, citizens were subject to hefty fines for violating the law, while couples who had only one child received a certificate entitling them to collect a monthly incentive payment and other benefits that vary by province—from approximately six to 12 yuan (one to two dollars) per month up to 3,000 yuan (\$420) for farmers and herders in poor areas. Couples in some provinces were required to seek approval and register before a child was conceived. The National Health Commission rejected calls to eliminate legal references to family planning, citing the country’s constitutional provision that “the state promotes family planning so that population growth may fit the plans for economic and social development.”

According to other international reports, several Uighur women reported they were forced to undergo sterilization while detained in detention centers. A Uighur woman said she and other women were forced to ingest unknown drugs and drink a white liquid that caused them to lose consciousness and in some cases resulted in a loss of menstruation. She said some women died from excessive bleeding.

Under the law and in practice, there are financial and administrative penalties for births that exceed birth limits or otherwise violate regulations. The law, as implemented, requires each woman with an unauthorized pregnancy to abort or pay the social compensation fee, which can reach 10 times a person’s annual disposable income. The exact amount of the fee varied widely from province to province. Those with financial means often paid the fee so that their children born in violation of the birth restrictions would have access to a wide array of government-provided social services and rights. Some parents avoided the fee by hiding children born in violation of the law with friends or relatives. Minorities in some provinces, however, were entitled to higher limits on their family size.

The law maintains “citizens have an obligation to practice birth planning in accordance with the law” and also states “couples of child-bearing age shall voluntarily choose birth planning contraceptive and birth control measures to prevent and reduce unwanted pregnancies.”

Since the national family planning law mentions only the rights of married couples, local implementation was inconsistent, and unmarried persons must pay for contraception. Although under both civil law and marriage law the children of single women are entitled to the same rights as those born to married parents, in practice children born to single mothers or unmarried couples are considered “outside of the policy” and subject to the social compensation fee and the denial of legal documents, such as birth documents and the hukou residence permit. Single women could avoid those penalties by marrying within 60 days of the baby’s birth.

As in prior years, population control policy continued to rely on social pressure, education, propaganda, and economic penalties, as well as on measures such as mandatory pregnancy examinations and, less frequently, coerced abortions and sterilizations. Officials at all levels could receive rewards or penalties based on whether or not they met the population targets set by their administrative region. With the higher birth limit, and since most persons wanted to have no more than two children, it was easier to achieve population targets, and the pressure on local officials was considerably less than before. Those found to have a pregnancy in violation of the law or those who helped another to evade state controls could face punitive measures, such as onerous fines or job loss.

Regulations requiring women who violate the family planning policy to terminate their pregnancies still exist and were enforced in some provinces, such as Hubei, Hunan, and Liaoning. Other provinces, such as Guizhou and Yunnan, maintained provisions that require “remedial measures,” an official euphemism for abortion, to deal with pregnancies that violate the policy.

Although many local governments encouraged couples to have a second child, families with three or more children still must pay a “social compensation fee.” In Shandong a local district seized a family’s bank account of 22,987 yuan (\$3,200) for failure to pay the social compensation fee of 64,626 yuan (\$9,000) after having their third child. In a separate case in Shandong, a 67-year-old woman who gave birth to a third child faced fines from the local family planning commission. In previous years those who did not pay the fee were added to a “personal credit black list,” restricting their ability to request loans, take public transportation, purchase items, educate their children, and join tours. The compensation fees were estimated to be 15 to 30 percent of some local governments’ discretionary spending budgets. At year’s end the local government had not decided whether to fine the woman, but one government official promised to publicize the final decision.

The law mandates family planning bureaus administer pregnancy tests to married women of childbearing age and provide them with basic knowledge of family planning and prenatal services. Some provinces fined women who did not undergo periodic state-mandated pregnancy tests.

Family-planning officials face criminal charges and administrative sanctions if they are found to violate citizens’ human or property rights, abuse their power, accept bribes, misappropriate or embezzle family planning funds, or falsely report family planning statistics in the enforcement of birth limitation policy. Forced abortion is not specifically listed as a prohibited activity. The law also prohibits health-care providers from providing illegal surgeries, ultrasounds to determine the sex of the fetus that are not medically necessary, sex-selective abortions, fake medical identification, and fake birth certificates. By law citizens could submit formal complaints about officials who exceed their authority in implementing birth-planning policy, and complaints are to be investigated and dealt with in a timely manner.

Discrimination: The constitution states, “women enjoy equal rights with men in all spheres of life.” The law provides for equality in ownership of property, inheritance rights, access to education, and equal pay for equal work. Nonetheless, women reported discrimination, unfair dismissal, demotion, and wage discrepancies were significant problems.

On average, women earned 35 percent less than men who did similar work. This wage gap was greater in rural areas. Women also continued to be underrepresented in leadership positions, despite their high rate of participation in the labor force.

