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Freedom House

FREEDOM IN THE WORLD 2018 - CHINA

Year:

2018

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

6

Aggregate Score:

14

Freedom Rating:

6.5

Overview:

China's authoritarian regime has become increasingly repressive in recent years. The ruling Chinese Communist Party (CCP) is tightening its control over the media, online speech, religious groups, and civil society associations while undermining already modest rule-of-law reforms. The CCP leader and state president, Xi Jinping, is consolidating personal power to a degree not seen in China for decades. The country's budding civil society and human rights movements have struggled amid a multiyear crackdown, but continue to seek avenues for protecting basic rights and sharing uncensored information, at times scoring minor victories.

KEY DEVELOPMENTS IN 2017:

- At the CCP's 19th Party Congress in October, Xi Jinping further strengthened his hold on power and secured an additional five years as the party's general secretary, but his departure from previous norms—including his failure to appoint a potential successor to the Politburo Standing Committee—could have negative consequences for China's future political stability.
- Internet censorship and surveillance reached new heights as a Cybersecurity Law came into effect in June, alongside other new regulations restricting online communications.
- The authorities' crackdown on civil society continued, with arrests and criminal prosecutions of bloggers, activists, human rights lawyers, and religious believers.
- Imprisoned Nobel Peace Prize laureate and democracy activist Liu Xiaobo died in July, less than a month after prison authorities announced that he had late-stage liver cancer.

Executive Summary:

Xi Jinping, who took office as general secretary of the CCP in November 2012, continued to concentrate personal power in 2017 to an extent not seen in China for decades. At the CCP's 19th Party Congress in October, Xi secured an additional five years as general secretary and a place in the CCP constitution for himself, his key policy initiatives, and his contributions to party ideology. A new Politburo Standing Committee was announced, featuring five new members and heavily weighted with Xi's allies. However, the body lacked any members young enough to replace Xi in 2022 after he completes the customary two five-year terms, reinforcing speculation that he may break with precedent and seek a third term.

In a lengthy speech at the congress, Xi emphasized that “socialism with Chinese characteristics” had entered a “new era,” one that required further increases in party controls over information, society, culture, the military, and the economy. He also spoke confidently about China’s rise on the world stage and for the first time called for its governance system to serve as a model for other countries, especially developing economies.

Party authorities tightened political, social, and media restrictions in Beijing and across China in the months ahead of the October gathering. Implementation of a Cybersecurity Law and other new regulations resulted in a crackdown on virtual private networks (VPNs), penalties for private technology companies whose censorship measures were deemed insufficient, tighter enforcement of real-name registration rules online, and greater pressure on users to censor themselves and each other. Several activists responsible for websites or blogs that monitor protests and human rights conditions were arrested or sentenced during the year, and court documents related to the prosecution of rights lawyers cited their online activities and interviews with foreign media.

In July, democracy advocate and Nobel Peace Prize laureate Liu Xiaobo died soon after prison authorities sent him to a hospital with a diagnosis of late-stage liver cancer. He was allowed to see his wife, Liu Xia, who has been under house arrest since 2010, but officials refused to permit him to travel abroad for treatment. Activist and netizen efforts to commemorate Liu Xiaobo were strongly suppressed, with several people detained and online censorship spiking in the days following his death.

New regulations that were adopted in August further restricted the scope for religious freedoms, particularly for children’s religious education. Authorities continued to engage in acts of persecution against religious believers and leaders during the year, including the extralegal detention of a Catholic bishop, the jailing of a Protestant pastor, the sentencing of two imams to 10 years in prison, and the death in custody of a Falun Gong practitioner. An already massive security presence in Xinjiang grew, and restrictions on free expression, travel, and religious practice in the region expanded to affect not only Uighurs but also Kazakhs and other Muslim ethnic minorities, thousands of whom were sent to extralegal political indoctrination centers.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 0 / 40 (–1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

