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CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

ANNUAL REPORT

2014

ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

OCTOBER 9, 2014

Printed for the use of the Congressional-Executive Commission on China

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I. Executive Summary

The Congressional-Executive Commission on China (CECC), established by the U.S.-China Relations Act of 2000 (19 U.S.C. 1307) as China prepared to enter the World Trade Organization, is mandated to monitor human rights and the development of the rule of law in China, and to submit an annual report to the President and the Congress. The CECC is also mandated to maintain a database of political prisoners in China—individuals who have been imprisoned by the Chinese government for exercising their civil and political rights under China's Constitution and laws or under China's international human rights obligations. The Commission consists of nine Senators, nine Members of the House of Representatives, and five senior Administration officials appointed by the President and representing the Department of State, Department of Labor, and the Department of Commerce. The Commission's Executive Branch members have participated in and supported the work of the Commission. The content of this Annual Report, including its findings, views, and recommendations, does not necessarily reflect the views of individual Executive Branch members or the policies of the Administration. The report covers the period from fall 2013 to fall 2014.

The Commission adopted this report by a vote of 17 to 0. †

OVERVIEW

Human rights and rule of law conditions in China overall did not improve this past year, and declined in some of the areas covered by this report. The Chinese government and Communist Party continued to emphasize authoritarian control at the expense of human rights and the rule of law. The limited space for peaceful expression, assembly, and religious practice in China constricted further. The government tightened restrictions on rights advocates, civil society, human rights lawyers, domestic and foreign journalists, the Internet, and religious institutions. Additionally, the government denied medical treatment to imprisoned activists and targeted the family members and associates of rights advocates for retribution. The release of an unprecedented White Paper on Hong Kong and a National People's Congress Standing Committee decision fueled concerns over Hong Kong's "high degree of autonomy" and prospects for universal suffrage. The government continued with harsh security measures that failed to protect rights in ethnic minority regions that have experienced tragic incidents of violence and self-immolations in recent years. These negative developments overshadowed potential areas of progress that include the announced abolition of the reeducation through labor system and environmental law and judicial reforms.

Nearly 2 years into what likely will be a 10-year tenure, President and Party General Secretary Xi Jinping has already left his mark on the nation. His priorities have included introducing the notion of the "Chinese dream" to spur a "great rejuvenation of the Chinese nation" and launching a campaign against corruption that has swept up some of China's highest officials. His administration faces major challenges: a slowing economy, income inequality, ethnic tensions, severe pollution, and food safety problems. As this report shows, however, Xi and his administration continue to adhere to the authoritarian model of his predecessors, one whose core tenets are unchallenged leadership of the Party and extensive efforts to suppress perceived threats to the Party. Under this model, which Party leaders assert guarantees "social stability" and a "harmonious society," China's 1.4 billion citizens cannot participate freely in policymaking or governance. They do not possess a meaningful right to vote. They do not enjoy the basic freedoms of expression, religion, and association provided in China's Constitution. The Chinese government refers deferentially to the concept of rule of law. In practice, however, it routinely ignores or manipulates domestic and international laws for political purposes or to advance China's economic interests.

China's adherence to this model poses a serious challenge to U.S.-China relations and China's own development. There is a direct link between concrete improvements in human rights and the rule of law and the security and prosperity of the United States and China. The health of the U.S. economy and environment, the safety of the food supply, and the stability of the Pacific region depend on China complying with international law, enforcing its own laws, allowing the free flow of information, removing currency controls, and protecting citizens' basic human rights. Improved compliance with international law and greater respect for human rights

will foster goodwill, trust, and confidence between China and the United States. Providing citizens with more avenues for justice and greater freedoms will help China address corruption, labor unrest, ethnic tensions, and food safety. It will increase stability and improve China's standing worldwide. This future is possible, however, only if China's leaders move in a new direction and begin to view human rights and the rule of law as essential components of, rather than as impediments to, economic and social progress.

MAJOR DEVELOPMENTS IN 2014

Three major developments this past year suggest that President Xi and his administration may exercise greater control and tolerate less dissent than previous administrations. First, the Party sought to expand and strengthen its authority on key issues including Hong Kong, the Internet, media, ethnic minority regions, religion, and civic engagement. Second, the Party moved to address policies unpopular with Chinese citizens and the international community, but reforms fell short of official claims and their implementation remained secondary to the Party's political priorities. Third, China's engagement in the international arena was marked by attempts to control the narrative on human rights and the rule of law, to deflect attention from its own abuses, and to dilute well-established international standards. A description of each trend follows.

Strengthening Authority in Key Areas

The Communist Party sought to strengthen its authority in areas where it believed challenges were taking shape, viewing significant events and developments as threats rather than as opportunities for constructive engagement and transparency. The Party Central Committee convened the Third Plenum of the 18th Party Congress in November 2013, amid some hope that significant reforms would result. In its pronouncements, however, the Party ruled out political reforms, signaling instead that economic and legal reforms emerging from the Third Plenum would be firmly controlled by the Party.

The Party constricted the already narrow space for tolerable dissent as it intensified its crackdown against individuals and groups of citizens calling for improved government policies and greater public participation. Participants in the New Citizens' Movement, for example, held peaceful, small-scale demonstrations and meetings to press the government for reforms that included increased transparency of officials' assets and educational equality for the children of migrant workers—concerns that the government has said it shares. Noteworthy for its intolerance of even modest calls for reform, the crackdown began in early 2013 with scores of detentions and continued this year with courts meting out harsh prison sentences to key figures, including rights advocates Xu Zhiyong, Liu Ping, and Wei Zhongping. Detentions accelerated in the lead-up to the 25th anniversary of the violent suppression of the 1989 Tiananmen protests in June 2014, as the Party suppressed attempts by citizens to publicly, and in some cases privately, commemorate this significant historical event. China's small contingent

of rights lawyers were targeted, including noted public interest lawyer Pu Zhiqiang. Human rights groups estimate that authorities detained more than 200 people during the ongoing crackdown.

Important developments in the Hong Kong Special Administrative Region (SAR) during this reporting year afforded the Chinese government and Party an opportunity to affirm the "high degree of autonomy" and "one country, two systems" framework guaranteed to Hong Kong under the Basic Law. China's leaders instead chose to emphasize Chinese sovereignty and control over Hong Kong. As public debate in Hong Kong increased in the lead-up to a major decision that would determine how open and fair Hong Kong's first "universal suffrage" election for its Chief Executive would be in 2017, China's central government dismissed large-scale expressions of support for democracy that attracted broad segments of Hong Kong society, notably the younger generation. Chinese authorities issued a first-ever White Paper on Hong Kong that emphasized centralized control as opposed to Hong Kong's autonomy, and challenged Hong Kong's judicial independence by requiring that all Hong Kong judges as well as government officials be patriotic ("love China and love Hong Kong") rather than simply serve and interpret the law. The central government dismissed as "illegal and invalid" an informal referendum on Chief Executive candidate nomination avenues in June 2014 that attracted some 800,000 Hong Kong residents, even though pro-Beijing elements in the SAR organized their own informal signature campaign from July to August to condemn the Occupy Central movement. In August, the National People's Congress Standing Committee issued its decision on Hong Kong's electoral reform, which severely restricted the ability of candidates to freely run for Chief Executive. The central government's actions raise concerns about the future of the fragile freedoms and rule of law that distinguish Hong Kong from mainland China and underpin Hong Kong's financial reputation and prosperity.

Chinese officials also confronted a sharp increase in tragic incidents of violence involving members of the Uyghur ethnic minority group. Officials responded with a singular focus on security and economic measures without addressing decades-long resentment against Chinese policies that deny Uyghurs their cultural, religious, and linguistic rights, and without attempting to balance security with civil liberties and the free flow of information. In September 2014, authorities imposed a life sentence on prominent Uyghur scholar Ilham Tohti, a peaceful, moderate critic of China's policies who had sought to foster dialogue between Uyghurs and the majority Han population. The sentence was a clear sign the Party would not tolerate thoughtful debate or reconsideration of its policies toward the Xinjiang Uyghur Autonomous Region.

In Tibetan areas of China, the rate of tragic self-immolations among the Tibetan ethnic minority slowed, and followed an increase in harsh security and punitive measures. One county issued provisions imposing collective punishment intended to deter Tibetans from self-immolating. Chinese government leaders showed no willingness to reexamine policies toward Tibetans that deny them cultural, religious, and linguistic rights or to engage in dialogue with representatives of the Tibetans' exiled spiritual leader, the Dalai Lama.

The Party sought to tighten information flows within and out of China in an attempt to ensure the dominance of the Party's viewpoints and guarantee that information unfavorable to the Party remained unseen. Chinese companies remained some of the least transparent in the world, aided by vaguely worded secrecy laws that prevent disclosure of key information, a major concern given the global influence of Chinese companies and reports of illegal subsidies and corruption, especially among China's more than 140,000 state-owned and state-controlled enterprises. Among the Party's most formidable challenges is controlling China's 632 million Internet users—the most of any country in the world—and 250,000 news reporters and staff. Authorities detained over 100 citizens in a crackdown on Twitter-like microblogs, which Chinese citizens had flocked to as a rare space to share information more freely. In the wake of the crackdown, posts on one of China's most popular microblogging sites reportedly dropped 70 percent. Chinese journalists, already subject to numerous restrictions, faced ideological requirements and additional restraints on their ability to report critically on the government and share information with foreign reporters. The government used access to China as a form of retaliation against foreign journalists and scholars. Foreign journalists, who play a key role in disseminating information about China given the pervasive restrictions imposed on their domestic counterparts, faced delays and denials of visas as punishment for their reporting on sensitive issues such as the finances of the relatives of China's top leaders. They received ominous warnings about reporting in the lead-up to the 25th anniversary of the 1989 Tiananmen protests. The Chinese government blocked scholars who sought to enter China for research.

Authorities also sought to further restrict the limited space for religious practice. Christians in particular were targeted over apparent concern at the growing popularity of Christianity in China. The government used a campaign against "illegal structures" to demolish church buildings and remove religious symbols, including structures that previously had been approved by the government.

Domestically, Interference Hinders Reforms

The Party moved to address policies unpopular with Chinese citizens and the international community, but reforms did not measure up to official claims and their implementation remained secondary to the Party's own political priorities. During the Party's Third Plenum, officials suggested that China might move toward greater compliance with international trade rules by announcing that market forces would play a decisive role in the allocation of resources. The announcement, however, provided few details and included the significant caveat that state-owned enterprises, the source of many violations, would continue to play a leading role in the economy.

In another heavily touted Third Plenum announcement, officials formally announced the abolition of the reeducation through labor system, a form of arbitrary detention used for decades to detain activists, Falun Gong practitioners, and other marginalized groups without trial or basic procedural protections. The move was a welcome development, but the net effect of this policy shift was un-

clear, as reports emerged that authorities increased the use of other facilities, such as "legal education centers" and compulsory drug detox centers, to arbitrarily detain citizens. China's criminal justice system saw some improvements, with defendants generally gaining greater access to counsel. Suspects in politically sensitive cases, however, appeared not to benefit. Torture, abuse, and denial of access to counsel continued to mar high-profile cases, including those involving Ilham Tohti, Xu Zhiyong, Pastor Zhang Shaojie, and a group of human rights lawyers who sought to assist unlawfully detained Falun Gong practitioners.

In other areas, reforms resulted in limited or superficial changes to some policies, but failed to address the fundamental rights abuses that underpinned flawed policy. The government announced, for example, a slight modification in the country's population planning policy to allow a couple to have a second child if one of the parents was a single child, but failed to abolish a policy that itself violates international standards and leads to abuse by officials. The government continued to take steps toward limited easing of restrictions that prevent citizens from freely changing their residence, but failed to address the policy's violation of international standards on freedom of residence.

The government continued to manage labor relations through the government-affiliated All-China Federation of Trade Unions, the only legal trade union in China, despite its relative ineffectiveness in responding to strikes and other labor protests emerging across a variety of industries and regions this past year. The Party took no steps to allow workers to organize independent unions. At the same time, authorities stifled the efforts of more independent labor non-governmental organizations (NGOs) to support workers, in some cases detaining NGO staff. There continued to be reports of child and forced labor. The government's crackdown on individual civil society advocates expanded to increase surveillance and harassment of independent grassroots and foreign NGOs during this reporting year. Paradoxically, the government continued to claim that it was loosening restrictions on so-called non-governmental "social organizations," to provide services to society and alleviate the government's burdens, but not to remove basic restrictions on freedom of association and foster a vibrant, free civil society.

Internationally, Manipulating the Discussion on China

China's engagement in the international arena was marked by attempts to control discussion of human rights and the rule of law and to deflect attention from its own abuses. In October 2013, the UN Human Rights Council (UNHRC), to which China was reelected in November 2013, conducted its second Universal Periodic Review (UPR) of the Chinese government's human rights record. Chinese officials harassed and detained citizens who sought to participate in China's submission to the UNHRC for the review, including civil society activist Cao Shunli, and refused to allow independent civil society organizations to participate, resulting in China's submission reflecting only the Party's views. Cao died later, just weeks after her release from custody, raising questions about her condition in detention and lack of access to appropriate medical treatment. At the March 2014 UNHRC session in which the out-

come of China's UPR was adopted, the Chinese government refused to accept most substantive recommendations, including a recommendation urging it to provide a clearer time frame for ratifying the International Covenant on Civil and Political Rights, which China signed in 1998 and has repeatedly pledged to ratify. At the session, UN staff caught a Chinese representative monitoring and photographing the daughter of imprisoned Chinese dissident Wang Bingzhang, and China tried to prevent her from speaking at the session. The Commission's review of China's various reports to human rights bodies this past year showed that not one of the organizations that China claimed to have consulted was independent from the government. China refused to cooperate with a UN inquiry into North Korea's human rights abuses and criticized the resulting report as "divorced" from reality.

Despite being a member of the World Trade Organization (WTO) for 13 years, China still has not complied with many of its obligations, including ending subsidies and preferential treatment for state-owned enterprises and providing transparency regarding subsidies, laws, and regulations. The U.S. Trade Representative reported this past year that China had imposed duties in retaliation for countries bringing WTO cases against China. In May, the Department of Justice (DOJ) indicted five members of China's military on charges of committing cyber theft after they allegedly targeted companies that had been involved in trade actions against China. American and other foreign companies reported that they were unfairly targeted for antimonopoly enforcement in a move that some observers believed was intended to protect Chinese companies and could violate China's WTO commitments. China reportedly failed to comply with a WTO ruling against it involving grain-oriented electrical steel. As of this report's publication, China still had not signed the WTO Government Procurement Agreement.

Amid greater international debate over the appropriate limits of government restriction and surveillance of the Internet, China sought to manipulate news coverage related to alleged state-sponsored computer hacking and position itself as a victim of cyber theft rather than as a sponsor or perpetrator. Chinese state-run media featured such reports prominently, despite well-documented evidence that China is a leading source of intellectual property theft through cyber and other means. After the DOJ's indictment of members of China's military, China suspended a cyber working group with the United States intended to develop rules of engagement for the Internet. China sought to advance the concept of "Internet sovereignty," which, if implemented, would give countries greater leeway to restrict the Internet within their borders under the guise of "national sovereignty," eroding international law that provides for freedom of expression "through any medium" and "regardless of frontiers."

KEY RECOMMENDATIONS

This Commission recognizes that only China's leaders and the Chinese people can determine how to proceed with their domestic affairs, but believes the international community has a responsibility to monitor compliance with international standards and to encourage their development and implementation. Based on the findings of this year's report, the Commission makes the following 13 main recommendations to Congress and the Administration to encourage China's compliance with international human rights standards and the development of the rule of law.

• **Administration Coordination.** The Administration should further strengthen interagency coordination to ensure that agencies interacting with the Chinese government are aware of human rights and rule of law issues relevant to their areas and are seeking opportunities to engage with Chinese officials on these issues at bilateral dialogues and other meetings. During such engagements, agencies including the Departments of State, Justice, Energy, Commerce, Defense, Labor, Agriculture, Education, Health and Human Services, the Environmental Protection Agency, and the U.S. Trade Representative, should broaden discussions to link human rights and rule of law improvements in China with advances in economic, security, environmental, and diplomatic interests. An integrated human rights diplomacy with China, coordinated across the entire U.S. Government, and led by the White House, should be reflected in any new National Security Strategy, Quadrennial Diplomacy and Development Review, or Quadrennial Defense Review undertaken by the White House, State Department, or Defense Department.

• **Administration Engagement.** The Administration should continue to raise pertinent concerns relating to issues covered in this report, including, where appropriate, transparency, public participation, good governance, worker rights, environmental and public health concerns, and the rule of law, at the U.S.-China Strategic and Economic Dialogue, the U.S.-China Joint Commission on Commerce and Trade, other bilateral meetings, and in multilateral organizations where the United States and China are members, and coordinate information and priorities with other countries as appropriate. The Administration should consider sending higher level officials to the U.S.-China Human Rights Dialogue and the U.S.-China Legal Experts Dialogue.

• **Human Rights Advocates and Civil Society.** Members of Congress and the Administration should, wherever possible, publicly recognize the work of Chinese rights advocates, independent NGOs, civil society, and human rights lawyers in promoting the rule of law and protecting human rights in China, and seek ways to ensure they are allowed to participate in international forums and dialogues.

• **Visa Policy.** Members of Congress and the Administration should work together to ensure existing visa laws and policies, including Section 212 of the Immigration and Nationality Act and Presidential Proclamation 8697, effectively address Chinese government violations of human rights. Members of Congress and the Administration should share information regarding implementation of

current visa policies with respect to Chinese officials, and consider whether additional legislation or other measures are necessary to address issues such as visa delays and denials to American journalists, scholars, and human rights activists.

• **Hong Kong.** Members of Congress and the Administration should renew the reporting requirements of Section 301 of the United States-Hong Kong Policy Act of 1992, paying particular attention to the development of democratic institutions in Hong Kong and China's obligations under international treaties and agreements, and should ensure developments in Hong Kong are featured in other reports related to China. Members of Congress and the Administration should increase support for Hong Kong's democracy through statements and meetings at the highest levels and visits to Hong Kong. Hong Kong issues should be raised in meetings in Beijing with central government officials given their overriding role in deciding questions of Hong Kong's political development.

• **Press Freedom.** Members of Congress and the Administration should give greater public expression, including at the highest levels of the U.S. Government, to the issue of press freedom in China, condemning the harassment and detention of both domestic and foreign journalists, the denial or delay of visas for foreign journalists, and the censoring or blockage of foreign media Web sites. U.S. officials should consistently link press freedoms to U.S. interests, noting how censorship and restrictions on journalists and media Web sites prevent the free flow of information on issues of public concern, including public health and environmental crises, food safety problems, and corruption, and acts as a trade barrier for foreign media and companies attempting to access the Chinese market.

• **Forced Labor, Child Labor, Prison Labor.** Members of Congress and the Administration should ensure existing laws and policies intended to prevent the importation or government purchase of goods made with forced labor, prison labor, or child labor, including Section 1307 of the Tariff Act of 1930, Executive Order 13126 (Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor), Executive Order 13627 (Strengthening Protections Against Trafficking in Persons in Federal Contracts), effectively address forced labor, prison labor, and child labor concerns in China. Members of Congress and the Administration should consider whether additional legislation or other measures are necessary to increase supply chain transparency, close loopholes such as the consumptive demand exemption in the Tariff Act, remove obstacles to effective enforcement of U.S. trade law, and ensure that parties live up to existing agreements regarding trade and forced and prison labor products being exported to the United States.

• **Commercial Rule of Law.** Members of Congress and the Administration should ensure China makes concrete improvements in ending currency controls, subsidies for state-owned enterprises, and other policies outlined in this report that violate China's existing international trade obligations as a condition for progress in any U.S. trade-related negotiations with China, and ensure transparency and full public participation by all segments of American society in such negotiations.

• **Ethnic Minorities.** The Administration should address issues of human rights, security, and stability in China's ethnic minority regions at bilateral security dialogues and any exchanges with Chinese military or police officials by sharing best practices and strategies and building cooperative exchanges on ways to balance civil rights and national security policy, to differentiate between peaceful dissent and acts of violence, to protect human rights during "anti-terrorism" campaigns, and to recognize the international protections applying to refugee populations.

• **Population Planning.** Members of Congress and the Administration should publicly link, wherever there is supporting evidence, the imbalanced sex ratios exacerbated by China's coercive population planning policies with potential regional humanitarian and security concerns—trafficking, crime, increased internal and external migration, and other possible serious social problems—and discuss these issues in bilateral security dialogues. Members of Congress and Administration officials should urge the Chinese government to abolish all birth restrictions for families and instead employ a human rights-based approach to providing freedom to build their families as they see fit and privacy for all citizens, especially women.

• **Internet Freedom.** Members of Congress and the Administration should sustain, and where appropriate expand, programs that develop and widely distribute technologies that will assist Chinese human rights advocates and civil society organizations in circumventing Internet restrictions in order to access and share content protected under international human rights standards. They should continue to expand Internet freedom programs for China at the Department of State and the Broadcasting Board of Governors to provide digital security training and capacity-building efforts for bloggers, journalists, civil society organizations, and human rights and Internet freedom activists in China.

• **Areas of Potential Progress.** Members of Congress and the Administration should consider acknowledging and further inquiring with Chinese officials about areas of potential progress, including the announced abolition of the reeducation through labor system, efforts to curb wrongful convictions and increase protections for criminal defendants, amendments to the PRC Trademark Law that increase statutory damages for trademark infringement, revisions to the PRC Environmental Protection Law that include provisions that could improve transparency, and efforts to strengthen protections for persons with disabilities and victims of domestic violence, as well as other potentially positive developments noted throughout this report.

• **Raising Political Prisoner Cases.** Members of Congress and the Administration should consider raising more frequently with Chinese officials, both privately and publicly, cases of political or religious detention or imprisonment in China. In addition to calling for the release of individuals, Members of Congress and the Administration should also consider, where relevant and credible, raising specific issues of concern, including prison conditions, an individual's health and access to medical treatment, the possibility of sentence reductions and medical parole, an individual's access to family and legal representation, and harassment of the individual's

family or friends. Members of Congress and the Administration are encouraged to consult the Political Prisoner Database (*http://ppdcecc.gov*) for reliable, up-to-date information on individual prisoners or groups of prisoners. Below are some of the many cases requiring legal and/or humanitarian efforts across the issues covered by this report:

Name and CECC record no.	**Case Summary**	**Current Issues**
Pu Zhiqiang 2014-00174	Pu Zhiqiang, a prominent public interest lawyer, was detained in May 2014 and formally arrested in June 2014. Pu had attended a private event commemorating the 1989 Tiananmen protests prior to his detention.	Pu Zhiqiang suffers from several medical ailments including diabetes, high blood pressure, and high cholesterol. Pu told his lawyer during a detention visit in June 2014 that "his health was worsening," in part due to inadequate medical treatment for his diabetes.
Lobsang Jinpa 2012-00275	Lobsang Jinpa, a Tibetan Buddhist monk, was sentenced to 5 years in prison in February 2013. He may have provided information to foreign media about a June 2012 double self-immolation.	Lobsang Jinpa was described in a May 2014 media report to be in "failing health" due to kidney and liver "ailments," to be suffering from poor nutrition, and to have been denied medical care. Based on his detention date and sentence, he would have been eligible for medical parole in May 2014.
Zhang Shaojie 2014-00126	Zhang Shaojie, a Christian pastor at an officially sanctioned church, was sentenced to 12 years in prison in July 2014. Zhang had reportedly been in a dispute with local officials over land that was to be allocated for the building of a new church.	Zhang Shaojie's case was reportedly marred by several procedural violations, including repeated attempts by authorities to impede his access to legal counsel and reports of officials detaining or coercing false testimony from witnesses.

Name and CECC record no.	Case Summary	Current Issues
Liu Xiaobo 2004-03114	Liu Xiaobo, a prominent intellectual and long-time political reform advocate, was sentenced to 11 years in prison in December 2009. Liu was a drafter and organizer of Charter 08, a treatise advocating political reform and human rights.	Liu Xiaobo remains imprisoned at the Jinzhou Prison in Liaoning province. Based on his detention date and sentence, he would have been eligible for parole in June 2014. Liu was awarded the Nobel Peace Prize in December 2010 for "his long and non-violent struggle for fundamental human rights in China."
Liu Xia 2010-00629	Liu Xia, wife of political reform advocate Liu Xiaobo, has been confined to her home in Beijing municipality since October 2010. Authorities have not charged or convicted her of any crime.	Authorities continue to subject Liu Xia to surveillance and other restrictions on her freedom of movement and expression. In February 2014, Liu was hospitalized amid reports of her worsening health due to heart problems and severe depression. Authorities reportedly refused to allow her to travel abroad for medical treatment.
Liu Ping 2013-00161	Liu Ping, a rights advocate, was sentenced to 6 years and 6 months in prison in June 2014. Liu had participated in peaceful demonstrations calling for officials to disclose their assets.	Liu's lawyer reported in July 2013 that she had become "very weak" and "lost a great deal of weight" in detention. Authorities have denied Liu Ping medical care for severe diarrhea reportedly caused by poor sanitary conditions in detention.

Name and CECC record no.	Case Summary	Current Issues
Ilham Tohti 2012-00275	Ilham Tohti, a professor and prominent Uyghur advocate, was convicted of the charge of "separatism" and sentenced to life in prison in September 2014.	Ilham Tohti suffers from several medical ailments including heart disease, pharyngitis, prostatitis, and an unknown liver condition. Tohti reportedly told his lawyers during a visit in June 2014 that he had "been mistreated in detention," including authorities' depriving him of food and adequate water for 10 days.
Chen Kegui 2013-00120	Chen Kegui, the nephew of legal advocate Chen Guangcheng, was sentenced to 3 years and 3 months in prison in November 2012 following his uncle's escape from illegal home confinement in April 2012.	Chen Kegui suffers from appendicitis. Chen's mother reported after a December 2013 prison visit that his "complexion looked very bad" and that "he was clutching his abdomen and sweating profusely." Authorities have repeatedly rejected appeals for his release on medical parole.
Zhu Yufu 2004-02253	Zhu Yufu, a long-time democracy activist, was sentenced to 7 years in prison in February 2012. Authorities have imprisoned him in the Zhejiang No. 4 Prison in Zhejiang province.	Zhu Yufu suffers from several medical ailments including coronary heart disease, cerebral arteriosclerosis, a lumbar disc herniation, and hypertension. Authorities have reportedly denied Zhu adequate medical care in detention and have repeatedly refused applications for his release on medical parole.

Name and CECC record no.	Case Summary	Current Issues
Chen Xi 2008-00379	Chen Xi, a democracy advocate, was sentenced to 10 years in prison in December 2011. Authorities have imprisoned him at the Xinyi prison in Guizhou province.	Chen Xi suffers from chronic enteritis. Chen's wife reported after a May 2014 prison visit that his "body had become very weak and thin." Authorities reportedly have denied Chen adequate medical care despite suffering "severe diarrhea" for over a year.
Xu Zhiyong 2005-00199	Xu Zhiyong, a prominent rights advocate and a promoter of the New Citizens' Movement (NCM), was sentenced to 4 years in prison in January 2014. Xu had been active for many years in legal reform and educational equality causes.	Xu Zhiyong's case was reportedly marred by procedural violations, including intimidation of witnesses and barring independent observers from the courtroom. Xu had told an associate that the police offered him a deal that suggests the political motivation behind his case: renounce the NCM and be spared prison.

FINDINGS AND RECOMMENDATIONS BY ISSUE

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

FREEDOM OF EXPRESSION

Findings

- The Chinese government and Communist Party continued to restrict expression in ways that contravened international human rights standards, including Article 19 of the International Covenant on Civil and Political Rights and Articles 19 and 29 of the Universal Declaration of Human Rights. While such standards permit countries in limited circumstances to restrict expression to protect interests such as national security and public order, official Chinese restrictions covered a broader range of activity, including peaceful dissent and expression critical of the Chinese Communist Party and government.
- The Chinese government continued to take steps to expand the country's telecommunications infrastructure and provide greater Internet access, particularly via mobile devices. There were 632 million Internet users in China at the end of June 2014, including 527 million who accessed the Internet from mobile devices.
- Officials in the Chinese government and Communist Party expressed heightened concerns regarding their ability to control the Internet and signaled a renewed effort to strengthen control. Some reports described the Internet or online public opinion as a "struggle," "battleground," or "new challenge and new test" for authorities, and some cited "propaganda and ideological work" guidance from President Xi Jinping as their basis. Authorities launched a campaign against popular microblogs, detaining over 100 microbloggers and contributing to, according to one study, a decrease in posts of as much as 70 percent on Weibo, the most popular microblogging platform.
- Chinese authorities continued to block and filter sensitive online content, in some cases through censorship campaigns. Under high-level Party leadership, officials launched a "Sweep Away Pornography, Strike Down Illegal Publications" campaign that appeared to give authorities leeway to strengthen government and Party control over the Internet more broadly. Among the topics censored this year were environmental protests, corruption investigations, and the 25th anniversary of the 1989 Tiananmen protests and their violent suppression. U.S. company Google experienced service disruptions in China shortly before the Tiananmen anniversary. Another U.S. company, LinkedIn, began censoring sensitive online content originating in China, including a video expressing support for vic-

tims of the violent suppression of the 1989 Tiananmen protests.

• Authorities continued to detain or harass rights and democracy advocates, Internet writers, human rights lawyers, citizen journalists, and others who exercised their right to freedom of speech in a crackdown that some international media and individuals in China described as the worst in recent decades. Authorities used vaguely worded criminal charges and extralegal harassment to punish citizens for free expression. Those detained or harassed for exercising freedom of expression included 16-year-old microblog user Yang Zhong; rights advocate Hu Jia; "citizen journalists" Liu Xuehong, Xing Jian, and Wang Jing; and Internet user Qin Zhihui. Liu Xia—an artist and poet, and the wife of imprisoned Nobel Peace Prize laureate Liu Xiaobo—remained under illegal home confinement with no charges reported against her. Authorities also targeted individuals who sought to commemorate the 1989 Tiananmen protests in private meetings, memorial services, or online spaces. Examples include leaders of the advocacy group Tiananmen Mothers Ding Zilin and You Weijie; filmmaker He Yang; Internet users Gu Yimin and Zhang Kunle; journalist Gao Yu; commemoration participants Chen Wei, Yu Shiwen, Shi Yu, Fang Yan, and Hou Shuai; and university student Zhao Huaxu.

• The Chinese government and Communist Party continued to control the press in violation of international standards. Beginning in 2014, China's media regulator, the State Administration for Press, Publications, Radio, Film, and Television (SAPPRFT), began requiring the country's 250,000 news reporters and staff to participate in a political training program as part of the annual press card renewal process. The program reportedly would include a test with content related to "socialism with Chinese characteristics" and the "Marxist view on the press." SAPPRFT also instructed media organizations to forbid journalists from publishing reports that are critical without receiving approval from their employers, from reporting on issues outside of their designated issue areas, and from publishing critical reports through their own personal Web sites or publications.

• Outspoken journalists and newspaper staff continued to face reprisals for making comments officials deemed sensitive or conducting investigative reporting. Examples include the arrest of journalist Liu Hu, the firing of China Central Television journalist Wang Qinglei, the firing of Tencent journalist Zhang Jialong, the reassignment of journalist Luo Changping, and the detention of newspaper employee Xin Jian.

• International media organizations and U.S. Government officials expressed heightened concerns over the ability of foreign journalists to report independently in China. In December 2013, authorities delayed visa renewals for approximately two dozen journalists in connection with reports from their media organizations on the assets of Chinese leaders' family members.

Recommendations

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

- Give greater public expression, including at the highest levels of the U.S. Government, to the issue of press freedom in China, condemning the harassment and detention of both domestic and foreign journalists, the denial or delay of visas for foreign journalists, and the censoring or blockage of foreign media Web sites. Consistently link press freedoms to U.S. interests, noting how censorship and restrictions on journalists and media Web sites prevents the free flow of information on issues of public concern, including public health and environmental crises, food safety problems, and corruption, and acts as a trade barrier for foreign media and companies attempting to access the Chinese market. Raise these issues with Chinese officials during the Strategic and Economic Dialogue and other bilateral dialogues. Assess the extent to which China's treatment of foreign journalists contravenes its WTO or other obligations.
- Continue, and where appropriate expand, programs that develop and distribute widely technologies that will assist Chinese human rights advocates and civil society organizations in circumventing Internet restrictions, in order to access and share content protected under international human rights standards. Continue to expand Internet freedom programs at the Department of State and the Broadcasting Board of Governors for China to provide digital security training and capacity-building efforts for bloggers, journalists, civil society organizations, and human rights and Internet freedom activists in China.
- Raise with Chinese officials, during all appropriate bilateral discussions, the costs to U.S.-China relations and to the Chinese public's confidence in government institutions that occurs when the Chinese government restricts political debate, advocacy for democracy or human rights, and other forms of peaceful political expression. Emphasize that such restrictions contravene international standards for the restrictions on free expression, particularly those contained in Article 19 of the International Covenant on Civil and Political Rights and Articles 19 and 29 of the Universal Declaration of Human Rights. Emphasize that such restrictions erode confidence in media and government institutions. Submit questions for China's next Universal Periodic Review asking China to explain what steps it will take to ensure its restrictions on free expression conform to international standards.
- Urge Chinese officials to end unlawful detention and official harassment of Chinese activists, lawyers, and journalists subject to reprisals for exercising their right to freedom of expression. Call on officials to end the illegal home confinement of individuals such as Liu Xia; and release or confirm the release of individuals detained or imprisoned for exercising freedom of expression, such as Qin Zhihui, Gu Yimin, Zhang Kunle, Gao Yu, Yu Shiwen, and Hou Shuai. Raise these cases in bilateral

dialogues, such as the U.S.-China Human Rights Dialogue, U.S.-China Legal Experts Dialogue, and Strategic and Economic Dialogue, as well as through multilateral mechanisms, such as the UN Human Rights Council's Universal Periodic Review and the UN Working Group on Arbitrary Detention.

WORKER RIGHTS

Findings

- The Chinese government's laws and practices continue to contravene international standards on freedom of association. Chinese workers are not free to form or join trade unions of their own choosing. The All-China Federation of Trade Unions (ACFTU), the official union under the direction of the Chinese government and Communist Party, is the only legal trade union organization in China.
- The ACFTU continues to prioritize economic development and "social stability" in its approach to labor relations, while ACFTU support for workers has remained largely absent amid continued labor unrest.
- Collective bargaining in China remains limited in both law and practice. Despite the ACFTU's promotion of collective contracts and collective wage bargaining in recent years, the collective contract and consultation process remains problematic in part because trade unions lack autonomy and genuine worker representation.
- In the absence of effective support by the ACFTU, labor nongovernmental organizations (NGOs) and other civil society actors have emerged to play a larger role in advising and supporting workers. Representatives of such organizations, however, face harassment and detention. In April 2014, authorities detained labor NGO workers Zhang Zhiru and Lin Dong for assisting striking workers at a shoe factory in Dongguan municipality, Guangdong province. Many labor rights organizations also operate under uncertain conditions as they often are unable to register as a "social organization" with authorities.
- The Commission continued to observe reports of workers organizing strikes and demonstrations in a variety of industries and regions across China, often prompted by systemic labor-related grievances, such as factory closings or relocations, and nonpayment of wages and benefits. Chinese authorities had varied responses to labor protests, in some cases tolerating strikes that were limited to demands for wages and benefits. At the same time, the Commission continued to observe reports of authorities using force against or detaining demonstrating workers.
- A reported increase in labor unrest comes amid widespread economic and demographic shifts that observers contend are emboldening workers and affording them greater bargaining power in the workplace. Moreover, experts contend the increased activism of workers reflects a growing awareness of their rights and a greater confidence in taking collective action to redress workplace grievances.

