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Human Rights in China

Over thirty years after the June 1989 Tiananmen Square crackdown, the Communist Party of China (CCP) remains firmly in power. The U.S. Department of State describes the People's Republic of China (PRC) as an "authoritarian state." PRC leaders have maintained political control through a mix of repression and responsiveness to some public preferences, delivering economic prosperity to many citizens, co-opting the middle and educated classes, and stoking nationalism to bolster CCP legitimacy. The party is particularly vigilant against unsanctioned collective activity among sensitive groups, such as religious groups and ethnic minorities, labor organizations, political dissidents, and human rights activists.

The U.S. government employs various policy tools to support human rights in China (see "Selected U.S. Policy Tools" below). Since 2019, the United States has imposed visa, economic, and trade-related sanctions and restrictions on some PRC officials and entities, particularly in response to reports of mass detentions and forced labor of Uyghurs and other ethnic minorities in Xinjiang province. These measures have been implemented pursuant to the Global Magnitsky Human Rights Accountability Act, Section 307 of the Tariff Act of 1930, Export Administration Regulations, and other authorities.

Trends

Since consolidating power as CCP General Secretary and State President in 2013, Xi Jinping has accelerated the party's reassertion of control over society that began toward the end of the leadership term of his predecessor, Hu Jintao. In 2015, the government detained more than 250 human rights lawyers and activists. Authorities charged and convicted more than a dozen of them of "disturbing social order," subversion, and other crimes, and continue to harass and silence a shrinking number of rights lawyers and activists. Since 2017, the PRC government has enacted laws and policies that enhance the legal authority of the state to counter potential ideological, social, political, and security challenges, including the Law on Overseas Nongovernmental Organizations, the Cybersecurity Law, and the National Intelligence Law. In 2018, Xi backed a constitutional amendment removing the previous limit of two five-year-terms for the presidency, clearing the way for him potentially to stay in power indefinitely.

PRC methods of social and political control are evolving to include sophisticated technologies. The government is developing a "social credit system" that aggregates data on individuals' credit scores, consumer behavior, internet use, and criminal records, and scores citizens' "trustworthiness." China has deployed tens of millions of surveillance cameras, as well as facial, voice, iris, and gait recognition

equipment, to reduce crime generally as well as to track the movements of politically sensitive groups.

Restrictions on Free Speech

Since 2013, China has dropped four places, to 177 out of 180 countries, on Reporters Without Borders' *World Press Freedom Index*. The nongovernmental organization Freedom House has found China to have the worst conditions in the world for internet freedom for six consecutive years. The PRC government oversees one of the most extensive and sophisticated internet censorship systems in the world, including expansive censorship of domestic platforms and the blocking of over 20% of the world's most trafficked foreign websites. State authorities and private companies also monitor and regulate social media use in order to prevent sensitive topics and information from being discussed and disseminated.

The COVID-19 outbreak centered in Wuhan, China, in December 2019-March 2020, highlighted the extent and the costs of the lack of freedom of speech in China. After an initial burst of online reporting by ordinary citizens about events in Wuhan, including criticism of government actions and its silencing of "whistleblower doctor" Li Wenliang, censors began to block social media posts about the coronavirus. Authorities detained several "citizen journalists" for posting unauthorized reports or sensitive commentary, and in December 2020, a Shanghai court sentenced former lawyer Zhang Zhan to four years in prison for crimes related to her videos and social media posts about the coronavirus and lockdown in Wuhan.

Arbitrary Arrest

The Network of Chinese Human Rights Defenders, a human rights organization, lists roughly two-dozen high profile cases of arbitrary arrest of political dissidents and rights defenders and activists since the beginning of 2019. The Dui Hua Foundation, a nonprofit organization, has compiled information on over 7,500 political and religious prisoners in China as of September 2020 (not including Uyghurs detained in reeducation facilities in Xinjiang).

Further Reading: CRS Report R45956, *Human Rights in China and U.S. Policy: Issues for 116th Congress*; CRS Report R43781, *The Tibetan Policy Act of 2002: Background and Implementation*; CRS In Focus IF10281, *Uyghurs in China*; CRS In Focus IF10803, *Global Human Rights: International Religious Freedom Policy*; CRS In Focus IF11711, *Hong Kong: Key Issues for 2021*.

Religious and Ethnic Minority Policies

In 2016, Xi Jinping launched a policy known as "Sinicization," by which China's religious practitioners and ethnic minorities are required to "assimilate" or conform to

Han Chinese culture, the socialist system, and CCP policies. Han Chinese, the majority ethnic group in China, make up about 91% of the country's population. New regulations on religious practice further restrict travel to foreign countries for religious reasons and contacts with foreign religious organizations, and tighten bans on religious practice among party members and religious education of children. All religious venues now are required to teach traditional Chinese culture and "core socialist values." The government has intensified pressure on Christian churches that are not officially registered to apply for government approval or risk closure. Authorities have removed crosses from roughly 4,000 church buildings in recent years, ostensibly for not complying with regulations.