There are no direct or competitive elections for national executive leaders. The CCP’s seven-member Politburo Standing Committee (PSC), headed by Xi Jinping in his role as the party’s general secretary, sets government and party policy. Xi also holds the position of state president and serves as chairman of the state and party military commissions. At the 19th Party Congress in October 2017, Xi was awarded a second term as general secretary, and an opaque intraparty process resulted in the announcement of a new PSC membership. In a departure from precedent, none of the incoming PSC members was young enough to serve as Xi’s successor and then rule for the customary two five-year terms, reinforcing speculation that Xi would seek a third term in 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 3,000 members of the National People’s Congress (NPC) are formally elected for five-year terms by subnational congresses, but in practice candidates are vetted by the CCP. The NPC formally elects the state president for up to two five-year terms, and confirms the premier after he is nominated by the president, but both positions are decided in advance at the relevant CCP congress. Only the NPC’s standing committee meets regularly, with the full congress convening for just two weeks a year to approve proposed legislation; party organs and the State Council, or cabinet, effectively control lawmaking. The current NPC was seated in March 2013 and named Xi as state president that month.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Political positions are directly elected only at the lowest administrative levels. Independent candidates who obtain the signatures of 10 supporters are by law allowed to run for seats in the county-level people's congresses, and elections for village committees are also supposed to give residents the chance to choose their representatives. In practice, however, independent candidates for these posts are often kept off the ballot or out of office through intimidation, harassment, fraud, and in some cases detention. Only a very small number of independent candidates have gained office in elections, though some attempt to do so in each election cycle.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The CCP seeks to monopolize all forms of political organization and does not permit any meaningful political competition. Citizens seeking to establish independent political parties and other democracy activists are harshly punished. China's most prominent political dissident, Nobel Peace Prize winner Liu Xiaobo, was sentenced in 2009 to 11 years in prison for organizing a prodemocracy manifesto; he died from cancer in July 2017 after an apparently delayed diagnosis and officials' refusal to allow him to travel abroad for treatment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

China's one-party system rigorously suppresses the development of any organized political opposition. Even within the CCP, Xi Jinping has steadily increased his own power and authority since 2012, pursuing a selective anticorruption campaign that has eliminated potential rivals and personally heading an unusually large number of "leading groups" that give him direct supervision over a variety of policy areas. At the party congress in October 2017, Xi's official contributions to party ideology were formally added to the CCP constitution, elevating his status above that of his immediate predecessors and further bolstering him against any intraparty challenge.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

The authoritarian CCP is not accountable to voters and denies the public any meaningful influence or participation in political affairs.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4 (-1)

Restrictions on political activity remain especially harsh for religious and ethnic minorities, including Tibetans, Uighurs, and Mongolians. Nominal representatives of these groups participate in party and state bodies like the NPC, but their role is largely symbolic. Women are severely underrepresented in top CCP and government positions, and the situation has grown slightly worse in recent years. Just one woman was named to the 25-member Politburo at the 19th Party Congress in 2017, down from the previous two, and women secured 4.9 percent of the seats on the party's Central Committee. No woman has ever sat on the PSC.

Score Change: The score declined from 1 to 0 because societal groups such as women, ethnic and religious minorities, and LGBT people have no opportunity to gain meaningful political representation and are barred from advancing their interests outside the formal structures of the CCP.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of China's national leaders are freely elected, and the legislature plays no significant role in policymaking or the development of new laws. The continuing concentration of power in Xi Jinping's hands, an emerging cult of personality, and Xi's calls for greater ideological conformity and party supremacy have further reduced the limited space for policy debate even within the CCP.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Since becoming CCP leader in 2012, Xi has pursued an extensive anticorruption campaign. Scores of senior state and party officials had been investigated and punished by the end of 2017, including from the security apparatus, the military, the Foreign Ministry, state-owned enterprises, and state media. In July 2017, for example, Sun Zhengcai, party secretary of Chongqing and a candidate for promotion to the PSC, was put under investigation by the party for “violations of discipline”; he was formally expelled from the CCP in September, and by year’s end a criminal investigation had been opened. The anticorruption effort has generated a chilling effect among officials and reduced ostentatious displays of wealth, but corruption is believed to remain extensive at all levels of government. Moreover, the initiative has been heavily politicized, as many of those targeted are Xi’s rivals. A change to party regulations in July shifted the focus of disciplinary inspections from fighting corruption to enforcing party ideology and loyalty.

The authorities have failed to adopt basic reforms that would address corruption more comprehensively, such as requiring officials to publicly disclose their assets, creating genuinely independent oversight bodies, and allowing independent media, courts, and civic activists to function as watchdogs. Instead, in January 2017, the CCP’s antigraft department announced a plan for a new national supervisory commission that would merge the anticorruption functions of various party and state entities to improve effectiveness, but still limit the potential for independent oversight. Such a commission would further blur the lines between party norms and institutions and the state legal system.