- Migrant workers remained marginalized and vulnerable to exploitation in the workplace, facing problems such as wage arrears, social discrimination, and low levels of labor and social welfare protection. Continued barriers to public services in urban areas have led to an estimated 61 million migrant children being left behind by their parents to be raised in the countryside by other guardians or alone. These children reportedly have higher school dropout rates and are more at risk of sexual abuse.
- Despite China's laws and commitments under international standards prohibiting child labor, the use of underage workers remained evident in the electronics manufacturing industry, with instances also reported in other sectors. In December 2013, Chinese media reported on the discovery of at least nine underage workers working in two electronics factories in Shenzhen municipality, Guangdong province. Systemic problems in enforcement and a lack of sufficient resources reportedly continue to constrain efforts to reduce child labor.
- Dispatch labor continues to be a significant problem despite legal reforms in recent years intended to limit its proliferation. In January 2014, the Ministry of Human Resources and Social Security issued the Interim Provisions on Labor Dispatch, which should restrict the use of dispatch labor. At the same time, the heavy reliance on dispatch labor by a number of industries presents a clear challenge to achieving these limits.
- Despite wage levels continuing to increase this past year, the rate of increase has not kept pace with rising living costs, particularly for food and housing. Income inequality between different regions, industrial sectors, and groups of workers has steadily increased.
- Workers in China continue to face significant occupational health and safety risks. Officially reported fatalities have been consistently reduced over the past few years; however, unsafe working conditions and workplace abuses remain common. Despite legal measures aimed at preventing workplace accidents and establishing a system to handle safety violations, systemic problems in implementation and enforcement, as well as the lack of meaningful worker participation in workplace decisions that impact safety and health continue to constrain efforts to reduce industrial accidents.

Recommendations

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

- Ensure existing laws and policies intended to prevent the importation or government purchase of goods made with forced labor, prison labor, or child labor, including Section 1307 of the Tariff Act of 1930, Executive Order 13126 (Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor), Executive Order 13627 (Strengthening Protections Against Trafficking in Persons in Federal Contracts), effectively address forced labor, prison labor, and child labor concerns in China, and consider whether additional legislation or

other measures are necessary to increase supply chain transparency, close loopholes such as the consumptive demand exemption in the Tariff Act, remove obstacles to effective enforcement of U.S. trade law, and ensure that parties live up to existing agreements regarding trade and forced and prison labor products being exported to the United States.

○ Reexamine the 1992 Memorandum of Understanding on Prison Labor and 1994 Statement of Cooperation between the United States and China in light of the Chinese government's lack of compliance with its obligations under these bilateral agreements and consider whether additional legislation or other measures are necessary to prevent the importation of goods from China manufactured through prison labor. Increase the presence and resources of Immigration and Customs Enforcement officers in China to better pursue investigations into the importation of forced labor products.

○ Engage in dialogue with government officials, workers, and trade union officials in locations that have experienced successful cases of collective bargaining and identify ways to increase awareness of those experiences including through sponsoring education initiatives and conferences on collective bargaining that bring together civil society, trade union officials, workers, and government officials. Where possible, prioritize programs that demonstrate the ability to conduct collective bargaining pilot projects in enterprises with no functioning union present.

○ Convey support in all appropriate bilateral dialogues for functioning collective bargaining and direct elections of trade union representatives, emphasizing the benefits increased worker representation have for resolving workplace grievances and preventing wildcat strikes. Engage in dialogue with government, trade union officials, and employers to identify opportunities to increase awareness of successful experiences with direct elections of trade union representatives and to provide elected trade union officials with ongoing training and support.

○ Support the U.S. Department of Labor's annual Labor Dialogue and its annual Work Safety Dialogue with the Chinese government. Support the ongoing cooperation between the U.S. Department of Labor and the China National Coal Association by increasing work on and funding for technical cooperation and exchange projects regarding industry regulatory compliance, worker representation at coal mines, and safety and health improvements.

○ Encourage the expansion of exchanges among U.S. collective bargaining practitioners and Chinese labor rights advocates in non-governmental organizations, lawyers' associations, academia, and the official trade union through conferences and other exchange projects sponsored by relevant U.S. government agencies. Prioritize exchanges that emphasize face-to-face meetings with hands-on practitioners and trainers.

○ Engage the Chinese government in discussions about establishing a multi-stakeholder initiative to address the challenges of child labor and its root causes, including policies and programs to provide access to education and to alleviate poverty. Participants in the initiative would include the U.S. and Chi-

nese Governments, multinational corporations, and relevant civil society organizations.

○ Encourage Chinese officials through all appropriate bilateral discussions to publish detailed statistical data on child labor and information on measures taken to prevent the employment of children under the age of 16. Seek opportunities to support capacity-building programs to strengthen Chinese labor and legal aid organizations involved in defending the rights of workers. Encourage Chinese officials at local levels to develop, maintain, and deepen relationships with labor organizations and businesses inside and outside of China, and to invite these groups to increase the number of training programs in China.

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

CRIMINAL JUSTICE

Findings

• Developments in criminal justice this year were driven by the Chinese Communist Party and government's paramount concerns: "maintaining social stability" (*weiwen*) and ensuring the continuance of one-party rule.

• Chinese authorities have intensified their use of vaguely defined non-political crimes to suppress and punish dissent, rights advocacy, and perceived challenges to Party rule. For example, Xu Zhiyong, a prominent rights advocate and a promoter of the New Citizens' Movement was sentenced to four years in prison in January 2014 for "gathering a crowd to disturb order in a public place." Authorities criminally detained public interest lawyer Pu Zhiqiang and a number of other rights advocates and lawyers for "picking quarrels and provoking trouble" in the run-up to the 25th anniversary of the violent suppression of the 1989 Tiananmen protests.

• The Chinese government announced the abolition of the extrajudicial reeducation through labor (RTL) system, a move that was welcomed domestically and by the international community, including this Commission. However, many other forms of extrajudicial detention remain (including custody and education, compulsory drug detox centers, "legal education centers," "reprimand centers," and other forms of "black jails"), which authorities are reportedly using more frequently to arbitrarily detain citizens in the aftermath of the abolition of RTL.

• Reports indicate that since the revised PRC Criminal Procedure Law (CPL) took effect on January 1, 2013 the ability of criminal defense lawyers to meet with their detained clients has improved except in "politically sensitive" cases. Although the revised CPL contains provisions aimed at increasing the rate at which witnesses appear in court to provide testimony in criminal cases and excluding illegally obtained evidence, thus far there has been little improvement. Provisions in the

CPL that, if implemented effectively, would enhance rights of criminal suspects and defendants, are routinely ignored by authorities in "politically sensitive" cases. For example, Uyghur scholar Ilham Tohti was held incommunicado for more than five months without access to his lawyer, and Urumqi procuratorial authorities failed to provide advance notice to Tohti's lawyer before his indictment, in contravention of the CPL. Courts also denied lawyers' witness requests in the trials of Pastor Zhang Shaojie and rights advocate Xu Zhiyong.

• A disturbing development that emerged during this reporting year was authorities' use of state television to broadcast the videotaped "confessions" of several high-profile suspects, including veteran journalist Gao Yu and Sichuan mining tycoon Liu Han. Such "confessions"—obtained while in police custody and without the presence of a lawyer—deprive detainees of their fair trial rights and presumption of innocence.

• The government and Party have continued to highlight the problem of confessions coerced through torture and wrongful convictions. Torture and abuse in custody nevertheless remained prevalent. In spring 2014, for example, authorities detained and tortured four human rights lawyers who sought to provide legal assistance to unlawfully detained Falun Gong practitioners in Heilongjiang province. Torture is pervasive in "legal education centers" and other detention facilities that are used to detain Falun Gong practitioners.

• The denial of adequate, timely medical care for detainees garnered much attention this year when authorities denied necessary medical care to activist Cao Shunli, who died two weeks after her release from detention. Other detainees whose health was at risk in 2014 include Ilham Tohti and Chen Kegui.

• The government continued to treat data on the use of the death penalty as a "state secret" and rejected recommendations made during its Universal Periodic Review in October 2013 that it publish official statistics on the application of the death penalty. Although the trend is toward fewer executions in China, according to Amnesty International, the Chinese government executed more people in 2013 than the rest of the world combined. The government has stated that it will further reduce the number of death penalty eligible crimes, which currently stands at 55.

• Organs are still harvested from executed prisoners. In April 2014, a health official stated that the Chinese government was unable to announce a specific timetable for ending the practice of using the organs of executed prisoners for organ transplants because of the low number of donors and a severe organ shortage.

Recommendations

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

○ Urge the Chinese government to publicly commit to a specific timetable for ratification of the International Covenant on

Civil and Political Rights (ICCPR), which the Chinese government signed in 1998 but has not yet ratified.

○ Call on the Chinese government to abolish all forms of extrajudicial detention, including compulsory drug detoxification centers, custody and education facilities, "legal education centers," "reprimand centers," and other forms of "black jails," and ensure that the fair trial rights of Chinese citizens under the Universal Declaration of Human Rights and the ICCPR are guaranteed.

○ Encourage the Chinese government to establish an independent national human rights institution (NHRI) for the protection and promotion of human rights according to the Paris Principles, as was recently recommended by the UN Committee on Economic, Social and Cultural Rights after its review of China's compliance with the International Covenant on Economic, Social and Cultural Rights in May 2014. The NHRI could focus its work in a manner that reflects priorities established by the UN Office of the High Commissioner for Human Rights, such as prevention of arbitrary detention and torture.

○ Urge China to release Chinese citizens who have been detained or imprisoned for vague crimes in connection with their rights activism and advocacy, such as Xu Zhiyong, and public interest lawyers Pu Zhiqiang and Chang Boyang. Support technical assistance and exchange programs that focus on issues relating to health care in detention facilities, including health care standards and their formulation, funding mechanisms, delivery of services, complaint procedures, and monitoring and oversight.

○ Remind the Chinese government of its commitment to invite the UN High Commissioner for Human Rights to visit China, and encourage China to issue an invitation promptly.

○ Press China to extend invitations to all UN special rapporteurs and other special procedures that have requested to visit China, including the UN Working Group on Enforced or Involuntary Disappearances, the special rapporteurs on freedom of association and assembly, the situation of human rights defenders, and the independence of judges and lawyers.

○ Support programs and international cooperation on issues relating to the role of criminal defense lawyers in defending rights of suspects and defendants through the criminal justice process, in particular the critical role of witnesses in criminal trials and mechanisms for their protection.

○ Urge China to announce a specific timetable for ending the practice of harvesting organs from executed prisoners.

FREEDOM OF RELIGION

Findings

• The Chinese government continued to restrict Chinese citizens' freedom of religion during the Commission's 2014 reporting year. China's Constitution guarantees "freedom of religious belief" but limits protection only to "normal religious activities," a term applied in a manner that contravenes international human rights protections for freedom of religion, in-

cluding Article 18 of the Universal Declaration of Human Rights and Article 18 of the International Covenant on Civil and Political Rights. The Chinese government continued to recognize only five religions—Buddhism, Catholicism, Islam, Protestantism, and Taoism. Groups wishing to practice these religions are required to register with the government and are subject to ongoing government controls. Both registered and unregistered religious groups deemed to run afoul of state-set parameters continued to face harassment, detention, imprisonment, and other abuses, and the government continued to outlaw some religious and spiritual communities, including Falun Gong.

• The Chinese government continued to use laws, regulations, and policy measures to control religious practices in China, rather than protect the religious freedom of all Chinese citizens.

• Authorities continued to ensure that Buddhist doctrine and practice conform to government and Chinese Communist Party objectives.

• Authorities continued to deny Catholics in China the freedom to accept the authority of the Holy See to select bishops. Authorities harassed and detained Catholic clergy who refused to cooperate with the government and Party, including Bishop Joseph Fan Zhongliang (d. March 2014), Bishop Thaddeus Ma Daqin, priests Tian Dalong and Peng Weizhao.

• Authorities launched a three-year (2013–2015) "decisive battle" campaign aimed at reducing Falun Gong activities and "transforming" Falun Gong practitioners. The new campaign has been carried out at all levels of government, and authorities set specific "transformation" quotas to meet local goals. Authorities harassed and detained persons who attempted to assist Falun Gong practitioners, including four lawyers who attempted to provide legal assistance to Falun Gong practitioners detained at the Jiansanjiang "legal education center" in Heilongjiang province.

• Authorities continued to regulate the confirmation of Islamic religious leaders and annual overseas pilgrimages. Local governments across China continued to control the content of sermons and the interpretation of Islamic scriptures. Authorities in the Xinjiang Uyghur Autonomous Region banned Uyghur Muslim students, civil servants, and hospital employees from observing Ramadan. In contrast, Chinese authorities afforded Hui Muslims greater freedom of religion, allowing them to observe Ramadan and to make overseas pilgrimages in growing numbers.

• The government and Party continued to control and guide the interpretation of Protestant doctrine and theology in an effort to conform the Christian faith to Party goals and ideology. Chinese authorities harassed, detained, imprisoned, and interfered with religious activities of members of both registered and unregistered Protestant communities who ran afoul of government or Party policy. This past year, the Commission observed a trend of increasing government harassment against officially sanctioned churches. In particular, authorities in

Zhejiang province launched a three-year campaign (2013–2015) to address "illegal structures" and targeted both registered and unregistered protestant churches for church demolition and cross removal.

• Authorities maintained control over Taoist doctrine, clergy appointments, sites of worship, and religious activities.

• Despite lacking formal central government recognition, some religious communities, such as the Eastern Orthodox Church, have been able to operate inside China, and continued to appeal to the Chinese government for official recognition.

Recommendations

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

○ Call on the Chinese government to guarantee to all citizens freedom of religion in accordance with Article 18 of the Universal Declaration of Human Rights and to remove its framework for recognizing only select religious communities for limited state protections. Stress to Chinese authorities that freedom of religion includes the right to freely adopt and practice religious beliefs, and that China's limited protections for "normal religious activities" do not meet international standards for freedom of religion.

○ Stress to the Chinese government that the right to freedom of religion includes: the right of Buddhists to carry out activities in temples independent of state controls over religion, the right of Buddhist clergy to select monastic teachers under Buddhist procedures and standards, and the right of Tibetan Buddhists to express openly their respect or devotion to Tibetan Buddhist teachers, including the Dalai Lama; the right of Catholics to recognize the authority of the Holy See in matters relating to the practice of their faith, including to make bishop appointments; the right of Falun Gong practitioners to freely practice Falun Gong inside China; the right of Muslims to engage in preaching, overseas pilgrimage, the selection and training of religious leaders, and the observance of Ramadan without state interference; the right of Protestants to worship free from state controls over doctrine and worship, free from harassment, detention, and other abuses for public and private manifestations of their faith, including the display of crosses; and the right of Taoists to interpret their teachings free from government guidance.

○ Call for the release of Chinese citizens confined, detained, or imprisoned for peacefully pursuing their religious beliefs including the right to hold and exercise those beliefs. Such prisoners include: Sonam Lhatso (a Tibetan Buddhist nun sentenced in 2009 to 10 years' imprisonment for her activism calling for Tibetan independence and the Dalai Lama's return to Tibet); Thaddeus Ma Daqin (the Auxiliary Bishop of the Shanghai diocese who has been under extralegal confinement since July 2012 for renouncing his affiliation with the Chinese Catholic Patriotic Association); Wang Zhiwen (a Falun Gong practitioner serving a 16-year sentence for organizing peaceful

protests in 1999); Abdukiram Abduveli (a Uyghur religious leader who has been imprisoned for 21 years, and is now serving an additional sentence that expires in 2019); Zhang Shaojie (a pastor of an officially sanctioned church in Nanle county, Henan province, sentenced to 12 years in prison for a church land dispute with the local government); and other prisoners mentioned in this report and in the Commission's Political Prisoner Database.

○ Call on the Chinese government to implement accepted recommendations from its October 2013 UN Universal Periodic Review, including: taking necessary measures to ensure that rights to freedom of religion, as well as religious culture and expression, are fully observed and protected; cooperating with the UN human rights system, specifically UN special procedures and mandate holders; facilitating visits for UN High Commissioners and special procedures to China; taking steps to ensure lawyers working to advance human rights, including religious rights, can practice their profession freely and promptly investigate allegations of violence and intimidation impeding their work; and considering possible revisions to legislation and administrative restrictions to provide better protection of freedom of religion.

○ Call on China to eliminate criminal and administrative penalties that target religious and spiritual movements, which have been used to punish Chinese citizens for exercising their right to freedom of religion. Specifically, call on China to abolish Article 300 of the PRC Criminal Law (which criminalizes using a "cult" to undermine implementation of state laws) and Article 27 of the PRC Public Security Administration Punishment Law (which stipulates detention or fines for organizing or inciting others to engage in "cult" activities and for using "cults" or the "guise of religion" to disturb social order or to harm others' health).

○ Encourage U.S. political leaders to visit religious sites in China to raise awareness and promote freedom of religion, in keeping with international human rights standards.

Ethnic Minority Rights

Findings

• During the 2014 reporting year, Chinese authorities enforced harsh restrictions and crackdowns on ethnic minorities, particularly those living in the Tibet Autonomous Region (TAR) and other Tibetan autonomous areas of China, the Xinjiang Uyghur Autonomous Region (XUAR), and the Inner Mongolia Autonomous Region (IMAR). Authorities tightened controls on ethnic minority advocates who sought to peacefully assert their distinct cultural, linguistic, and religious identities and who criticized state policies.

• During the 2014 reporting year, Mongol herders protested state and private exploitation of their traditional grazing lands, raising concerns such as inadequate compensation, loss of livelihood due to environmental destruction, and involuntary

resettlement. Security officials reportedly detained and beat many of the herders and obstructed the protests.

• On May 13, 2014, Mongolian authorities reportedly forcibly returned Mongol rights advocates Dalaibaatar Dovchin and Tulguur Norovrinchen to China. The forced repatriation of the two rights advocates suggests increased Chinese government pressure on Mongolian authorities to restrict rights advocacy carried out by Chinese citizens in Mongolia. At the time of their deportation, Dovchin reportedly had a valid student visa and Norovrinchen reportedly had a valid Asylum Seeker Certificate issued by the UN High Commissioner for Refugees.

• During the 2014 reporting year, Mongol rights advocate Hada remained in poor health in extralegal detention despite his completion of a 15-year prison sentence on December 10, 2010. Hada's case highlights state repression of Mongols' peaceful protest and assertions of cultural identity. According to Hada's wife Xinna, authorities threatened her with detention after she spoke publicly about her husband's continued extralegal detention, and maintained restrictions, including on the freedom of movement, on her and the couple's son, Uiles.

Recommendations

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

○ Continue to build the capacity of Mongol, Uyghur, and Tibetan groups working to advance human rights, environmental, and economic development and rule of law in China through U.S. foreign assistance funding and through encouraging additional support from both United Nations and nongovernmental sources.

○ Using forums including the U.S.-China Joint Committee on Environmental Cooperation and the U.S.-China Energy Policy Dialogue, urge Chinese officials to investigate the environmental impact of the dumping of toxic waste due to mining activities in the IMAR, and urge IMAR officials to examine herders' complaints regarding the death of livestock and degradation of grazing lands due to pollution caused by mining and other development projects. Convey to the Chinese government the importance of respecting and protecting ethnic minority cultures and languages. In accordance with the Regional Ethnic Autonomy Law, urge Chinese officials to provide ethnic minority students and parents a choice of what language or languages of instruction should be used at schools they attend in the TAR, XUAR, and IMAR.

○ Urge Chinese authorities to refrain from pressuring the government of Mongolia to forcibly return Mongol Chinese citizens due to their rights advocacy. Under the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol, to which China has acceded and to which Mongolia is considering accession, countries are obligated to refrain from repatriating those who fear persecution upon return to their country of origin.

○ Call on the Chinese government to release people detained or imprisoned for advocating ethnic minority rights, including Mongol rights advocate Hada, former medical school principal Batzangaa, and other prisoners mentioned in this report and in the Commission's Political Prisoner Database.
○ Urge Chinese authorities to end restrictions on the freedom of movement and other unlawful restrictions against Hada's wife Xinna and son Uiles. The Universal Declaration of Human Rights grants "everyone . . . the right to freedom of movement and residence within the borders of each state." Urge Chinese authorities to engage with the Chairperson-Rapporteur of the UN Working Group on Arbitrary Detention regarding Hada's continued detention.

POPULATION PLANNING

Findings

• In November 2013, the Chinese government announced a slight modification of China's population planning policy, allowing couples to bear a second child if one parent is an only child. Experts predict the change will affect a limited number of couples, mostly concentrated in urban areas. In addition, experts anticipate that many couples may choose not to bear a second child even if they are now eligible. Thus far China has seen a smaller increase in births than predicted. Meanwhile, Chinese and international experts continued calls for the cancellation of the one-child policy.
• Chinese government officials continued to implement population planning policies that interfere with and control the reproductive lives of Chinese citizens, especially women. Officials employed various methods including fines, withholding of social benefits and permits, forced sterilization, forced abortion, and arbitrary detention to punish policy violators.
• The PRC Population and Family Planning Law is not consistent with standards set forth in international agreements, including the 1995 Beijing Declaration and the 1994 Programme of Action of the Cairo International Conference on Population and Development. Controls imposed on Chinese women and their families, and additional abuses engendered by the system, from forced abortion to discriminatory policies against "out-of-plan" children, also violate standards set in the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights. China is a State Party to these treaties and has committed to upholding their terms.
• Chinese law prohibits official infringement upon the rights and interests of citizens while implementing population planning policies but does not define what constitutes a citizen's right or interest. Chinese law does not stipulate punishments for officials who demand or implement forced abortions. Provincial population planning regulations in at least 22 of China's 31 provinces explicitly instruct officials to implement abortions for "out-of-plan" pregnancies, often referred to as a "remedial

measure" (*bujiu cuoshi*), with no apparent requirement for parents' consent.

• The Chinese government's population planning policies continue to exacerbate the country's demographic challenges, which include an aging population, diminishing workforce, and skewed sex ratio.

• Reports emerged highlighting local governments' misuse or incomplete disclosure of money collected through population planning fines (termed "social maintenance fees"), noting that in some localities officials were permitted to retain a percentage of proceeds made from these fees, and that in some cases officials spent collected "fees" on personal expenditures. Such monetary benefits could serve as incentives for officials to implement illegal or coercive collection measures.

• Authorities in some localities denied birth permits and *hukous*—household registration permits—for children whose parents disobeyed local family planning requirements. People who lack *hukous* in China face considerable difficulty accessing social benefits afforded to registered citizens.

Recommendations

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

○ Publicly link, wherever there is supporting evidence, the imbalanced sex ratios exacerbated by China's population planning policies with potential regional humanitarian and security concerns—trafficking, crime, increased internal and external migrations, and other possible serious social, economic, and political problems—and discuss these issues in bilateral security dialogues.

○ Urge the Chinese government to take recent policy relaxations further, abolishing all birth restrictions on families, and instead employing a human rights-based approach to providing freedom to build their families as they see fit and privacy for all citizens, especially women. In meetings with the Chinese government, highlight the concluding observations of the Committee on the Rights of the Child.

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

○ Call on China's central and local governments to vigorously enforce provisions under Chinese law that provide for punishment of officials and other individuals who violate the rights of citizens when implementing population planning policies and to clearly define what these rights entail. Urge the Chinese government to establish penalties, including specific criminal and financial penalties, for officials and individuals found to commit abuses such as coercive abortion and coercive

sterilization—practices that continue in China. Urge the Chinese government to prohibit material, career, and financial incentives and disincentives that motivate officials to use coercive or unlawful practices in implementing family planning policies.

○ Encourage the Chinese government to ensure citizens' lawful right to the knowledge of various contraceptive methods available to them and to ensure citizens' right to choose whether and which to use.

○ Support the development of international cooperation and legal aid and training programs that help citizens pursue compensation under the PRC State Compensation Law and that help citizens pursue other remedies from the government for injuries suffered as a result of official abuse related to China's population planning policies.

○ Urge Chinese authorities to heed the recommendations of the UN Committee on the Rights of the Child to "reform family planning policies in order to remove all forms of penalties and practices that deter parents or guardians from registering their children" and "abandon the *hukou* system in order to ensure birth registration for all children."

FREEDOM OF RESIDENCE AND MOVEMENT

Findings

• The Chinese government continued to largely enforce the household registration (*hukou*) system first established in 1958. This system limits the right of Chinese citizens to freely determine their place of residence. The *hukou* system's regulations classify Chinese citizens as either rural or urban and confer legal rights and access to social services based on that classification. The implementation of these regulations discriminates against rural *hukou* holders who migrate to urban areas by denying them equal access to social benefits and public services enjoyed by registered urban residents. The *hukou* system conflicts with international human rights standards guaranteeing freedom to choose one's residence and prohibiting discrimination on the basis of "national or social origin, birth or other status."

• The Chinese government continued to make uneven progress toward reforming the *hukou* system. The State Council and Central Committee of the Chinese Communist Party issued a plan for urbanization in March 2014 that anticipates 100 million people obtaining urban *hukou* status by 2020. The plan, however, does not provide for issuing urban *hukous* to all migrants moving to cities. Instead, it calls for easing restrictions on urban *hukous* according to city size, retaining strict control over the populations of large cities but loosening restrictions on smaller cities.

• Several local governments have proposed or implemented policies that seek to ease restrictions on some rights and privileges of migrants lacking urban *hukous*. However, a number of these reforms carry qualifying conditions which many migrants

find difficult to meet, including educational, financial, and employment requirements, among others.

• Chinese officials continued to deny citizens who criticize the government their internationally recognized right to leave the country. There were numerous reports of dissidents being denied passports and the right to exit the country. Uyghurs and Tibetans, in particular, continued to face heavy restrictions on obtaining passports. The Chinese government also continued to deny the right of return to those expressing views the government perceives to be threatening, in violation of international standards.

• Chinese authorities continued to violate the internationally recognized right which provides that "[e]veryone lawfully within the territory of a State shall . . . have the right to liberty of movement . . . ." Authorities increased restrictions on freedom of movement during politically sensitive periods, preventing, for example, human rights lawyer Mo Shaoping from meeting with the German vice chancellor in Beijing municipality in April 2014, and Tibetan writer and activist Tsering Woeser from attending an event she had been invited to at the U.S. Embassy during the U.S.-China Strategic and Economic Dialogue in July.

Recommendations

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

○ Support programs, organizations, and exchanges with Chinese policymakers and academic institutions engaged in research and outreach to migrant workers in order to advance legal assistance and anti-discrimination programs for migrant workers and encourage policy debates on the *hukou* system.

○ Encourage U.S. academic and public policy institutions to consult with the Commission on avenues for outreach to Chinese academic and public policy figures engaged in policy debates on the reform and eventual abolition of the *hukou* system.

○ Stress to Chinese government officials that noncompliance with international agreements regarding freedom of movement negatively affects confidence outside of China that the Chinese government is committed to complying with international standards more generally.

○ Raise specifically Chinese authorities' restrictions on the freedom of movement of rights defenders, advocates, critics, and their families, including, among others: Liu Xia, an artist and poet, and the wife of imprisoned Nobel Peace Prize laureate Liu Xiaobo; Catholic bishop Thaddeus Ma Daqin; and Tibetan writer and activist Tsering Woeser; and restrictions on the right to leave the country and the right of return, for example, in the cases of the late human rights defender Cao Shunli and rights advocate Yang Jianli.

STATUS OF WOMEN

Findings

- Chinese laws contain provisions that aim to protect women's rights, but ambiguity and lack of clearly outlined duties for law enforcement agencies and private entities hamper implementation.
- The UN Committee on Economic, Social and Cultural Rights issued its concluding observations on the second periodic report of China in May 2014, noting persistent gender disparities in China, "especially in relation to employment, wages, housing and access to higher education" as well as "the disadvantaged position of rural women, in particular in having access to education, health, employment and land tenure . . . ."
- Female representation in all levels of government in China falls short of international standards and standards under Chinese law, underscoring long-held concerns about protection of women's rights and interests.
- Gender-based discrimination continues in employment and education in China despite provisions under Chinese law that prohibit it. Employers continue to discriminate against women in recruitment, promotion, wages, and retirement. Universities across China implement gender restrictions in enrollment.
- Domestic violence reportedly affects 25 percent of Chinese families, yet national-level legal provisions lack a clear definition of domestic violence and do not specify the duties of public and private sector organizations in prevention, punishment, and treatment. The Supreme People's Court issued a report in February 2014 providing 10 model cases that aimed to guide lower courts in adjudication of domestic violence criminal cases. As of June 2014, draft domestic violence legislation reportedly had been included in the State Council's 2014 legislative work plan.
- Chinese law fails to adequately define, prevent, and punish acts of sexual violence against women, including rape, forced prostitution, and sexual harassment. Central authorities issued several guiding documents this past year that aim to strengthen prevention and punishment of the sexual assault of a child. Advocates continue to call for authorities to close loopholes in Chinese law that may allow lighter punishments for perpetrators whose victims are between 12 and 14 years old.
- Local officials continue to employ coercion and violence against women—including forced abortions, forced sterilizations, and forced contraceptive use—while implementing national and local population planning policies. Over 1,000 Chinese women sent a letter calling on Chinese officials to "protect women's right to life and health" during the drafting and execution of China's population planning policies.
- In violation of Chinese law, authorities continue to subject women to arbitrary detention, extortion, physical violence, verbal abuse, and forced labor in the enforcement of anti-prostitution laws.

Recommendations

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

○ Support exchanges, training, and legal programs in China that increase women's political participation, promote women's land rights, educate women vis-à-vis rights awareness and advocacy, and increase supervision over village committees to ensure adequate protection of women's rights and interests in accordance with national-level laws and policies.

○ Press the Chinese government to faithfully implement the recommendations from the UN Committee on Economic, Social and Cultural Rights following its review of China in May 2014, to adopt measures to (a) "ensure the strict enforcement of the Law on the Protection of the Rights and Interests of Women"; (b) "eliminate the persistent disparities between men and women and promote full access to higher education, employment and housing"; (c) "eliminate the persistent gender wage gap"; and (d) "eliminate multiple-discrimination faced by rural women, in particular in access to education, health, employment and land tenure."

○ Press the Chinese government to enact comprehensive national-level legislation that clearly defines domestic violence in criminal and civil law, allocates adequate resources for addressing domestic violence, assigns responsibilities to government and civil society organizations in addressing domestic violence, details procedures for victim support and protection, and specifies punishments for offenders. Urge officials to release drafts of this legislation for public comment. Support technical assistance programs that increase awareness among judicial and law enforcement personnel on issues pertaining to domestic violence.

○ Urge the Chinese government to revise or enact comprehensive national-level legislation to provide a clear definition of sexual harassment and specific standards and procedures for prevention and punishment. Support technical assistance programs that increase awareness among judicial and law enforcement personnel on issues pertaining to sexual harassment. One area in which the U.S. Government could offer technical assistance is in developing workplace protocols and reporting mechanisms that ensure confidentiality and prevent retaliation.

○ Encourage the Chinese government to heed the recommendations of the UN Committee on the Elimination of Discrimination against Women to incorporate gender education into the training of judges, judicial officers, lawyers, and prosecutors.

○ Call on the Chinese government to stop coercion and violence against women during population planning implementation and to clarify provisions under Chinese law that would protect women against such abuses. Urge the Chinese government to establish specific penalties for those who engage in coercive or violent population planning enforcement, including

forced abortion, forced sterilization, and forced contraceptive use.

HUMAN TRAFFICKING

Findings

- China remains a country of origin, transit, and destination for the trafficking of men, women, and children. The majority of human trafficking cases are domestic and involve trafficking for sexual exploitation, forced labor, and forced marriage. The full extent of the forced labor problem in China is unclear, as the Chinese government releases limited relevant statistics.
- Chinese and international experts link China's ongoing human trafficking problem to several political, demographic, economic, and social factors, including a severely skewed sex ratio, lack of awareness and education on trafficking prevention, and challenging conditions in border countries.
- The Chinese government acceded to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol) in December 2009 and has since taken steps to revise domestic legislation and update policy efforts to comply with the UN TIP Protocol. The State Council tasked local governments with implementing a 2013–2020 national anti-trafficking action plan, and one year in, it is difficult to assess whether the State Council has provided adequate resources and training to local authorities for implementing the plan's objectives or whether local governments are able to budget the funds necessary to finance anti-trafficking work as the plan has recommended.
- As Chinese law conflates human smuggling, illegal adoption, and child abduction with human trafficking, accurate official statistics on the number of trafficking cases the government investigated and prosecuted during this reporting year are not available. In cooperation with international organizations, Chinese authorities took steps to improve protection, services, and care for victims of trafficking, but appeared to continue focusing efforts only on women and children. Chinese authorities did not release detailed information on services provided or the number of victims identified and assisted.
- The Chinese government does not offer legal alternatives to deportation for foreign victims of trafficking and continues to deport North Korean refugees under the classification of "economic migrants," regardless of whether or not they are victims of trafficking.

Recommendations

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

- Urge the Chinese government to abide by its commitments under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and to bring anti-trafficking legislation into alignment with international standards. Specifically, urge the Chinese government

to distinguish in legislation the crimes of human smuggling, child abduction, and illegal adoption from that of human trafficking, and to expand the current legal definition of trafficking to include all forms of trafficking, including offenses against adult male victims, certain forms of non-physical coercion, and the commercial sex trade of minors. Such legal distinctions could be added to the agenda for discussion at the next U.S.-China Legal Experts Dialogue. Accordingly, urge the Chinese government to undertake rigorous and methodical research on human trafficking in order to publish data that reflects an accurate definition of human trafficking as provided under the UN TIP Protocol.

○ Urge the Chinese government to take action to address root factors that contribute to China's trafficking problem. Such action could include working to balance China's sex ratio by raising awareness of the value of women and by combating discrimination against women in education and employment.

○ Call on the Chinese government to provide more protective services for trafficking victims. Support expanding training programs for law enforcement personnel and shelter managers that help raise awareness and improve processes for identifying, protecting, and assisting trafficking victims. Support legal assistance programs that advocate on behalf of both foreign and Chinese trafficking victims.

○ Object to the continued deportation of North Korean trafficking victims as "economic migrants." Urge the Chinese government to abide by its international obligations under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol with regard to North Korean trafficking victims and provide legal alternatives to repatriation.

NORTH KOREAN REFUGEES IN CHINA

Findings

• Throughout the Commission's 2014 reporting year, the Chinese government continued to detain and repatriate North Korean refugees to the Democratic People's Republic of Korea (DPRK), in violation of its obligations under international human rights and refugee law.

• A UN Commission of Inquiry report released in February 2014 condemned China for forcibly repatriating North Korean refugees to the DPRK, stating that such actions "could amount to the aiding and abetting of crimes against humanity" in the DPRK.