Authorities often did not enforce laws protecting the rights of women. According to legal experts, it was difficult to litigate sex discrimination suits because of vague legal definitions. Some observers noted the agencies tasked with protecting women’s rights tended to focus on maternity-related benefits and wrongful termination during maternity leave rather than on sex discrimination, violence against women, and sexual harassment; others pointed to the active role played by the All China Women’s Federation in passing the new domestic violence legislation.

On July 11, a Chengdu court ruled in favor of Liu Li, who used an alias, in a lawsuit against her former employer who she said sexually harassed her. The court ordered the former employer to apologize.

In October the Jing’an District People’s Court sentenced a man to six months in prison after he groped an adult woman and an under aged girl on a subway train on July 1.

Women’s rights advocates indicated in rural areas women often forfeited land and property rights to their husbands in divorce proceedings. Rural contract law and laws protecting women’s rights stipulate women enjoy equal rights in cases of land management, but experts asserted this was rarely the case due to the complexity of the law and difficulties in its implementation.

In September 2018 five government departments, including the National Health Commission and the State Drug Administration, jointly released a regulation on banning the use of ultrasonic diagnostic equipment to take “fetus photos” after the government found that such tools had been used to reveal the gender of the fetus.

Children

Birth Registration: Citizenship is derived from parents. Parents must register their children in compliance with the national household registration system within one month of birth. Unregistered children could not access public services, including education.

Education: Although the law provides for nine years of compulsory education for children, many children in economically disadvantaged rural areas did not attend school for the required period, and some never attended. Public schools were not allowed to charge tuition, but many schools continued to charge miscellaneous fees because they received insufficient local and central government funding. Such fees and other school-related expenses made it difficult for poorer families and some migrant workers to send their children to school. The gap in education quality for rural and urban youth remained extensive, with many children of migrant workers attending unlicensed and poorly equipped schools.

Child Abuse: The physical abuse of children is ground for criminal prosecution. The Domestic Violence Law also protects children. Sexual abuse of minors, particularly of rural children, was a significant problem.

Early and Forced Marriage: The legal minimum age for marriage is 22 for men and 20 for women. Child marriage was not known to be a problem.

Sexual Exploitation of Children: The minimum legal age for consensual sex is 14. Persons who forced girls younger than 14 into prostitution could be sentenced to 10 years to life in prison in addition to a fine or confiscation of property. In especially serious cases, violators could receive a life sentence or death sentence, in addition to having their property confiscated. Those who visited girls forced into prostitution younger than 14 were subject to five years or more in prison in addition to paying a fine.

Pornography of any kind, including child pornography, is illegal. Under the criminal code, those producing, reproducing, publishing, selling, or disseminating obscene materials with the purpose of making a profit could be sentenced to up to three years in prison or put under criminal detention or surveillance in addition to paying a fine. Offenders in serious cases could receive prison sentences of three to 10 years in addition to paying a fine.

According to the law, persons broadcasting or showing obscene materials to minors younger than 18 are to be “severely punished.”

Infanticide or Infanticide of Children with Disabilities: The law forbids infanticide; it was unknown if the practice continued. Parents of children with disabilities frequently left infants at hospitals, primarily because of the anticipated cost of medical care. Gender-biased abortions and the abandonment and neglect of baby girls were believed to be in decline but continued to be a problem in some circumstances due to the traditional preference for sons and the birth-limitation policy.

Displaced Children: The detention of an estimated one million or more Uighurs, ethnic Kazakhs, Kyrgyz, and other Muslims in Xinjiang left many children without caregivers. While many of these children had other relatives willing to care for them, the government began placing the children of detainees in orphanages, boarding schools, or “child welfare guidance centers,” where they were forced to shout patriotic slogans, learn Mandarin Chinese, and answer questions about their parents’ religious beliefs and practices. The number of such children was unknown, especially as many of these facilities were also used for orphans and regular students, but one media outlet reported that, based on a 2017 government planning document, at least 500,000 children were separated from their parents and put into these “care” centers. Government policy aims to provide such children with state-sponsored care until they reach age 18. Media reports showed new construction for orphanages in Xinjiang greatly escalated in 2017 and 2018 to house thousands of children of parents being held in camps. In Hotan, some boarding schools were topped with barbed wire.

Institutionalized Children: See “Displaced Children” section above.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html> (<https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>).

Anti-Semitism

The government does not recognize Judaism as an ethnicity or religion. There were no reports of anti-Semitic acts during the year.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/> (<https://www.state.gov/trafficking-in-persons-report/>).

Persons with Disabilities

The law protects the rights of persons with disabilities and prohibits discrimination, but in many instances conditions for such persons lagged behind legal requirements, and the government failed to provide persons with disabilities access to programs intended to assist them.