C3. Does the government operate with openness and transparency? 1 / 4

The Chinese government and CCP are notoriously opaque. Since open-government regulations took effect in 2008, more official documents and information have been made available to the public. However, resistance on the part of government organs to providing specific information requested by citizens has dampened initial optimism, and officials have yet to disclose budgets at all levels of government. Citizens who were part of a movement to require officials to disclose their assets have been arrested and monitored since a crackdown in 2013.

The scope for public input and consultation on laws and policies narrowed further in 2017 as nongovernmental organizations (NGOs), particularly policy advocacy groups, and intellectuals came under intensified pressure, including those working in areas that were previously not considered sensitive, such as the environment, public health, and women’s rights.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? –2 / 0

The government continued to pursue policies, including large-scale resettlement and work-transfer programs, that have altered the demography of ethnic minority regions, especially the Xinjiang Uighur Autonomous Region, Tibet, and Inner Mongolia, contributing to a steady increase of Han Chinese as a proportion of the regional populations. Cash incentives encourage marriages between Uighur and Han Chinese and reward Uighur families that have fewer children than the permitted limit for ethnic minorities. In 2017, more than 47,000 rural residents of southern Xinjiang, most of whom were likely Uighurs, were reportedly moved to nonagricultural jobs in other parts of the region. [Note: Tibet is examined in a separate report.]

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 1 / 4

China is home to one of the world’s most restrictive media environments and its most sophisticated system of censorship. The CCP maintains control over news reporting via direct ownership, accreditation of journalists, harsh penalties for online criticism, and daily directives to media outlets and websites that guide coverage of breaking news stories. State management of the telecommunications infrastructure enables the blocking of

websites, removal of mobile-phone applications from the domestic market, and mass deletion of microblog posts, instant messages, and user accounts that touch on banned political, social, economic, and religious topics. Thousands of websites have been blocked, many for years, including major news and social media hubs like the *New York Times*, *Le Monde*, YouTube, Twitter, and Facebook.

The already limited space for free expression shrank further during 2017 in advance of the 19th Party Congress in October. Implementation of the new Cybersecurity Law, which came into effect in June, along with other regulations and increased pressure on private technology companies resulted in greater internet censorship, including on video-streaming platforms and the popular WeChat instant-messaging tool. In June, public social media accounts were banned from producing or republishing news without a permit. Over the course of the year, U.S.-based Apple removed over 600 applications used to access blocked websites from its online app store in China amid a broader crackdown on VPNs. The increased restrictions on expression also affected the creative arts, with at least 60 social media accounts about entertainment news ordered closed in June and the release of a movie by a prominent director abruptly canceled in the run-up to the party congress.

According to the Committee to Protect Journalists, 41 people were jailed in China as of December 2017 for reporting or blogging, although the actual number of those held for exercising their right to free expression, including in more informal contexts, is much greater. Harassment of foreign journalists continued during the year, including physical abuse, detention to prevent meetings with certain individuals, intimidation of Chinese sources and staff, withholding or threatening to withhold visas, and surveillance. Access to whole regions of the country, including Tibet and Xinjiang, remains restricted for foreign journalists.

Despite heavy restrictions on freedom of expression, Chinese journalists, grassroots activists, and internet users continue to seek out and exploit new ways to expose official misconduct, access uncensored information, and share incisive political commentary. In a number of cases during 2017, investigative reports by Chinese outlets led to public debate and official responses on social issues such as weak enforcement of safety regulations, pyramid schemes, debt-collection rackets, pension fraud, and abuse of children and other vulnerable people.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The CCP regime has established a multifaceted apparatus to control all aspects of religious activity, including by vetting religious leaders for political reliability, placing limits on the number of new monastics or priests, and manipulating religious doctrine according to party priorities. The ability of China's religious believers to practice their faith differs dramatically based on religious affiliation, location, and registration status. Many do not necessarily feel constrained, particularly if they are Chinese Buddhists, Taoists, Hui Muslims, or members of a state-sanctioned Christian church. However, a February 2017 Freedom House report found that at least 100 million believers belong to groups facing high or very high levels of religious persecution, namely Protestant Christians, Tibetan Buddhists, Uighur Muslims, and Falun Gong practitioners.