• Throughout the reporting year, China appeared to strengthen measures to stem the flow of North Korean refugees into China, including increasing border security and detaining and repatriating refugees to the DPRK. Christian missionaries and aid groups also reported that Chinese authorities have been cracking down on Christian-run NGOs and businesses working along the China-North Korea border.

• Heightened security on both sides of the China-North Korea border appears to be limiting the outflow of North Korean refugees into China and neighboring countries. The number of ref-

ugees who reached South Korea in 2013 increased only slightly to 1,516 compared with 1,509 in 2012, reflecting a trend that has seen a significant drop in the number of refugees entering South Korea since 2009.

• Trafficking of North Korean women in China remained a significant problem. Reports suggest that over 70 percent of North Korean refugees in China are women, of which a high number are being trafficked primarily for the purposes of forced marriage or sexual exploitation.

• Children born to North Korean women remained largely deprived of basic rights to education and other public services in China.

Recommendations

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

○ Insist Chinese officials respect the principle of non-refoulement and stop forcibly repatriating North Korean refugees to the DPRK.

○ Incorporate regular discussion on North Korean refugees into all appropriate bilateral and multilateral dialogues with China, including ongoing dialogue with China on denuclearization of the Korean Peninsula.

○ Formulate a multilateral framework with China and other concerned governments for the handling of North Korean refugees that addresses China's concerns about stability and criminal activity along the border with international principles on human rights and refugee protection.

○ Urge Chinese officials to abide by their obligations under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Convention on the Elimination of All Forms of Discrimination against Women to prosecute human traffickers operating in China and along the North Korea-China border.

○ Urge Chinese officials to legalize the status of North Korean women who marry or have a child with a Chinese citizen, and ensure that all such children are granted residency status and access to education and other public services.

PUBLIC HEALTH

Findings

• Violence against hospital personnel was a focal public health issue in China during the Commission's 2014 reporting year. Medical experts attribute the increasing number of violent incidents against hospital personnel to weak mechanisms for resolving medical disputes, among other factors.

• The first year of implementation of China's first-ever Mental Health Law was marred by reports of public security officials forcibly committing petitioners to psychiatric hospitalization despite provisions in the law intended to prevent this form of abuse.

- In May, the UN Working Group on Arbitrary Detention censured China in an opinion on the case of Xing Shiku, a petitioner from Heilongjiang province, whom authorities have kept in a psychiatric facility for more than seven years, concluding that Xing's detention violated Articles 9 and 19 of the Universal Declaration of Human Rights.
- The Commission observed reports of detention and deprivation of personal freedom of individuals who have been engaged in public health outreach and advocacy. In January, public security officials criminally detained Akbar Imin, a Uyghur public health worker. Beijing authorities kept advocate Hu Jia under home confinement for almost six months, releasing him after the 25th anniversary of the 1989 Tiananmen protests. Public security authorities also raided the office of Zhengzhou Yirenping, a public health and anti-discrimination non-governmental organization (NGO) in Henan province, in connection with the arrest of human rights lawyer and Zhengzhou Yirenping co-founder Chang Boyang.
- During this reporting year, the Chinese government issued government work plans to strengthen the existing legislative framework to prohibit health-based discrimination in access to employment and education. For example, a plan issued in January 2014 aims to increase access to compulsory education for students with physical and intellectual disabilities. Physical eligibility standards for employment as civil servants and teachers, however, still contain provisions that discriminate against individuals with a range of health-related conditions.

Recommendations

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

- Recommend that the Chinese government work with hospitals, medical and legal professionals, and community groups to develop rule-based mechanisms to resolve patient-hospital disputes, including support for the registration of non-governmental patient rights' advocacy groups.
- Call on the Chinese government to strengthen implementation of the Mental Health Law (MHL) and stop forcibly committing petitioners and others without mental illness to psychiatric facilities (*bei jingshenbing*). Urge the Chinese government to establish an independent panel made up of legal and medical professionals from both within and outside of the government to monitor and report on implementation of the MHL, particularly in the use of involuntary commitment and treatment. Increase support to Chinese civil society organizations and advocates in monitoring implementation of the MHL.
- Call on the Chinese government to immediately release from custody Akbar Imin, a Uyghur public health worker who has worked with Uyghur migrants in Beijing on HIV/AIDS treatment and prevention, and drug abuse harm reduction; Zhengzhou-based human rights lawyer Chang Boyang; petitioner Xing Shiku; and other public health advocates and petitioners mentioned in this report and the Commission's Political

Prisoner Database. Call on the Chinese government to cease harassing public health advocacy NGOs.

○ Urge Chinese officials to focus attention on effective implementation of laws and regulations that prohibit health-based discrimination in access to employment and education, and in the development of a barrier-free environment, including revision of the national physical eligibility standards for civil servants and teachers that discriminate against persons with health-related conditions. Where appropriate, share with Chinese officials the United States' ongoing experience and efforts through legal, regulatory, and non-governmental means to promote the rights of persons with disabilities in education and employment. Expand the number of site visits and other exchanges for Chinese officials to observe and share experience with U.S. rights groups, lawyers, and state and federal agencies.

THE ENVIRONMENT

Findings

• During the Commission's 2014 reporting year, widespread and severe environmental challenges continued to confront China. Pollution problems have had consequences for citizens' health and reportedly have led to increasing environmental migration by China's more prosperous citizens. Soil pollution in China has been linked to food safety concerns both domestically and internationally. Overall, groundwater quality worsened over the past year and 280 million people in China still use unsafe drinking water. Dirty migration—whereby polluting industries move to less developed areas where environmental protection efforts have been weaker and information disclosure has been lower—also remains problematic. Chinese citizens, as well as U.S. and South Korean officials, expressed concern about China's worsening air pollution.

• Developments during the reporting year indicate central authorities have raised the priority of regulating threats to environmental quality. Chinese authorities made substantial revisions to the Environmental Protection Law, the first revisions since 1989, which if duly implemented have the potential to improve transparency and public oversight, diminish lax implementation and enforcement, and reduce non-compliance. The revised law allows for a narrow, select range of environmental organizations to file public interest cases in court, although it is uncertain if authorities will grant standing to groups lacking strong links to government agencies.

• Despite regulatory advances, significant challenges still hinder the development of the rule of law in the area of environmental protection, including citizen access to the courts, weak deterrence mechanisms, and noncompliance with environmental statutes. Environmental authorities increased application of criminal statutes to environmental cases. Nevertheless, many companies in China surveyed in 2013 reportedly remained out of compliance with pollution standards. Corruption and disregard for the law are widespread in the environmental

sector, and in some cases have been linked to pollution incidents. Problems with pollution and environmental degradation are among the primary triggers of environmental mass incidents. There were several mass protests against pollution, including a peaceful protest against a chemical plant in Maoming municipality, Guangdong province, that turned violent. Chinese citizens and a human rights group have called for an investigation into the possible excessive use of force by security officials during the Maoming protest.

• During the reporting period, observers asserted that Chinese authorities advanced environmental transparency to some degree. As of January 2014, 179 cities had started to disclose to the public real-time information on air quality. A national measure also came into force in January requiring China's approximately 15,000 "key enterprises" to self-monitor and disclose air, water, noise, and other pollutant emissions data. The revised Environmental Protection Law stipulated requirements for authorities to make full environmental impact assessment reports available to the public. Authorities publicly disclosed limited general data from a national study on soil pollution after previously refusing to provide information in response to a Chinese citizen's 2013 open information request on the grounds that the data was a "state secret." Censorship on environmental issues continued, however, and Chinese citizens still face significant challenges in accessing environmental information.

Recommendations

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

○ Acknowledge revisions to the Environmental Protection Law and encourage Chinese leaders to strengthen the rule of law in the environmental sector. Support U.S.-China bilateral exchanges focused on improving regulatory enforcement and compliance tools and urge Chinese authorities to be more responsive to citizen demands for a cleaner environment. Engage Chinese officials and others who seek to devise a fair compensation system for environmental and ecological damages.

○ Continue to fund programs under the U.S.-China Ten-Year Framework for Cooperation on Energy and Environment. Add reduction of soil contamination and environmental transparency to the list of Focus Areas for U.S.-China EcoPartnership projects. In addition, urge the participation of independent Chinese environmental non-governmental organizations in the U.S.-China EcoPartnership projects.

○ Support programs that seek to raise the technical and operational capacity of Chinese environmental non-governmental organizations (NGOs), including programs that build the capacity of NGOs to fully utilize opportunities to file environmental public interest lawsuits. Urge Chinese authorities to fully implement provisions providing for public participation in environmental policy and project decisions.

○ Support efforts by Chinese and U.S. groups working to expand awareness of citizens' environmental rights in China and to promote the protection of those rights. Include environmental law and transparency issues in the U.S.-China Human Rights and Legal Experts Dialogues. Also include discussion of human rights dimensions of climate change in the U.S.-China Climate Change Working Group.
○ Support continued expansion of environmental information disclosure in China and encourage Chinese leaders to fully implement strengthened provisions for disclosure of full-text environmental impact assessment reports to the public. Share with Chinese officials U.S. Government experiences with the Toxics Release Inventory Program and other U.S. programs that seek to provide more environmental transparency. Continue U.S. Government engagement with relevant individuals and organizations in developing China's capacity to reliably measure, report, publicize, and verify carbon emissions reduction strategies and techniques. In future U.S.-China Strategic and Economic Dialogue meetings, expand upon previous discussions regarding environmental transparency and the reliability and transparency of greenhouse gas data.

CIVIL SOCIETY

Findings

• During the Commission's 2014 reporting year, the Chinese government and Party continued a crackdown on civil society activists that began in early 2013 that violated international standards of freedom of expression, association, and assembly. Authorities sentenced a number of individuals previously detained in 2013 because of their calls for greater government accountability and citizen participation. These individuals included Xu Zhiyong, a legal rights advocate and promoter of the New Citizens' Movement whom authorities sentenced in January 2014 to four years in prison. Authorities also harassed and detained individuals who attempted to monitor China's compliance with its international human rights obligations and to commemorate the 25th anniversary of the 1989 Tiananmen protests and their violent suppression.
• The Commission also observed increased harassment of Chinese non-governmental organizations (NGOs) this past year, especially those working on public health and anti-discrimination advocacy.
• The government and Party neither engaged nor consulted with independent civil society advocates and organizations in formulating country reports submitted for reviews of China's compliance with several of its international human rights obligations that took place during this reporting year, an issue raised by several UN commissions and Chinese and international rights organizations. Some organizations asserted that the approximately 16 to 22 NGOs and government-affiliated organizations listed as consulting groups in China's reports were primarily government- or Party-organized groups. The Chinese government also rebuffed UN and international

human rights organizations' inquiries into the detention, deteriorating health, and death in March 2014 of human rights defender Cao Shunli.

• Central government and Party documents, such as the Party Central Committee Third Plenum Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms, included support for the participation of non-governmental "social forces" in the social services sector. This policy support reiterated points in the institutional reform plan of March 2013 that aim to shift some government functions in the provision of public services to non-governmental "social organizations"—the government's term for non-governmental entities.

• The Chinese government and Party missed its own stated deadline to issue revisions to the three key national regulations on "social organizations" by the end of 2013, although at least 26 provinces and municipalities moved forward with interim regulations. The local provisions promote direct registration of a limited spectrum of "social organizations," but maintain a "dual management" system for religious, political, and legal groups, among others, which compromises such groups' organizational autonomy by requiring the oversight of sponsoring organizations.

• Government procurement of services from the non-governmental sector in China is still in its early phase and the regulatory framework is not fully developed.

• Beijing and Shenzhen municipalities issued draft or interim charity regulations during this reporting year, but the timing for national charity legislation remains unclear. Two areas of contention in the development of the regulatory framework for philanthropy concern the types of charitable organizations allowed to publicly fundraise and to what extent the government will control charitable giving.

Recommendations

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

○ Call for the release of Xu Zhiyong as well as other civil society and rights advocates sentenced to prison terms for politically motivated reasons. Call on the Chinese government to cease harassment of civil society advocates and organizations who work on rights protection and public advocacy, or who seek to exercise their right to public participation. Strongly urge the Chinese government to establish an independent investigation panel that includes Chinese human rights lawyers to examine Cao Shunli's treatment in detention in the months prior to her death in March 2014.

○ Urge China to comply with international human rights conventions regarding the role and participation of civil society organizations in country reporting, policy development, and monitoring the implementation of its human rights obligations.

○ Encourage the Chinese government to revise its regulatory framework for "social organizations" in China to allow all non-governmental organizations (NGOs) to benefit from planned re-

forms in accordance with the rights to freedom of association and assembly guaranteed in Articles 21 and 22 of the International Covenant on Civil and Political Rights.

○ Increase support to U.S. non-governmental organizations in China to develop projects that build the capacity of independent grassroots NGOs to advocate for equal legal and operating rights for all organizations, including for registration and open and transparent competition for government procurement projects.

INSTITUTIONS OF DEMOCRATIC GOVERNANCE

Findings

• China's political institutions do not comply with Article 25 of the International Covenant on Civil and Political Rights (ICCPR) or standards in the Universal Declaration of Human Rights (UDHR). During the October 2013 UN Human Rights Council's Universal Periodic Review of the Chinese government's human rights record, China rejected numerous recommendations to "ratify" or "establish a clear timeframe" to ratify the ICCPR. China did, however, accept recommendations to "[t]ake steps toward the ratification of ICCPR."

• While central Chinese leaders expressed a commitment to reining in excessive government power, they gave no indication that they would undertake political reforms to bring China into compliance with the ICCPR or the UDHR. Central leaders in the Chinese Communist Party issued a major policy document in November 2013 that used only general language about improving China's existing "socialist democratic political system" and "strengthening the system for restraining and supervising the use of power." The document emphasized the continuing dominance of the Party and the goal of "strengthening and improving the Party's leadership over overall reform."

• The Party continued to dominate political affairs, penetrating every level of society. To facilitate recentralization of Party authority, top leaders created new leadership organizations, headed by Party General Secretary and President Xi Jinping. Central Party officials sought to increase intraparty discipline and exert ideological control through a "mass line" campaign, which involved political indoctrination and self-criticism sessions for officials, and a society-wide campaign to promote the cultivation and practice of several "core socialist values."

• Authorities continued to harass, detain, and impose prison sentences on individuals who exercised their rights to freedom of speech, assembly, association, and demonstration, including over 100 people in the two months prior to the 25th anniversary of the 1989 Tiananmen protests and their violent suppression by authorities. Among those affected were Pu Zhiqiang, Xu Guang, Chang Boyang, and Zhao Huaxu, as well as democracy advocates and rights defenders such as Liu Benqi, Qin Yongmin, and Sun Feng. Others remained in prison, including Zhu Yufu (7 years), Cao Haibo (8 years), Chen Xi (10 years), and Liu Xianbin (10 years). The death of human rights de-

fender Cao Shunli, who urged Chinese leaders to allow independent public participation in drafting China's national reports to the United Nations, prompted concern that her death was linked to Chinese authorities' denial of timely and proper medical care while in detention.

• People's congress and village committee elections continued to be plagued by government interference, corruption, and procedural irregularities, as exemplified by the spring 2014 elections in Wukan village, Guangdong province. While the 2012 elections in Wukan had been held up as a model of democracy, the 2014 elections were marred by detentions of candidates and other problems, illustrating a decline in democratic governance.

• Authorities imprisoned anticorruption and transparency advocates, some of whom identified themselves as associated with the New Citizens' Movement, including Yuan Dong (one year and six months), Zhang Baocheng (two years), Ding Jiaxi (three years and six months), Zhao Changqing (two years and six months), Li Wei (two years), Liu Ping (six years and six months), Wei Zhongping (six years and six months), and Li Sihua (three years). Authorities also continued to hold in detention several others awaiting trial, including Huang Wenxun, Yuan Xiaohua, Yuan Fengchu, Yang Maodong, and Liu Jiacai.

• Amid increasing public concern over corruption, authorities stepped up detentions and investigations of officials suspected of corruption, including Zhou Yongkang, former secretary of the Communist Party Central Committee Political and Legal Affairs Commission. Despite official reports that the anticorruption campaign has yielded results, there reportedly also have been allegations of torture of several lower level officials detained on suspicion of corruption. Some observers assert that central Party authorities, including Party Secretary General Xi Jinping, are using the anticorruption drive to recentralize authority, purge political rivals, and place their own people into positions of power.

• Some Chinese officials and government agencies have sought to be more accessible to the public, but transparency is still lacking. The Ministry of Finance directed all organizations that receive government allocations to publicly disclose their budgets. Central government authorities urged officials to improve transparency in a number of specific sectors, while safeguarding secrets. Open government information requests by Chinese citizens reportedly are increasing but numerous problems with accessing information remain.

Recommendations

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

○ Support U.S. academic and intelligence research programs to shed light on the structure, functions, and development of the Chinese Communist Party, including its ideological campaigns, and the Party's roles within companies, government agencies,

and legislative, judicial, and non-governmental institutions. Urge Chinese officials to further increase the transparency of Party affairs.

○ Call on the Chinese government to release people detained or imprisoned for exercising their right to freedom of speech, association, and assembly; for engaging in peaceful demonstrations; for calling for transparency of officials' personal finances; or for calling for political reforms within China. These may include those who sought to commemorate the 25th anniversary of the 1989 Tiananmen protests, have associated themselves with the New Citizens' Movement, or other prisoners of conscience mentioned in this report and in the Commission's Political Prisoner Database.

○ Support joint U.S.-China cooperative programs to develop independent monitoring systems for village committee and local people's congress elections and encourage central and local Party and government leaders to implement free and fair elections across China. Continue to support democracy promotion programs that are adapted to China. Support U.S. academic and other U.S.-China joint programs aimed at expanding public participation in political and policy decisionmaking.

○ Support organizations working in China that seek to improve government transparency, especially efforts to expand and improve China's government information disclosure initiatives. Such projects might include joint efforts to better publicize the Open Government Information (OGI) Regulations at local levels and to train citizens and groups on how to submit OGI requests. Encourage Party and government officials to ensure regulations, rules, and policies are made public.

COMMERCIAL RULE OF LAW

Findings

• China acceded to the World Trade Organization (WTO) on December 11, 2001. The Chinese government, however, continues to practice state capitalism. The interventionist policies of the Chinese government, including subsidies and preferential treatment for state-owned enterprises (SOEs), are not compatible with China's WTO commitments. In the first half of 2014, two significant WTO dispute panel decisions were issued addressing a rare earths dispute, where China's export quotas were found to be inconsistent with WTO rules, and an automobile subsidies dispute, where China's duties on American automobiles were found to be in breach of China's WTO obligations. During the reporting year, the Chinese Communist Party Third Plenum Decision emphasized a decisive role for the market in allocating resources, but acknowledged that SOEs would continue to play a primary role in China's economy.

• China remained noncompliant with its WTO commitments with regard to disclosing subsidies and providing regulatory transparency on draft laws and regulations. Corporate reporting at Chinese companies is also limited, and the Chinese government tightly controls media reporting on the wealth of gov-

ernment officials and their families. During the 2014 reporting year, American regulators, private companies, and investors had difficulty obtaining information on Chinese companies, including the U.S. Securities and Exchange Commission in its fraud investigations of China-based companies. Many American technology and media companies remained blocked in China, including Facebook, Twitter, YouTube, Dropbox, the New York Times, and Bloomberg News.

• Reports of the significant theft of U.S. intellectual property originating from China continued throughout the 2014 reporting year. The U.S. Department of Justice (DOJ) brought an indictment against five Chinese military hackers for allegedly hacking Westinghouse Electric; U.S. subsidiaries of SolarWorld; United States Steel; Allegheny Technologies; United Steel, Paper and Forestry, Rubber, Manufacturing, Energy Allied Industrial and Service Workers International Union (United Steelworkers); and Alcoa. Several of these companies and United Steelworkers had challenged China's trade policies, raising concerns that the alleged hacking may have been done in retaliation. The Chinese government took steps to improve protection for intellectual property rights (IPR) this past year, including higher statutory compensation in the amended PRC Trademark Law and beginning draft revisions to the PRC Anti-Unfair Competition Law. American companies, however, had difficulties in effectively protecting IPR in China. During the reporting year, the DOJ began criminal prosecutions in two significant cases involving the theft of agricultural trade secrets by Chinese nationals.

• Chinese outbound investment continued to increase significantly, and annual Chinese foreign direct investment (FDI) into the United States now exceeds U.S. FDI into China. During the 2014 reporting year, major investments by Chinese companies in the United States were in agriculture, IT, health care, and real estate. In the first half of 2014, the Committee on Foreign Investment in the United States (CFIUS) reviewed potential security concerns regarding the planned acquisitions by Lenovo Group of an International Business Machines (IBM) server unit due to the use of the IBM servers by U.S. Government intelligence and defense agencies.

• Chinese authorities increased the number of antimonopoly reviews, including reviews of potential abuses of dominant market positions. In June 2014, the Ministry of Commerce blocked a network of A.P. Moller-Maersk, CMA CGM, and MSC Mediterranean Shipping Company due to Antimonopoly Law concerns. The proposed network had been approved by the U.S. Federal Maritime Commission and the European Commission. This was the first time since 2009, when Coca-Cola's acquisition of the Chinese beverage company Huiyuan was blocked, that a deal was blocked outright. During the reporting year, Chinese authorities conducted investigations in many sectors, and American companies targeted included Qualcomm and Microsoft. In September 2014, the US-China Business Council reported that 86 percent of firms that responded to its survey had some concern with China's antimonopoly enforce-

ment activities. Companies' concerns included selective and subjective enforcement, lack of regulatory transparency, and use of administrative intimidation tactics. According to a September 2014 U.S. Chamber of Commerce report, China's enforcement activities may be a violation of its WTO commitments.

• Intervention by the Chinese government continued to contribute to significant undervaluation of the Chinese yuan. The yuan reportedly reversed a trend of appreciation this past year, depreciating by 1.5 percent in February 2014, for the largest two-week decline since 2005, and depreciating 2.68 percent for the year to April 2014.

• Serious food safety problems continued in China and were also a concern for U.S. companies operating in China and American consumers. In June 2014, the National People's Congress released a revised draft of the PRC Food Safety Law for public comment that strengthens preventative regulations, improves supervision, and provides for stronger penalties. In July 2014, the U.S. Food and Drug Administration had more active import alerts for China than any other country. The U.S. Government plans to increase the number of inspection staff in China, however, there has been difficulty in obtaining visas for them.

Recommendations

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

○ Ensure that China makes concrete improvements in ending currency controls, subsidies for state-owned enterprises, and other policies outlined in this report that violate China's existing international trading obligations, as a condition for progress in any U.S. trade-related negotiations with China, and ensure transparency and full public participation by all segments of American society in such negotiations.

○ Direct the U.S. Trade Representative (USTR) to create a public database of all of China's commitments in its WTO accession agreements. USTR annual reporting on China's WTO compliance should identify any compliance concerns, together with the individual commitments potentially implicated, and whether or not USTR took action. USTR should also create a public database of all of China's commitments made pursuant to the U.S.-China Joint Commission on Commerce and Trade (JCCT) and the U.S.-China Strategic and Economic Dialogue (S&ED) and its predecessor. USTR, with the assistance of the Department of Commerce and the Department of the Treasury, should use both databases to more comprehensively report on China's implementation of its commitments.

○ Develop and support a project surveying Internet restrictions in China and their impact on U.S. businesses. The U.S. Trade Representative should consider reporting on Internet censorship in its annual reports on China's WTO compliance and reports on Foreign Trade Barriers. An additional formal request through the WTO should be made for detailed informa-

tion on China's Internet restrictions, and a WTO dispute should be considered, if warranted. In meeting with Chinese government officials, urge the Chinese government to stop blocking access to U.S. media and technology companies in China, including the New York Times, Bloomberg News, Google, Facebook, and Dropbox.

○ Work with the Chinese government to stop cyber theft originating in China. Efforts should also be made to strengthen the protection of trade secrets in China, including the revision of China's trade secret laws. The U.S. Government should provide additional support to American companies litigating significant intellectual property cases in China, including raising the litigation in discussions with Chinese leaders and at the S&ED and the JCCT. One matter in which the U.S. Government may consider is providing additional support to AMSC's (formerly American Superconductor) ongoing commercial litigation against Sinovel Wind Group Company, which involves over US$1 billion in damages. The U.S. Department of Justice should consider reporting on an annual basis intellectual property cases involving Chinese companies and Chinese nationals.

○ Urge the Chinese government to improve transparency on corporate information and stop abusing the state secrets law. The U.S. Securities and Exchange Commission should make obtaining full access to corporate documents for Chinese companies listed on U.S. stock exchanges a key focus of the bilateral dialogue with the China Securities Regulatory Commission. The Chinese government should be encouraged to enhance transparency, provide a clear and narrowly-tailored definition of state secrets that complies with international law, and clearly define permissible due diligence activities.

○ Discuss with Chinese officials and take further action in the WTO to ensure that China fully implements adverse WTO dispute decisions, eliminates subsidies for Chinese state-owned enterprises, and fulfills its transparency obligations under the WTO Subsidies Agreement. Up-to-date and complete notification by China of Chinese national and provincial subsidies that benefit state-owned enterprises and discriminate against American investment should be obtained.

○ Ensure that U.S. Government food and drug safety inspection officials are able to obtain visas and conduct unannounced inspections of Chinese facilities that are exporting to the United States. Strengthen capacity-building programs for Chinese food and drug regulators based on U.S. best practices. Support NGOs working on food safety in China, and encourage Chinese government efforts to improve food safety transparency and oversight.

ACCESS TO JUSTICE

Findings

• In June 2014, the Chinese government announced that six provinces and municipalities would serve as pilot sites for certain judicial reforms in an effort to limit interference by local governments in the work of the courts. The reforms include di-

vesting local governments of their control over local court funding and appointments, and centralizing such power at the provincial level. The limits of judicial reform were made clear, however, when, shortly after the announcement, the state-run Global Times stated in an editorial that the goal of improving "judicial justice" in the new reforms did not mean that China was moving toward "judicial independence" (*sifa duli*) or "separation of powers."

• The Supreme People's Court (SPC) took steps to increase judicial transparency and accountability in line with the November 2013 Chinese Communist Party Third Plenum Decision. The SPC issued measures requiring all courts in China to publish their effective written judgments (with some exceptions, such as cases involving state secrets and individual privacy) on the publicly accessible Web site Judicial Opinions of China, effective January 1, 2014. Increased judicial openness was one of eight main areas of focus in the SPC's fourth five-year reform plan released in July 2014.

• The Party and central government issued a number of documents instituting reforms to the petitioning (*xinfang*) system—one of the areas of reform outlined in the Third Plenum Decision. *Xinfang,* also referred to as the "letters and visits" system, is a popular mechanism outside of the formal legal system for citizens to present their grievances to authorities, either in writing or in person. The goals of the petitioning system reforms include, among others, reducing the number of in-person petitions by promoting online and written petitions, and ensuring that all law- and litigation-related petitions are handled by courts and resolved through legal channels. The measures prohibit officials from unlawfully detaining petitioners and accepting complaints from petitioners who have skipped levels in an attempt to reach higher level authorities.

• In late December 2013, the first-ever draft amendment to the Administrative Litigation Law (ALL) was submitted to the National People's Congress Standing Committee for review. The proposed revisions address the main problems with the ALL, which are widely referred to as "the three difficulties": difficulties filing administrative litigation cases, trying ALL cases, and enforcing ALL judgments. Whether the ALL amendments will lead more petitioners to file lawsuits rather than use the petitioning system—a desired outcome of the revisions—remains to be seen.

• Authorities intensified the degree of harassment and abuse of human rights lawyers and defenders this year, particularly in the run-up to the 25th anniversary of the violent suppression of the 1989 Tiananmen protests. Incidents against human rights lawyers included official violence against lawyers advocating for detained Christian Pastor Zhang Shaojie in Henan province, and the detention and torture of four rights lawyers, Tang Jitian, Jiang Tianyong, Wang Cheng, and Zhang Junjie, in Heilongjiang province. In May and June 2014, officials criminally detained a number of well-known rights lawyers for political reasons, including Beijing-based Pu Zhiqiang, Henan-based Chang Boyang and Ji Laisong, and three Guangzhou-

based human rights lawyers: Tang Jingling, Wang Qingying, and Yuan Xinting.

• Rights lawyer Gao Zhisheng was released from prison in early August 2014. Reports emerged soon after that authorities had maltreated him during his more than two and a half years in Shaya Prison in the Xinjiang Uyghur Autonomous Region. As a result of the abuses he suffered, Gao lost 50 pounds, has serious dental problems, and has difficulty speaking coherently.

• Despite increased repression, Chinese human rights lawyers took new steps to protect their own rights, for example, by forming the China Human Rights Lawyers Group, which provides legal services and advice to citizens detained for exercising their civil rights. Moreover, in June 2014, more than 40 rights lawyers signed a pledge to voluntarily assist other lawyers and their families if they are targeted by authorities.

Recommendations

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

○ Call for the release of detained rights lawyers, including Pu Zhiqiang, Chang Boyang, Tang Jingling, Yuan Xinting, and other rights lawyers whose personal liberty has been unlawfully restricted.

○ Call upon the Chinese government to permit rights lawyer Gao Zhisheng to travel to the U.S. for medical treatment and to be reunited with his wife and two children, who now live in the U.S. While Gao is still in China, the Chinese government should ensure his freedom of movement domestically.

○ Urge the Chinese government to protect the fundamental civil and professional rights of China's human rights lawyers, and to investigate all allegations of abuse and ensure that those responsible are brought to justice.

○ Support programs implemented by U.S. non-governmental organizations and other entities that partner with China's human rights lawyers and non-profit legal organizations to enhance access to justice and lawyers' rights to represent defendants free of government interference. Expand support to bring Chinese human rights lawyers, advocates, and scholars to the United States for study and capacity building through such programs as the U.S. Department of State's International Visitors Leadership Program.

○ Increase support to U.S. law schools and other organizations for programs with Chinese counterparts to advance the judicial and administrative law reforms currently underway in China.

○ Consider including regulation of the legal profession and lawyers' codes of conduct in the agenda for future bilateral Legal Experts' Dialogues.

XINJIANG

Findings

- Deadly clashes that took place during the Commission's 2014 reporting year in the Xinjiang Uyghur Autonomous Region (XUAR), or involved Uyghurs outside of the XUAR, led to more than 300 fatalities.
- President Xi Jinping and top officials emphasized anti-terrorism security measures while also cracking down on peaceful religious activity and failing to address concerns that anti-terrorism measures should also protect civil rights.
- Overseas rights advocates and analysts voiced concern that authorities' overly broad security measures and crackdowns, restrictions on peaceful religious activity, and constraints on expressions of Uyghur cultural identity have heightened tensions in the XUAR, and that Chinese officials failed to distinguish between violence or terrorism and peaceful dissent. Officials and state media acknowledged that economic and social inequality have exacerbated regional instability but have emphasized economic development projects without addressing Uyghurs' concerns over threats to their language, culture, and religion.
- Overseas rights advocates and analysts also raised concerns that authorities had used excessive force against Uyghur protesters, including during the deadliest violence in the XUAR in five years, which took place in Kashgar prefecture on July 28, 2014. Officials characterized the violence as a terrorist attack that left nearly 100 people dead, but rights advocates disputed the official portrayal of the violence.
- Domestic and international observers raised concerns about the Chinese government's lack of transparency regarding the violent events that took place in the XUAR, including restrictions on journalists and social media discussion.
- The space for online Uyghur expression remained limited. A report released by a Uyghur human rights organization in June 2014 documented a marked increase in the degree of government- and self-censorship of Uyghur online expression in the years since the July 2009 demonstrations and riots in the regional capital of Urumqi, when authorities shut down a number of popular Uyghur-run Web sites and detained more than 100 Uyghur Web site administrators. According to research cited by the report, moderators on at least one Chinese social media site censored a much higher proportion of postings by users in the XUAR than postings by users in Beijing municipality.
- Research this past year showed an increase in Uyghurs being prosecuted for "endangering state security," a category of crimes that officials have broadly interpreted at times to include peaceful activism, free expression of ethnic identity, and independent religious activity. Among those prosecuted for this category of crimes include the Uyghur university professor Ilham Tohti, a reportedly peaceful critic of government policy in the XUAR who also sought to build a dialogue between Uyghurs and the majority Han Chinese population. In Feb-

ruary 2014, he was arrested along with four young Uyghurs, Mutellip Imin, Perhat Halmurat, Shohret Tursun, and Abduqeyum Ablimit, who had contributed to the Web site Tohti founded, Uyghur Online. In September 2014, Tohti was convicted of "separatism" and sentenced to life in prison.

- Tohti told his lawyers in June 2014 that detention center authorities had subjected him to abuse, including denying him food for 10 days and shackling him for nearly three weeks. One of Tohti's lawyers, Li Fangping, reported that prosecutors had failed to provide complete evidence for Tohti's defense team to review. The law firm of another lawyer, Wang Yu, withdrew her from the case after receiving pressure from Beijing officials.
- Tohti's wife Guzelnur told Radio Free Asia in May 2014 that security personnel had placed her and the couple's two sons under "heavy surveillance" at their Beijing home since Tohti's detention in January 2014, although they had recently reduced this surveillance. Guzelnur also said the couple's oldest son was suffering from heart problems due to the psychological stress of his father's detention.
- Authorities reportedly detained Abduweli Ayup, Dilyar Obul, and Muhemmet Sidik in August 2013 after they opened a Uyghur-language kindergarten in Kashgar city and attempted to open a Uyghur-language school in Urumqi. The Tianshan District People's Court in Urumqi city reportedly tried Ayup, Obul, and Sidik on July 11, 2014, and sentenced them on August 21 to prison terms ranging from one year and six months to two years and three months on charges of "illegal fundraising."
- During this reporting year, regional authorities monitored, controlled, and punished Uyghurs for peaceful Islamic practices. Civil servants in some localities were required to sign pledges certifying that family members would not engage in "illegal religious activities," with penalties including restrictions on access to higher education for their children.
- Regional officials reiterated strategies for economic and political development that prioritize state economic and political goals over respecting the rights of XUAR residents, including those outlined in the PRC Regional Ethnic Autonomy Law.
- As in past reporting years, the Commission continued to observe job announcements that reserved positions exclusively for Han Chinese, including civil servant and private-sector jobs, in contravention of Chinese labor and anti-discrimination laws. Private and public employers also continued to reserve more positions for men, leaving non-Han women to face both ethnic and gender discrimination in the employment process.

Recommendations

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

- Support efforts to raise greater public awareness of human rights conditions in the XUAR, as well as initiatives to protect Uyghur culture, and increase avenues for Uyghurs to protect

their human rights, and undertake more frequent human rights-focused visits to the XUAR.

○ Call on the Chinese government to increase transparency when reporting instances of violence and terrorism or the criminal prosecution of defendants in cases involving violence, separatism, and terrorism, including by providing data on the exact number of "endangering state security" trials concluded every year, as it did between 2008 and 2012.

○ Call on the Chinese government to allow domestic and international journalists and observers greater freedom to independently verify official media accounts of violent and terrorist incidents.

○ Call for the release of Ilham Tohti, Mutellip Imin, Perhat Halmurat, Shohret Tursun, Abduqeyum Ablimit, and other Uyghurs who were detained or imprisoned for exercising their right to freedom of expression.