According to the law, persons with disabilities “are entitled to enjoyment of equal rights as other citizens in political, economic, cultural, and social fields, in family life, and in other aspects.” Discrimination against, insult of, and infringement upon persons with disabilities is prohibited. The law prohibits discrimination against minors with disabilities and codifies a variety of judicial protections for juveniles.

The Ministry of Education reported there were more than 2,000 separate education schools for children with disabilities, but NGOs reported only 2 percent of the 20 million children with disabilities had access to education that met their needs.

Individuals with disabilities faced difficulties accessing higher education. Universities often excluded candidates with disabilities who would otherwise be qualified. A regulation mandates accommodations for students with disabilities when taking the national university entrance exam.

Unemployment among adults with disabilities, in part due to discrimination, remained a serious problem. The law requires local governments to offer incentives to enterprises that hire persons with disabilities. Regulations in some parts of the country also require employers to pay into a national fund for persons with disabilities when employees with disabilities do not make up a statutory minimum percentage of the total workforce.

Standards adopted for making roads and buildings accessible to persons with disabilities are subject to the Law on the Handicapped, which calls for their “gradual” implementation; compliance was limited.

The law forbids the marriage of persons with certain mental disabilities, such as schizophrenia. If doctors find a couple is at risk of transmitting congenital disabilities to their children, the couple may marry only if they agree to use birth control or undergo sterilization. In some instances officials continued to require couples to abort pregnancies when doctors discovered possible disabilities during prenatal examinations. The law stipulates local governments are to employ such practices to eliminate the births of children with disabilities.

National/Racial/Ethnic Minorities

Government policy called for members of recognized minorities to receive preferential treatment in birth planning, university admission, access to loans, and employment. The substance and implementation of ethnic minority policies nonetheless remained poor, and discrimination against minorities remained widespread. The government “sinicization” campaign resulted in ethnically based restrictions on movement, including curtailed ability of ethnic Uighurs to travel freely or obtain travel documents; greater surveillance and presence of armed police in Xinjiang; and legislative restrictions on cultural and religious practices.

According to the most recent government census (in 2015), 9.5 million, or 40 percent, of the Xinjiang’s official residents were Han Chinese. Uighur, Hui, ethnic Kazakh, Kyrgyz, and other ethnic minorities constituted 14.1 million Xinjiang residents, or 60 percent of the total population. Official statistics understated the Han Chinese population because

they did not count the more than 2.7 million Han residents on paramilitary compounds (*bingtuan*) and those who were long-term “temporary workers,” an increase of 1.2 percent over the previous year, according to a 2015 government of Xinjiang report.

The government’s policy to encourage Han Chinese migration into minority areas significantly increased the population of Han in Xinjiang. Han Chinese officials continued to hold the majority of the most powerful CCP and many government positions in minority autonomous regions, particularly Xinjiang. The rapid influx of Han Chinese into Xinjiang in recent decades has provoked Uighur resentment.

In 2017 the Xinjiang government also implemented new “Deradicalization Regulations,” codifying efforts to “contain and eradicate extremism,” according to Xinhua. The broad definition of extremism resulted in the reported detention since 2017 of more than one million Uighurs, ethnic Kazakhs, Kyrgyz, and other Muslims in “transformation through education” centers, or detention centers, designed to instill patriotism and erase their religious and ethnic identities. This included many of those ordered to return to China from studying or working abroad. International media reported security officials in the centers abused, tortured, and killed some detainees (see sections 1.a, 1.b, 1.c, 1.d, and 2.d.).

Officials in Xinjiang sustained efforts to crack down on the government-designated “three evil forces” of religious extremism, ethnic separatism, and violent terrorism, including by continuing the concentrated re-education campaign. Xinjiang Communist Party secretary Chen Quanguo, former Communist leader in the TAR, replicated in Xinjiang policies similar to those credited with reducing opposition to CCP rule in Tibet, increasing the security budget by more than 300 percent and advertising more than 90,800 security-related jobs. Authorities cited the 2016 Xinjiang guidelines for the implementation of the national Counterterrorism Law and a “people’s war on terrorism” in its increased surveillance efforts and enhanced restrictions on movement and ethnic and religious practices.

Outside the internment camps, the government implemented severe restrictions on expressions of minorities’ culture, language, and religious identity, including regulations prohibiting behaviors the government considered signs of “extremism” such as growing “abnormal” beards, wearing of veils in public places, and suddenly stopping smoking and drinking alcohol, among other behaviors. The regulations banned the use of some Islamic names when naming children and set punishments for the teaching of religion to children. Authorities conducted “household surveys” and “home stays” in which officials or volunteers forcibly lived in Uighurs’ homes and monitored families for signs of “extremism.” There were media reports that male officials would sleep in the same bed as the wives of men who were detained in internment camps, as part of the “Pair Up and Become Family” program, and also bring alcohol and pork for consumption during the home stay.