The space for autonomous religious practice narrowed during 2017 as the government harassed a range of religious communities and adopted new regulations on religious affairs in August, set to take effect in February 2018. The regulations reiterated many existing restrictions while strengthening controls on places of worship, travel for religious purposes, and children's religious education. Anticipating passage of the new rules, local officials in some regions reportedly intensified pressure on informal "house churches" to register and installed surveillance cameras in churches. The prospects for an agreement between Beijing and the Vatican on the appointment of Catholic bishops dimmed as authorities in Wenzhou detained Vatican-approved bishop Peter Shao Zhumin in May. In January, a court in Guizhou Province sentenced pastor Yang Hua to two and a half years in prison after he resisted officials' attempts to confiscate property from his church; he had reportedly suffered torture in custody since being detained in late 2015.

Curbs on the practice of Islam in Xinjiang remain especially intense and intrusive, affecting the wearing of religious attire, attendance at mosques, fasting during Ramadan, choice of baby names, and other basic religious activities. Several such restrictions were codified in March 2017 as part of the region's new regulations on combating extremism. The Chinese authorities often punish peaceful religious practices under charges of "religious extremism" or treat them as signs of disloyalty among Uighur government employees. Among other cases during the year, Uighur religious scholar Hebibulla Tohti and an ethnic Kazakh imam were each sentenced to 10 years in prison for providing religious teachings and performing traditional funeral rites, respectively.

The regime's campaign against the Falun Gong spiritual group continued in 2017. Many Falun Gong practitioners receive long prison terms or are arbitrarily detained in "legal education centers," where they typically face torture aimed at forcing them to abandon their beliefs. Yang Yuyong, detained for practicing Falun Gong, died in police custody in Tianjin in July amid reports of visible signs of abuse on his body. Nevertheless, repression of the group appears to have declined in some locales, possibly because top officials associated with the crackdown have been purged in Xi's anticorruption effort and grassroots Falun Gong activists have had some success in dissuading local police from persecuting them.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is restricted with respect to politically sensitive issues, and the space for academic discussion of democratic concepts has shrunk since 2015. The CCP controls the appointment of top university officials. Many scholars practice self-censorship to protect their careers. Political indoctrination is a required component of the curriculum at all levels of education. International academic publishers came under pressure during 2017 to remove hundreds of journal articles with politically sensitive keywords from their China websites, and at least one complied with the demands.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government's ability to monitor citizens' lives and communications has increased dramatically in recent years. Social media applications like WeChat, used by hundreds of millions of people, are known to closely monitor user conversations. Surveillance cameras, increasingly augmented with facial recognition software, cover many urban areas and public transportation. Pilot programs for a Social Credit System—expected to become mandatory in 2020—rate citizens for trustworthiness based not only on financial responsibility or debt records, but also on purchasing behavior, video gaming habits, and social acquaintances. In June 2017, local authorities in a district of Xinjiang's capital instructed residents to submit their electronic devices to police for "registration and scanning," and the following month Xinjiang officials required installation of software that monitors mobile phone communications. The 2017 Cybersecurity Law requires companies to store Chinese users' data in China and submit to potentially intrusive security reviews, and a new set of rules that went into effect in October mandates real-name registration for posting comments online.

Court verdicts have cited private social media communications, public surveillance footage, and personal meetings as evidence in cases where citizens were punished for communicating views on political or religious topics. Electronic surveillance is supplemented with offline monitoring by neighborhood party committees, "public security volunteers" visible during large events like the 19th Party Congress, and an especially heavy police presence in places like Xinjiang.

Citizens continued to be punished, often harshly, for expressing views critical of the authorities, accessing banned content, or sharing information on taboo topics in 2017. For example, in April a court in Shandong Province sentenced Wang Jiangfeng to two years in prison for using a banned nickname for Xi Jinping in a group message on WeChat.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

China's constitution protects the right of citizens to demonstrate, but in practice protesters rarely obtain approval and risk punishment for assembling without permission. Spontaneous demonstrations have thus become a common form of protest. Some are met with police violence, even in instances when local officials ultimately concede to protesters' demands. Armed police have been accused of opening fire during past protests in Xinjiang. Documenting protests in China has become riskier. In August 2017, blogger Lu Yuyu was sentenced to four years in prison for tracking and sharing reports of strikes and protests throughout China.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights— and governance-related work? 1 / 4

The ability of civil society organizations to engage in work related to human rights and governance is tightly constrained. Several prominent NGOs focused on policy advocacy, including in less politically sensitive areas like public health or women's rights, have been shuttered in recent years under government pressure. Hundreds of thousands of NGOs are formally registered, but many operate more as government-sponsored organizations and focus on service delivery. While a large number of NGOs operate without formal registration, this has become more difficult.