○ Object to the detention, arrest, and conviction of Uyghur educators and language rights advocates like Abduweli Ayup, Dilyar Obul, and Muhemmet Sidik.

○ Call on the Chinese government to consult with non-Han Chinese parents, teachers, and students regarding what language or languages of instruction should be used in XUAR schools, from the preschool to the university level. Call on Chinese officials to provide parents and students a choice of instruction in the Uyghur language and other non-Chinese languages prevalent in the XUAR, as mandated in Article 4 of the Chinese Constitution and Article 10 of the PRC Regional Ethnic Autonomy Law. Urge Chinese officials to support the development of educational materials in the Uyghur language and in other non-Chinese languages.

○ Call on the Chinese government to adhere to domestic laws and regulations guaranteeing freedom of religious belief, as well as international regulations guaranteeing religious practice free from state restrictions.

○ Encourage U.S. companies conducting business or investing in development initiatives in the XUAR to promote equal opportunity employment for ethnic minorities and to support development projects that incorporate consultation with ethnic minorities regarding the economic, political, and social impact of such projects. Encourage U.S. companies investing in XUAR business opportunities to actively recruit ethnic minority candidates for employment positions and implement mechanisms to eliminate hiring and workplace discrimination, and urge Chinese counterparts to provide equal opportunity employment to ethnic minorities.

TIBET

Findings

• Formal dialogue between the Dalai Lama's representatives and Chinese Communist Party and government officials has been stalled since the January 2010 ninth round, the longest interval since such contacts resumed in 2002. The Commission observed no indication during the 2014 reporting year of offi-

cial Chinese interest in resuming a dialogue that takes into account Tibetan concerns regarding the Tibetan autonomous areas of China.

• The frequency of Tibetan self-immolation reportedly focusing on political and religious issues declined steeply during the Commission's 2014 reporting year, and followed an increase in Party and government security and punitive measures. The Commission has not observed any sign that Party and government leaders intend to respond to Tibetan grievances in a constructive manner or accept any accountability for Tibetan rejection of Chinese policies. One Sichuan province county issued provisions in April 2013 (unreported until February 2014) imposing collective punishment intended to deter Tibetans from self-immolating.

• Pressure on Tibetan Buddhists to accept Communist Party and government control of the religion remained high. Party leadership continued to characterize the Dalai Lama as a threat to Tibetan Buddhism's "normal order" instead of as a principal teacher, and urged that he be "separated" from the religion and the title "Dalai Lama." State-run media reported that a deployment of Party cadres to every Tibet Autonomous Region (TAR) village, monastery, and nunnery, completed in March 2012, involved 60,000 cadres—nearly triple the 21,000 initially reported. Officials detained, imprisoned, or beat to death a number of monastic leaders, interfered with identifying a reincarnation, and imposed a ban on travel for religious purposes to Mount Kailash.

• The Commission observed no indication this past year that Party and government leaders intend to develop a "harmonious society" inclusive of Tibetan preferences toward their culture and language. The government asserted that learning and using Tibetan language is "protected by law" but officials closed non-government-run programs and detained Tibetans who promoted use of the language. The Party accepted no accountability for Tibetan grievances contributing to protests and blamed them on external factors, especially the Dalai Lama. In September–November 2013, a prominent example of crackdown developed in one Tibetan county: as of September 1, 2014, the Commission's Political Prisoner Database contained records of 58 detentions related to the crackdown including 15 resulting in prison sentences of up to 18 years.

• The Party and government continued to prioritize economic development as a prerequisite for "social stability." Authorities reportedly detained or imprisoned Tibetans who protested against mining activity, seizure or forced sale of land related to mining, or development projects that allegedly damaged the environment. The westward railway segment from Lhasa city to Rikaze (Shigatse) city reportedly was "put into use" in August 2014 and provided the first extension since the Xining-Lhasa segment of the Qinghai-Tibet railway opened in 2006. After 2009, TAR yearbooks ceased to report county-level population data, hindering demographic analysis.

• As of September 1, 2014, the Commission's Political Prisoner Database contained records of 639 Tibetan political prisoners

believed or presumed currently detained or imprisoned. Of those, 621 are records of Tibetans detained on or after March 10, 2008; 44 percent of them are Tibetan Buddhist monks, nuns, teachers, or *trulkus*. This past year, officials detained, imprisoned, or beat to death monastic leaders including Abbot Gyurme Tsultrim, Abbot Karma Tsewang, chant master Thardoe Gyaltsen, Geshe Ngawang Jamyang, and Abbot Khedrub. Officials detained or imprisoned cultural advocates, including writer Tsultrim Gyaltsen, singer Gebe, and environmental activists Choekyab and Tselha. Officials released filmmaker Dondrub Wangchen upon completion of his sentence in June 2014; as of September 1, authorities had not permitted him to travel to the United States for reunification with his family.

Recommendations

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

○ Urge the Chinese government to resume contact with the Dalai Lama or his representatives and engage in dialogue without preconditions. Such a dialogue should aim to protect the Tibetan culture, language, religion, and heritage within the Tibet Autonomous Region (TAR) and the Tibetan autonomous prefectures and counties in Qinghai, Gansu, Sichuan, and Yunnan provinces. A Chinese government decision to engage in dialogue can result in a durable and mutually beneficial outcome for the government and Tibetans that will benefit local and regional security in coming decades.

○ Urge the Chinese government to recognize the role of government regulatory measures and Party policies in the wave of Tibetan self-immolations and other protests. Stress to Chinese officials that strengthening the measures and policies that Tibetans resent is unlikely to promote "social stability" or a "harmonious society." Urge the government to refrain from using security and judicial institutions to intimidate Tibetan communities by prosecuting and imprisoning Tibetans with alleged links to a self-immolator or for sharing self-immolation information.

○ Urge the Chinese government to refrain from using intrusive management and legal measures to infringe upon and repress Tibetan Buddhists' right to the freedom of religion. Urge the government to cease treating the Dalai Lama as a security threat instead of as Tibetan Buddhism's principal teacher. Urge the government to respect the right of Tibetan Buddhists to identify and educate religious teachers in a manner consistent with Tibetan Buddhist preferences and traditions. Stress to Chinese officials that increasing pressure on Tibetan Buddhists by aggressive use of regulatory measures, "patriotic" and "legal" education, and anti-Dalai Lama campaigns is likely to harm social stability, not protect it.

○ Request that the Chinese government follow up on a 2010 statement by the Chairman of the TAR government that Gedun Choekyi Nyima, the Panchen Lama whom the Dalai

Lama recognized in 1995, is living in the TAR as an "ordinary citizen" along with his family. Urge the government to invite a representative of an international organization to meet with Gedun Choekyi Nyima so that he can express to the representative his wishes with respect to privacy.

○ Stress to the Chinese government the importance of respecting and protecting the Tibetan culture and language. Urge Chinese officials to promote a vibrant Tibetan culture by honoring the Chinese Constitution's reference to the freedoms of speech, association, assembly, and religion, and refraining from using the security establishment, courts, and law to infringe upon and repress Tibetans' exercise of such rights. Stress the importance of respecting Tibetan wishes to maintain the role of both the Tibetan and Chinese languages in teaching modern subjects, and to refrain from criminalizing Tibetans' passion for their language and culture.

○ Encourage the Chinese government to take fully into account the views and preferences of Tibetans when the government plans infrastructure, natural resource development, and settlement or resettlement projects in the Tibetan areas of China. Encourage the government to engage with appropriate experts in assessing the impact of such projects and in advising the government on the implementation and progress of such projects. Encourage the government to report accurately and comprehensively data on population in Tibetan areas of China.

○ Continue to stress to the Chinese government the importance of distinguishing between peaceful Tibetan protesters and rioters; condemn the use of security campaigns to suppress human rights; and request the government to provide complete details about Tibetans detained, charged, or sentenced for protest-related and self-immolation-related "crimes." Continue to raise in meetings and correspondence with Chinese officials the cases of Tibetans who remain imprisoned as punishment for the peaceful exercise of human rights.

○ Encourage the Chinese government to respect the right to freedom of movement of Tibetans who travel domestically, including for the purpose of visiting Tibetan economic, cultural, and religious centers, including Lhasa; to provide Tibetans with reasonable means to apply for and receive documents necessary for lawful international travel; to respect the right of Tibetan citizens of China to reenter China after traveling abroad; and to allow access to the Tibetan autonomous areas of China to international journalists, representatives of non-governmental organizations, representatives of the United Nations, and U.S. Government officials.

DEVELOPMENTS IN HONG KONG AND MACAU

Findings

• The Basic Laws of Hong Kong and Macau confirm the applicability of the International Covenant on Civil and Political Rights (ICCPR) to both territories. The Basic Law of Hong

Kong provides specifically for universal suffrage, while Macau's does not.

• On August 31, 2014, the National People's Congress Standing Committee (NPCSC) issued a decision on Hong Kong's electoral reform that restricted the ability of candidates to freely run for Chief Executive (CE). Pro-democracy advocates criticized the decision for failing to ensure "genuine" democracy, and the 27 pro-democracy Legislative Council (LegCo) members pledged to veto electoral reform proposals that follow the decision's framework. The decision followed a five-month Hong Kong government consultation on electoral reform in advance of the 2017 CE election and a July 2014 report by the CE to the NPCSC on Hong Kong public opinion regarding electoral reform. The NPCSC in 2007 ruled that Hong Kong may implement universal suffrage at the earliest in the 2017 CE election.

• Statements by mainland Chinese and Hong Kong officials raised concerns that the central government will restrict Hong Kong elections. Some officials and legal scholars rejected pro-democracy activists and legislators' proposals to publicly nominate CE candidates, arguing that only the nominating committee named in Article 45 of Hong Kong's Basic Law could nominate candidates. Pro-Beijing legal experts also said that any candidate for CE must "love the country and love Hong Kong" to be eligible, and that a CE who "confronts the central government" would be unacceptable.

• Pro-democracy legislators and activists continued to press for universal suffrage in electing the CE and LegCo. In June 2014, nearly 800,000 people reportedly voted in an online referendum on electoral reform held by pro-democracy groups. On July 1, hundreds of thousands of people marched through downtown Hong Kong to protest the Chinese government's perceived increasing interference in Hong Kong. The Occupy Central movement threatened to hold civil disobedience protests in Hong Kong's financial district as a last resort if the electoral reform plan presented by the Hong Kong government did not adhere to Hong Kong's Basic Law and international standards for free and fair elections.

• Hong Kong journalists and media reported threats to press freedom from self-censorship, direct and indirect governmental and economic pressure on reporting, and violent attacks on journalists. According to one international media nongovernmental organization, press freedom continued to deteriorate in Hong Kong in 2013, with Hong Kong's international ranking dropping to 61 from 58 the year before.

• Macau held its first legislative election since a package of electoral reforms was passed in 2012. The Macau Legislative Assembly expanded from 29 to 33 members, although only 14 (previously 12) members are directly elected. Incumbent Chief Executive Fernando Chui Sai On won re-election unopposed, winning 380 of 400 possible votes in Macau's Election Committee. The Commission observed no progress regarding the UN Human Rights Committee's 2013 recommendation that Macau "set timelines for the transition to an electoral system based on universal and equal suffrage."

• Corruption and money laundering from mainland China tied to Macau's gambling industry continued to be sources of concern. Gamblers continued to evade mainland China's currency-export restrictions, both through the use of junkets and the fraudulent use of credit and debit cards.

Recommendations

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

○ Renew the reporting requirements of Section 301 of the United States-Hong Kong Policy Act of 1992, paying particular attention to the development of democratic institutions in Hong Kong and China's obligations under international treaties and agreements, and ensure developments in Hong Kong are featured in other reports related to China.

○ Urge Hong Kong and central government officials to institute universal suffrage in Hong Kong in line with the requirements of the Basic Law and the International Covenant on Civil and Political Rights (ICCPR) for the elections of the Chief Executive in 2017 and the Legislative Council in 2020.

○ Increase support for Hong Kong's democracy through statements and meetings at the highest levels and visits to Hong Kong. Hong Kong issues should be raised in meetings in Beijing with central government officials given their overriding role in deciding questions of Hong Kong's political development. U.S. Government delegations' meetings in Hong Kong should include meetings with members of the Hong Kong Legislative Council, the Hong Kong government administration, members of the judiciary, and representatives of reporters' organizations. In Macau, U.S. delegations should meet with members of the Legislative Assembly, especially directly elected members, the Macau government administration, and civic leaders outside the government.

○ Urge Hong Kong authorities to take steps to ensure the safety of journalists and resolve several outstanding cases of violence and intimidation of journalists and media executives. Urge Hong Kong and central government officials to refrain from pressuring Hong Kong journalists and media organizations regarding news content and reporting.

○ Urge Macau government officials in meetings to begin the process of transitioning to an electoral system based on universal suffrage in accordance with Article 25 of the ICCPR, as recommended by the UN Human Rights Committee.

POLITICAL PRISONER DATABASE

Recommendations

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

- Check the Political Prisoner Database (PPD) (*http://ppdcecc.gov*) for reliable, up-to-date information on a prisoner or groups of prisoners. Consult a prisoner's database record for more detailed information about the prisoner's case, including his or her alleged crime, specific human rights that officials have violated, stage in the legal process, and location of detention or imprisonment, if known.
- Advise official and private delegations traveling to China to present Chinese officials with lists of political and religious prisoners compiled from database records.
- Urge U.S. state and local officials and private citizens involved in sister-state and sister-city relationships with China to explore the database, and to advocate for the release of political and religious prisoners in China.

A POWERFUL RESOURCE FOR ADVOCACY

The Commission's 2014 Annual Report provides information about Chinese political and religious prisoners[1] in the context of specific human rights and rule of law abuses. Many of the abuses result from the Chinese Communist Party's and government's application of policies and laws. The Commission relies on the Political Prisoner Database (PPD), a publicly available online database maintained by the Commission, for its own advocacy and research work, including the preparation of the Annual Report, and routinely uses the database to prepare summaries of information about political and religious prisoners for Members of Congress and Administration officials. The Commission invites the public to read about issue-specific Chinese political imprisonment in sections of this Annual Report, and to access and make use of the upgraded PPD at *http://ppdcecc.gov*. (Information about the PPD is available at *http://www.cecc.gov/resources/political-prisoner-database.*)

The PPD received approximately 86,100 online requests for prisoner information during the 12-month period ending August 31, 2014—an increase of approximately 2 percent over the 84,500 requests during the 12-month period ending August 31, 2013. During the 12-month period ending in August 2014, the United States was the country of origin of the largest share of requests for information, with approximately 29.7 percent of such requests—a decrease from the 31.9 percent reported for the United States in the Commission's 2013 Annual Report. China was second with approximately 22.7 percent (a decrease compared to 29.2 percent in the 2013 reporting period), followed by Japan with 20.3 percent (compared to 19.1 percent in the 2013 reporting period), Ukraine (3.7 percent), France, (2.2 percent), India (2.1 percent), Germany (1.8 percent), Poland (1.2 percent), the Russian Federation (1.1 percent), and the United Kingdom (1.0 percent).

Approximately 38.4 percent of the approximately 86,100 requests for PPD information were from numerical Internet addresses that do not provide information about the name of the registrant or the type of domain. That figure represents an 18.4 percent decrease from the 56.8 percent reported for such addresses during the period ending in August 2013 and may correlate with the proportional increase reported below for the China (.cn) domain.

Approximately 19.5 percent of the online requests for PPD information during the 12-month period ending in August 2014 originated from domains in China (.cn)—an increase from 0.2 percent during the period ending in August 2013. Worldwide commercial (.com) Internet domains were second with approximately 16.7 percent (compared to 15.5 percent in the 2013 reporting period), followed by worldwide network (.net) domains with approximately 8.9 percent (similar to the 2013 reporting period), U.S. Government (.gov) domains with 5.0 percent (compared to 6.7 percent in the 2013 reporting period), 1.1 percent from domains in Germany (.de), 0.9 percent from domains in Poland (.pl), 0.9 percent from domains in Ukraine (.ua), 0.8 percent from domains in France (.fr), 0.7 percent from domains in Brazil (.br), and 0.5 percent from worldwide nonprofit organization (.org) domains. Online requests for PPD information from U.S. educational domains fell to 0.2 percent from 1.3 percent in the 2013 reporting period.

POLITICAL PRISONERS

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

As of September 1, 2014, the PPD contained information on 7,689 cases of political or religious imprisonment in China. Of those, 1,240 are cases of political and religious prisoners currently known or believed to be detained or imprisoned, and 6,449 are cases of prisoners who are known or believed to have been released or executed, who died while imprisoned or soon after release, or who escaped. The Commission notes that there are considerably more than 1,240 cases of current political and religious imprisonment in China. The Commission staff works on an ongoing basis to add cases of political and religious imprisonment to the PPD.

The Dui Hua Foundation, based in San Francisco, and the former Tibet Information Network, based in London, shared their extensive experience and data on political and religious prisoners in China with the Commission to help establish the PPD. The Dui Hua Foundation continues to do so. The Commission also relies on its own staff research for prisoner information, as well as on information provided by non-governmental organizations (NGOs), other groups that specialize in promoting human rights and opposing political and religious imprisonment, and other public sources of information.

MORE POWERFUL DATABASE TECHNOLOGY

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

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

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

II. Human Rights

FREEDOM OF EXPRESSION

Introduction

During the 2014 reporting year, the Chinese government and Communist Party continued to strengthen controls over freedom of expression, particularly online expression, violating international standards and protections for freedom of expression in China's Constitution and other domestic legislation. As a result, people ranging from independent journalists and media professionals to local organizers and rights lawyers faced censorship, official harassment, and detention amid ongoing crackdowns, in some cases due to sensitivity surrounding the 25th anniversary of the 1989 Tiananmen protests. Government and Party officials showed heightened, high-level concern regarding their ability to control the Internet and signaled renewed efforts to strengthen their control over the Internet. Such efforts appeared to target the online activity of rights and democracy advocates, as well as others who used the Internet to express peaceful criticism of the government or Party.

International Standards on Free Expression

This past year, the Chinese government and Communist Party continued to restrict expression in ways that contravened international human rights standards. According to the International Covenant on Civil and Political Rights (ICCPR)—which China has signed[1] and stated its intent to ratify[2]—and the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, expression may be restricted only if such restrictions are (1) for the purpose of respecting the rights or reputations of others or protecting national security, public order, public health or morals, or the general welfare; (2) set forth in law; and (3) necessary and the least restrictive means to achieve the purported aim.[3] Regarding requirement (1), an October 2009 UN Human Rights Council (UNHRC) resolution stated that restrictions on "discussion of government policies and political debate," "peaceful demonstrations or political activities, including for peace or democracy," and "expression of opinion and dissent" are inconsistent with Article 19(3) of the ICCPR.[4] At the October 2013 session of the UNHRC's Universal Periodic Review (UPR) of the Chinese government's human rights record, member states expressed concerns over restrictions on freedom of expression in China, including expression online, and urged China to ratify the ICCPR.[5] In its official response to the UPR recommendations, the Chinese government stated that China's Constitution, laws, and government protect freedom of expression in China[6] but it did not provide further information on any specific protections for freedom of expression.[7]

Some government and Party sources appealed to the concept of "Internet sovereignty" to defend the claim that China has sole authority to set standards for governance of the Internet within its borders.[8] For example, a June 2014 article in the People's Daily—the official news media of the Communist Party—asserted that

"the concept of 'Internet sovereignty' conforms to the rules of international law" and that "other countries do not have the right to interfere."[9] The UNHRC, to which China was reelected in November 2013,[10] has emphasized that international standards for freedom of expression online apply to all countries, regardless of state borders. In a June 2012 resolution, the UNHRC affirmed that "the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice."[11]

Growth and Control of the Internet and Mobile Communications

EXPANDING OVERALL ACCESS

China's Internet landscape has experienced dramatic growth in recent years, particularly in the number of Internet users accessing the Web through mobile devices. According to the China Internet Network Information Center, which operates under the Ministry of Industry and Information Technology (MIIT),[12] there were 632 million Internet users in China by the end of June 2014, bringing Internet users to 46.9 percent of the total population.[13] Also by late June 2014, 527 million people in China reportedly accessed the Internet from mobile devices, amounting to 83.4 percent of all Internet users in China.[14]

Amid this growth, the Chinese government continued to take steps to expand the country's telecommunications infrastructure and provide greater Internet access. For example, in December 2013, MIIT issued 4G licenses to three Chinese telecom operators,[15] one of which—China Telecom—reportedly announced it would establish the world's largest 4G network[16] and offer commercial 4G services in 340 Chinese cities in 2014.[17] In a March 2014 government work report to the National People's Congress, Premier Li Keqiang stated the government would extend broadband connectivity to rural villages, increase Internet speeds, and develop 4G mobile communications.[18]

MAINTAINING GOVERNMENT AND PARTY CONTROL OF ONLINE CONTENT

The government and Party expressed heightened, high-level concerns regarding their ability to control the Internet and signaled a renewed effort to strengthen their control over the Internet. For example, the November 2013 Chinese Communist Party Central Committee Third Plenum Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms called explicitly for the "management"[19] and "supervision"[20] of the Internet, as well as the "supervision" of online public opinion,[21] themes government and Party sources have emphasized in recent years.[22] The Commission observed documents from government and Party Web sites this past year that echoed these themes.[23] For example, in February 2014, during the first meeting of the newly established Central Internet Security and Informatization Leading Group, a high-level group chaired by President Xi Jinping, Xi reportedly "called for innovative methods to spread mainstream values and stimulate positive energy while maintaining proper guidance of online opinions in terms of timing, intensity and impact."[24]

Some reports described the Internet or online public opinion as a "struggle,"[25] "battleground,"[26] or "new challenge and new test"[27] for authorities. A People's Liberation Army Daily report stated:

> Enemy forces use the Internet to advocate forcefully for Western values such as "constitutional democracy" and "universal values," wantonly discrediting our country's social system . . . . [We] absolutely cannot let erroneous ideological trends tarnish the image of the country and the Party.[28]

Such reports cited as their basis remarks that Xi made at an August 2013 "national propaganda and ideology work meeting"[29] and interpreted Xi's remarks to include strengthening control over the Internet.[30]

Chinese officials continued campaigns to control the expanding reach of microbloggers. In the latter half of 2013, authorities reportedly began to investigate hundreds of Sina Weibo microbloggers, detaining over 100[31]—including prominent microbloggers known as "Big V" users because of their large followings and verified status[32]—as part of what some international media described as a crackdown.[33] For example, in July 2014, the social media accounts of "Big V" and outspoken political commentator Li Chengpeng were closed.[34] Following these developments, the total number of Weibo posts dropped[35] as much as 70 percent from early 2011 to late 2013, according to a study conducted at East China Normal University.[36] On March 13, 2014, authorities closed an unspecified number of accounts on WeChat, a mobile social media platform owned by Tencent that reportedly gained users who left Weibo.[37] In August 2014, the State Internet Information Office released the Interim Provisions for the Management of the Development of Instant Messaging Tools in Providing Public Information Services,[38] which prohibits public microblog accounts that have not received approval from posting or reposting political news.[39]

CENSORSHIP OF ONLINE CONTENT

Chinese authorities continued to block and filter sensitive online content, in some cases through censorship campaigns. For example, officials blocked online reports regarding protests against the construction of a paraxylene ("PX") plant in Maoming city, Guangdong province.[40] Officials also blocked online reports regarding corruption investigations of Zhou Yongkang, former Minister of Public Security and Secretary of the Communist Party Central Committee Political and Legal Affairs Commission; Zhou's son Zhou Bin; and Li Dongsheng, former Vice Minister of Public Security.[41] Censorship initiatives included a "Sweep Away Pornography, Strike Down False Media" campaign,[42] which some commentators noted gave authorities leeway to strengthen government and Party control over the Internet more broadly.[43] The campaign's leadership included a joint government-Party entity under the Party's Central Propaganda and Ideology Work Leading Group,[44] which itself was chaired by Liu Yunshan, a member of the Political Bureau of the Communist Party Central Committee.[45] In April 2014, authorities revoked some of Sina's online publication licenses after reportedly finding pornographic content on Web sites run by Sina.[46] Some

commentators noted the revocations appeared to be connected to the growing influence of Sina Weibo,[47] which filed for an initial public offering in the United States shortly before the revocations.[48]

In the months preceding June 4, 2014—the 25th anniversary of the violent suppression of the 1989 Tiananmen protests—authorities blocked and filtered a range of online content related to the protests. For example, in June 2014, the University of Toronto's Citizen Lab verified more than 60 Tiananmen-related keywords censored on Weibo, 9 of which were new additions in 2014.[49] Authorities also deleted online discussion of and blocked online searches for content related to former Party General Secretary Hu Yaobang, whose death in 1989 triggered the Tiananmen protests.[50]

Authorities also increased content restrictions on Internet television content providers. In or shortly before mid-July 2014, China's media regulator, the State Administration of Press, Publication, Radio, Film and Television (SAPPRFT), met with China's seven licensed Internet television content providers and instructed them to filter unapproved content,[51] including "content from commercial video websites," as well as "unauthorized foreign movies, short movies and other video products."[52] SAPPRFT reportedly also instructed Internet television content providers to remove third-party apps from their devices and barred Internet television content providers from entering into business agreements with companies under investigation by SAPPRFT.[53] As of mid-July 2014, SAPPRFT reportedly ordered Internet television content providers not to work with LeTV, a licensed Internet television content provider suspected of violating content restrictions.[54] All these actions followed requirements issued by SAPPRFT in 2011[55] that reportedly restrict content provided through Internet television services.[56]

Censorship of U.S. Companies' Online Content

According to international media reports, U.S. company LinkedIn—which began operating in China in 2014[57]—began censoring sensitive content that originated in China.[58] Censorship reportedly extended to both Chinese- and English-language versions of the site,[59] as well as to users based in Hong Kong or outside of China.[60] For example, a United Kingdom-based artist previously based in China reported some of her LinkedIn posts were censored.[61] A student in Hong Kong reported LinkedIn censored a link he posted for a video that reportedly "express[ed] support for relatives and friends of those killed during the Tiananmen crackdown."[62]

Censorship of U.S. Companies' Online Content—Continued

Shortly before the 25th anniversary of the violent suppression of the 1989 Tiananmen protests, U.S. company Google began experiencing online service disruptions in China.[63] GreatFire.org, an organization that monitors online censorship in China,[64] reported on June 2, 2014, that "all Google services in all countries, encrypted or not, are now blocked in China . . . . [T]he block covers Google Hong Kong . . ., Google.com and all other country specific versions . . . ."[65] Chinese authorities did not claim responsibility for the disruptions, but international media reports linked the disruptions to broader attempts by authorities to censor online content, as well as sensitivity surrounding the Tiananmen anniversary.[66] Reuters quoted a Google spokesman as saying "We've checked extensively and there's nothing wrong on our end."[67]

Rules regarding censorship of online content in China remained opaque. Internet regulations contain vague and broad prohibitions on content that "harms the honor or interests of the nation,"[68] "spreads rumors,"[69] or "disrupts national policies on religion,"[70] but they do not define these concepts or contain criteria to determine when content has violated one of these prohibitions.[71] On March 1, 2014, the Implementing Regulations of the PRC Law on the Protection of State Secrets (Implementing Regulations)—which extends to information on the Internet[72]—entered into force[73] but did not clarify what could be classified as state secrets.[74] For example, the Implementing Regulations stipulated that authorities should not classify as state secrets "matters that should be public in accordance with the law"[75] but did not explain what kinds of information the law entitles the public to access.[76]

Punishment of Citizens for Free Expression

Authorities continued to detain and harass rights and democracy advocates, Internet writers, human rights lawyers, citizen journalists, and others who exercised their constitutional right to freedom of speech,[77] in a crackdown that some international media and individuals in China described as the worst in recent decades.[78] Authorities used vaguely worded criminal charges and extralegal harassment to punish citizens for free expression, as the following selected cases illustrate:

- In September 2013, officials in Tianshui city, Gansu province, criminally detained 16-year-old microblog user Yang Zhong (aka Yang Hui) on suspicion of "picking quarrels and provoking trouble" for online posts.[79] Yang had posted comments urging people to protest an allegedly hasty investigation by local authorities that had ruled the death of a karaoke club worker to be a suicide.[80] Police released Yang a week later, following an outcry among Weibo users protesting Yang's detention.[81]
- In February 2014, officials in Beijing municipality summoned for questioning human rights advocate Hu Jia on charges of "picking quarrels and provoking trouble" and interrogated him regarding allegedly sensitive Twitter postings.[82] At the time, Hu reportedly was under home confinement.[83] Au-

thorities released Hu from home confinement in June 2014,[84] and in July 2014, Hu was beaten on the street by men he believed to be plainclothes police.[85]

• In late February 2014, Chinese artist and poet Liu Xia was reportedly hospitalized,[86] and later discharged.[87] Authorities have held Liu under illegal home confinement since October 2010, following the December 2009 conviction of her husband, Nobel Peace Prize laureate Liu Xiaobo.[88] According to Reuters, she suffered from "heart problems, possibly severe depression, and other ailments made worse during her time under guard."[89] On February 27, Radio Free Asia reported authorities discharged Liu Xia from the hospital after her condition improved, according to friend He Jian.[90] Following her hospitalization, her lawyer Mo Shaoping reported he had "very little information" regarding her condition or location.[91] Chinese officials have said "there are no charges" against her and officials "[have] taken no legal enforcement measures" against her.[92]

• In March 2014, public security officials in Beijing criminally detained "citizen journalists" Liu Xuehong, Xing Jian, and Wang Jing on suspicion of "picking quarrels and provoking trouble"[93] after they reported on a self-immolation and other protests in Tiananmen Square.[94]

• In April 2014, a Beijing court sentenced Qin Zhihui to three years in prison for allegedly "defam[ing] celebrities and the government."[95] A September 2013 joint interpretation issued by the Supreme People's Court and the Supreme People's Procuratorate authorizes officials to imprison online authors if "defamatory" content is reposted at least 500 times or visited at least 5,000 times online.[96] According to Xinhua, one of Qin's posts was reposted 11,000 times.[97]

Criminal Punishment and Harassment Surrounding the 25th Anniversary of the Tiananmen Protests

The crackdown on free expression spanned June 4, 2014—the 25th anniversary of the 1989 Tiananmen protests—during which time authorities harassed, imprisoned, and detained a variety of individuals who sought to commemorate the protests in private meetings, memorial services, or online spaces. The following are sample cases:

• Authorities placed Ding Zilin, former leader of the advocacy group Tiananmen Mothers, under surveillance at her home in Beijing.[98] When filmmaker He Yang attempted to visit Ding in March 2014, authorities reportedly detained him on suspicion of "endangering national security" and released him after he agreed not to film subject matter related to the 1989 protests.[99] After Ding passed leadership of Tiananmen Mothers to successor You Weijie, authorities reportedly disconnected You's phone line.[100] Later, authorities forced Ding to stay out of Beijing until after June 4.[101]

Criminal Punishment and Harassment Surrounding the 25th Anniversary of the Tiananmen Protests—Continued

• On March 24, 2014, a district court in Suzhou municipality, Jiangsu province, sentenced Gu Yimin to one year and six months in prison for "inciting subversion of state power." [102] Gu's lawyers reportedly were assaulted by unknown assailants outside the court.[103] Officials detained Gu in June 2013 after he posted a cartoon online referencing the 1989 protests.[104]

• On April 24, 2014, authorities criminally detained journalist Gao Yu on suspicion of "leaking state secrets" to a foreign Web site.[105] According to a Xinhua report, Gao provided a central government document to an overseas Web site, but the report did not elaborate on the nature of the document.[106] Gao reportedly was planning to attend a private meeting with others to commemorate the 1989 protests; authorities later detained some of those who attended the meeting.[107]

• In May 2014, authorities in Zhengzhou city, Henan province, detained participants in a February 2014 memorial service commemorating former Communist Party leaders Hu Yaobang and Zhao Ziyang and the victims of the violent suppression of the 1989 protests.[108] Officials detained organizers Yu Shiwen and Chen Wei—a married couple—as well as participants Shi Yu, Fang Yan, and Hou Shuai, on suspicion of "gathering a crowd to disturb order in a public place." [109] Officials also criminally detained Shi, Fang, and Hou's defense lawyer Chang Boyang as he prepared to visit them in detention.[110]

• In late May or early June 2014, officials in Chaozhou municipality, Guangdong province, criminally detained Zhang Kunle on suspicion of "picking quarrels and provoking trouble" after Zhang called for online essay submissions regarding the 1989 protests.[111] Previously, authorities reportedly "compelled" Zhang to leave Shenzhen municipality, where he was living, and return to his family home in Chaozhou, due to heightened sensitivity surrounding the 25th anniversary of the 1989 protests.[112]

• On June 9, 2014, officials in Beijing reported that university student Zhao Huaxu had been criminally detained on suspicion of "teaching criminal methods." [113] In a May 24 Twitter post, Zhao uploaded a link to a document she had written called "June 4th Anniversary—A Conceptual Plan for Using Pseudo Base Station." [114] Pseudo base station technology allows users to broadcast information to mobile phones outside official communication networks.[115]

Press Freedom

The government and Party continued to control the press in violation of international standards. In its 2014 World Press Freedom Index, Reporters Without Borders ranked China 175th out of 180 countries.[116] It noted that "daily 'directives' to the traditional media from the Department of Propaganda, the constant online censorship, the growing number of arbitrary arrests and the detention of the largest number of journalists and netizens in the world . . . have made China a model of censorship and repression." [117] International experts have identified as a major challenge to free expression media serving "as government mouthpieces instead of as independent bodies operating in the public interest." [118]

POLITICAL CONTROL OF MEDIA THROUGH REGULATION

The State Administration of Press, Publication, Radio, Film and Television (SAPPRFT), enhanced its system of strict controls and licensing requirements for media professionals. In order to report the news legally, domestic newspapers, magazines, Web sites, and journalists must obtain a license or accreditation from the government.[119] In 2014, SAPPRFT began requiring the country's 250,000 news reporters and staff to participate in a political training program as part of the annual press card renewal process.[120] The program reportedly would include a test with content related to "socialism with Chinese characteristics" and the "Marxist view on the press."[121] On June 18, 2014, SAPPRFT released a circular instructing media organizations to forbid journalists from publishing reports that are critical without receiving approval from their employers, from reporting on issues outside of their designated issue areas, and from publishing critical reports through their own personal Web sites or publications.[122]

SAPPRFT also issued the Measures on the Management of Information Obtained by Press Personnel in the Conduct of Their Duties (the Measures),[123] which placed vague restrictions on the ability of journalists and other media professionals to release information obtained in the conduct of their work.[124] For example, the Measures prohibit media professionals from "violating the terms of confidentiality agreements"—which the Measures require media professionals to sign with their employers[125]—"by providing information obtained in the conduct of their work to other domestic or foreign media or websites. . . ."[126] The Measures' definition of such information includes "various kinds of information and materials, and all journalistic products collected and processed, including state secrets, commercial secrets, and information that has not been publicly disclosed."[127] The Measures do not clarify what constitutes a state secret.[128] [For more information on the regulation of state secrets, see Censorship of Online Content in this section.]