In October 2018 the Xinjiang government released new implementing regulations on “de-extremification.” Article 17 of the regulations states that county-level governments “may establish occupational skills education and training centers and other such education and transformation bodies and management departments to conduct

education and transformation for persons influenced by extremism.” Some observers noted, despite this new regional law, the “re-education centers” were still illegal under the constitution.

Minority groups in border and other regions had less access to education than their Han Chinese counterparts, faced job discrimination in favor of Han Chinese migrants, and earned incomes well below those in other parts of the country. Government development programs and job provisions disrupted traditional living patterns of minority groups and in some cases included the forced relocation of persons and the forced settlement of nomads. Han Chinese benefited disproportionately from government programs and economic growth in minority areas. As part of its emphasis on building a “harmonious society” and maintaining social stability, the government downplayed racism and institutional discrimination against minorities and cracked down on peaceful expressions of ethnic culture and religion, which remained a source of deep resentment in Xinjiang, the Inner Mongolia Autonomous Region, the TAR, and other Tibetan areas.

The law states “schools (classes and grades) and other institutions of education where most of the students come from minority nationalities shall, whenever possible, use textbooks in their own languages and use their languages as the medium of instruction.” Despite provisions to ensure cultural and linguistic rights, measures requiring full instruction in Mandarin beginning in preschool and banning the use of Uighur in all educational activities and management were implemented throughout Xinjiang, according to international media.

Many of the security raids, arbitrary detentions, and judicial punishments appeared to target groups or individuals peacefully seeking to express their political or religious views. Detention and punishment extended to expression on the internet and social media, including the browsing, downloading, and transmitting of banned content. Officials continued to use the threat of violence as justification for extreme security measures directed at the local population, journalists, and visiting foreigners. According to Xinhua, officials used surveillance and facial recognition software, biometric data collection, and big data technology to create a database of Uighurs in Xinjiang for the purpose of conducting “social-instability forecasting, prevention, and containment.” Security forces frequently staged large-scale parades involving thousands of armed police in cities across Xinjiang, according to state media.

Uighurs and other religious minorities continued to be sentenced to long prison terms and in some cases executed without due process on spurious charges of separatism and endangering state security. In 2016 and 2017, the Xinjiang regional government posted advertisements to recruit nearly 100,000 security personnel, international media reported.

The law criminalizes discussion of “separatism” on the internet and prohibits use of the internet in any way that undermines national unity. It further bans inciting ethnic separatism or “harming social stability” and requires internet service providers and network operators to set up monitoring systems to detect, report, and delete religious content or to strengthen existing systems and report violations of the law. Authorities

searched cell phones at checkpoints and during random inspections of Uighur households, and persons in possession of alleged terrorist material, including pictures of general religious or cultural importance, could be arrested and charged with crimes. International media reported security officials at police checkpoints used a surveillance application to download and view content on mobile phones.

Ethnic Kazakhs were also targeted, RFA and other international media reported. In August 2018 Sayragul Sauytbay, an ethnic Kazakh Chinese citizen, testified in a Kazakhstan court that she was forced to work in a center where an estimated 2,500 ethnic Kazakhs were detained. She told the court she had to undergo “political indoctrination” at the camp. Kazakhs were also prevented from moving freely between China and neighboring Kazakhstan, and some were detained in internment camps upon their return to China.

The government pressured foreign countries to repatriate or deny visas to Uighurs who had left China and repatriated Uighurs faced the risk of imprisonment and mistreatment upon return. Some Uighurs who were forcibly repatriated disappeared after arriving in China. Family members of Uighurs studying overseas were also pressured to convince students to return to China, and returning students were detained or forced to attend re-education camps, according to overseas media. Overseas ethnic Uighurs, whether they were citizens of the PRC or their countries of residence, were sometimes pressured to provide information about the Uighur diaspora community to agents of the PRC government.

In July media reported a Uighur woman and her two daughters were given Tajik passports and deported against their will from Turkey to Tajikistan, where they were flown by PRC authorities to Urumqi, despite being legal residents of Turkey. In August a Uighur man fled his home in Pakistan to seek asylum in Europe because multiple other Pakistan-based Uighurs had been refouled back to China. He was refused in entry in Bosnia and sent to Qatar, where he faced refoulement back to China, before ultimately being granted entry to another country.

Freedom of assembly was severely limited during the year in Xinjiang. For information about abuse of religious freedom in Xinjiang, see the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/> (<https://www.state.gov/religiousfreedomreport/>).

For specific information on Tibet, see the Tibet Annex.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

No laws criminalize private consensual same-sex activities between adults. Individuals and organizations working on lesbian, gay, bisexual, transgender, and intersex (LGBTI) issues continued to report discrimination and harassment from authorities similar to that experienced by other organizations that accept funding from overseas.