A new law on management of foreign NGOs came into effect in January 2017. The law prohibits foreign NGO activities that the government deems to "endanger China's national unity, security, or ethnic unity" or "harm China's national interests and the public interest." Foreign NGOs operating in China are required to register with the Ministry of Public Security instead of the Ministry of Civil Affairs, which has historically managed civil society organizations, and to find a "professional supervisory unit"—a Chinese entity willing to act as sponsor. The changes give the police the authority search NGOs' premises without a warrant, seize property, detain personnel, and initiate criminal procedures. The law's implementation impeded the activities of foreign and domestic NGOs during the year, though its full impact remains to be seen. Hundreds of foreign NGOs had registered offices or temporary activities by year's end; a list of sponsoring Chinese entities documented by the ChinaFile NGO Project indicated a heavy presence of state and CCP-affiliated organizations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The only legal labor union organization is the government-controlled All-China Federation of Trade Unions, which has long been criticized for failing to properly defend workers' rights. While workers in China are afforded important protections under existing laws, violations of labor and employment regulations are widespread. Local CCP officials have long been incentivized to focus on economic growth rather than the enforcement of labor laws. The authorities have increasingly cracked down on labor activists and NGOs. The imprisonment of prominent labor activists in 2016 reportedly had a chilling effect on the movement during 2017. Following a rise in reported strike incidents in 2015–16, far fewer strikes were documented by the China Labour Bulletin in 2017, although this could reflect tightening information controls rather than reduced strike activity. Lu Yuyu, the blogger and researcher sentenced in August, had worked with his partner Li Tingyu to contribute strike data to the China Labour Bulletin until their detention in June 2016.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The CCP dominates the judicial system, with courts at all levels supervised by party political-legal committees that have influence over the appointment of judges, court operations, and verdicts and sentences. CCP oversight is especially evident in politically sensitive cases, and most judges are CCP members. Many judges complain about local officials interfering in cases to protect powerful litigants, support important industries, or avoid their own potential liability. In January 2017, Zhou Qiang, the president of the Supreme People's Court, urged China's judges to remain vigilant against the principles of "constitutional democracy, separation of powers, and judicial independence," while also praising the conviction of prominent rights lawyer Zhou Shifeng as one of the judiciary's most important achievements in 2016.

Incremental reforms aimed at improving judicial performance, while maintaining party supremacy, have been introduced since 2014. The changes focused on increasing transparency, professionalism, and autonomy from local authorities.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Broader judicial reforms introduced in recent decades have sought to guarantee better access to lawyers, allow witnesses to be cross-examined, and establish other safeguards to prevent wrongful convictions and miscarriages of justice. However, limitations on due process—including excessive use of pretrial detention—remain rampant, and a multiyear crackdown on human rights lawyers has weakened defendants' access to independent legal counsel. Criminal trials are frequently closed to the public, and the conviction rate is estimated at 98 percent or more. Adjudication of minor civil and administrative disputes is relatively fair, but cases that touch on politically sensitive issues or the interests of powerful groups are subject to decisive "guidance" from political-legal committees. In keeping with a growing trend in recent years, various human rights lawyers or activists were

shown in the media during 2017 giving what are widely assumed to be forced confessions, undermining their right to due process.

Despite the abolition of “reeducation through labor” camps at the end of 2013, large numbers of people are still held in other forms of arbitrary detention, including a new network of extralegal political indoctrination centers in Xinjiang. Thousands and possibly well over 100,000 Uighurs were detained in such centers during 2017, according to various estimates.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Recent legal amendments encourage judges to exclude evidence obtained through torture, but in practice, torture and other forms of coercion are widely used to extract confessions or force political and religious dissidents to recant their beliefs. During 2017, several human rights lawyers who were released from custody after being detained for their work reported experiencing severe abuse in custody, including forced medication. Security agents routinely flout legal protections, and impunity is the norm for police brutality and suspicious deaths in custody. Citizens who seek redress for abuse in custody often meet with reprisals and even imprisonment.

Conditions in places of detention, which are estimated to hold three to five million people in total, are harsh, with reports of inadequate food, regular beatings, and deprivation of medical care.