PUNISHMENT OF DOMESTIC JOURNALISTS

Outspoken journalists and newspaper staff continued to face reprisals for making sensitive comments or conducting investigative reporting. For example, on September 30, 2013, authorities approved the arrest of journalist Liu Hu on defamation charges[129] after he published information alleging official corruption.[130] According to the Washington Post, Wang Qinglei, a journalist with state-run China Central Television, was fired after calling China's media environment "stifling" online.[131] Tencent journalist Zhang Jialong reported that he was fired in May 2014 after discussing press freedom in a meeting with U.S. Secretary of State John Kerry and publishing an article in Foreign Policy in which he asked for U.S. assistance to "tear down . . . the Great Firewall" (i.e., China's national system of Internet surveillance and censorship).[132] According to a November 2013 South China Morning Post (SCMP) article, Caijing media group forced journalist Luo Changping to leave the magazine and move to Caijing's research institute after he exposed information implicating a high-level official in corruption.[133] In May 2014, public security officials in Bei-

jing reportedly detained Xin Jian, an employee of the Chongqing bureau of Japanese newspaper Nihon Keizai Shimbun, on suspicion of "picking quarrels and provoking trouble," after Xin reportedly helped journalists interview high-profile public interest lawyer Pu Zhiqiang.[134] A November 2013 SCMP article quoted Luo Changping as saying, "The position real investigative journalism is in is not ideal. The environment is getting worse, the space is getting smaller . . . ."[135] Journalists in Hong Kong also reported continuing threats to press freedom, citing violent attacks on media professionals, self-censorship among journalists, and pressure from the Hong Kong and central governments and mainland Chinese businesses.[136] [For more information on press freedom in Hong Kong, see Section VI—Developments in Hong Kong and Macau.]

PUNISHMENT OF FOREIGN JOURNALISTS

International media organizations and U.S. Government officials expressed heightened concerns over the ability of foreign journalists to report independently in China.[137] In a May 2014 survey conducted by the Foreign Correspondents Club of China (FCCC), 99 percent of respondents "[did] not think reporting conditions in China [met] international standards," and zero respondents believed conditions had improved since the previous year.[138] Respondents to FCCC surveys also reported official harassment of reporters, news assistants, and sources; attempts to block coverage of issues authorities deemed "sensitive"; restrictions on travel to the Xinjiang Uighur Autonomous Region and Tibetan areas of China; cyber attacks and the blocking of foreign media Web sites in China; and visa delays and denials.[139] In December 2013, Chinese authorities delayed visa renewals for approximately two dozen journalists working for the New York Times (NYT) and Bloomberg.[140] Some reports linked the late renewals to prominent 2012 reports by the NYT and Bloomberg on the overseas assets of Chinese leaders' family members.[141] In a December 2013 statement, then NYT Executive Editor Jill Abramson acknowledged that Chinese officials "pointedly objected" to investigative reports by the NYT about China's leaders.[142] Chinese authorities reportedly also warned foreign reporters against reporting on the 25th anniversary of the 1989 Tiananmen protests.[143] The following cases highlight some of the ongoing challenges foreign journalists faced during the reporting year:

- On November 9, 2013, the NYT reported that the Ministry of Foreign Affairs (MFA) declined to grant journalist Paul Mooney a resident journalist visa to begin a new reporting job for Thomson Reuters.[144] The MFA reportedly did not provide a reason for their decision.[145]
- On January 22, 2014, Time reported that Chinese authorities and "plainclothes thugs" harassed reporters with the Cable News Network, British Broadcasting Corporation, and Sky News as they attempted to cover the trial of rights advocate Xu Zhiyong.[146]
- On January 30, 2014, NYT correspondent Austin Ramzy departed China after officials declined to issue him press credentials.[147]

• On February 9, 2014, the China Law & Policy blog reported that NYT correspondent Chris Buckley and NYT Beijing bureau head Philip Pan were still awaiting press credentials, which they had been waiting for since 2012.[148]

WORKER RIGHTS

Freedom of Association

China's laws and practices continue to contravene international standards on freedom of association. Chinese workers are not free to form or join trade unions of their own choosing.[1] The PRC Trade Union Law largely eliminates workers' right to freedom of association by requiring that all union activity be approved by and organized under the All-China Federation of Trade Unions (ACFTU), an organization under the direction of the Chinese Communist Party and government.[2] The ACFTU Constitution and the PRC Trade Union Law mandate that the ACFTU protect the legitimate rights and interests of workers while "preserving the leadership of the Communist Party" and broader interests of the government.[3] Reportedly 280 million workers, over 36 percent of China's working population in 2013, were members of the ACFTU in 6.3 million unionized enterprises by mid-2013.[4] As an adjunct of the Party and government, the ACFTU continues largely to prioritize social stability in its approach to labor relations,[5] garnering criticism from labor activists and workers for failing to protect workers' rights and interests.[6]

Changing socio-economic conditions in China have led several high-level union and government officials to advocate for the need for union reform. During the ACFTU's 16th National Congress in October 2013, ACFTU Chairman Li Jianguo acknowledged that the ACFTU was failing to meet the challenges of "a series of new circumstances and problems" brought on by unbalanced development, stating that it needed to do more to protect the social and economic rights of workers.[7] In a speech in April 2013, President Xi Jinping urged the ACFTU to innovate and "adjust to social changes" to "comply with the demands of the times."[8]

A small number of municipal and lower level trade unions have made efforts during the Commission's 2014 reporting year to adopt a more proactive and engaged role with workers.[9] In March 2014, the Shenzhen Municipal Trade Union demanded that IBM reinstate 20 worker representatives fired during a 10-day strike at an IBM factory in Shenzhen municipality, Guangdong province.[10] The union reportedly sent lawyers to assist the fired workers in obtaining compensation and filing for arbitration after IBM refused to reinstate them.[11] At the same time, labor advocates and media reports indicate ACFTU support for workers has remained largely absent amid continued labor unrest, and in those cases where unions have taken a more engaged role with workers, those actions have been mostly reactive and limited to issuing statements of concern and support.[12]

Civil Society and Labor Non-Governmental Organizations

Labor non-governmental organizations (NGOs) and other civil society actors have emerged in recent years to play a larger role in promoting and defending workers' rights. Chinese labor scholars and activists give varying estimates of between 50 and 60 labor NGOs in China, predominantly located in the southern and eastern coastal provinces where there is a high concentration of migrant workers.[13] Many of these organizations provide workers with legal and educational services, including information on labor laws and legal counseling for individual rights violations.[14] Amid continued labor activism, some labor NGOs have shifted to providing direct support to workers during collective labor disputes, including instruction on collective bargaining.[15] In a number of cases during the 2014 reporting year, labor NGOs worked closely with striking workers to provide advice on collective action and encourage collective bargaining with employers.[16] The support of labor NGOs in several cases was reportedly instrumental in getting workers to avoid conflict with the authorities and resolve disputes through direct bargaining with employers.[17] Many labor NGOs still operate informally, however, as they often are unable to officially register with the authorities.[18] Despite a loosening of NGO registration requirements in China beginning in 2012, labor NGOs have mostly remained unable to register as "social organizations," forcing them either to register as business entities or not register at all.[19] In addition, labor NGOs have been subject to harassment by officials for engaging in activities considered sensitive.[20] In April 2014, public security officials in Dongguan municipality, Guangdong province, detained Zhang Zhiru and Lin Dong, employees at a Guangdong-based labor rights NGO, amid a large-scale strike at the Yue Yuen shoe factory in Dongguan.[21] Zhang and Lin had reportedly been in close contact with striking workers and had been providing them with assistance at the time of their detention.[22]

Collective Bargaining

Collective bargaining in China remains limited in both law and practice. There is no comprehensive national law on collective bargaining, but rather a series of provisions found in the PRC Trade Union Law, PRC Labor Contract Law, and PRC Labor Law that provide a legal framework for negotiating collective contracts and some process of collective consultation between management and workers.[23] In addition to national law, a majority of provinces have also issued provincial-level regulations on negotiating collective contracts, which in some cases contain provisions prohibiting workers from taking collective action and allowing employers to fire workers engaged in collective action during the negotiation of a collective contract.[24]

In recent years, the ACFTU and government have promoted the expansion of collective contracts and the strengthening of collective negotiation mechanisms as essential means for managing labor relations.[25] In April 2014, the Ministry of Human Resources and Social Security, in conjunction with other authorities, including the ACFTU, published a notice calling for the "expansion of collective consultations and coverage of collective contracts," setting a goal to "ensure the rate of signed collective contracts reaches 80 percent by

the end of 2015."[26] In a development Chinese labor advocates have described as having the potential to advance labor rights throughout China, the Guangdong Province People's Congress began deliberations in April 2014 on Draft Regulations on Collective Contracts and Collective Consultations (Draft Regulations).[27] The Draft Regulations, initially proposed by the Guangdong Federation of Trade Unions, require employers to engage in collective negotiations if more than one-third of workers demand it and protect the right of workers to strike if employers fail to respond to their demands within 30 days.[28] At the same time, the Draft Regulations also prohibit workers from striking during negotiations and make them subject to criminal punishment if company operations are disrupted.[29]

The extent to which ACFTU and government initiatives on collective contract and consultation mechanisms expand the space for greater and more genuine worker representation is unclear. At present, the collective contract and consultation system remains weak due in part to ineffective trade union representation.[30] The ACFTU and its local constituent unions continue to be subordinate to the interests of the Party, and central and local authorities, including in many cases employers as well, preventing them from properly representing workers in collective negotiations.[31] Top-down requirements from the government and higher level trade unions have also led enterprises to enter into formalistic contracts rather than actually engage in genuine bargaining between management and trade unions.[32] In many instances, the terms and conditions of collective contracts reflect minimum legal standards in the locality and reportedly rarely involve actual wage negotiations or touch on other interests.[33]

Workers who requested or took part in collective negotiations with their employers independent of the officially recognized union have faced reprisals including forced resignation, firing, and detention.[34] In May 2013, public security officials detained migrant worker Wu Guijun in Dongguan municipality, Guangdong province, for participating in a labor protest.[35] Prior to his detention, Wu was one of seven independently elected labor representatives chosen to represent workers in collective negotiations with management.[36] Authorities indicted Wu in January 2014 for "gathering a crowd to disrupt traffic," and tried him in several court hearings, before releasing him in May and finally dropping the charges in June.[37] In July 2014, authorities awarded Wu over 74,000 yuan (US$12,000) in compensation for "wrongful arrest," but refused his request for additional compensation for "mental damages" suffered during his detention.[38] Several Chinese labor experts and lawyers have called for greater protections for independent labor representatives. In May 2014, several Chinese labor lawyers put forward a proposal to amend the PRC Trade Union Law to protect workers who engage in collective negotiations independent of the officially recognized trade union.[39] At present, only trade union officials and workers who participate in official union activities are protected under the PRC Trade Union Law from management retaliation.[40]

Worker Actions

During the Commission's 2014 reporting period, widespread reports of strikes and demonstrations emerged across a variety of industries and regions in China.[41] Strikes were often prompted by labor-related grievances, such as low pay[42] and the nonpayment of wages and benefits,[43] but have also arisen more recently as a result of slowed economic growth.[44] Faced with higher labor costs and a shrinking labor force, many multinational companies and domestic enterprises have sought to restructure their business operations, relocating and closing down factories.[45] The Chinese government has, in part, encouraged this change in an effort to shift from investment- to consumption-driven economic growth, endorsing policies that reduce low-end manufacturing and overcapacity in other industries.[46] In many cases, workers are not consulted by their employers, local ACFTU constituent unions, or local officials in advance of restructuring plans, leading to conflicts over compensation and remaining contractual obligations.[47] In other cases, strikes have emerged in response to cost-cutting measures that have threatened workers' wages and benefits.[48]

The reported increase in labor unrest comes amid widespread economic and demographic shifts that observers contend are emboldening workers and affording them greater bargaining power in the workplace.[49] Chinese and international labor experts indicate workers are increasingly driven by a sense of social and economic rights, including "earning a living wage, creating a safe work environment and being treated with dignity and respect by the employer."[50] Growing labor shortages and opportunities in China's expanding service sector are strengthening workers' demands for higher pay and better work conditions and benefits.[51] Moreover, experts contend the increased activism of workers reflects a growing awareness of their rights and a greater confidence in taking collective action to redress workplace grievances.[52] The proliferation of social media and inexpensive smartphones have also made it easier for workers to mobilize and increase public awareness of strikes.[53]

Chinese authorities have had varied responses to labor protests, in some cases tolerating strikes that are limited to demands for wages and benefits.[54] At the same time, the Commission continued to observe reports of authorities using force against or detaining demonstrating workers.[55] The right to strike is not protected under Chinese law, leaving workers vulnerable to retaliation by their employers and criminal prosecution.[56] In August 2013, security officials in Guangzhou municipality, Guangdong province, detained 12 security guards after they staged a rooftop demonstration in protest over the refusal of their employer to continue discussion over grievances related to their employment contracts and social insurance.[57] Authorities charged the guards with "gathering a crowd to disturb social order," tried them in January 2014 at the Baiyun District People's Court in Guangzhou, and sentenced nine of them in April 2014 to various prison terms ranging between eight and nine months.[58] Authorities released the majority of the guards the day of or several days after their sentencing on the basis of time served, while three other guards were released in May.[59]

Migrant Workers

Migrant workers—rural residents who have left their place of residence to seek non-agricultural jobs in the cities—remain largely marginalized and vulnerable to mistreatment. China's total migrant population grew by 2.4 percent in 2013 from the previous year to more than 268 million, close to one-fifth of China's total population.[60] Over 46 percent of these workers were born after 1980 and exhibit different characteristics from previous generations of migrants, including higher levels of education, a greater understanding of their rights, and a stronger desire to integrate into urban society.[61] Many migrant workers, however, remain unable to obtain residency status in the cities where they live and work due to the continued enforcement of the household registration system (*huji zhidu*), effectively barring them from equal access to public services, including social security and public education.[62] Faced with the difficulty of accessing public services, an estimated 61 million migrant children have been left behind by their parents to be raised in the countryside.[63] These "left-behind children" (*liushou ertong*) have been found to suffer from depression and other forms of emotional distress, and are reportedly more prone to drop out of school or suffer sexual abuse.[64] Migrant workers additionally continue to have low levels of labor and social welfare protection. According to a report published in May 2014 by the National Bureau of Statistics of China, the number of migrant workers in 2013 who signed labor contracts with their employers declined by 2.6 percent to slightly more than 40 percent.[65] The report also indicated that even with a slight increase from the previous year, only a minority of migrants who worked outside their place of residence had pensions (15.7 percent), medical insurance (17.6 percent), occupational injury insurance (28.5 percent), and unemployment insurance (9.1 percent).[66]

Dispatch Labor

The overuse and abuse of dispatch labor continues to be a significant problem despite legal reforms carried out in recent years to limit its proliferation. Dispatch labor (*laowu paiqian*) refers to an employment arrangement whereby a worker signs an employment contract with a labor dispatch agency and is then sourced by the agency to work for another employer.[67] Dispatch workers are often hired as long-term employees in violation of law,[68] and in many cases paid lower wages and social insurance benefits than directly hired workers.[69] While no current official statistics are available on the extent of dispatch labor in China, 2011 estimates by the All-China Federation of Trade Unions put the total number at 37 million or 13.1 percent of all urban workers.[70]

As the Commission observed in 2013, the National People's Congress amended the PRC Labor Contract Law in December 2012 to address the issue of dispatch labor.[71] The amendments included clearer definitions of the types of positions for which dispatch labor could be used, raised business standards for labor dispatch agencies, and required employers to apply the same compensation standards to both directly hired workers and dispatch laborers.[72] Despite these changes, Chinese media has continued to report on

the misuse of dispatch labor following the amendments coming into effect in July 2013.[73] Citing overall weak enforcement of the new regulations, reports indicated that no significant changes had been made in terms of increased wages or benefits for dispatch workers.[74] Chinese labor scholars have indicated equal pay provisions in the law remain difficult to achieve in part because workers lack strong bargaining power.[75] In some cases, employers were found to be actively circumventing the law, decreasing welfare benefits or citing a lack of clear implementing measures as a reason for not fully complying with the regulations.[76]

In January 2014 the Ministry of Human Resources and Social Security issued the Interim Provisions on Labor Dispatch (Interim Provisions), effective March 2014.[77] The Interim Provisions expand on the 2012 amendments made to the PRC Labor Contract Law, clarifying regulations on dispatch labor set out in the 2012 amendments and providing further guidance on their implementation.[78] The Interim Provisions detail obligations for both the employer and labor dispatch agency on the signing and termination of labor contracts,[79] social insurance contributions,[80] and work-related injuries,[81] among other issues. The Interim Provisions also restrict the number of dispatch workers an employer is allowed to hire to 10 percent of their total workforce.[82] Employers that currently exceed this threshold are allowed a two-year transition period to adjust to the new restrictions.[83] The heavy reliance on dispatch labor by a number of industries, including state-owned enterprises, banking and financial institutions, and government organizations, still presents a clear challenge to achieving the 10 percent limit outlined in the Interim Provisions.[84] In some cases, dispatch workers were found to account for between 50 and 70 percent of the total workforce in some enterprises.[85]

Child Labor

The use of child labor in China remained a problem during the past reporting year. As a member of the International Labour Organization (ILO), China has ratified the two core conventions on the elimination of child labor.[86] The PRC Labor Law and related legislation also prohibit the employment of minors under 16 years old, and both national and local legal provisions prohibiting child labor stipulate fines and other punishments for illegally hiring minors.[87] While the extent of child labor in China is unclear in part because the government does not release data on the issue,[88] domestic media reports from the past year indicate that the use of child labor remained evident in the electronics manufacturing industry, with instances also reported in other sectors.[89] Labor experts contend a tightening labor market has led employers in some cases to hire underage workers to resolve labor shortages and reduce labor costs.[90] Poverty and limited access to educational resources were also found to be motivating factors for child workers in a number of cases.[91] In December 2013, Chinese media reported on the discovery of at least nine underage workers from the Yi ethnic minority group working in two electronics factories in Shenzhen municipality, Guangdong province.[92] The underage workers were found to be from Liangshan Yi Autonomous Prefecture, Sichuan province, the location of a number of child labor trafficking cases

reported on in recent years.[93] The December 2013 case follows similar incidents in 2008 and 2011 in Guangdong involving underage workers from the same prefecture,[94] indicating problems in preventing child labor and the trafficking of underage workers remain significant.

The abuse of student workers in "work-study" programs and other related activities also continued to be a concern. National provisions prohibiting child labor provide that "education practice labor" and vocational skills training organized by schools and other educational and vocational institutions do not constitute child labor when such activities do not adversely affect the safety and health of students.[95] The PRC Education Law also supports schools that establish work-study programs, provided they do not negatively affect normal studies.[96] The Commission has continued to observe reports,[97] however, of internship programs that violate Chinese law and appear inconsistent with ILO standards.[98]

Prison Labor

The use of forced labor in China's prison system and in other forms of detention remains inconsistent with Chinese law and in violation of international labor standards. Although the International Labour Organization's (ILO) core conventions on forced and compulsory labor provide an exception for prison labor on condition that the use of such labor is consistent with ILO guidelines,[99] international human rights and non-governmental organizations have documented cases in China in which the use of such labor—for example, in administrative detention facilities—conflicts with ILO guidelines.[100] The guidelines include provisions, for example, that permit prison labor if it is "exacted from [a] person as a consequence of a conviction in a court of law";[101] in China, however, administrative detention terms are issued without judicial process.[102] The ILO guidelines also prohibit the use of forced labor "as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system."[103] Amnesty International noted in a 2014 report submitted in advance of China's periodic review at the UN Committee on Economic, Social and Cultural Rights that "falun gong practitioners, activists, and petitioners and human rights defenders" had been subject to arbitrary detention in administrative detention facilities where forced labor practices are common.[104] Moreover, the use of prison labor for the purpose of profit-making also contravenes ILO guidelines prohibiting the use of prison labor "for the purposes of economic development."[105] Stuart Foster, a U.S. citizen imprisoned in China in 2013, stated in a National Public Radio broadcast in May 2014 that Christmas tree lights he assembled in prison reportedly were sold to "unwitting U.S. companies."[106] The same broadcast indicated that a brief search online by National Public Radio found at least 24 Chinese prisons advertising prison labor to manufacture a number of goods.[107] Despite not having ratified either of the ILO core conventions on forced and compulsory labor, as a member of the ILO, China remains obligated to respect certain basic internationally recognized labor rights, including those relating to forced and compulsory labor.[108]

The announcement in December 2013 of the abolition of reeducation through labor,[109] a form of administrative detention where individuals were often forced to work under harsh conditions,[110] was welcomed by Chinese and international human rights groups.[111] Reports have since emerged, however, indicating that Chinese authorities continue to use alternative forms of arbitrary detention in which forced labor practices and other human rights violations remain commonplace.[112] U.S. government assessments, as well as international media reports from the past two years, indicate prison labor has been used to manufacture, among other products, toys, electronics, and clothing.[113] The export to the United States of products manufactured through the use of forced labor in China's prison system and other forms of detention reportedly continues despite U.S.-China agreements.[114] The 1992 Memorandum of Understanding on Prison Labor and 1994 Statement of Cooperation between the United States and China established mechanisms to safeguard against the export of prison products to the United States.[115] Despite these agreements, slow and irregular cooperation by China in responding to U.S. concerns,[116] as well as continued reports of prison labor exports to the United States,[117] indicate significant obstacles remain.

Wages

Wages in China continued to increase this past year, reflecting growth rates that have seen regular increases in average wage levels over the past two decades amid continued economic growth.[118] Reports suggest structural changes in China's labor market, in particular a decline in the growth of the working age population and continued sporadic labor shortages, are partially responsible for the upward pressure on wages.[119] Local governments additionally continued to raise minimum wage levels this past year. The increases are in keeping with growth targets outlined in the 12th Five-Year Plan on Employment Promotion issued in 2011, which call for minimum wage levels to increase annually by an average of 13 percent and reach 40 percent of average urban salaries by 2015.[120] During the 2014 reporting year, the Commission observed reports from Chinese media of increases in the statutory minimum wage in nine provincial- and municipal-level areas averaging 13 percent.[121]

At the same time, the growth of average wages and minimum wage levels has slowed over the past three years, while minimum wage levels in many cities are still far less than the 40 percent target outlined in the 12th Five-Year Plan.[122] Wages for migrant workers in particular continue to be well below the national average. Data published by the National Bureau of Statistics of China indicated the overall average wage in 2012 was roughly 70 percent higher than the average wage for migrant workers during the same period.[123] Reports also indicate rising living expenses, particularly for food and housing, continued to erode wage gains as workers spend a greater portion of their income on everyday necessities.[124] Moreover, income inequality between different regions, industrial sectors, and groups of workers has been found to be steadily increasing.[125] Chinese and international observers have separately calculated China's Gini coefficient, a common measure of income inequality, to range between 0.45 and 0.55.[126] A level over 0.50 is

considered to indicate severe income inequality and present significant risks to social stability.[127]

Occupational Safety

Workers in China continue to face significant occupational safety risks. Systemic problems in implementation and enforcement of workplace safety laws, as well as a lack of meaningful worker participation in workplace decisions that impact health and safety continue to constrain efforts to reduce industrial accidents.[128] Despite officially reported deaths from industrial accidents declining by 3.5 percent in 2013,[129] an official from the State Administration for Work Safety continued to characterize industrial safety overall as "grim," highlighting a continued lack of effective safety oversight by central and local authorities.[130] Poor safety management by factory officials and inadequate supervision by local authorities were two factors cited in an investigation into an explosion at an auto parts factory in Jiangsu province in August 2014 that left 75 workers dead and 185 injured.[131] Safety inspectors from the local government had reportedly conducted a safety audit of the factory in July and officials confirmed a fire occurred at the factory in June, yet factory management still failed to implement remedial safety measures.[132] A group of Chinese labor activists and academics issued a letter following the explosion calling for greater power to be given to workers to supervise workplace safety and engage in collective bargaining on safety-related issues in light of the failure of factory management and local government to protect workers.[133]

Officially reported coal mine deaths declined in 2013 by 24.4 percent,[134] but human rights organizations suggested the actual number of deaths could be significantly higher due to underreporting.[135] Even with the reported decline, the death toll for workers in China's coal industry reportedly remained more than 10 times higher than the rate in developed countries.[136] Chinese media also continued to report on cases in which mine managers and local officials concealed information about mine accidents.[137] During the same time period, the number of accidents and deaths that occurred in other resource extraction industries reportedly increased.[138]

Reports from labor NGOs and Chinese and international media continue to highlight workplace abuses and poor working conditions throughout China.[139] Low wages,[140] exposure to harmful substances,[141] and harsh management practices[142] were cited as some of the major problems workers face. Excessive overtime in violation of Chinese labor law in particular continues to be a common problem.[143] The director of the International Labour Organization's China office called excessive overtime in China's white-collar industries "worrying as a physical and mental-health hazard."[144] An April 2014 Chinese academic report found that close to 700 workers in the manufacturing hub of Dongguan municipality, Guangdong province had died in their sleep since 2004.[145] Labor advocates and academics attributed the deaths in part to overwork, stating that low wages encouraged workers to work overtime.[146]

Occupational Health

Many workers in China continue to face significant occupational health risks. Inadequate government supervision of industrial compliance with occupational health standards,[147] illegal practices by employers,[148] and a lack of training and knowledge among workers about health in the workplace[149] reportedly contribute to the high risk of contracting occupational disease. According to figures from the National Health and Family Planning Commission, over 87 percent of officially reported cases of occupational disease in 2013 were for the lung disease pneumoconiosis.[150] The Chinese NGO Love Save Pneumoconiosis estimates that six million migrant workers are afflicted with pneumoconiosis and that migrant workers represent 90 percent of all pneumoconiosis cases in China.[151] Obtaining compensation for occupational disease remains a difficult and protracted process, particularly for those with pneumoconiosis.[152] According to a July 2014 report published by Love Save Pneumoconiosis, only 17.3 percent of migrant workers diagnosed with pneumoconiosis obtained compensation, while 82.4 percent did not receive any medical treatment.[153]

Working Conditions at Foxconn Factories

In December 2013, the Fair Labor Association (FLA) released its final report on the implementation of labor reforms at three factories owned by Foxconn (one in Chengdu municipality, Sichuan province, and two in Shenzhen Special Economic Zone),[154] a Taiwan-based multinational electronics manufacturer[155] and supplier for Apple.[156] This was the third and final progress report FLA released assessing implementation of labor reforms developed by Apple and Foxconn in response to the disclosure of poor working conditions at these Foxconn factories in March 2012.[157] The report stated Foxconn had made "steady progress" in improving working conditions in the 15 months to December 2013, including reducing working hours and constructing additional exits and toilets at the three factories.[158] At the same time, the report also indicated that all three factories continued to not be "in compliance with Chinese labor law regarding hours of work," and that overtime in excess of the legal limit remained a problem during certain periods in 2013.[159] Independent experts criticized the report for in part "ignor[ing] crucial reforms promised by Apple and Foxconn," including wage increases and improving worker representation.[160] The report stated FLA expected "Apple will continue to monitor compliance at Foxconn,"[161] however it remains to be seen what measures it will take to remedy remaining problems at Foxconn factories. In addition, international and Chinese media reports published throughout the 2014 reporting year uncovered labor rights abuses at other Chinese manufacturers for Apple,[162] highlighting the continuing problems Apple faces in managing its supply chain in China.

CRIMINAL JUSTICE

Abuse of Criminal Law To Suppress Dissent

Developments in criminal justice during the Commission's 2014 reporting year were driven by the Chinese Communist Party and government's paramount concerns: "maintaining social stability" (*weiwen*) and ensuring the continuance of one-party rule.[1] The Commission observed the politically motivated use of criminal law and police power to suppress dissent and perceived challenges to Party rule.[2] Authorities detained, questioned, disappeared, and threatened rights advocates, human rights lawyers, and journalists.[3] The crackdown intensified around the 25th anniversary of the June 1989 Tiananmen protests and their violent suppression; as of July 24, 2014, the non-governmental organization Chinese Human Rights Defenders (CHRD) had documented 152 individuals who had been affected, including 44 criminal detentions, 15 short-term administrative detentions, and 20 confirmed arrests.[4]

As part of the Party and government's ongoing crackdown on rights advocates, dissidents, and human rights lawyers, authorities have used vague crimes of an ostensibly non-political nature (also known as "pocket crimes" or *koudaizui*),[5] such as "picking quarrels and provoking trouble" and "gathering a crowd to disturb order in a public place," to silence its critics.[6] Experts have used the term "pocket crime" to refer to crimes so vague that—as the U.S.-based Dui Hua Foundation notes—"anything can be stuffed into" them.[7] According to CHRD, avoiding the use of "overtly political charges" to suppress dissent is the government's attempt to downplay "the political motivations behind the crackdown."[8] In January 2014, authorities convicted Xu Zhiyong, a promoter of the New Citizens' Movement (NCM), of "gathering a crowd to disturb order in a public place."[9] Xu told an associate that the police told him that if he renounced the NCM he would be spared prison.[10] Xu refused, and was subsequently sentenced to four years' imprisonment.[11] In mid-April, authorities convicted four other NCM-affiliated asset transparency advocates of disturbing public order charges and sentenced them to prison terms of between two years and three years and six months.[12] In the run-up to the 25th anniversary of the violent suppression of the 1989 Tiananmen protests, public security officials charged numerous human rights advocates and lawyers, including prominent public interest lawyer Pu Zhiqiang, with "pocket crimes."[13]

Arbitrary Detention

According to the UN Working Group on Arbitrary Detention (WGAD),[14] the deprivation of personal liberty is "arbitrary" if it meets one of the following criteria: (1) There is clearly no basis in law for such deprivation; (2) an individual is deprived of his or her liberty for having exercised rights under the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR); or (3) there is grave noncompliance with fair trial standards set forth in the UDHR and other international human rights instruments.[15]

Despite the Chinese government's claim in connection with its October 2013 UN Human Rights Council Universal Periodic Review (UPR) that "[t]here are no arbitrary or extrajudicial detentions in China,"[16] during the past year many human rights advocates were arbitrarily detained in detention centers or prisons under WGAD's second and/or third criteria (e.g., Xu Zhiyong, Pu Zhiqiang, Uyghur scholar Ilham Tohti, and Pastor Zhang Shaojie).[17] Authorities also arbitrarily detained Chinese citizens using other venues and methods, which include, among others, unlawful detention sites known as "black jails" (*hei jianyu*), *shuanggui* (a form of Communist Party discipline), enforced disappearance, "soft detention" (*ruanjin*), and various forms of administrative detention such as "custody and education" (for sex workers and their clients) and compulsory drug detoxification centers.[18] Many forms of arbitrary detention violate China's own laws.[19]

BLACK JAILS

The UN Committee against Torture observed in December 2008 that detention of individuals in secret detention facilities "constitutes per se disappearance."[20] "Black jails" are secret detention facilities that operate completely outside of China's official judicial and administrative detention systems.[21] Although the Chinese government stated during its October 2013 UPR that China "would never allow . . . establishment of any forms of 'black jails,'"[22] several reports suggest that the use of such facilities has become even more prevalent in the aftermath of the abolition of reeducation through labor.[23] The term "black jails" is often used to refer to different types of extralegal detention in China, including "legal education centers" (also known as "brainwashing classes"),[24] "legal education classes," "reprimand centers," and in at least one instance, unlawful home confinement.[25]

ABOLITION OF REEDUCATION THROUGH LABOR AND ITS CONSEQUENCES

A significant development during the Commission's 2014 reporting year was the long-awaited abolition of reeducation through labor (RTL), a form of administrative detention whereby individuals could be detained for up to four years without trial.[26] In November 2013, the Chinese Communist Party announced in the Central Committee Third Plenum Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms (Third Plenum Decision) that it would abolish RTL,[27] and on December 28, 2013, the National People's Congress Standing Committee issued a decision officially revoking the RTL regulations.[28] While RTL's abolition was welcomed by many, including domestic and international human rights groups,[29] at the same time, concerns were raised about what might replace reeducation through labor.[30] Reports have emerged that since the gradual phasing out of RTL, which began in early 2013,[31] Chinese authorities have increasingly relied on other forms of arbitrary detention to "manage" the "targeted population," (*zhongdian renkou*) which include groups such as petitioners and Falun Gong practitioners.[32] In November 2013, the mainland-based Chinese Human Rights Lawyers Group called on the government to abolish so-called "legal education centers," "legal

education classes," "reprimand centers," and every other kind of "black jail," or RTL "in disguised form."[33] A writer for the Guangdong province-based magazine South Reviews (*Nanfeng Chuang*) argued in April 2014 that the existence of RTL's "little friends" demonstrates that the "RTL mindset" (*laojiao siwei*) has not yet been eradicated.[34] According to human rights lawyer Jiang Tianyong, "[s]o long as (the authorities) feel a need to maintain stability, simply abolishing *laojiao* [RTL] will not solve the problem."[35]

Chinese authorities have transformed many RTL facilities into compulsory drug detoxification centers,[36] which suffer from the same legal and human rights problems as RTL.[37] Human Rights Watch estimated that at the beginning of 2013 more than half of those detained nationwide in RTL facilities were drug offenders.[38] In a December 2013 report, Amnesty International observed that some former RTL inmates have ended up in compulsory drug detoxification centers irrespective of whether they were drug addicts.[39]

Some Falun Gong practitioners released from RTL have been sent to compulsory drug detoxification centers, including to the former Masanjia RTL facility, which has been "rebranded" as a drug detox center and also serves as part of the Liaoning provincial prison system.[40] Amnesty reports that a former RTL facility in Heilongjiang province was repurposed as a "brainwashing center" (i.e., "legal education center") to detain Falun Gong practitioners.[41] Authorities have reportedly used "legal education centers" extensively for more than a decade to detain Falun Gong practitioners in furtherance of their goal to "transform" them.[42] Such centers have reportedly increased as the RTL system has been dismantled.[43] Prominent human rights lawyer and scholar Teng Biao writes that even incomplete statistics reveal that six times as many Chinese citizens were detained in such centers during the second half of 2013, compared with the first half of 2013 when many RTL facilities were still open.[44] Amnesty documented the case of more than 10 Falun Gong practitioners—previously detained in the Nanchong RTL facility in Sichuan province—who were transferred to a "brainwashing center" after the RTL facility was shut down because they persisted in their beliefs and refused to be "transformed."[45] In the spring of 2014, a "legal education center" in Jiansanjiang, Fujin county, Heilongjiang, was shut down in the wake of the publicity surrounding the detention and torture of four human rights lawyers who went to Jiansanjiang to provide legal assistance to Falun Gong practitioners detained there.[46] However, authorities have reportedly replaced the Jiansanjiang facility with a compulsory drug detoxification center in Qiqiha'er city, Heilongjiang, which is being used as a "legal education center" to detain Falun Gong practitioners.[47]

Scholars and activists have also raised concerns about "custody and education" (C&E)—a system of extralegal detention for female sex workers and their clients—and some suspect that it may become another substitute for RTL.[48] The decision to send a sex worker or a client to C&E, for between six months and two years, is made by public security officials alone, with no judicial involvement or oversight.[49] Detainees are forced to work long hours with-

out pay and are also required to pay for their living expenses.[50] In early May 2014, 108 lawyers, scholars, retired officials, and others signed an open letter to the National People's Congress (NPC) calling for the abolition of C&E.[51] Prominent legal scholar Jiang Ping and more than 40 others submitted a similar petition to the NPC in June following the announcement that a six-month C&E term had been meted out to a well-known actor for allegedly soliciting a prostitute.[52]