LGBTI individuals reported incidents of violence, including domestic violence; however, they encountered difficulties in seeking legal redress, since regulations on domestic violence, including the Family Violence Law, do not include recognition of same-sex relations. Accessing redress was further limited by societal discrimination and traditional norms, resulting in most LGBTI persons refraining to publicly discuss their sexual orientation or gender identity.

NGOs working on LGBTI issues reported that although public advocacy work became more difficult for them due to the Foreign NGO Management Law and the Domestic Charity Law, they made some progress in advocating for LGBTI rights through specific antidiscrimination cases.

HIV and AIDS Social Stigma

Discrimination against persons with HIV remained a problem, impacting individuals' employment, educational, and housing opportunities and impeding access to health care. In some instances laws protecting persons with HIV from discrimination contradict laws restricting the rights of persons with HIV. During the year state media outlets reported instances of persons with HIV/AIDS who were barred from housing, education, or employment due to their HIV status. An estimated 1.25 million persons in the country had HIV.

Early in the year, a retired worker named “Wang Ming” in Xi’an was “persuaded” by the president of a local public hospital to return home, citing his coughing as a chronic disease. Wang Ming stated his belief the public hospital declined him service after finding out he was HIV positive, infected earlier during a dental operation at a private clinic.

According to the law, companies may not demand HIV antibody tests nor dismiss employees for having HIV. Nonetheless, the regulation on Prevention and Treatment of HIV/AIDS revised during the year also stipulates that HIV-positive individuals shall not engage in work that is prohibited by laws, administrative regulations, and the Department of Health under the State Council.

Other Societal Violence or Discrimination

The law prohibits discrimination against persons carrying infectious diseases and allows such persons to work as civil servants. Despite provisions in the law, discrimination against hepatitis B carriers (including 20 million chronic carriers) remained widespread in many areas, and local governments sometimes tried to suppress their activities. Despite a 2010 nationwide rule banning mandatory hepatitis B virus tests in job and school admissions applications, many companies continued to use hepatitis B testing as part of their pre-employment screening.

The law does not address some common types of discrimination in employment, including discrimination based on height, physical appearance, or ethnic identity.

Promotion of Acts of Discrimination

In an effort to justify the detention of ethnic minorities in Xinjiang and elsewhere, official Chinese state media outlets published numerous articles describing members of minority ethnic or religious groups as violent and inferior. Such propaganda emphasized the connection between religious beliefs, in particular belief in Islam, and acts of violence. Moreover, many articles described religious adherents as culturally backward and less educated, and thus in need of government rectification.

Section 7. Workers’ Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not provide for freedom of association, and workers are not free to organize or join unions of their own choosing. The All China Federation of Trade Unions (ACFTU) is the only union recognized under the law. Independent unions are illegal, and the law does not protect the right to strike. The law allows for collective wage bargaining for workers in all types of enterprises. The law further provides for industrial sector-wide or regional collective contracts, and enterprise-level collective contracts were generally compulsory throughout the country. Regulations require the government-controlled union to gather input from workers prior to consultation with management and to submit collective contracts to workers or their congress for approval. There is no legal obligation for employers to negotiate or to bargain in good faith, and some employers refused to do so.

The law provides for legal protections against discrimination against the officially sanctioned union and specifies union representatives may not be transferred or terminated by enterprise management during their term of office. The law provides for the reinstatement of workers dismissed for official union activity as well as for other penalties for enterprises that engage in antiunion activities. The law does not protect workers who request or take part in collective negotiations with their employers independent of the officially recognized union.

All union activity must be approved by and organized under the ACFTU, a CCP organ chaired by a member of the Politburo. The ACFTU and its provincial and local branches continued to establish new constituent unions and add new members, especially among younger workers in technology companies. The law gives the ACFTU financial and administrative control over constituent unions empowered to represent employees in negotiating and signing collective contracts with enterprises and public institutions. The law does not mandate the ACFTU to represent the interests of workers in disputes.

The ACFTU and the CCP used a variety of mechanisms to influence the selection of trade union representatives. Although the law states trade union officers at each level should be elected, ACFTU-affiliated unions appointed most factory-level officers, often in coordination with employers. Official union leaders were often drawn from the ranks of management. Direct election by workers of union leaders continued to be rare, occurred only at the enterprise level, and was subject to supervision by higher levels of the union or the CCP. In enterprises where direct election of union officers took place,

regional ACFTU officers and local CCP authorities retained control over the selection and approval of candidates. Even in these cases, workers and NGOs expressed concern about the credibility of elections.