Tibetans

Human rights issues in Tibetan areas in China include the curtailment of rights and freedoms to a greater degree than elsewhere in China, arbitrary detention and imprisonment of Tibetans, and ideological reeducation of Tibetan Buddhist monks and nuns. Authorities have accelerated forced assimilation in Tibetan areas, including by "forcibly resettling and urbanizing nomads and farmers, and weakening Tibetan-language education in public schools and religious education in monasteries," according to the U.S. Department of State. The PRC government insists that Chinese laws, and not Tibetan Buddhist religious traditions, govern the process by which lineages of Tibetan lamas are reincarnated, and that the state has the right to choose the successor to the Tibetan spiritual leader, the 83-year-old 14th Dalai Lama, who lives in exile in India.

Uyghurs

Since an outbreak of Uyghur demonstrations and unrest in the Xinjiang Uyghur Autonomous Region (XUAR) in 2009, and sporadic clashes involving Uyghurs and Xinjiang security personnel that spiked between 2013 and 2015, PRC leaders have sought to "stabilize" the region through large scale criminal arrests and more intensive security and assimilation measures aimed at combatting "terrorism, separatism and religious extremism." Experts say that the government's forceful attempts to transform the thought and customs of Uyghurs, a Turkic ethnic group who practice a moderate form of Sunni Islam, and assimilate them into Han Chinese culture may result in the destruction of Uyghur culture and identity.

According to some estimates, between 2017 and 2020, XUAR authorities arbitrarily detained roughly 1.5 million Turkic Muslims, mostly Uyghurs, in "reeducation" centers. Detainees are compelled to renounce many of their Islamic beliefs and customs as a condition for their possible release. In 2020, many detainees likely were formally convicted of crimes and placed in higher security facilities. The government has relocated other former detainees and their families to residential compounds with restricted access.

Since 2019, thousands of Uyghurs, including many former detainees, have been employed in textile and other labor-intensive industries in Xinjiang and other provinces, under circumstances that some observers argue indicate the use of forced labor. Uyghurs who refuse to accept such employment may be threatened with detention. Factory

employment also often involves heavy surveillance and political indoctrination during and after work.

Selected U.S. Policy Tools

- **Democracy and Human Rights Programs:** Since 2001, the U.S. government has directly supported human rights, democracy, rule of law, civil society, internet freedom, and environmental programs in China through nongovernmental organizations, as well as programs to promote sustainable development, environmental conservation, and preservation of indigenous culture in Tibetan areas.
- **National Endowment for Democracy (NED) Grants:** A bipartisan nongovernmental foundation funded primarily by an annual congressional appropriation, NED has sponsored programs that promote human rights and democracy in China since the mid-1980s.
- **International Media:** U.S. government-funded Voice of America (VOA) and Radio Free Asia (RFA) provide external sources of independent or alternative news and opinion to audiences in China. Both media outlets broadcast in Mandarin, Cantonese, and Tibetan. RFA Uyghur is the only Uyghur language news service outside of China.
- **Targeted Legislation:** Congress has enacted numerous laws to respond to human rights developments and related issues in Tibet and Xinjiang specifically. U.S. policy toward Tibet is largely guided by the Tibetan Policy Act of 2002 (Foreign Relations Authorization Act, FY2003, P.L. 107-228). Recent Tibet-related legislation includes the Reciprocal Access to Tibet Act of 2018 (P.L. 115-330), and the Tibetan Policy and Support Act of 2020 (Consolidated Appropriations Act, FY2021, P.L. 116-260). Recent Xinjiang-focused legislation includes the Uyghur Human Rights Policy Act of 2020 (P.L. 116-145).
- **Targeted Sanctions:** The Global Magnitsky Human Rights Accountability Act (Title XII, Subtitle F of P.L. 114-328), as implemented under Executive Order 13818, authorizes the President to impose economic sanctions and visa denials or revocations against foreign individuals responsible for human rights abuses or corruption. Other authorities also provide for visa sanctions, including against the immediate family members of human rights abusers.
- **Export Restrictions:** The United States may impose restrictions on the sale or transfer of certain U.S. goods and services to PRC entities on the basis of national security or foreign policy interests, including human rights, under the Export Administration Regulations.
- **Forced Labor Import Restrictions:** Section 307 of the Tariff Act of 1930 (19 U.S.C. §1307) forbids the importation of "goods, wares, articles, and merchandise" into the United States that were produced with forced labor.

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