Community Correction System

Community correction is purportedly a non-custodial system within which offenders on parole or probation, or those otherwise subject to "light punishments," are monitored, educated, and subjected to various restrictions, with the goal of re-integrating the offenders into the community.[53] In the Third Plenum Decision, the Party stated not only that it would abolish RTL, but that it would also "improve laws for the punishment and correction of unlawful and criminal acts, and perfect the community correction system,"[54] leading some observers to suspect that community correction might replace RTL.[55] In February 2014, as the National People's Congress Standing Committee (NPCSC) began reviewing a proposed Community Correction Law drafted by the Ministry of Justice (MOJ),[56] more than 100 lawyers and citizens jointly submitted a "citizens' appeal" to the NPCSC calling on it to cease its review, citing a concern that community correction would be the return of RTL in disguised form.[57] In June 2014, the Dui Hua Foundation noted that some former RTL centers had reportedly become community correction centers.[58] Moreover, some former RTL guards have been transferred to community correction halfway houses in Beijing municipality.[59] Since community correction was first introduced as a pilot program in several cities in 2003, it has expanded dramatically.[60] According to statistics from the MOJ, as of November 2013, 1.7 million individuals—including 667,000 people then currently in the system—had received community correction since 2003.[61]

Implementation of the 2012 Criminal Procedure Law

The 2012 Criminal Procedure Law (CPL), which took effect on January 1, 2013,[62] contains provisions that—if implemented effectively—could enhance certain fair trial rights of suspects and defendants and the ability of criminal defense lawyers to better defend their clients.[63] In effect for over a year, preliminary reports on the implementation of the new CPL indicate that there has been improvement in certain areas, such as in the ability of lawyers to meet with their detained clients.[64] Implementation of other new provisions, such as those aimed at increasing the appearance rate of witnesses and excluding illegally obtained evidence, however, has proven more difficult.[65]

ACCESS TO COUNSEL

Although most Chinese suspects and defendants face the criminal justice process without a defense attorney,[66] lawyers and legal scholars note that detained individuals who have legal representa-

tion are now more likely to be able to meet with their lawyers than before the new CPL took effect.[67] The new CPL stipulates that a lawyer need only show "three certificates" (i.e., a lawyer's license, a law firm certificate, and a client engagement letter), and the detention center must arrange for a meeting within 48 hours of the request.[68] Prior permission is required, however, in "three categories of cases" (*sanlei anjian*)—those involving endangering state security, terrorism, or serious bribery.[69] Lawyers across China who responded to a survey on implementation of the new CPL conducted by the Beijing-based criminal defense firm Shangquan Law Firm (Shangquan survey) noted a general improvement in their ability to meet with detained clients.[70] According to the Prison Administration Bureau of the Ministry of Public Security, the number of attorney-client meetings rose 30 percent between January and February 2013, despite there being only 17 work days in February.[71]

Lawyers and legal scholars indicated, however, that new problems have emerged that hinder the ability of lawyers to meet with their detained clients.[72] The most pressing issue reportedly is the lack of a sufficient number of attorney-client meeting rooms to handle the increased volume of meetings.[73] Some lawyers who responded to the Shangquan survey reported encountering additional conditions imposed by detention center staff before they would arrange a lawyer-client meeting, such as requiring the lawyer to produce the original detention notice or proof of the relationship between the detainee and the person who retained the attorney.[74] Other lawyers noted that public security officers were increasingly and arbitrarily invoking the exception of "three categories of cases" to reject lawyers' requests to meet detained clients.[75]

In "politically sensitive" cases, public security officials routinely prevented lawyers from meeting with detained clients.[76] Uyghur scholar Ilham Tohti was held incommunicado in an unknown location from January 15, 2014, until late June when his lawyers, Li Fangping and Wang Yu, were finally permitted to meet with him.[77] Moreover, in further contravention of the CPL, Urumqi procuratorial officials indicted Tohti without first informing his lawyers and listening to their opinions.[78] [See Section IV—Xinjiang section for more information on Ilham Tohti's case.] In June 2014, a group of human rights lawyers protested against authorities in Zhengzhou city, Henan province, for denying detained human rights lawyer Chang Boyang and other activists their right to meet with an attorney.[79] Despite Chang's initial charge of "gathering a crowd to disturb order in a public place," which was later changed to "illegal business activities,"[80] authorities have invoked the "three categories of cases" to deny lawyers' repeated requests to meet with Chang.[81] It was not until early September 2014 that officials finally allowed a meeting between Chang and his lawyer.[82] In the case of veteran journalist Gao Yu, authorities held her for two weeks, without access to counsel, before broadcasting her videotaped "confession" on national television in early May 2014.[83] Officials rejected repeated requests by prominent lawyer Zhang Sizhi to meet with Gao, permitting a first meeting only in late June 2014.[84] Lawyers also have reported cases of police holding

suspects in detention centers under false names, thereby denying lawyers' access to their clients.[85]

WITNESSES IN COURT

A long-standing problem is the lack of witnesses appearing in court in criminal prosecutions; in China less than five percent of criminal cases proceed with in-court witnesses.[86] The 2012 revisions to the Criminal Procedure Law (CPL) sought to address this issue by authorizing courts to subpoena witnesses to appear in court and provide testimony when the court believed such testimony was necessary.[87] Nevertheless, according to legal experts and lawyers who responded to the Shangquan survey, there has been no discernible increase in the rate of witnesses appearing in court to give testimony in criminal cases since the revised CPL took effect.[88] In "politically sensitive" cases, courts routinely reject applications by defense attorneys to have witnesses appear to present testimony; for example, during this reporting year, courts denied lawyers' witness requests in the trials of Pastor Zhang Shaojie and New Citizens' Movement promoter Xu Zhiyong.[89]

EXCLUSION OF ILLEGALLY OBTAINED EVIDENCE

Another important revision in the 2012 CPL was the inclusion of provisions requiring the exclusion of illegally obtained evidence; in practice, however, the implementation of the exclusionary rule has thus far had little success.[90] In March 2014, the Beijing Evening News reported prominent Beijing-based criminal law professor Chen Guangzhong as stating that even if evidence is occasionally excluded under the rule, it is usually not a key piece of evidence, and in the end, its exclusion has no impact on the verdict or sentence in the case.[91] In addition, over 40 percent of the lawyers in the Shangquan survey indicated that although they had applied to a court to exclude illegally obtained evidence, the courts failed to respond to their applications.[92] In April 2014, law professor Eva Pils remarked that Chinese criminal defense lawyers had told her "it's extremely difficult to use the [exclusionary] rule in trial processes."[93]

Televised Confessions

A disturbing development emerged during this reporting year: the broadcasting on state television of videotaped "confessions" of high-profile suspects.[94] Veteran journalist Gao Yu went missing on April 24, 2014.[95] About two weeks later, a national television broadcast showed the 70-year-old Gao in an orange jail vest "confessing" to the alleged charges of "leaking state secrets."[96] Authorities had detained Gao on April 24 and held her incommunicado, without access to an attorney.[97] Her "confession"—which may have been coerced—deprived her of many of the rights accorded suspects and defendants in the 2012 CPL[98]—including the prohibition against self-incrimination[99]—not to mention the fair trial rights contained in Article 14 of the International Covenant on Civil and Political Rights.[100] Other prominent televised "confessions" this year included Chinese-American businessman and influential blogger Charles Xue,[101] journalist Chen Yongzhou,[102] and Sichuan mining tycoon Liu Han, who reportedly had links to Zhou Yongkang, former Secretary of the Communist Party Central Committee Political and Legal Affairs Commission, and who was subsequently sentenced to death.[103] According to human rights lawyer Liu Xiaoyuan, not only is the televising of confessions an abuse of power but there is no legal basis in the PRC Criminal Procedure Law or other relevant regulations that would permit television crews to enter detention centers and interview suspects.[104] Moreover, fairness and justice are compromised; as Liu told the Los Angeles Times, "judges will feel a lot of pressure to render guilty verdicts" in televised confession cases.[105]

Torture and Abuse in Custody

Despite the Chinese government's heightened focus on the problem of torture in custody and confessions obtained through torture, the practice remains prevalent.[106] For example, in March 2014, police officers in Heilongjiang province tortured four human rights lawyers to extract confessions; the lawyers, including Tang Jitian, had traveled to Jiansanjiang to assist Falun Gong practitioners detained in a "legal education center."[107] Jiansanjiang police officers broke 10 of Tang's ribs and domestic security officers interfered when Tang subsequently tried to obtain treatment at a hospital.[108] Liu Wei, brother and co-defendant of Sichuan tycoon Liu Han, reportedly stated during his trial that his confession had been coerced while he was in police custody in Beijing; police officers beat him daily and made threats against his family if he did not confess.[109] While detaining Uyghur scholar Ilham Tohti incommunicado, authorities reportedly kept Tohti in leg irons for 20 days and denied him food for 10 days.[110]

Torture and abuse are common in extralegal detention facilities such as "black jails," "legal education centers," and *shuanggui* ("double regulation" or "double designation") facilities.[111] According to prominent rights lawyer and scholar Teng Biao, torture occurs more frequently in "legal education centers" than in any other form of detention in China.[112] *Shuanggui* is extralegal detention used primarily for Chinese Communist Party officials who are suspected of corruption or other infractions.[113] The main objective of *shuanggui* is the extraction of confessions.[114] Details of torture re-

cently emerged in a *shuanggui* case from 2012 involving Zhou Wangyan, a former official in Liling city, Hunan province.[115] In order to extract a confession from Zhou, authorities broke Zhou's leg and four of his teeth, deprived him of sleep and food, whipped him with wires, and forced him to eat excrement.[116]

The U.S. State Department stated in its country report on China's human rights situation for 2013 that "adequate, timely medical care for prisoners remained a serious problem."[117] Human rights activist Cao Shunli died on March 14, 2014, as a result of complications stemming from a chronic medical condition for which she did not receive adequate, prompt medical care during five months of criminal detention.[118] Authorities denied her lawyer's repeated requests for medical parole until Cao was gravely ill; Cao died shortly after her release.[119] While Cao was detained, authorities denied Cao access to medication she had with her.[120] Similarly, detention center officials confiscated the personal medications of public interest lawyer Pu Zhiqiang and retired scholar Xu Youyu, both of whom suffer from diabetes and high blood pressure, and instead offered them pills they reportedly did not recognize.[121] According to Ilham Tohti's lawyer, Li Fangping, Tohti is suffering from serious illnesses for which he is not receiving adequate treatment.[122] Tohti had reportedly lost 17 pounds since he was first detained in mid-January 2014, and suffers from heart disease, prostatitis, and pharyngitis.[123] Blind legal advocate Chen Guangcheng's nephew, Chen Kegui, who is serving a three-year-and-three-month sentence for "intentional injury," has not been provided adequate medical treatment for appendicitis and injuries sustained from beatings in detention.[124] Moreover, authorities have denied multiple requests seeking Chen's release on medical parole.[125]

Wrongful Convictions

During the Commission's 2014 reporting year, the Chinese Communist Party and government have intensified calls to prevent and correct wrongful convictions and miscarriages of justice.[126] From the Third Plenum Decision to related opinions issued by the Supreme People's Court (SPC) and Supreme People's Procuratorate (SPP) in late 2013, and the SPC and SPP annual work reports submitted to the National People's Congress (NPC) in March 2014, President and Party General Secretary Xi Jinping's message has been clear: wrongful convictions must stop.[127] Xi emphasized the point in a speech in which he said that the negative effects of 1 wrongly decided case destroy the positive image of 99 fair decisions.[128] According to official statistics, in 2013, procuratorates rectified 72,370 instances of collection of evidence by illegal means, confessions coerced through torture, and misuse of coercive measures.[129] Wrongful convictions are closely linked to coercion of confessions through torture.[130] As mentioned above, the 2012 Criminal Procedure Law prohibits the use of illegally obtained evidence in criminal proceedings, but there have been few reports of successful implementation of the rule.[131] While the new measures and repeated statements by senior Chinese government leaders emphasizing the urgency of the issue of wrongful convictions are noteworthy, whether they will make a difference in practice remains to

be seen. According to China law expert Stanley Lubman, these efforts "are best seen as aspirational."[132]

Death Penalty

The Chinese government continues to withhold statistics on the use of the death penalty on "state secrets" grounds.[133] During the October 2013 session of the UN Human Rights Council's Universal Periodic Review of the Chinese government's human rights record, a number of countries raised the issue of the death penalty in China,[134] including the lack of transparency regarding data on its application.[135] The Chinese government rejected recommendations that it publish official statistics on the application of the death penalty.[136]

As in 2012, Amnesty International concluded that, based on available information, the Chinese government executed more people in 2013 than the rest of the world combined.[137] The trend, however, is toward fewer executions; the Dui Hua Foundation estimated that 3,000 people were executed in 2012, a decrease of 25 percent from the estimated figure for 2011.[138] The Chinese government has indicated that it will continue to reduce the number of death penalty-eligible crimes, which currently stands at 55.[139] During the March 2014 annual meeting of the National People's Congress (NPC), an official with the NPC Standing Committee stated that, in conformance with the Third Plenum Decision directive to gradually reduce the number of death penalty-eligible crimes,[140] work on an amendment to the PRC Criminal Law along these lines was included in the annual legislative plan.[141] In addition, at the NPC annual meeting, 36 delegates proposed that the death penalty be abolished for the crime of "fraudulent fundraising," an issue that garnered substantial attention following the controversial execution of Hunan businessman Zeng Chengjie in July 2013.[142]

Organs are still harvested from executed prisoners in China, and the extent to which rules requiring prior informed consent are followed is unclear.[143] As the Commission noted last year, in August 2013 former Vice Minister of China's Ministry of Health, Huang Jiefu, reportedly announced that China would cease relying on the organs of executed prisoners within the next two years.[144] In March 2014, however, Huang reportedly stated that to ensure transparency and fairness in connection with organs donated by executed prisoners, such donations would be included in the national public organ donation system.[145] Moreover, in April, Wang Haibo, the director of the China Organ Transplant Response System Research Center at the National Health and Family Planning Commission, stated that the Chinese government was unable to announce a specific timetable for ending the practice of using the organs of executed prisoners for organ transplants because of the low number of donors and a severe organ shortage.[146]

FREEDOM OF RELIGION

International Standards

During the Commission's 2014 reporting year, the Chinese government continued to restrict Chinese citizens' freedom of religion. China's Constitution guarantees freedom of religious beliefs but limits protection only to "normal religious activities."[1] This narrow protection contravenes international human rights standards. Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR) recognize not only an individual's right to adopt a religion or belief, but also the freedom to manifest one's religion in "worship, observance, practice and teaching."[2] The Chinese government continued to recognize only five religions—Buddhism, Catholicism, Islam, Protestantism, and Taoism. Groups wishing to practice these religions were required to register with the government and were subject to ongoing government controls.[3] Both registered and unregistered religious groups deemed to run afoul of state-set parameters continued to face harassment, detention, imprisonment, and other abuses, and the government continued to outlaw some religious and spiritual communities, including Falun Gong.

Regulatory and Policy Framework

During this reporting year, Chinese leaders continued to view religion as an instrument to support government and Communist Party overall policy goals. In the 2014 government work report presented during the 12th National People's Congress, Premier Li Keqiang said that the government will "fully implement the Party's basic policies for religious work to promote harmonious religious relations, and religious people and adherents will play an active role in the promotion of economic and social development."[4] Wang Zuo'an, Director of the State Administration for Religious Affairs (SARA), wrote in a November 2013 article that, "[o]ur Party has consistently emphasized that religious work is a key component of the Party's united-front work, and religious people are important targets of united-front work and a key component of the Party's patriotic United Front."[5] Wang stressed that ideological work must be carried out by using "guidance, enlightenment, and persuasion," and religious adherents are to work with non-religious people to achieve the "Chinese dream—the great rejuvenation of the Chinese nation."[6] SARA's 2014 work plan also noted that in 2014, religious work should reflect the "resolute implementation of the Communist Party Central Committee and the State Council's strategic decisions."[7]

The Chinese government continued to use laws, regulations, and policy measures to control religious practices in China, rather than protect the religious freedom of all Chinese citizens. During this reporting year, SARA issued or amended a number of legal and policy measures to implement the 2005 Regulations on Religious Affairs (RRA).[8] These measures have added more clarity to ambiguous provisions in the RRA, but also articulated more enhanced state control over religious activities. The SARA Measures on Administrative Licensing clarified RRA provisions concerning proce-

dures for issuing various administrative licenses to religious groups.[9] The SARA Measures on Administrative Punishment provided detailed procedures for imposing administrative punishments on religious groups and government employees that violate relevant laws and regulations governing religious activities in China.[10] SARA also issued a guideline stipulating that government personnel will be held accountable for misconduct committed during administrative enforcement.[11] While such a guideline potentially denotes a positive development, it remains to be seen whether authorities will enforce it in practice.

Buddhism (Non-Tibetan)

This past year, the Chinese government and Communist Party continued to ensure that Buddhist doctrine and practice conformed to government and Party objectives in the non-Tibetan areas of China. [For information on Tibetan Buddhists, see Section V—Tibet.] In a speech delivered at the opening ceremony of a Chinese Buddhism scripture-reading seminar held in October 2013, Jiang Jianyong, the Deputy Director of State Administration for Religious Affairs (SARA), reiterated the expectation that Chinese Buddhists "raise the banner of loving the nation and loving religion, and walk in the path of adapting to socialist society"; and that the Chinese Buddhist community must "promote correct beliefs and correct conduct, further strengthen the building of faith, [and] oppose [religious] fanaticism and various heresies . . . ."[12]

SARA's 2014 work plan called for "intensified implementation" of the 2012 joint opinion, issued by 10 central government agencies, that regulates the management of Buddhist monasteries and Taoist temples.[13] The 2012 joint opinion, in conjunction with the 2005 RRA, prohibits unregistered organizations and religious sites from conducting religious activities.[14] For example, in February 2014, local authorities in the Xiang'an district of Xiamen city, Fujian province, amassed over 100 urban management officers (*chengguan*) to demolish an "illegally constructed" Buddhist temple, resulting in a violent clash between local residents and *chengguan*.[15] In addition, on July 29, 2014, public security authorities in Zhuhai city, Guangdong province, reportedly raided Buddhist group "Huazang Famen"[16] and criminally detained 15 people, including its founder Wu Zeheng, for "using a cult to undermine implementation of the law, to commit fraud, rape, and other criminal activities."[17] According to a letter to the UN Special Rapporteur on Torture sent on behalf of Wu, the crackdown on "Huazang Famen" appears to be an "extension of China's clampdown on so-called 'evil cults.'"[18]

Catholicism

During the Commission's 2014 reporting year, the Chinese government and Communist Party continued to interfere with the religious activities of China's estimated 12 million Catholics, who are split more or less evenly between the state-controlled church and an underground Catholic community.[19] The state-controlled church continued to deny Catholics in China the freedom to accept the authority of the Holy See to select bishops, and authorities continued

to harass Catholics who practice their faith outside of state-approved parameters.[20]

HARASSMENT AND DETENTION OF CLERGY

This past year, two prominent members of the underground Catholic clergy who had endured decades of government harassment passed away. In October 2013, Bishop Peter Liu Guandong—the retired head of the Yixian diocese in Hebei province and the key figure in setting up a conference of Catholic bishops loyal to the Holy See—died at the age of 94.[21] Bishop Liu spent years in prison for his opposition to the state-controlled Chinese Catholic Patriotic Association (CPA) and had been living in hiding since 1997.[22] Liu reportedly was buried at an unknown location.[23] In March 2014, Bishop Joseph Fan Zhongliang, the head of the underground conference of Catholic bishops who was appointed the bishop of the Shanghai diocese by Pope John Paul II in 2000, died at the age of 95.[24] Bishop Fan spent more than two decades in prison and labor camps, and his final years reportedly under "house arrest."[25] Government officials turned down a request to hold a funeral for Fan at the city's main cathedral, and allowed only a small service at a funeral home.[26] Over 5,000 mourners and 61 priests reportedly came to bid farewell to Fan, but authorities denied some CPA bishops access to the funeral home.[27]

Bishop Fan's presumed successor, Bishop Thaddeus Ma Daqin, continued to be confined at the Sheshan seminary,[28] following his public resignation from the state-run CPA in July 2012.[29] Authorities reportedly subjected Ma to political indoctrination three times a week for an unknown period of time.[30] Overseas and underground Chinese Catholics requested that authorities allow Ma to preside over Bishop Fan's funeral, but Bishop Ma was not present at the service.[31] In addition, in early October 2013, two underground priests, Tian Dalong and an unknown priest, reportedly were detained for organizing adult catechism classes in Qinyuan county, Baoding municipality, Hebei province.[32] Four lay adherents who helped the priests with their pastoral activities were fined 4,000 yuan (US$640) each.[33] On May 30, 2014, authorities in Linchuan district, Fuzhou city, Jiangxi province detained underground priest John Peng Weizhao at an unknown location; Peng was appointed administrator of the Yujiang diocese by the Holy See in 2012.[34]

CHINA-HOLY SEE RELATIONS

The Chinese government does not maintain diplomatic relations with the Holy See, and relations between the two sides have been strained since 2011 due to papal rejection of unilateral bishop appointments made by the CPA.[35] Despite the lack of formal ties, Pope Francis acknowledged in an interview that "relations exist" between China and the Holy See, and that he exchanged letters with President Xi Jinping.[36] In August 2014, China permitted Pope Francis to fly over China for his visit to South Korea, marking the first time a pope has been allowed to do so since 1951.[37] During flights to and from South Korea, Pope Francis sent two goodwill messages to President Xi Jinping upon entering China's airspace.[38] The Pope also openly expressed his desire to visit China soon, but

he insisted on one condition, that the Catholic Church be allowed to operate freely.[39] In response to Pope Francis' comments, Hua Chunying, a spokesperson of the Ministry of Foreign Affairs, indicated that China is willing to have a "constructive dialogue" with the Holy See and improve bilateral ties.[40] CPA Vice President Liu Yuanlong, however, warned that "China will always safeguard its sovereignty and territorial integrity and it never allows foreign forces to interfere with religion. The Vatican should respect China in terms of the personnel of a diocese."[41] In addition, Chinese authorities reportedly blocked Chinese Catholics from traveling to South Korea,[42] and threatened those who were already in South Korea not to participate in events during the papal visit.[43]

Falun Gong

This past year, the Chinese government and Communist Party continued to carry out a campaign—initiated in 1999—of extensive, systematic, and in some cases violent efforts to pressure Falun Gong practitioners to renounce their belief in and practice of Falun Gong.[44] The government and Party refer to this process as "transformation through reeducation," or simply "transformation."[45] Starting in 2013, the government and Party launched a three-year "decisive-battle" campaign aimed at reducing Falun Gong activities and "transforming" Falun Gong practitioners.[46] The campaign has been carried out at all levels of government, and authorities have set specific "transformation" quotas to meet local goals.[47] Words such as "battle," "attack," and "resist" appeared on official government Web sites, indicating the aggressive nature of the campaign and the government and Party's continued emphasis on the suppression of Falun Gong.[48] Authorities labeled Falun Gong practitioners as "stubborn" and "obsessive," needing to be "educated, saved, and transformed" for the creation of a "harmonious and stable social environment."[49] Furthermore, the China Anti-Cult Association, an organization affiliated with the government and Party,[50] specifically named Falun Gong as the first of "20 cults" that "endanger social stability and public safety."[51]

The Commission continued to observe reports of targeted abuse of Falun Gong practitioners by Chinese government authorities and the 610 Office—an extralegal, Party-run security apparatus created in June 1999 to implement the ban against Falun Gong.[52] According to Minghui (aka Clear Wisdom), a U.S.-based news organization affiliated with Falun Gong, in numerous cases authorities abducted Falun Gong practitioners from their homes[53] and detained them at various facilities, including public security bureau detention centers,[54] reeducation through labor centers,[55] prisons,[56] and "transformation through reeducation centers" (also known as "legal education centers" or "brainwashing centers").[57] Authorities took measures to "transform" detainees, subjecting them to sleep deprivation,[58] food deprivation,[59] forced feeding,[60] beatings,[61] electric shock,[62] mental abuse,[63] sexual abuse,[64] and other cruel treatment.[65] For example, the Commission observed a May 2014 report about a Falun Gong practitioner Yang Chunling, who passed away in April 2014 due to injuries she allegedly sustained during detention.[66] Prison authorities reportedly subjected her to sleep deprivation, suffocation with a plastic bag pulled over her head, repeated

beatings, and other forms of abuse that resulted in physical injuries.[67] Furthermore, international observers asserted that possible organ harvesting from Falun Gong practitioners continued in the past reporting year.[68] According to a July 2014 Minghui report, since July 20, 1999, Chinese authorities' persecution of Falun Gong practitioners has resulted in at least 3,769 deaths.[69]

Authorities also harassed and detained persons who attempted to assist Falun Gong practitioners, including lawyers who sought to provide legal assistance to their clients. In March 2014, lawyers Tang Jitian, Jiang Tianyong, Wang Cheng, and Zhang Junjie visited the Jiansanjiang "legal education center" in Heilongjiang province, attempting to secure the release of detained Falun Gong practitioners.[70] Local authorities reportedly abducted the four lawyers from their hotel,[71] detained them at a local public security bureau,[72] and accused them of "using cult activities to endanger society."[73] Authorities then subjected the lawyers to beatings during detention, resulting in physical injuries.[74] Local authorities reportedly forced the lawyers to sign a statement confessing that they "disturbed public order," and threatened Tang Jitian that he would be "buried alive."[75] Authorities also allegedly detained and tortured other lawyers and Chinese citizens who came to Jiansanjiang to support the detained lawyers.[76]

Islam

This past year, the Chinese government and Communist Party maintained tight controls over the affairs of Muslim communities in China. The state-controlled Islamic Association of China (IAC) continued to regulate the confirmation of religious leaders, the content of sermons, and overseas pilgrimages to accord with government and Party objectives.[77] In January 2014, Zhu Weiqun, Director of the Ethnic and Religious Affairs Committee of the Chinese People's Political Consultative Conference, and Zhang Yijiong, Deputy Head of the Communist Party's United Front Work Department (UFWD), visited the IAC on two separate occasions.[78] During their visits, Zhu and Zhang stressed their expectation that the IAC will "implement the spirit of the 18th Party Congress and its Third Plenum, to further assist the government in implementing the Party's policy of religious freedom, maintain social stability, and guide Islam to adapt to socialist society."[79] IAC Director Chen Guangyuan also said in November 2013 that the IAC will "actively serve as a bridge to unite and mobilize Muslim masses of every ethnicity . . . actively promote the basic Islamic spirit of peace, moderateness, and tolerance . . . to create a united, stable and harmonious social environment . . . rally closely around the Party Central Committee with Xi Jinping as the general secretary . . . work hard in order to achieve the Chinese dream—the great rejuvenation of the Chinese nation."[80]

Chinese authorities continued to regulate the confirmation of religious leaders and overseas pilgrimages. Under the 2006 Measures for Accrediting Islamic Clergy, the first requirement listed for government recognition of imams is that they must "love the motherland, support the socialist system and the leadership of the Communist Party of China, comply with national laws, [and] safeguard national unity, ethnic unity, and social stability."[81] Chinese au-

thorities continued to guide the training of imams at 10 state-run Islamic colleges.[82] Provincial and local UFWD agencies, religious bureaus, and Islamic associations regularly conduct training classes for clerics and mosque managers.[83] The 2005 Regulations on Religious Affairs (RRA) stipulated that overseas pilgrimages must be organized by a national Islamic organization.[84] In April 2014, Zhang Lebin, Deputy Director of the State Administration for Religious Affairs (SARA) said at the "2014 Hajj Pilgrimage Work Meeting" in Qinghai province, that in accordance with "the directives of the central government leaders, a comprehensive mechanism must be established for the work of Hajj pilgrimage . . . [that is] standardized and normalized."[85] The IAC reported that in November 2013, 11,800 people completed the 2013 Hajj pilgrimage organized by the IAC.[86] In February 2014, the government sent an official delegation from SARA and the IAC to Saudi Arabia to discuss matters related to the Hajj pilgrimage with their Saudi counterparts.[87]

Authorities continued to control the content of sermons and interpretation of Islamic scripture. In a speech given at the China Islamic Affairs Steering Committee meeting in December 2013, SARA Deputy Director Zhang Lebin stressed the importance of "correct interpretation, correct knowledge, [and] correct faith" for achieving government objectives.[88] Authorities also carried out control of scripture interpretation at the provincial and local levels. For example, in December 2013, SARA, IAC, the Guizhou provincial religious bureau, and the Guizhou Islamic Association jointly organized a scripture interpretation training class for more than 80 people, including 56 imams and 12 mosque managers.[89]

This past year, authorities in locations throughout the Xinjiang Uyghur Autonomous Region (XUAR) banned Uyghur Muslim students,[90] civil servants,[91] and hospital employees[92] from observing Ramadan. In contrast, Chinese authorities reportedly afforded Hui Muslims[93] greater freedom of religion, allowing them to observe Ramadan[94] and to make overseas pilgrimages in growing numbers.[95] [For information on state controls over Islam in the XUAR, see Section IV—Xinjiang.]

Protestantism

During the Commission's 2014 reporting year, the Chinese government and Communist Party continued to restrict the freedom of religion for Protestants in China. The Three-Self Patriotic Movement of the Protestant Churches in China (TSPM) and the China Christian Council (CCC)—commonly known together as the "Two Associations"—are state-controlled organizations that manage registered Protestants.[96] The Party continued to emphasize the role of the Two Associations in carrying out Party and state objectives. During his visit to the Two Associations on December 23, 2013, Zhang Yijiong, Deputy Head of the United Front Work Department, stressed that the Two Associations must "continue to guide believers on the path of loving the nation and loving religion, effectively assisting in the implementation of Party and state policies . . . to contribute to the building of a socialist nation with Chinese characteristics."[97] Protestants who choose not to affiliate with the TSPM worship with unregistered "house churches," which are often

subject to interference, harassment, and abuse during peaceful religious activities.

GOVERNMENT AND PARTY CONTROL OF PROTESTANT DOCTRINE AND PRACTICE

The government and Party continued to control and influence the interpretation of Protestant doctrine and theology in an effort to conform the Christian faith to Party goals and ideology. The government and Party refer to this process as "theological reconstruction," initiated in 1998 by former TSPM Chairman and CCC Director Ding Guangxun.[98] On August 5, 2014, speaking at an event in Shanghai municipality celebrating the 60th anniversary of the TSPM National Committee, Wang Zuo'an, Director of the State Administration for Religious Affairs (SARA), emphasized that "[t]he construction of [Christian] theology with Chinese characteristics . . . should also adapt to China's national condition and integrate with Chinese culture."[99]

HARASSMENT, DETENTION, AND INTERFERENCE WITH PLACES OF WORSHIP

Chinese authorities continued to harass, detain, imprison, and interfere with the religious activities of members of both registered and unregistered Protestant communities who ran afoul of government or Party policy. Authorities throughout China interrupted house church gatherings and proselytizing activities, took participants into custody, and blocked access to sites of worship.[100] This past year, the Commission also observed a trend of increasing government harassment against officially sanctioned TSPM churches. In particular, the Zhejiang provincial government launched a three-year (2013–2015) "Three Rectifications and One Demolition" campaign to "rectify" and demolish "illegal structures."[101] While the campaign's stated aim was to address "illegal structures,"[102] official rhetoric at meetings and in government work plans appeared to demonstrate a negative view of the growth of Christianity in Zhejiang and an intention to target religious sites, especially Christian sites, for demolition.[103] According to a May 2014 New York Times report, an internal Zhejiang government document named Christianity and crosses as the intended targets of its campaign against "excessive religious sites" and "overly popular religious activities."[104] The U.S.-based non-governmental organization ChinaAid reported that, as of August 7, 2014, the campaign has affected at least 231 churches in Zhejiang province.[105] Examples of official persecution of Protestant churches include:

- On April 3, 2014, authorities in Yongjia county, Wenzhou municipality, Zhejiang, reportedly notified the Sanjiang TSPM Church that its new church building was deemed an "illegal structure" with "safety hazards" and needed to be demolished.[106] Over the next few days, nearly 5,000 Christians reportedly stood guard in and around the church.[107] On April 7, Sanjiang Church members reached a compromise with local authorities, in which authorities agreed not to demolish the church or remove the cross atop the building, and the church agreed to remove parts of the church-owned nursing home.[108]

On April 21, however, authorities arrived with demolition machinery, and deployed paramilitary and riot police to block access to the church.[109] From April 22 to April 26, thousands of Christians stood guard at the church.[110] Authorities began expelling Christians from the church on April 26,[111] and demolished it on April 28.[112]

• On November 16, 2013, public security officials in Nanle county, Henan province detained Nanle county TSPM Christian Church pastor Zhang Shaojie and over 20 church members, after they petitioned in Beijing municipality over a land dispute with the local government.[113] Authorities charged Zhang with "fraud" and "gathering a crowd to disturb social order."[114] Authorities repeatedly denied lawyers' requests to meet with Zhang, and "unidentified people" reportedly assaulted the lawyers and foreign journalists at the county prosecutor's office.[115] In November and December 2013, Nanle authorities harassed and threatened church members, blocked access to the church, and forbade Christians from attending regular worship services.[116] After two months in detention, authorities permitted Zhang to meet with his lawyer Liu Weiguo for the first time on January 15, 2014.[117] The Nanle County People's Court also repeatedly changed Zhang's trial dates, and at one point had the trial date "indefinitely postponed."[118] The court tried Zhang in April 2014,[119] and sentenced him to 12 years in prison on July 4.[120]

• Authorities continued to interfere with worship gatherings of the Beijing Shouwang Church which has persisted in meeting outdoors in public spaces in Beijing municipality for more than three years.[121] Beijing authorities continued to hold Shouwang pastor Jin Tianming under "soft detention" (*ruanjin*) and prohibit some members of the church from leaving their homes for worship.[122] Starting in May 2014, authorities regularly detained members of the Shouwang Church during worship services, including holding some members in administrative detention for "disrupting public order."[123] According to ChinaAid, these administrative detentions were the first of their kind during the church's three-year history of worshipping outdoors, which signal an escalation of persecution against the Shouwang Church.[124]

BANNED PROTESTANT GROUPS AND DESIGNATION OF GROUPS AS "CULTS"

The Chinese government and Party continued to designate and criminalize some Protestant groups as "cult organizations" (*xiejiao zuzhi*). On June 3, 2014, several Chinese news media organizations republished a list of "14 cults"—previously identified by the General Office of the Chinese Communist Party, General Office of the State Council, and the Ministry of Public Security—after Chinese state media reported that six members of the "Church of Almighty God" (*quannengshen*)—also known as "Eastern Lightning"—killed a woman at a McDonald's in Zhaoyuan city, Shandong province on May 28.[125] Also on June 3, the China Anti-Cult Association (CACA), an organization affiliated with the Chinese government and Party,[126] published a list of "20 cults" that "endanger social

stability and public safety." The list included Protestant groups such as the South China Church, the Full Scope Church (*quan fanwei jiaohui*), and the Local Church, which CACA placed under the name of "the Shouters" in its list.[127] Local Church groups consequently protested against the CACA designation of equating the Local Church to "the Shouters," emphasizing that the Local Church is not a cult but a group belonging to the orthodox Christian faith.[128] Authorities also appeared to target mainstream underground Protestant groups in the anti-cult effort. In June 2014, a commentator at the state-controlled Global Times wrote that, "underground churches and cults are spreading extremely fast . . . the situation is very serious . . . [local authorities] should try their best to suppress the underground churches and cults."[129] From June 2014 to August 2014, ChinaAid reported that authorities in Guangdong, Guizhou, Hunan, Shandong, and Sichuan provinces harassed and in some cases detained members of several house churches over alleged "cult" activities.[130]

Taoism

The Chinese government and Communist Party continued to exercise control over Taoist doctrine, clergy appointments, sites of worship, and religious activities during the Commission's 2014 reporting year. The Chinese Taoist Association (CTA) continued to work with the Chinese government to ensure that Taoist religious groups "uphold the leadership of the Communist Party and the socialist system," "play an active role in the building of a harmonious society and in the promotion of economic and social development," and "contribute to the protection of religious harmony, ethnic unity, social harmony, unity of the motherland, and world peace."[131] In a speech delivered at a CTA conference held in March 2014, SARA official Tang Aihua called for "intensified implementation" of the 2012 joint opinion issued by 10 central government and Party agencies, which regulates the management of Buddhist monasteries and Taoist temples.[132] In preparation for the Third International Taoist Forum to be held in Jiangxi province in October–November 2014,[133] SARA Deputy Director Jiang Jianyong said that SARA will "seriously implement the spirit of President Xi Jinping's important talks on the promotion of traditional Chinese culture," and "push forward the healthy development of Chinese Taoism," in order to "contribute to the realization of the Chinese dream—the great rejuvenation of the Chinese nation."[134]

Other Religious Communities

The Chinese government continued to maintain the framework of recognizing only five official religions for limited government protection, and did not recognize additional groups during this reporting year. Legal regulations allowed foreign religious communities, including communities not recognized as domestic religions by the government, to hold religious services for expatriates, but forbade Chinese citizens from participating.[135] Despite lacking formal central government recognition, some religious communities have been able to operate inside China.[136] For example, there are reportedly approximately 15,000 Orthodox Christians in China, and the Chi-

nese government has allowed four churches to be used for Orthodox religious services.[137] The Russian Orthodox Church has expressed its desire for the Chinese government to grant recognition to the Chinese Orthodox Church, but it is not clear whether the government will do so in the near future.[138] The Chinese government continued to refuse to grant official recognition to Judaism, Seventh-Day Adventism, Mormonism, the Baha'i faith, and folk religions, among others.[139]

ETHNIC MINORITY RIGHTS

Introduction

During the Commission's 2014 reporting year, Chinese authorities enforced harsh restrictions and crackdowns on ethnic minorities, particularly those living in the Tibet Autonomous Region (TAR) and other Tibetan autonomous areas, the Xinjiang Uyghur Autonomous Region (XUAR), and the Inner Mongolia Autonomous Region (IMAR). Authorities tightened controls on ethnic minority advocates who sought to peacefully assert their distinct cultural, linguistic, or religious identity and who criticized state policies using methods conforming to both domestic and international law. [See Section IV—Xinjiang and Section V—Tibet for additional information on these areas.]