The law does not expressly prohibit work stoppages and does not prohibit workers from striking spontaneously. Although some local authorities tolerated strikes protesting unpaid or underpaid wages, reports of police crackdowns on strikes continued throughout the year. For example, on April 10, police in Zhangjiakou, Hebei, beat and arrested a group of Bell Tower Brewery employees calling for unpaid social insurance benefits. Wage and benefit arrears constituted 84 percent of the 1,386 strikes and collective protests recorded during the year by the Hong Kong-based labor rights NGO China Labor Bulletin.

In cases where local authorities cracked down on strikes, they sometimes charged leaders with vague criminal offenses, such as “inciting subversion of state power,” “picking quarrels and provoking trouble,” “gathering a crowd to disturb public order,” or “damaging production operations,” or detained them without any charges. The only legally specified roles for the ACFTU in strikes are to participate in investigations and to assist the Ministry of Human Resources and Social Security in resolving disputes.

Enforcement was generally insufficient to deter wide-scale violations of laws designed to protect workers’ rights. Labor inspectors lacked authority and resources to compel employers to correct violations. While the law outlines general procedures for resolving disputes, procedures were lengthy and subject to delays. Local authorities in some areas actively sought to limit efforts by independent civil society organizations and legal practitioners. Some areas maintained informal quotas on the number of cases allowed to proceed beyond mediation to arbitration or the courts. Some local government authorities took steps to increase mediation or arbitration. According to the *China Labor Statistical Yearbook*, in 2017 local labor dispute arbitration committees handled 785,323 cases, of which 169,456 were related to the termination of employment contracts.

Despite the appearances of a strong labor movement and relatively high levels of union registration, genuine freedom of association and worker representation did not exist. The ACFTU constituent unions were generally ineffective in representing and protecting the rights and interests of workers. Workers generally did not view the ACFTU as an advocate, especially migrant workers who rarely interacted with union officials.

China Labor Bulletin reported workers throughout the country engaged in wildcat strikes, work stoppages, and other protest actions and claimed the workers’ actions were indicative of the ACFTU’s inability to prevent violations and resolve disputes. Media reported a number of protests at factories throughout the country and a number of worker protests in the service and retail sectors.

The government increasingly targeted labor activists, students, and others advocating for worker rights during the year. For example, the government continued to target labor organizers and labor rights activists following the detention of Jasic Technology factory workers and their supporters that began in July 2018. The government ramped up its antilabor campaign by detaining and harassing labor rights advocates, including

factory workers, activists, researchers, NGO workers, social workers, and media editors, beyond those involved in the Shenzhen Jasic movement in which workers at a Jasic Technology factory attempted to form a union in response to low pay and poor working conditions. Guangdong labor activists, the Maoist organization Wu-You-Zhi-Xiang, leftist university students, and other groups supported the protests, and Shenzhen police took into custody dozens of workers and one student labor activist in 2018, and four workers – Li Zhan, Liu Penghua, Mi Jiuping, and Yu Juncong – remained in custody at year’s end. According to the Jasic Workers’ Support Group, some of its members were interviewed by state security officials and asked to watch a video in which their peers confessed to their alleged wrongdoings in supporting the labor campaign against the Jasic company. In one video, Shen Mengyu and three other activists reportedly said their violations of the law and extremist thoughts were the result of brainwashing by radical organizations that wanted to utilize them to instigate dissent against the state. The Support Group criticized the police’s footage and described it as a forced production against the will of the students and full of loopholes.

Six UN independent experts wrote to the government in May expressing concern over the Jasic detentions. In June and October, the International Labor Organization (ILO)’s Committee on the Freedom of Association, in response to a case filed by the International Trade Union Confederation alleging government harassment, intimidation, arrests, and physical abuse, concluded the government’s detention of and criminal charges against the Jasic workers constituted a serious interference with civil liberties and trade union rights. The ILO urged the government to release workers detained in relation to their activities to form a union and submit a detailed reply on the allegations.

Despite restrictions on worker action, joint action across provinces took place in several other sectors. In April protests by delivery company employees over layoffs, wage arrears, social insurance, and equal pay took place at various locations in Shandong, Jiangxi, and Shaanxi, as well as in Beijing and Shanghai.

Coordinated efforts by governments at the central, provincial, and local levels, including surveillance, harassment, detention, and the imposition of travel restrictions on labor rights defenders and restrictions on funding sources for NGOs, disrupted labor rights advocacy. In January and March, police detained three editors of an online worker rights advocacy platform after they published information advocating for migrant workers from Hunan to receive overdue compensation for the occupational lung disease pneumoconiosis. In May police raided civil society organizations supporting migrant workers in Beijing, Guangzhou, and Shenzhen, detaining four social workers. On December 15, three labor activists who worked to defend the legal rights of sanitation workers were detained for 15 days in Guangzhou.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced and compulsory labor. Although domestic media rarely reported forced labor cases and the penalties imposed, the law provides a range of penalties depending on the circumstances, including imprisonment, criminal detention, and fines. It was unclear whether the penalties were sufficient to deter violations.