While the government has gradually reduced the number of crimes carrying the death penalty, currently at 46, it is estimated that thousands of inmates are executed each year; the government treats the true figure as a state secret. The government claims it has ended the transplantation of organs from executed prisoners, but a senior Chinese health official acknowledged in 2017 that violations may still occur, and critics said the lack of transparency surrounding executions made it difficult to assess the extent to which the practice continued.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Chinese laws formally prohibit discrimination based on nationality, ethnicity, race, gender, religion, or health condition, but these protections are often violated in practice. Several laws bar gender discrimination in the workplace, and gender equality has reportedly improved over the past decade, but bias remains widespread, including in job recruitment and college admissions. Ethnic and religious minorities, LGBT (lesbian, gay, bisexual, and transgender) people, the disabled, and people with HIV/AIDS, hepatitis B, or other illnesses also face widespread discrimination in employment and access to education. Religious and ethnic minorities—especially Falun Gong adherents, Uighurs, and Tibetans—are at particular risk of torture in custody, extralegal detention, heavy sentences after trials lacking due process, and restrictions on hiring independent legal counsel. Legal remedies for such abuses remain weak. Despite China’s international obligation to protect the rights of asylum seekers and refugees, Chinese law enforcement agencies continue to repatriate North Korean defectors, who face imprisonment or execution upon return.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Millions of people are affected by restrictions on foreign travel and passports, many of them Uighurs and Tibetans; overseas Chinese nationals who engage in politically sensitive activities are at risk of being prevented by the authorities from returning to China, or choose not to return for fear of being arrested. During 2017, ethnic Kazakh residents of Xinjiang were reportedly required to join many of their Uighur counterparts in surrendering their passports.

Many Chinese citizens also face restrictions on freedom of movement within the country. While China’s constitution gives individuals the right to petition the government concerning a grievance or injustice, in practice petitioners are routinely intercepted in their efforts to reach Beijing, forcefully returned to their hometowns, or extralegally detained in “black jails,” psychiatric institutions, and other sites, where they are at risk of abuse.

The government continued to implement a plan to gradually reform China’s *hukou* system—the personal registration rules that prevent China’s roughly 270 million internal migrants from enjoying full legal status as

residents in cities where they work. The approach is to gradually expand the benefits of urban residency to 100 million migrants based on their education, employment record, and housing status, with the most stringent requirements in major cities like Shanghai and Beijing and much looser standards applied in smaller municipalities. The plan will still leave a large majority of migrants without equal rights or full access to social services such as education for their children in local schools. Beginning in November 2017, authorities in Beijing forcibly evicted tens of thousands of migrants and carried out mass demolitions in their neighborhoods; officials cited safety violations, but observers linked the clearances to government plans to cap Beijing's population.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The authorities dominate the economy through state-owned enterprises in key sectors such as banking and energy, and through state ownership of land. Chinese citizens are legally permitted to establish and operate private businesses. However, those without strong informal ties to powerful officials can find themselves at a disadvantage in legal disputes with competitors, in dealings with regulators, or in the context of politicized anticorruption campaigns. Foreign companies can similarly face arbitrary regulatory obstacles, debilitating censorship, demands for bribes, or negative media campaigns.

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

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

A legal amendment allowing all families to have two children—effectively abolishing the one-child policy that had long applied to most citizens—took effect in January 2016. Ethnic minorities are still permitted to have up to three children. While the authorities continue to regulate reproduction, the change means that fewer families are likely to encounter the punitive aspects of the system, such as high fines, job dismissal, reduced government benefits, and occasionally detention. Abuses such as forced abortions and sterilizations are less common than in the past.

Despite passage of the country's first law designed to combat domestic violence in 2015, domestic violence continues to be a serious problem, affecting one-quarter of Chinese women, according to official figures.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Exploitative employment practices such as wage theft, excessive overtime, student labor, and unsafe working conditions are pervasive in many industries. Forced labor and trafficking are also common, frequently affecting rural migrants, and Chinese nationals are similarly trafficked abroad. Forced labor is the norm in prisons and other forms of administrative detention for criminal, political, and religious detainees. Authorities in some parts of Xinjiang reportedly continued to require Uighurs to provide unpaid labor for public works projects during 2017.

Explanatory Note:

The numerical ratings and status listed above do not reflect conditions in Hong Kong or Tibet, which are examined in separate reports.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year