State Minority Policy

State measures to address ethnic minorities' grievances remained limited in the 2014 reporting year, while authorities emphasized the role of stability and ethnic unity in promoting development in areas with large ethnic minority populations. Communist Party authorities in the XUAR and TAR assigned cadres to rural grassroots positions as part of a "mass line" campaign aimed, in part, at enhancing stability and ethnic unity.[1] In February 2014, Zhu Weiqun, Director of the Ethnic and Religious Affairs Committee of the Chinese People's Political Consultative Conference, stated that instead of heeding Western criticism of perceived rights violations in Tibet and the XUAR, China "should be focused on its development and stability."[2] Official campaigns linking stability and ethnic unity with development have raised concerns over assimilative pressures and a failure to respect ethnic minority languages, religious beliefs, and traditions.[3] In late October 2013, Yu Zhengsheng, a member of the Standing Committee of the Political Bureau of the Chinese Communist Party and head of the Central Committee Coordinating Group for Tibet Affairs, urged officials to actively foster ethnic unity and promote the "three inseparables" and "four identifies."[4] Under the "three inseparables" ideology, a concept official media reports prominently featured during the reporting year in relation to state ethnic policy,[5] "the Han ethnicity is inseparable from ethnic minorities, ethnic minorities are inseparable from the Han ethnicity, and all ethnic minorities are mutually inseparable."[6] The "four identifies" ideology refers to identification with "the great motherland," "the Chinese nationality," "the Chinese culture," and "the road of socialism with Chinese characteristics."[7]

Grasslands Policy and Protests in Inner Mongolia

IMAR officials continued to detain and beat Mongol herders and nomads who protested authorities' appropriation of their traditional grazing lands for development projects. National and regional regulations stipulate penalties for unauthorized use of grasslands, but lack protections for the rights of herders.[8] In a number of instances during the 2014 reporting year, Mongol herders protested state and private appropriation of their traditional grazing lands, raising concerns such as inadequate compensation, loss of

livelihood due to environmental destruction, and involuntary resettlement. Representative examples include:

- On May 4, 2014, in Ezenee (Eji'na) Banner, Alshaa (Alashan) League, IMAR, security officials armed with automatic weapons prevented the advance of a demonstration by Mongol herders protesting the use of their grazing lands by Han Chinese migrants.[9]
- On April 12, 2014, security officials in Horqin (Keerqin) district, Tongliao city, IMAR, detained more than 40 Mongol herders, beating and threatening some, who had protested against a coal transportation company's use of their grazing lands.[10]
- In April 2014, authorities in Heshigten (Keshiketeng) Banner, Chifeng municipality, IMAR, detained between seven and eight Mongol herders who had protested a mining company's dumping of toxic waste on their grazing lands since January 2014, which the herders claimed had caused the death of their livestock.[11]
- In late March 2014, during and following a visit to the IMAR by Premier Li Keqiang, authorities in Bayannuur (Bayannao'er) municipality and Hohhot city reportedly arrested, detained, and beat a number of Mongol herders protesting against mining companies' destruction of grasslands and lack of compensation for losses they incurred as a result of official grazing bans and resettlement initiatives.[12]

In January 2014, authorities in Ongniud (Wengniute) Banner, Chifeng municipality, sentenced six Mongol herders to one- to two-year prison terms for causing damage to the property of a forestry company.[13] Local authorities detained the six herders in late May 2013 and formally arrested them on June 24, 2013, following an April 2013 incident in which they clashed with Han Chinese workers from a state-run forestry company they said had "occupied" their traditional grazing lands for decades.[14] Twelve herders were reportedly beaten and hospitalized in the April 2013 clash.[15] According to the official indictment from the Ongniud Banner People's Procuratorate, the six men caused damage to the forestry company's property during the clash totaling nearly 87,000 yuan (US$14,000).[16] However, the herders asserted they only caused minimal damage to the company's property, with an agency hired by the herders reportedly assessing the damage at 2,400 yuan (US$392).[17]

Forced Return of Mongol Chinese Citizens

On May 13, 2014, Mongolian authorities reportedly forcibly returned Mongol rights advocates Dalaibaatar Dovchin and Tulguur Norovrinchen to China, a move an overseas rights advocate suggested may have been carried out under pressure from the Chinese government.[18] Mongolian authorities had last forcibly returned a Mongol rights advocate to China in October 2009, when they deported former medical school principal Batzangaa and members of his family.[19] Friends of the two rights advocates said Mongolian police detained them while they prepared to attend a press conference regarding another Mongol rights advocate, Alhaa Norovtseren, whom Mongolian authorities had reportedly threat-

ened with deportation.[20] At the time of their deportation, Dovchin reportedly had a valid student visa and Norovrinchen reportedly had a valid Asylum Seeker Certificate issued by the UN High Commissioner for Refugees.[21]

Political Prisoners

Authorities continued to extralegally detain Mongol rights advocate Hada, despite his completion of a 15-year prison sentence on December 10, 2010.[22] According to Hada's wife Xinna, during the 2014 reporting year, authorities threatened her with detention after she spoke publicly about her husband's continued extralegal detention,[23] and maintained restrictions on the freedom of movement and telephone and Internet access of her and the couple's son, Uiles.[24] Xinna also stated in March 2014 that authorities had not recently allowed her to visit Hada.[25] As of July 9, 2014, Hada remained in poor health in extralegal detention in Jinye Ecological Park in Hohhot municipality, IMAR.[26] Authorities imprisoned Hada in 1995 after he organized peaceful protests for Mongol rights and for his role in the banned organization he founded, the Southern Mongolian Democratic Alliance.[27]

In late 2013, Bayanhuaar, the wife of rights advocate Batzangaa, reported that he was in poor health, and authorities had denied her request for his release on medical parole. Batzangaa is now serving a three-year prison sentence for economic crimes that authorities originally imposed as a suspended sentence in 2011 after he and his family sought asylum in Mongolia.[28] Bayanhuaar stated that the couple's daughter was suffering from severe depression as a result of her father's imprisonment.[29]

In January 2014, herders' rights advocate Yunshaabiin Seevendoo reportedly stated that due to poor conditions and inadequate medical treatment during his detention, doctors had diagnosed him with kidney failure.[30] Authorities in Uzumchin Right (Xiwuzhumuqin) Banner, Xilingol (Xilinguole) League, IMAR, arrested Seevendoo in July 2013 and released him in December 2013 after sentencing him to three years' imprisonment suspended for five years.[31] [For information on Uyghur and Tibetan political prisoner cases, see Section IV—Xinjiang and Section V—Tibet.]

POPULATION PLANNING [1]

International Standards and China's Coercive Population Policies

Chinese officials continue to actively promote and implement coercive population planning policies which, as they are written and implemented, violate international standards. The PRC Population and Family Planning Law and provincial implementing guidelines limit couples' freedom to build their families as they see fit by stipulating if, when, and how often they may bear children.[2] Local implementing regulations across China still require that couples be married and obtain a birth permit to lawfully bear a child.[3] The population planning policies of all of China's 31 provincial-level jurisdictions limit couples to bearing one child.[4] Exceptions for couples who meet certain criteria vary by province,[5] and include some exceptions for ethnic minorities.[6] Officials continue to coerce compliance with population planning targets using methods including heavy fines,[7] forced abortions,[8] and forced sterilizations.[9]

Controls imposed on Chinese women and their families, and additional abuses engendered by China's stringent population and family planning system, violate standards set forth in the 1995 Beijing Declaration and Platform for Action [10] and the 1994 Programme of Action of the Cairo International Conference on Population and Development.[11] China was a state participant in the negotiations and adoption of both.[12] Acts of official violence committed in the implementation of coercive population planning policies [13] contravene provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[14] which China has ratified.[15] Furthermore, discriminatory policies [16] against "out-of-plan" children (i.e., children born in violation of population planning policies) contravene the Convention on the Rights of the Child [17] and the International Covenant on Economic, Social and Cultural Rights.[18] China is a State Party to these treaties and has committed to uphold their terms.[19]

Policy Revision

At the Third Plenum of the 18th Party Congress in November 2013,[20] central Party authorities issued the Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms, which called for a broad range of reforms,[21] including the provision of a new exception to China's population planning policy.[22] The exception represents only a slight modification of the previous policy, adding couples in which just one parent is an only child to the category of families permitted to bear a second child.[23] Rural couples, ethnic minority couples, and couples in which both parents are only children were among those already permitted under previous exceptions to bear a second child.[24] As of August 2014, at least 15 provinces and municipalities had amended population and family planning regulations in accordance with the new policy.[25] Experts predict that the impact of this most recent policy revision will be more noticeable in urban areas,[26] and that the change may affect 15 to 20 million people across China.[27] Estimates for the additional number of births that could result from this change range from 1 to 3 million per year.[28] Reports have also noted, however, that

many couples would not want to expand their families even if given the option,[29] and thus far China has seen a smaller increase in births than predicted.[30] As for the demographic challenges that precipitated the population policy change, a top family planning official pointed in particular to China's decreasing working-age population, rapidly aging population, and persistent sex ratio imbalance.[31] Chinese officials have emphasized the limited scope of the recent population planning policy revision, while Chinese and international critics continued to call for cancellation of the entire policy on family planning.[32]

Coercive Implementation

Chinese law contains provisions that prohibit officials from infringing upon the "legitimate" rights and interests of citizens while implementing population planning policies but does not define what constitutes a citizen's "legitimate" right or interest.[33] Despite these provisions, however, abuses continued during the Commission's 2014 reporting year. Provincial-level population planning regulations in at least 22 of China's 31 provincial-level jurisdictions explicitly instruct officials to implement abortions, often referred to as "remedial measures" (*bujiu cuoshi*), for "out-of-plan" pregnancies, with no apparent requirement for parents' consent.[34] Officials also reportedly continued to use other coercive methods—including forced abortion under arbitrary detention,[35] forced implantation of long-term birth control devices,[36] and forced sterilization[37]—to implement population planning policies.

OFFICIAL CAMPAIGNS

Language used in official speeches and government reports from jurisdictions across China continued to reflect an emphasis on harsh enforcement measures with an apparent disregard for restraint. The Commission noted that during this reporting year, as in previous years,[38] official reports from several provinces and municipalities across China (e.g., Anhui,[39] Beijing,[40] Fujian,[41] Guizhou,[42] Hebei,[43] Henan,[44] Hunan,[45] Jiangxi,[46] Shandong,[47] and Zhejiang[48]) continued to promote "family planning implementation work" using phrases such as "spare no efforts" (*quanli yifu* or *fenli*) and "use all means necessary" (*qian fang bai ji*) to urge officials to implement harsh and invasive family planning measures. Implementation targets promoted in these reports were unrelenting, including some reports calling for a 100-percent implementation rate in compelling policy offenders to undergo "remedial measures" or the "four procedures" (i.e., intrauterine device (IUD) implants, first-trimester abortions, mid- to late-term abortions, and sterilization).[49] For example, one government report from Guzhang county, Xiangxi Shijia and Miao Autonomous Prefecture, Hunan province, called upon local officials to implement "remedial measures" on 100 percent of women with "out-of-plan" pregnancies during an upcoming county-wide population planning "service" campaign.[50] The same report promised to give town governments specific monetary rewards and public praise or to circulate a notice of criticism based on their achievement rate in implementing surgical procedures.[51]

Representative Cases of Coercion

• **Guizhou.** In January 2014, more than 20 government personnel in Yuqing county reportedly took Tan Kaimei, who suffered from uterine fibroids, to the local family planning office where they signed her agreement on an operation consent form and pinned her down while performing a sterilization procedure on her.[52] Tan and her husband reported to the U.S.-based human rights organization ChinaAid that officials refused to give them a legal explanation for the forced procedure.[53]
• **Guangdong.** According to a January 2014 Xinkuai Net report, family planning officials in Baiyun district, Guangzhou municipality, were withholding *hukous*—household registration permits—for children or welfare disbursements from families if the mother refused to have an intrauterine device (IUD) inserted.[54] While one district-level family planning official claimed that the registration of *hukous* and disbursement of welfare had been linked to IUD insertion for all 11 years of her involvement in family planning implementation, a higher level official interviewed for the report claimed such linking was not permitted.[55]
• **Xinjiang.** In December 2013, local family planning officials in Hotan prefecture, Xinjiang Uyghur Autonomous Region, reportedly forced four Uyghur women to undergo abortions.[56] According to Radio Free Asia, one of the women was in her ninth month of pregnancy.[57] Local officials acknowledged the four abortions had taken place, stating that they were only following orders from higher authorities and that they planned to conduct two more.[58] Officials at the hospital where authorities reportedly took the women denied having carried out any forced abortions.[59]
• **Shandong.** In late September 2013, 20 officials in Weifang city broke into the home of Liu Xinwen, six months pregnant with her second child, and took her to a local hospital for a forced abortion.[60] Officials prevented her husband from accompanying her and did not tell him where they had taken her.[61] At the hospital, the officials reportedly forced her consent, and administered the abortion before her husband could find her.[62]

Punishments for Noncompliance

Chinese authorities continued to use various methods of punishment to manage citizens' compliance with population planning policies. In accordance with national measures,[63] local governments have directed officials to punish noncompliance with heavy fines, termed "social maintenance fees" (*shehui fuyang fei*), which compel many couples to choose between undergoing an unwanted abortion or incurring a fine much greater than the average annual income of their locality.[64] State-run media reported on one case in December 2013 in which a villager committed suicide after local officials convinced him to sell all his crops to pay "social maintenance fees."[65] The officials reportedly were not authorized to collect the fees and were later investigated and punished.[66]

A court in Guangzhou municipality, Guangdong province, ruled in March 2014 that the provincial family planning authority's decision not to disclose "social maintenance fee" data in response to a citizen's Open Government Information request was an incorrect use of the law and that the family planning office must re-address his request.[67] On July 29, the Guangdong province audit depart-

ment released the results of an audit of "social maintenance fee" collection across the province, finding that some local governments' fee collection did not comply with regulations.[68] During this reporting year, other reports emerged highlighting local governments' misuse or incomplete disclosure of "social maintenance fees," noting that in some localities officials were permitted to retain a percentage of the fees, and that in some cases officials had spent collected monies on personal expenditures.[69] The PRC Population and Family Planning Law (PFPL) prohibits and provides punishment for the misuse of population planning-related funds.[70]

In addition to fines, officials imposed or threatened other punishments for family planning offenses. These punishments included job termination,[71] expulsion from the Communist Party,[72] destruction of personal property,[73] arbitrary detention,[74] forced abortion, and at least one reported forced sterilization.[75] The PFPL prohibits and provides punishments for officials' infringement on citizens' personal, property, and other rights while implementing population planning policies.[76]

During this reporting year, authorities in some localities denied birth permits and *hukous* for children whose parents disobeyed local family planning requirements. In one such example, an April 2014 Shanghai Daily article reported that officials in Guangzhou municipality withheld birth permits for families who were eligible to have a second child, requiring that mothers agree to be sterilized after the birth before they would issue the permit.[77] Higher level officials later reported that this requirement was not in accordance with the law and that family planning staff needed additional training.[78] Authorities in some areas also withheld *hukous* from children born in excess of birth quotas until their parents paid the necessary "social maintenance fees" associated with their birth.[79] In some localities, authorities would not issue *hukous* to children born to single parents, as they required the information of both parents to complete the necessary paperwork.[80] People who lack *hukous* in China are commonly referred to as "illegal residents" (*heihu*)[81] and face considerable difficulty accessing social benefits typically afforded to registered citizens, including health insurance, public education, and pensions.[82] The UN Committee on the Rights of the Child conducted a periodic review of China's compliance with the Convention on the Rights of the Child in September 2013. In its concluding observations, the Committee stated its concern about low rates of birth registration in China—in part due to China's family planning policies—and recommended that China "reform family planning policies in order to remove all forms of penalties and practices that deter parents or guardians from registering their children" and "abandon the *hukou* system in order to ensure birth registration for all children."[83] [For additional discussion of China's *hukou* system, see Section II—Freedom of Residence and Movement.]

Demographic Consequences

The Chinese government's population planning policies continue to exacerbate the country's demographic challenges, which include an aging population, diminishing workforce, and skewed sex ratio. Affected in recent decades by government restrictions on the num-

ber of births per couple, China's total fertility rate has dropped from 6.14 births per woman in 1949[84] to an estimated 1.55 births per woman in 2014,[85] contributing in part to a serious demographic imbalance with regard to China's increasing elderly population and shrinking working-age population.[86] Although Chinese authorities continue to implement a ban[87] on "non-medically necessary sex determination and sex-selective abortion,"[88] some people reportedly continue the practice in response to government-imposed birth limits and in keeping with a traditional cultural bias for sons.[89] According to state-run media, China's male-female ratio at birth is severely skewed and has "hovered at a high level since fetal ultrasound exams became common in China"—an apparent reference to sex-selective abortion.[90] Chinese and international experts note that while the recent new exception to the one-child rule may improve China's sex ratio at birth, it will not resolve the problem of China's current sex ratio imbalance.[91] The UN Committee on the Rights of the Child recommended in its October 2013 concluding observations that China "take immediate legal, policy and awareness-raising measures to prevent sex-selective abortions, female infanticide and abandonment of girls, including by addressing factors that reinforce cultural norms and practices that discriminate against girls."[92] While Chinese media reported that China's sex ratio at birth has decreased in the past few years,[93] according to the UN Population Division, as of 2012 it remained the highest in the world.[94] Reports have also suggested a link between China's large number of "surplus males" and an increase in the trafficking of women and children for forced marriage or commercial sexual exploitation.[95]

Reports indicate that China's population planning policies have contributed in part to what the state-controlled Global Times has called China's "massive and lucrative baby market,"[96] as a traditional preference for sons combined with birth limits is thought to encourage a black market for adoptions.[97] In January 2014, a court in Shaanxi province handed down a suspended death sentence to an obstetrician involved in the illegal acquisition and sale of seven babies under her care.[98] The doctor allegedly convinced parents to relinquish their newborn children, claiming they were seriously ill, and then sold them to brokers.[99]

Further contributing to illicit adoptions, parents who are unable to afford "social maintenance fees" for "out-of-plan" pregnancies, in some cases, give away their children.[100] In one such case, in Jiangxi province, a couple pregnant with their third child attempted to give away their baby through an online adoption forum after determining they could not afford to pay the necessary family planning fines to secure the child's *hukou*.[101] The adoption forum was later shut down, and its founder arrested, during a February 2014 crackdown on fraudulent adoptions.[102]

Freedom of Residence and Movement

Freedom of Residence

The Chinese government continued to largely enforce the household registration (*hukou*) system established in 1958.[1] The *hukou* system classifies Chinese citizens as either rural or urban, and confers legal rights and access to public services based on the classification.[2] While the *hukou* system has become less restrictive than in the past, it still acts as a "mechanism determining one's eligibility for full citizenship, social welfare, and opportunities for social mobility."[3] The implementation of these regulations discriminates against rural *hukou* holders who migrate to urban areas by denying them equal access to social benefits and public services enjoyed by registered urban residents.[4] The *hukou* system conflicts with international human rights standards guaranteeing freedom to choose one's residence and prohibiting discrimination on the basis of "national or social origin[,] . . . birth or other status."[5]

During the Commission's 2014 reporting year, the Chinese government made uneven progress toward reforming the *hukou* system. In March 2014, Premier Li Keqiang reported to the National People's Congress on the government's plan for "people-centered urbanization," saying that the government "will grant urban residency . . . to rural people who have moved to cities" and "will reform the household registration system . . . ."[6] The State Council and Central Committee of the Chinese Communist Party issued a plan in March 2014 that lays out the urbanization process from 2014 to 2020 and calls for, among other things, 100 million people to "settle in urban areas" by 2020.[7] Although the plan calls for increasing the proportion of Chinese living in urban areas to 60 percent of the total population by 2020, according to the plan, only 45 percent of the population will hold urban *hukou* status by that time.[8] Chinese state media reported that while 53.7 percent of China's population lived in urban areas at the end of 2013, approximately 36 percent held an urban *hukou*.[9] A November 2013 Tsinghua University study, however, found the percentage of China's population with urban *hukous* to be 27.6 percent.[10]

It remains unclear what steps the central and local governments will take to implement the urbanization plan. Government agencies and officials have said that relaxation of *hukou* restrictions will depend on city size, with the smallest cities "relax[ing] overall *hukou* restrictions," while cities of over five million people will "strictly control the scale of population."[11] In March 2014, Vice Minister for Public Security Huang Ming told reporters that restrictions on obtaining urban *hukous* in China's largest cities will remain high to mitigate growing pressure on city resources.[12] In July 2014, in an opinion on *hukou* reform, the State Council announced that it would "[e]liminate the distinction between rural and non-rural household registration,"[13] although it did not provide details on what steps authorities would take to do so.[14] Similar reforms, previously implemented in several provinces and counties, have not completely eliminated the disparities between rural- and urban-registered residents.[15]

This past year, authorities continued to implement reforms of the *hukou* system in select areas, including Guangzhou, Beijing, and

Shanghai municipalities. In 2013, the Guangdong provincial government began to implement provisions allowing the children of migrants lacking urban *hukous* to enroll in vocational schools, and in 2016 these children will be eligible to take university entrance exams in Guangdong.[16] In 2014, Beijing began allowing, with some qualifying conditions, migrant workers' children to enroll in secondary vocational schools.[17] In 2014, the Shanghai municipal government continued to implement a points-based residential permit system in which migrants' children can enjoy the same educational opportunities as urban *hukou* holders if the parents meet several conditions, including age, education, and employment conditions.[18] These limited reforms, however, have not removed the connection between *hukou* status and access to education.[19] Moreover, the conditions for obtaining urban *hukous* are reportedly too onerous for many migrants to meet, given their levels of education and income.[20]

International Travel

Chinese officials continued to deny citizens who criticize the government, those citizens' relatives, and ethnic minority groups, their internationally recognized right to leave the country. Article 12 of the International Covenant on Civil and Political Rights (ICCPR), which China has signed and committed to ratify, guarantees that "[e]veryone shall be free to leave any country . . . ."[21] Under Article 12, countries may restrict this right only in narrow circumstances to protect national security and certain other public interests.[22] Chinese law allows authorities to bar those who threaten state security from leaving the country,[23] but in practice Chinese authorities blocked rights defenders, advocates, and critics from leaving the country.[24]

Uyghurs and Tibetans in particular continued to face heavy restrictions on obtaining passports. According to the U.S. State Department, Uyghurs "were frequently denied passports to travel abroad," while authorities in Tibetan areas showed "unwillingness . . . to issue or renew passports for ethnic Tibetans."[25] Some Uyghurs reported that despite a new passport regulation in the Xinjiang Uyghur Autonomous Region (XUAR) intended to simplify the passport application process, they still faced discrimination and, in many cases, had to pay bribes in order to obtain passports.[26]

Article 12 of the ICCPR provides that "[n]o one shall be arbitrarily deprived of the right to enter his own country,"[27] while Article 13 of the Universal Declaration of Human Rights (UDHR) guarantees "[e]veryone . . . the right . . . to return to his country."[28] The Chinese government, including authorities in the Hong Kong Special Administrative Region, continued to deny the right to leave the country and the right of return to those expressing views the government perceives to be threatening, in violation of international standards. The Commission observed the following representative cases during the 2014 reporting year:

- In September 2013, Chinese authorities prevented human rights defender **Cao Shunli**[29] from traveling to Geneva to attend a human rights training at a meeting of the UN Human

Rights Council.[30] Chinese authorities criminally detained Cao, reportedly in connection with her advocacy for public participation in China's human rights reports to the United Nations.[31] Human rights organizations linked Cao's March 2014 death in a military hospital to Chinese authorities' denial of medical care while she was in detention.[32] [For more information on Cao Shunli, see Section II—Criminal Justice and Section III—Institutions of Democratic Governance.]

• In November 2013, Hong Kong authorities refused entry to **Wu'er Kaixi,** a 1989 student leader and democracy advocate who fled China after the 1989 Tiananmen protests, when he attempted to enter China through Hong Kong.[33] Authorities repeatedly have denied Wu'er entry into China, despite having previously issued an arrest warrant for him.[34] Wu'er sought to visit his elderly parents, who he claims have been denied passports by authorities, in violation of China's international treaty obligations.[35]

• In April 2014, Hong Kong authorities reportedly blocked rights advocate **Yang Jianli**[36] from entering Hong Kong. Yang reportedly holds a valid Chinese passport, although mainland Chinese authorities repeatedly have prevented him from entering China.[37] Yang was invited to visit Hong Kong by the pro-democracy organization Hong Kong Alliance in Support of Patriotic Democratic Movements in China to visit a new museum commemorating the 1989 Tiananmen protests.[38] Yang claimed that the Chinese central government directed Hong Kong authorities to refuse Yang entry to Hong Kong.[39]

• In June 2014, authorities in Shenzhen municipality, Guangdong province, sentenced rights advocate **Yang Kuang**[40] to eight months' imprisonment for "illegally crossing the border."[41] Yang, a Hong Kong resident, was returning to Hong Kong in December 2013 after visiting his wife in Henan province when Shenzhen authorities detained him.[42] Chinese authorities previously detained Yang and canceled his home-return permit after he attempted to visit the artist and poet Liu Xia at her home in Beijing municipality in March 2013.[43]

• During the reporting year, Chinese authorities prevented HIV/AIDS advocates from leaving the country to attend international AIDS conferences. In November 2013, Chinese authorities prevented **Yuan Wenli** from traveling to Thailand, reportedly by canceling her passport.[44] In July 2014, officials refused to allow **Ye Haiyan** to travel to Australia;[45] Ye reported that a government employee told her she was on a "red list" of those prohibited from leaving China.[46]

Domestic Movement

During the 2014 reporting year, the Commission continued to observe Chinese authorities restricting the freedom of movement of rights advocates and their families as a form of harassment.[47] Article 12 of the International Covenant on Civil and Political Rights provides that "[e]veryone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement . . . ."[48]

Xinjiang Uyghur Autonomous Region (XUAR) authorities reportedly restricted XUAR residents' freedom of movement by requiring those 16 years and older to obtain a document known as a "convenient contact card" if they move from the county-level jurisdiction in which they hold household registration to elsewhere in the XUAR for work, school, or medical treatment, among other reasons, and "rent a home in their new location of residence."[49]

Authorities increased restrictions on freedom of movement during politically sensitive periods in the 2014 reporting year, including the March meetings of the National People's Congress and Chinese People's Political Consultative Conference and the 25th anniversary of the 1989 Tiananmen protests.[50] Representative cases of restrictions on freedom of movement follow:

- Chinese authorities continued to detain **Liu Xia,**[51] an artist and poet, and the wife of imprisoned dissident Liu Xiaobo, at her home in Beijing municipality. Although Chinese authorities have not convicted Liu Xia of any crime, she reportedly has been detained at home since October 2010, with no access to the Internet or telephone.[52] Liu Xia's detention is illegal under both Chinese law and international standards.[53] In February 2014, a Beijing hospital refused to admit Liu Xia, who was suffering from heart disease and severe depression, due to "political factors,"[54] after which she unsuccessfully sought to leave China for treatment.[55]
- Chinese authorities reportedly continued to detain Bishop **Thaddeus Ma Daqin**[56] due to his public resignation from the Chinese Catholic Patriotic Association during his ordination as auxiliary bishop of the Shanghai diocese.[57] Authorities reportedly have held Ma in "soft detention," a form of extralegal detention, at the Sheshan Regional Seminary near Shanghai municipality.[58]
- In July 2014, public security authorities placed Tibetan writer and activist **Tsering Woeser** and her husband, writer Wang Lixiong, under extralegal "soft detention" at their home in Beijing.[59] Woeser received an invitation to visit the U.S. Embassy during the U.S.-China Strategic and Economic Dialogue, but "state security" reportedly prevented her from attending.[60] Chinese authorities previously refused to issue Woeser a passport, blocking her from leaving China to accept a U.S. State Department award.[61]
- In April 2014, public security authorities reportedly prevented **Mo Shaoping,** a human rights lawyer, from meeting with the German vice-chancellor in Beijing. Mo said that police told him they had orders "from above" to keep him from attending the event at the German embassy.[62] Political cartoonist Wang Liming said he attended the meeting but was the only attendee, as police had detained the other four invited guests.[63]

China's Compliance With International Human Rights Obligations

China underwent a periodic review by the UN Committee on Economic, Social and Cultural Rights (CESCR) in May 2014[1] and will undergo a periodic review by the UN Committee on the Elimination of Discrimination against Women (Committee) beginning in October 2014.[2] In its concluding observations on the second periodic report of China, CESCR noted persistent gender disparities in China, "especially in relation to employment, wages, housing and access to higher education" and highlighted "with concern the disadvantaged position of rural women."[3] In preparation for the upcoming Committee review, the Chinese government submitted a report in January 2014 on its implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) from 2006 to 2010.[4] The report described progress on protecting women's rights in China's laws, regulations, and policies,[5] yet also acknowledged some challenges, including persistent gender discrimination, inadequate implementation of relevant laws, low percentages of female representation in senior decisionmaking bodies, unequal treatment of rural women under local village rules, and violence against women.[6] Non-governmental organizations also highlighted areas for improvement in reports to the Committee in January and February 2014, specifically noting cases of suppression of women's rights advocates.[7]

Women's Political Decisionmaking

Through its international commitments and domestic laws and policies, the Chinese government is obligated to ensure gender-equal political participation; however, during the Commission's 2014 reporting year, women remained underrepresented in government and Communist Party positions. In accordance with its commitments under CEDAW,[8] the Chinese government has passed several laws[9] and issued policy initiatives[10] in prior years to promote gender equality in government. Yet, female representation remains low or non-existent in central Party and government leadership bodies, including the Political Bureau of the Communist Party Central Committee (Politburo),[11] Politburo Standing Committee,[12] Communist Party Central Committee,[13] State Council,[14] and National People's Congress,[15] and falls far short of the 30 percent target recommended by the UN Commission on the Status of Women.[16] Women reportedly held 22.1 percent of village committee memberships as of 2012 and 2.7 percent of leadership positions in village committees as of 2008.[17] Such underrepresentation at the village level leaves rural women vulnerable to violations of their rights and interests.[18] The UN Working Group on the Issue of Discrimination Against Women in Law and in Practice (Working Group) noted following its December 2013 visit to China, "The imperative for full integration of a gender sensitive policy framework into China's deepening reform agenda . . . requires the full and effective participation of women in political and public life at all levels."[19]

Gender-Based Discrimination

EMPLOYMENT DISCRIMINATION

In ratifying CEDAW, the Chinese government has committed to take "all appropriate measures to eliminate discrimination against women in the field of employment,"[20] yet women in China's workforce continue to face many forms of discrimination. Following its December 2013 visit to China, the Working Group issued a report[21] noting China's accomplishments in women's rights,[22] as well as persistent challenges, including gender discrimination in recruitment,[23] wages,[24] and retirement.[25] When applying for civil service positions, women report that they continue to be subjected to invasive gynecological examinations and inappropriate questioning.[26] In January 2014, in what is believed to be China's first gender discrimination lawsuit, a recent college graduate accepted a 30,000 yuan (US$4,845) settlement and a formal apology after a company refused to hire her because of her gender.[27]

EDUCATION DISCRIMINATION

Gender-based discrimination remains a barrier for some young women pursuing a university education in China, despite provisions in the PRC Education Law that prohibit discrimination on several grounds, including gender.[28] Reports indicate that universities across China continue to implement gender quotas that require women to score higher than men on the college entrance exam (*gaokao*) for acceptance into certain schools or majors.[29] Some schools also ban or restrict women from certain majors, including mining, navigation, naval engineering, tunnel engineering, and police work.[30] Reasons given for preventing or limiting women from enrolling in these majors included that the jobs that result from these studies are not available to women; or are too dangerous, too physically strenuous; or would require too much time at sea.[31] In October 2012, the Ministry of Education (MOE) responded to an Open Government Information request, stating that gender quotas are permitted in military and national defense, marine and mining, and some less-commonly studied foreign language majors.[32] In September 2013, two groups of women separately wrote reports to the MOE protesting the unfair enrollment practices and requesting an explanation.[33]