There were multiple media and NGO reports that persons detained in the internment camps in Xinjiang (see section 6) were subjected to forced labor. The detainees mostly worked in textile factories producing garments. In June a factory investigation report stated apparel made at a forced labor camp in Xinjiang was imported by a U.S. athletic gear provider.

The more than one million Chinese workers overseas remained vulnerable to employer exploitation and forced labor. On March 22, the head of U.S. operations for a Chinese construction firm and its U.S.-based subsidiaries was convicted in U.S. court on forced labor charges for exploiting Chinese construction workers in New York City.

Although in 2013 the NPC officially abolished the re-education through labor system, an arbitrary system of administrative detention without judicial review, numerous media outlets and NGOs reported forced labor continued in prisons as well as drug rehabilitation facilities where individuals continued to be detained without judicial process. In August an NGO report stated prison labor was used in cotton production in Xinjiang.

There were several reports small workshops and factories subjected persons with mental disabilities to forced labor.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/> (<https://www.state.gov/trafficking-in-persons-report/>).

c. Prohibition of Child Labor and Minimum Age for Employment

The law specifies administrative review, fines, and revocation of business licenses of enterprises that illegally hire minors and provides underage working children be returned to their parents or other custodians in their original place of residence. The penalty is imprisonment for employing children younger than 16 in hazardous labor or for excessively long hours, but a gap remained between legislation and implementation despite annual inspection campaigns launched by local authorities across the country. Laws aimed at stopping child trafficking may not apply to boys ages 14-17. It was unclear whether the penalties were sufficient to deter violations. During the year there were reports of children working, often unpaid, in small manufacturing workshops, on farms, and as acrobats.

In April media reported that student interns from Changchun University of Science and Technology were forced to sign contracts, often without reading them, with electronics factories in Hebei and Jilin. The students reportedly worked 12 hours a day with no breaks, no holidays, no sick leave, and minimal pay. One male student was taken to the hospital after being beaten by another employee, and one female student reported being sexually harassed on the job.

In July the Ministry of Education issued guidelines to regulate student internships. As in past years, however, abuse of the student-worker system continued. There were multiple reports schools and local officials improperly facilitated the supply of student

laborers. For example, there were media and NGO reports that vocational student interns at Foxconn Technology Group’s facility in Hengyang, Hunan, accounted for more than 20 percent of one facility’s workforce, double the level permitted by law. Some students were forced to work night shifts and overtime in violation of the law. Media reported that in one case, a student who complained to the manager of her production line was told by a teacher that noncompliance could jeopardize her graduation. In response to media inquiries, Foxconn acknowledged it was not in full compliance with relevant laws and regulations, adding it would take immediate steps to ensure interns no longer worked overtime or nights. Foxconn had previously been criticized for using child labor from vocational schools.

Also see the U.S. Department of Labor’s *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods> (<https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>).

d. Discrimination with Respect to Employment and Occupation

The law provides some basis for legal protection against employment discrimination on the grounds of ethnicity, race, gender, religious belief, disability, age, and infectious or occupational diseases. The government did not effectively implement the laws. In February nine government ministries and groups issued a notice prohibiting gender discrimination during recruitment and hiring and the ACFTU published a manual for promoting gender equality at work. Enforcement clauses include the right to pursue civil damages through the courts. Some courts were reluctant to accept discrimination cases, and authorities at all levels emphasized negotiated settlements to labor disputes. As a result, there were few examples of enforcement actions that resulted in final legal decisions. Discrimination in employment was widespread, including in recruitment advertisements that discriminated based on gender, age, height, birthplace, marital status, disability, and physical appearance and health status (see section 6).

Workplace discrimination against women was common during the year. The mandatory retirement age for women was 50 for those in blue-collar jobs and 55 for those in white-collar jobs. The retirement age for all men was 60.

A November 2018 Human Rights Watch survey of 36,000 civil service job advertisements between 2013 and 2018 found one in five specified a requirement or preference for men. Examples of discrimination included job advertisements seeking pretty women, preferring men, or requiring higher education qualifications from women compared with men for the same job. Survey results showed women were less likely to be invited for interviews or called back for a second round of interviews. In interviews some women were asked whether they had children, how many children they had, and whether they planned to have children or more children if they had a child already. A 2018 survey of 100,000 job seekers by Zhaopin, an online job search platform, found women were paid 22 percent less than men and more than 10 percent of working women believed deciding to marry or have children would put their opportunities to advance at risk. In August a member of the National People’s Congress Standing Committee noted women faced discrimination when pregnant, which employers associated with additional costs.

The hukou system remained the most pervasive form of employment-related discrimination, denying migrant workers access to the full range of social benefits, including health care, pensions, and disability programs, on an equal basis with local residents.

e. Acceptable Conditions of Work

There is no national minimum wage, but the law generally requires local and provincial governments to set their own minimum wage rates for both the formal and informal sectors according to standards promulgated by the Ministry of Human Resources and Social Security. By law employees are limited to working eight hours a day and 40 hours per week; work beyond this standard is considered overtime. It also prohibits overtime work in excess of three hours per day or 36 hours per month and mandates premium pay for overtime work.

The Ministry of Emergency Management, established in 2018, sets and enforces occupational safety regulations. The National Health Committee sets and enforces occupational health regulations. The law requires employers to provide free health checkups for employees working in hazardous conditions and to inform them of the results. The law also provides workers the right to report violations or remove themselves from workplace situations that could endanger their health without jeopardy to their employment.

Regulations state labor and social security bureaus at or above the county level are responsible for enforcement of labor laws. Companies that violate occupational, safety, and health regulations face various penalties, including suspension of business operations or rescission of business certificates and licenses.

The government did not effectively enforce the law. Penalties were not adequate to deter violations and were seldom enforced. The number of inspectors was insufficient to deter violations and did not operate in the informal sector. Although the country's worker safety record improved over the preceding eight years, there were a number of workplace accidents during the year. Media and NGO reports attributed them to a lack of safety checks, weak enforcement of laws and regulations, ineffective supervision, and inadequate emergency responses.

Nonpayment of wages, including overtime and premium pay, remained a problem in many areas. Moreover, a 2018 ACFTU survey found 30 percent of white-collar employees were discouraged from taking annual leave to which they were entitled. The government seldom enforced overtime laws, and 72-hour workweeks were common for a wide range of workers. Early in the year, technology workers organized an online campaign protesting “996 culture,” representing typical working hours in the industry, from 9 a.m. to 9 p.m., six days a week. The campaign prompted public debate and limited action. For example, some technology product developers began refusing to license projects to companies that promoted a work culture of voluntary or mandatory overtime. Also, in response to the campaign, more than 70 lawyers signed a letter directed to the Ministry of Human Resources and Social Security urging the government

to enforce labor laws. Some local authorities, including in Hangzhou, launched investigations to determine if companies violated labor laws by encouraging overtime work.

Unpaid wages have been an acute problem for decades due to the prevalence of hiring subcontracted low-wage migrant workers. This informal hiring scheme made rural laborers susceptible to delayed payment or nonpayment for their work, prompting them to join in collective action. Governments at various levels continued efforts to prevent arrears and to recover payment of unpaid wages and insurance contributions. According to the Supreme People’s Procuratorate, it prosecuted 2,609 individuals in 2,396 cases of nonpayment of wages during the year, helping workers recover 250 million yuan (\$35.2 million) of unpaid wages. Prosecutions resulted in 2,599 arrests. Workers, however, occasionally took drastic measures to demand payment. On June 27, two construction workers in Lengshuijiang, Hunan, threatened to jump from a crane unless they were paid for their work.

Companies continued to relocate or close on short notice, often leaving employees without adequate recourse for due compensation. On July 23, workers staged a protest demanding back wages when a car dealership in Taizhou, Zhejiang, suddenly closed without warning.

Workers in the informal sector often lacked coverage under labor contracts, and even with contracts, migrant workers in particular had less access to benefits, especially social insurance. Workers in the informal sector worked longer hours and earned less than comparable workers in the formal sector. On April 23, a strike of approximately 100 sanitation workers in Henan protested excessive working hours, stagnant pay, and poor working conditions (also see section 7.a.).

According to several official documents published during the year, occupational diseases were prevalent, and, according to media reports, underreported. Patients came from many industries, including coal, chemical engineering, and construction. The National Health Commission reported 28,000 new cases of occupational illnesses were diagnosed annually, with pneumoconiosis, or black lung disease, accounting for nearly 90 percent of cases. In July media reported that police halted the travel of more than 10,000 former construction workers affected by pneumoconiosis from Shaanxi, as they traveled to Luoyang to petition for compensation for the occupational illness.

Workplace accidents and injuries remained common. Although there were fewer news reports on coal mine accidents during the year, the coal mining industry remained extremely deadly. According to the China Coal Safety Production Network, during the year there were 170 coal mine accidents, causing 3,168 deaths. On January 12, a coal dust explosion in Shaanxi killed 21 miners. A May 29 coal mine collapse in Jiangxi left two dead. On July 31, seven individuals died when methane gas exploded in a coal mine in Guizhou.

Work accidents also remained widespread in other industries. On February 23, a silver mine accident in Inner Mongolia killed 22 persons and injured 28. On March 21, a chemical plant explosion in Jiangsu killed 78 persons and injured more than 600. Ten construction workers died on May 16, when the building they were working on collapsed in Shanghai. On September 29, a factory fire in Zhejiang killed 19 workers.

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