Violence Against Women

DOMESTIC VIOLENCE

Domestic violence is prohibited and punishable under Chinese law, yet the problem of domestic violence in China remains widespread, affecting approximately one in four families.[34] Current national-level legal provisions[35] that address domestic violence leave many victims unprotected by prohibiting domestic violence without defining the term or clarifying the specific responsibilities of government entities—such as law enforcement, judicial organs, and providers of social services—in prevention, punishment, and treatment.[36] The UN Working Group on the Issue of Discrimination Against Women in Law and in Practice called on the Chinese government this year to "urgently adopt" a national-level domestic

violence law,[37] reiterating advocates' calls from previous years.[38] As of June 2014, draft domestic violence legislation reportedly had been submitted to the State Council for review[39] and included in its 2014 legislative work plan.[40]

In February 2014, the Supreme People's Court (SPC) issued a report presenting 10 "typical cases"[41] that serve as illustrations for lower courts on how they should handle cases involving domestic violence.[42] According to one international expert's analysis of the report, the SPC's selection of typical cases provides guidance on issuing civil protection orders; expands the scope of who may be protected under protection orders to include the elderly and minors; clarifies what may constitute evidence in domestic violence cases; expands the definition of violence to include non-physical forms; and sets a precedent for additional punishments that can be imposed for domestic violence, including loss of custody of a child even if the child has not suffered physical harm.[43]

According to one Chinese anti-domestic violence expert, in the absence of the authority of a domestic violence law, protection orders have not yet gained ground in China, as courts "are afraid of being overrun by applicants and of being unable to enforce the orders and therefore becoming a mockery, with the police not cooperating."[44] Advocates reportedly claim that legislation, including a domestic violence law, could help standardize the process of issuing protection orders, provide a formal definition for domestic violence, and counter the widely held belief in China that domestic violence is a private matter by assigning responsibility to courts, police, hospitals, and civil society actors to assist victims.[45] In one high-profile domestic violence case, following Chinese and international advocates' calls for a sentence commutation,[46] in June 2014, the SPC overturned[47] the death sentence of Li Yan, who killed her husband in 2010 after enduring months of spousal abuse.[48] The Sichuan Province High People's Court had upheld Li's death sentence on appeal in August 2012, stating that there was insufficient evidence of long-term domestic violence.[49]

SEXUAL VIOLENCE[50]

Central government authorities have taken regulatory steps this year to better protect the rights of women and children who may be vulnerable to sexual violence. In apparent response to citizens' outrage[51] over a series of high-profile cases of sexual violence against girls last year,[52] in September 2013, central authorities issued guidelines and a circular, both aimed at strengthening the prevention of sexual assault of a child.[53] The following month, the SPC, Supreme People's Procuratorate, Ministry of Justice, and Ministry of Public Security jointly issued guidelines strengthening punishments for child sexual assault.[54] Perpetrators had previously received lighter punishments if they could claim consent or if money was involved.[55] Critics have noted that legal loopholes may mean that certain circumstances or conduct will still result in lighter punishments for perpetrators.[56]

Chinese law prohibits sexual harassment yet does not provide a clear legal definition or standards for prevention, reporting, and punishment.[57] Two surveys of female factory workers in Shenzhen and Guangzhou municipalities, Guangdong province, released in

November 2013 showed that 70 percent of respondents had experienced some degree of sexual harassment in the workplace, and few sought assistance from management or the police.[58] Legal experts have called for strengthened legislation on sexual harassment, yet authorities have not announced any progress on such legislation during this reporting year.[59]

STATE-AUTHORIZED VIOLENCE AGAINST WOMEN

Officials in localities across China continued to employ forms of coercion and violence against women—including forced abortion,[60] forced sterilization,[61] and forced contraceptive use[62]—while implementing population planning policies, in contravention of international standards to which China has agreed.[63] Chinese law leaves women unprotected against such abuses.[64] In December 2013, over 1,000 Chinese women signed and sent a letter to the National People's Congress Standing Committee, the Family Planning Commission, and the All-China Women's Federation, noting that the implementation of China's population planning policies "causes great harm to women's wombs" and calling on Chinese officials to "protect women's right to life and health" during the drafting and execution of China's population planning policies.[65]

In February 2014, the Ministry of Public Security launched a crackdown on the commercial sex trade, starting in Dongguan municipality, Guangdong province, in apparent response to a February 9 China Central Television exposé on the industry.[66] As of July 2014, Dongguan police reportedly had detained 2,252 people as part of the crackdown.[67] In past years, women in China have reported suffering unlawful arbitrary detention, extortion, physical violence, and forced labor at the hands of authorities carrying out enforcement of anti-prostitution laws.[68]

HUMAN TRAFFICKING

Trends

China remains a country of origin, transit, and destination for the trafficking of men, women, and children, as defined under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol).[1] Chinese men, women, and children are trafficked within China's borders for purposes including sexual exploitation; forced marriage; forced begging; domestic servitude; and forced labor in brick kilns, coal mines, and factories.[2] Human traffickers also continue to traffic men, women, and children to and from countries across Asia, the Americas, Europe, and Africa.[3] Cases of men and children in China working under forced or otherwise exploitative labor conditions that constitute human trafficking under the UN TIP Protocol[4] also emerged during the Commission's 2014 reporting year.[5] The full extent of the forced labor problem in China remains unclear, as the Chinese government does not criminalize and report on all forms of forced labor, including the labor trafficking of men.[6] Some forms of manual labor that would qualify as forced labor under international standards reportedly occur in state-sponsored detention centers.[7] [See Section II—Worker Rights for more information on cases of forced labor and child labor this year.]

Anti-Trafficking Efforts

Since its accession to the UN TIP Protocol in 2009,[8] the Chinese government has steadily taken steps, in concert with other national governments[9] and international non-governmental organizations,[10] to revise domestic legislation, policies, and anti-trafficking efforts to come into compliance with international standards. For example, in 2011, the National People's Congress Standing Committee amended the PRC Criminal Law to strengthen the provisions on forced labor.[11] In January 2013, the State Council took an additional step to bring government efforts into compliance with international standards by issuing the China Action Plan to Combat Trafficking in Persons (2013–2020),[12] which is a revised version of its predecessor, the China Action Plan to Combat Trafficking in Women and Children (2008–2012).[13] The new Action Plan revised the Chinese term for trafficking to include all persons (*guaimai renkou*).[14] The term used in the previous plan referred to only women and children (*guaimai funu ertong*).[15] This terminology change is not yet reflected in Chinese law.[16] The Action Plan calls for increased international cooperation;[17] improved anti-trafficking laws, regulations, and policies;[18] anti-trafficking funding in local budgets;[19] and increased efforts in prevention[20] and protection.[21] It is difficult to assess whether the State Council has provided adequate resources and training to local authorities for implementing the plan's objectives or whether local governments are able to budget the funds necessary to finance anti-trafficking work as the plan has recommended.[22]

Chinese authorities took limited steps this year to improve prevention, protection, and services for victims of trafficking, but did not release detailed information on the services provided or the

number of victims identified and assisted.[23] In addition to continuing to operate a nationwide anti-trafficking hotline, authorities reportedly established a local anti-trafficking hotline in Lhasa city, Tibet Autonomous Region,[24] as well as a fund for assisting trafficking victims and their families in Guizhou province.[25] The Chinese government did not provide information on how many cases were investigated or how many victims were assisted as a result of these efforts.[26] After nine consecutive years on the Tier 2 Watch List in the U.S. State Department's annual Trafficking in Persons (TIP) Report, in June 2013, China was automatically downgraded to Tier 3, the lowest tier ranking.[27] In the 2014 TIP report, the U.S. State Department returned China to its previous Tier 2 Watch List status, stating that the Chinese government "is making significant efforts" to comply with the minimum standards for the elimination of trafficking.[28] The report provided the Chinese government's abolition of reeducation through labor centers as an example of such efforts.[29]

Anti-Trafficking Challenges

Additional revisions are needed to bring China's domestic legislation into compliance with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol).[30] For example, while the PRC Criminal Law prohibits human trafficking,[31] its provisions do not appear to cover all forms of trafficking, such as certain types of non-physical coercion [32] and the commercial sex trade of minors.[33] Nor does the definition of trafficking provided under Article 240 of the PRC Criminal Law clearly include offenses against male victims,[34] although other articles in the same law address some aspects of these crimes.[35] Each of these forms of trafficking is covered under Article 3 of the UN TIP Protocol.[36] The PRC Criminal Law's trafficking definition is also overly broad in some respects compared with the UN TIP Protocol, as it includes the purchase or abduction of children for subsequent sale without specifying the end purpose of these actions.[37] Under the UN TIP Protocol, the purchase or abduction of children for subsequent sale constitutes trafficking only if the end purpose of the sale is exploitation, such as sexual exploitation, forced labor, or servitude.[38] Due to these key inconsistencies between the Chinese legal definition and international standards on human trafficking, Chinese official reports and statistics on trafficking cases [39] do not provide an accurate picture of the number of trafficking cases being handled through the criminal justice system in China.[40]

Government and Party-controlled media sources issued reports in the past year highlighting "trafficking" cases which involved the purchase and sale of children for the purpose of adoption. In mislabeling these cases as child trafficking cases instead of cases of fraudulent adoptions, these reports reflect the ongoing problem in China of authorities focusing "anti-trafficking" resources and efforts on crimes that do not qualify as trafficking under international standards.[41]

In addition, Chinese officials' anti-trafficking work reflects a continued misalignment with international standards, especially in officials' conflation of human trafficking with human smuggling and

their subsequent treatment of trafficking victims as criminals.[42] According to the UN Office on Drugs and Crime, the main international body responsible for implementing the UN TIP Protocol, "human trafficking" and "migrant smuggling" mainly differ with respect to consent, exploitation, and transnationality.[43] Commonly, human trafficking involves the exploitation of an individual (either domestically or after they have crossed borders) without the individual's consent, or if the individual initially consented, the consent was "rendered meaningless by the coercive, deceptive, or abusive actions of the traffickers."[44] Conversely, migrant smuggling involves the cross-border transport of an individual with the individual's consent and ends when the migrant arrives at his or her destination.[45] In conflating the two, Chinese officials may punish individuals for illegal entry into China without giving adequate consideration to the role exploitation may have played in the border crossing.[46] The Chinese government continues to deport all undocumented North Koreans as illegal "economic migrants" and does not provide legal alternatives to repatriation for foreign victims of trafficking.[47] [For more information, see Section II—North Korean Refugees in China.]

Risk Factors

Chinese and international experts link China's ongoing human trafficking problem to several political, demographic, economic, and social factors. Reports indicate that China's sex ratio[48]—which has become severely skewed against the backdrop of China's population planning policies and Chinese families' preference for sons[49]—may have increased the demand for trafficking of women for forced marriage and commercial sexual exploitation.[50] A 2010 study issued by the Chinese Academy of Social Sciences reported that, by 2020, the number of Chinese males of marriageable age may exceed the number of Chinese females of marriageable age by 30 to 40 million.[51] In recent years, domestic and international observers have also linked China's trafficking problem with a lack of education on trafficking prevention for vulnerable women and parents,[52] and challenging conditions in bordering countries such as conflict, poverty, and limited job opportunities.[53] [For additional information on China's skewed sex ratio, see Section II—Population Planning.]

Representative Human Trafficking Cases Published During the 2014 Reporting Year
• **Guangdong:** ○ From March to October 2013, traffickers in Guangzhou municipality, Guangdong province, reportedly held 17-year-old Zhou Cheng (alias) and two other young boys against their will and forced them to work assembling watches in a locked two-bedroom apartment.[54] During their months-long imprisonment, the traffickers reportedly subjected the boys to threats, severe beatings, and long hours of work under adverse conditions.[55] After the boys escaped with the help of police in October, the Yuexiu District People's Procuratorate reportedly charged four persons with the crime of forced labor and awarded Zhou Cheng 3,000 yuan (US$484) in compensation.[56]

Representative Human Trafficking Cases Published During the 2014 Reporting Year—Continued

○ In June 2013, 28-year-old Khai Sochoeun and two other Cambodian women arrived at the Guangzhou airport, having been given passports, short-term tourist visas, money, and the promise of factory jobs.[57] Instead, traffickers drove them about 10 hours away to a remote village and sold them into marriage. Sochoeun was forced to marry a middle-aged laborer with whom she could not communicate and who reportedly beat her.[58] She lived in the home with his extended family, and describes her experience as like that of a "sex slave," recalling that "all they wanted was for me to get pregnant."[59] Sochoeun escaped a few months later with the help of a local human rights organization and returned home to Cambodia.[60]

• **Macau:** In April 2014, local public security officials received notice of prostitution activity in a hotel in the Central District, Macau Special Administrative Region, and upon investigation discovered 38 female and 2 male Tanzanian nationals, aged 19 to 34, in five hotel rooms.[61] One of the women claimed she had been coerced into sex work and that a trafficker had confiscated all her money.[62] When she tried to get out of the work, traffickers confined and beat her.[63] Security officials arrested four Tanzanian women on charges of trafficking and housing and controlling prostitutes.[64]

• **Yunnan and Anhui:** In March 2013, traffickers lured two 15-year-old Burmese girls into leaving the home where they were working as childcare providers in Yunnan province for a daytrip to a nearby town.[65] The traffickers held the girls under constant guard, prohibiting them from communicating with the outside world, and then sold the two for 60,000 yuan (US$9,690) into marriage with villagers in Tiefo town, Suixi county, Huaibei municipality, Anhui province.[66] Local villagers notified the police, who freed the women.[67] A court in Suixi county sentenced three people to six years in prison each for the crime of trafficking.[68] Others involved in the case remain under investigation.[69]

NORTH KOREAN REFUGEES IN CHINA

Introduction

China's treatment of North Korean refugees came under increased scrutiny in 2014 amid growing international concern over human rights in the Democratic People's Republic of Korea (DPRK). A widely publicized United Nations Commission of Inquiry report released in February 2014 condemned China for forcibly repatriating North Korean refugees, stating that such action could be considered aiding and abetting crimes against humanity in the DPRK. Chinese authorities continue to detain and repatriate North Korean refugees to the DPRK despite repatriated persons facing torture, detention, and other inhumane treatment. The Chinese government maintains that North Koreans who enter China without proper documentation are illegal economic migrants and continues to repatriate them based on a 1961 treaty with the DPRK and 1986 border protocol.[1] China's repatriation of North Korean refugees contravenes its international obligations under the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol.[2] China is also obligated under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to refrain from repatriating persons if there are "grounds for believing that [they] would be in danger of being subject to torture."[3]

UN Commission of Inquiry: Findings and Reaction

On February 17, 2014, the United Nations Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (UN COI) released its report on human rights violations in the DPRK.[4] The UN COI explicitly denounced China in its report for forcibly repatriating North Korean refugees to the DPRK,[5] declaring that Chinese officials could be held accountable for "the aiding and abetting of crimes against humanity" in cases where repatriation and the exchange of information on refugees "are specifically directed towards or have the purpose of facilitating the commission of crimes against humanity in the DPRK."[6] The UN COI found that many North Koreans crossing the border into China "do so owing to a well-founded fear of being persecuted for reasons of religion or political opinion,"[7] while repatriated persons are regularly "subjected to torture, arbitrary detention, summary execution, forced abortion and other forms of sexual violence."[8] Despite China's assertion that North Koreans entering China are illegal economic migrants, the UN COI concluded that evidence supported recognizing many of them as "refugees fleeing persecution or refugees *sur place,*" entitling them to international protection.[9]

China opposed the establishment of the UN COI and remained unsupportive throughout implementation of its mandate.[10] During the UN COI's investigation, the Chinese government refused multiple times to allow UN COI staff entry into China and access to regions where refugees are known to reside.[11] The UN COI was also prevented from meeting with Chinese experts, religious organizations, and other civil society groups working on issues related to North Korea and North Korean refugees.[12]

China has long been reluctant to work with UN agencies on issues related to North Korean refugees. The UN COI report indicated China continued to deny the United Nations High Commissioner for Refugees (UNHCR) "unimpeded access to asylum seekers including those from the DPRK," despite a 1995 agreement between China and the UNHCR.[13] The UN Special Rapporteur on the Situation of Human Rights in the DPRK has indicated China's cooperation is "a key factor in bringing meaningful change to the situation of human rights" in the DPRK.[14] Calling the situation for North Korean refugees "far from ideal" and "not at all sustainable," the Special Rapporteur urged China to "engage in a constructive dialogue . . . to help find a way forward."[15]

Unlawful Repatriation and Worsening Border Conditions

Throughout the 2014 reporting year, China appeared to strengthen measures to stem the flow of North Korean refugees into China, including increasing border security and detaining and repatriating refugees to the DPRK.[16] Chinese security officials reportedly were provided guidelines in November 2013 directing them to handle refugees "in the same way they deal with major crimes against the state."[17] South Korean and other international media outlets reported on several instances throughout the 2014 reporting year in which Chinese authorities reportedly detained and, in some cases, repatriated North Korean refugees to the DPRK:

- **November 2.** South Korean media, citing a source in China, reported that Chinese authorities detained and later repatriated 17 North Korean refugees in the following three locations: Shenyang municipality, Liaoning province; Yanji city, Yanbian Korean Autonomous Prefecture, Jilin province; and Dandong municipality, Liaoning province.[18]
- **November 7.** South Korean media, citing a South Korean activist, reported that Chinese authorities near Beijing municipality detained and later repatriated five North Korean refugees.[19]
- **November 15.** Chinese authorities reportedly detained between 13 and 15 North Korean refugees, including 2 guides reported to be ethnic Korean Chinese citizens, in Yunnan province.[20] As of November 19, South Korean media reported Chinese authorities had transferred the refugees to Liaoning in preparation for repatriation.[21]
- **June 19.** Chinese authorities reportedly detained 11 North Korean refugees in Jilin province.[22] As of July 3, a refugee advocacy organization reported authorities continued to detain the refugees in the cities of Yanji and Tumen in Yanbian Korean Autonomous Prefecture, Jilin.[23]
- **July 15–17.** Chinese authorities reportedly detained between 20 and 29 North Korean refugees and several others assisting them in Shandong and Yunnan provinces.[24] As of July 24, South Korean media indicated the refugees faced repatriation following their transfer by Chinese authorities to a detention center in Tumen.[25]

- **August 12.** Chinese authorities reportedly detained 11 North Korean refugees in Yunnan along the border with Laos.[26]

China's heightened efforts to stem the flow of refugees came amid increased political instability in the DPRK. Border security reportedly increased sharply following the execution of Jang Sung-taek, a leading figure in the North Korean government and uncle of DPRK paramount leader Kim Jong-un, in December 2013.[27] Christian missionaries and aid groups also reported over the last year that Chinese authorities have been cracking down on "Christian-run NGOs and businesses" working along the China-North Korea border,[28] in some cases detaining foreign nationals, including citizens from South Korea,[29] Canada,[30] and the United States.[31] International and Chinese Christian communities reportedly have been active in assisting refugees, in some cases running orphanages for refugee children or providing aid to refugees in China.[32]

Heightened security on both sides of the China-North Korea border appears to be limiting the outflow of North Korean refugees into China and neighboring countries.[33] According to the South Korean Ministry of Unification, the number of refugees who reached South Korea in 2013 changed only marginally to 1,516 from 1,509 in 2012.[34] The low number of arrivals continued a trend that has seen a significant drop in the number of refugees entering South Korea since 2009.[35]

Trafficking of North Korean Women

Trafficking of North Korean women in China remained a significant problem. China's policy of non-recognition of North Korean refugees and the risks associated with repatriation render North Korean women who illegally enter China unprotected by law and extremely vulnerable to abuse.[36] Investigations conducted by the UN COI and other experts estimated that over 70 percent of North Korean refugees leaving the DPRK are women, of whom a high number become trafficking victims, primarily for the purposes of forced marriage or sexual exploitation.[37] A sex ratio imbalance in rural areas, particularly in northeast China, has exacerbated the problem by creating a demand for marriageable women.[38] China is obligated under the Convention on the Elimination of All Forms of Discrimination against Women and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children to take measures to safeguard trafficking victims and suppress all forms of trafficking of women.[39]

Children and Denial of Basic Rights

Children born to North Korean women remain largely deprived of basic rights to education and other public services in China.[40] While several international experts contend that Chinese policies have changed in recent years to allow a greater majority of these children access to education and other social services,[41] China's non-recognition of refugees and the risk of repatriation continue to influence the decision of some parents not to register their child's birth.[42] China's repatriation of North Korean women who have

given birth to children in China contravenes its obligations under the UN Convention on the Rights of the Child prohibiting separation of children from their parents.[43]

PUBLIC HEALTH

Violent Medical Disputes as a Focal Public Health Issue

Incidents of violence against hospital personnel, some resulting in fatalities,[1] galvanized top leadership to declare "no tolerance" for this increasing problem in China during the annual legislative meetings in March 2014.[2] Medical professionals have linked ineffective medical dispute resolution mechanisms, among other factors, to this problem.[3] Yet pressure from protests or the threat of protest in medical disputes have resulted in legal processes and government decisionmaking that give priority to "stability maintenance" over strengthening legal norms and public trust in hospitals and the courts, according to a U.S. scholar.[4]

Problems in Implementation of the PRC Mental Health Law

Implementation of the PRC Mental Health Law (MHL) during its first year was marred by reports of Chinese government officials forcibly committing petitioners to psychiatric facilities,[5] despite the MHL's prohibition of such action.[6] The Chinese government did not respond to a written question from a UN Committee as to "whether the 2012 Mental Health Law forbids involuntary psychiatric commitment for persons who do not suffer from any mental illness" prior to the review in May 2014 of China's compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR) under its provision on the right to health.[7] Forcibly committing individuals without mental illness to psychiatric facilities (*bei jingshenbing*) in China due to family[8] or employment disputes,[9] or as a public security tool against petitioners,[10] Falun Gong practitioners,[11] and political dissidents[12] has been well documented in the past. The International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities prohibit arbitrary detention.[13] In May, the UN Working Group on Arbitrary Detention censured China in an opinion on the case of Xing Shiku, a petitioner from Heilongjiang province, whom authorities have kept in a psychiatric facility for more than seven years, concluding that Xing's detention violated Articles 9 and 19 of the Universal Declaration of Human Rights.[14]

Domestic Chinese reports during this reporting year featured cases in which persons with mental illness or those who had been involuntarily committed had uneven access[15] to legal protections and remedies provided for in the MHL.[16] In the case of Wu Chunxia, a domestic violence survivor from Henan province whom public security officials forcibly committed to a psychiatric facility for 132 days in 2008 for petitioning,[17] the Henan Province High People's Court upheld a lower court's decision in May 2014 that found the public security bureau's actions in 2008 violated the law.[18] In another case, a court in Liaoning province initially rejected an administrative appeal by Liu Gang, a pig farmer who had been involuntarily committed in Shandong province twice—once in 2008 and again in 2009— for petitioning.[19] Liu reportedly received 400,000 yuan (US$64,868) in late July from a court-mediated agreement.[20] In a case described as the first under the MHL,[21] a plaintiff in Shanghai municipality alleged a psychiatric facility had

deprived him of his personal freedom for more than 10 years because his brother refused to authorize his discharge and the facility would not release him on his own recognizance.[22] A district court in Shanghai did not permit the lawsuit to be filed in May 2013 on the basis that the plaintiff "lack[ed] competence in civil matters" but allowed filing seven months later.[23] A domestic Chinese human rights organization reported that the case went to trial on July 28, 2014.[24]

Article 24 of the MHL stipulates implementation of a nationwide "surveillance network" that includes a "reporting system for severe mental health disorders"[25] purportedly to provide "better medical treatment and help prevent [those with severe mental health disorders] from harming others."[26] An exposé in October 2013, however, described problems with a local effort to identify individuals with severe mental illness that predated passage of the MHL. In its 2012 mental health work plan, the public health bureau in Zhengzhou city in Henan directed government health workers to register individuals with severe mental disorders using a quota of two persons per 1,000 living in residential districts.[27] Failure to meet the quota, according to the plan, would impact performance reviews of community health centers.[28] Amid widespread criticism of Zhengzhou's use of a quota,[29] a spokesperson from the National Health and Family Planning Commission stressed statistical indicators are applicable only to provinces and province-level municipalities.[30]

Public Health Advocacy and Health-Based Discrimination

HARASSMENT OF PUBLIC HEALTH ADVOCATES AND ORGANIZATIONS

The Commission observed reports of harassment and detention of public health advocates and organizations during this reporting year, including:

- On January 15, 2014, public security officials reportedly arrested Akbar Imin—a former employee of the health advocacy NGO Beijing Aizhixing Institute—on suspicion of "endangering state security."[31] Imin conducted outreach on HIV/AIDS prevention and harm reduction among the Uyghur community in Beijing municipality and Yunnan province.[32] International observers suggested that his ethnicity might be a factor in his detention.[33]
- Prominent health and rights advocate Hu Jia asserted that public security officials in Beijing kept him under "soft detention" (*ruanjin*) at home from January 17 through June 8, 2014.[34] Hu also reported that "plainclothes personnel" assaulted him on the street in mid-July after he met with a foreign filmmaker regarding the late activist Cao Shunli.[35] Hu faced government harassment and imprisonment in the past in connection with his HIV/AIDS advocacy,[36] though media outlets linked his recent detention to "stability maintenance" in the lead up to the 25th anniversary of the 1989 Tiananmen protests.[37]
- Officials prevented HIV/AIDS advocates from leaving China to participate in international conferences in November 2013[38] and July 2014.[39]

- In May 2014, a court in Ruzhou city, Henan province, sentenced five persons living with HIV/AIDS to suspended prison terms that ranged from one year and six months to three years on a charge related to their petitioning in November 2013 for improved medical treatment and financial subsidies.[40]
- Beijing Aizhixing Institute reported that it closed its Beijing office in October 2013 due to "funding and the political environment, among other factors."[41]
- In July 2014, public security officials arrested Chang Boyang, a human rights lawyer and the co-founder of the NGO Zhengzhou Yirenping, and later charged him with "illegal business operations."[42] Authorities also reportedly raided Zhengzhou Yirenping's office twice in July, closed its organizational bank account, and required staff to list foreign donors.[43]

ACCESS TO EDUCATION FOR PERSONS WITH DISABILITIES

The Chinese government continued administrative efforts to improve the right to education for persons with disabilities, such as a plan to raise the percentage of elementary school-age children with visual, hearing, and intellectual disabilities receiving compulsory education[44] from current official estimates of 71.9 percent to more than 90 percent by 2016.[45] The Ministry of Education (MOE) issued guidelines in March[46] which included a provision that localities make the college-entrance exam (*gaokao*)[47]—the key channel for determining whether and where students receive a college education in China[48]—available in a format accessible to visually impaired students.[49] Yet an advocate noted that the MOE did not adequately consider reasonable accommodations to facilitate test-taking, which resulted in difficulties for at least one blind test-taker.[50] Physical examinations required for university enrollment, moreover, continue to be a basis to "deny enrollment in certain subjects if the applicants have certain disabilities."[51] In August 2014, for example, a microblog user publicized the case of a student from Fujian province whose college rescinded her admission for failing the physical exam.[52] Following considerable criticism in social media, Xinhua reported education officials in Fujian facilitated the student's admission into another college.[53]

EMPLOYMENT DISCRIMINATION

Health-based employment discrimination is prohibited under Chinese law,[54] yet the Civil Servant Recruitment Physical Examination Standards[55] continued to be the basis to reject persons with a range of health conditions from employment in government service in this reporting year.[56] An NGO report released in March 2014 pointed out that these standards are not in compliance with Chinese law or China's international obligations, and close to 200 million people may be discriminated against as a result.[57] The UN Committee that reviewed China's compliance with the International Convention on Economic, Social and Cultural Rights expressed concern in May that the Chinese government is not meeting its own goal of reserving 1.5 percent of positions for persons with disabilities.[58]

THE ENVIRONMENT

China's Pollution Challenges and Health Concerns

During the Commission's 2014 reporting year, widespread and severe environmental challenges continued to confront China and to threaten citizens' health,[1] including soil, air, water, and other pollution problems. Environmental problems reportedly have led to increasing migration by China's wealthy to less polluted areas in China or to locations outside the country.[2] Soil pollution in China has been linked to food safety concerns both domestically and internationally.[3] Results of a national soil pollution survey showed that over 19 percent of arable land soil samples collected from across China were contaminated.[4] The survey also showed that over 36 percent of the soil samples collected from sites around hundreds of heavy polluting industries exhibited contamination.[5] This figure is significant given that according to one study, approximately 110 million Chinese people live within one kilometer of "key" polluting enterprises[6] (in 2014, there were 14,410 total "key" enterprises).[7] Air pollution incidents in several locations led authorities to take actions such as closing schools, canceling flights, and closing highways because of low visibility.[8] Chinese citizens,[9] as well as U.S. scientists and authorities and South Korean officials, expressed concern about China's air pollution, which has crossed international boundaries.[10]

During this reporting year, news articles chronicled a number of environmental accidents in China that affected drinking water supplies,[11] highlighting both transparency issues and ongoing challenges in maintaining drinking water quality. At a United Nations meeting in May 2014, a representative of the Chinese government asserted that over 98 percent of China's city residents have access to "safe drinking water,"[12] although it is uncertain whether he was referring to all urban areas. One report cited official statistics indicating that in 2012, 95.3 percent of the drinking water in 113 "key" cities met quality standards, but pointed out that officials did not disclose drinking water quality from thousands of other cities.[13] The same report cited a source asserting that only about half of urban drinking water met standards.[14] Rural residents reportedly face more formidable challenges in accessing safe drinking water than their urban counterparts.[15] A Ministry of Land Resources survey indicated that 280 million people in China still use unsafe drinking water.[16]

In addition, dirty migration, whereby polluting industries move to less developed areas, remains a problem. Environmental protection efforts have lagged behind and information disclosure has been lower in less developed areas.[17] This situation is problematic because it potentially leaves rural residents more vulnerable to the effects of pollution.[18] A news source reported that relocated power plants to the Xinjiang Uyghur Autonomous Region (XUAR) have affected public health.[19] The largely minority populations in the XUAR and other regions face serious political risks if they speak out in opposition to such polluting projects.[20] For example, court authorities in Biru county, Tibet Autonomous Region, sentenced three environmentalists to respective prison terms of 3, 9, and 13 years for allegedly leading a public demonstration against pollution

from mining activities.[21] [For more information on these three cases, see Section V—Tibet.]

Regulatory Developments and Challenges to Rule of Law and Accountability

Party leaders' speeches[22] and provisions in a major planning document suggest that central authorities have raised the priority of regulating threats to environmental quality. During the Third Plenum of the 18th National Congress of the Chinese Communist Party Central Committee in November 2013,[23] the Party issued a major planning document, the Central Committee Third Plenum Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms (the Decision), which contained provisions in support of environmental protection, including provisions to strengthen enforcement.[24] The Decision's provisions highlighted the following objectives: publishing environmental information in a timely manner, strengthening public supervision, and strictly implementing a compensation payments system for ecological or environmental damage,[25] among several other goals.[26]

REVISIONS TO THE ENVIRONMENTAL PROTECTION LAW: STRENGTHS AND WEAKNESSES

In April 2014, the National People's Congress Standing Committee passed substantial revisions to the Environmental Protection Law (EPL), the first revisions since 1989,[27] further suggesting that central authorities have raised the priority of regulating threats to the environment.[28] Implementation will be a key determinant for the success of the revised EPL as it is for other regulatory measures.[29] If duly implemented, the revised EPL provisions could have positive effects,[30] some of which are mentioned below.

1. Certain articles in the revised EPL have the potential to improve transparency, by:
   a. Codifying at the level of law the requirement that relevant departments shall (*yingdang*) make full environmental impact assessment (EIA) reports available to the public, except for information that is considered a state or company secret.[31]
   b. Stipulating that "key" polluting entities should make public the names and amounts of pollutants they emit along with other related details.[32]
   c. Specifying that if "key" polluting industries do not disclose or disclose false "environmental information," then environmental protection authorities may, through orders, fines, and exposure, compel them to do so.[33]
2. Provisions from the revised EPL listed below have the potential to address lax implementation and enforcement, and reduce noncompliance:
   a. Article 6 stipulates greater responsibility of local government officials for environmental quality.[34]
   b. Article 26 codifies into law the inclusion of environmental protection targets as criteria in same-level performance evaluations of environmental protection departments and for performance evaluations of lower level governments and officials.[35]

c. Article 44 specifies that environmental authorities can put on hold approvals for polluting projects in a region if that region is out of compliance with total emission control targets or has not met nationally determined environmental quality targets.[36]
d. Article 43 allows authorities to collect environmental taxes in some cases instead of pollution emission fees, which remain a policy option, but amounts have been too low to have the desired impact.[37]
e. Article 59 provides for authorities to impose daily fines on polluting entities under certain conditions.[38]

In addition, the EPL revisions may also improve public oversight of environmental affairs by allowing a narrow, select range of environmental groups to file public interest lawsuits, although limitations and questions remain. Article 58 provides that environmental "social organizations" (*shehui zuzhi*) may bring public interest lawsuits only if the group (1) is registered with a civil affairs bureau at a municipal-level city or above, (2) has been involved in environmental protection public interest activities continuously for five years, and (3) has not broken the law.[39] Experts point out that there is too much ambiguity in the language about which groups will be allowed to file lawsuits and suggest further clarification is needed.[40] Given this ambiguity, there is no certainty that authorities will allow groups without close ties to government agencies to file public interest lawsuits.

Some Chinese and international experts welcomed the revision of the EPL;[41] however, some mentioned remaining deficiencies, such as the need for a central platform to facilitate citizen access to information, and an assessment mechanism to assist in monitoring environmental health.[42] In addition, environmental officials still cannot order a polluting entity to halt operations other than on a temporary basis without approval from the local government.[43] Under the revised EPL, environmental officials can compel "key" polluting industries to disclose pollution emissions and other information, but this authority does not appear to extend to the vast majority of enterprises.[44]

ADDITIONAL INSTITUTIONAL AND REGULATORY DEVELOPMENTS

In addition to revising the EPL, authorities took additional steps to strengthen the environmental protection regulatory framework. In November 2013, the Ministry of Environmental Protection issued three important documents that sought to delegate authority to approve, strengthen supervision over, and guide information disclosure regarding environmental impact assessments (EIA).[45] In June 2014, the Supreme People's Court established the Environment and Resources Tribunal to offer "unified guidance and coordination" to China's 134 environmental courts.[46] Central and environmental authorities continued to revise several major environmental laws;[47] discuss far-reaching institutional changes;[48] and draft new laws and plans to address soil contamination,[49] institute environmental taxes,[50] and raise awareness of environmental health.[51] In addition, central and environmental authorities instituted an air pollution target responsibility system in provincial-level areas;[52] issued a guiding opinion[53] and began to draft na-

tional rules that will guide public participation in environmental protection;[54] discussed revamping and expanding pollution permit markets;[55] and planned to expand carbon exchange market pilot projects,[56] including launching trial operation of a national unified carbon market in 2016 in select provinces and cities.[57]

AUTHORITIES INCREASED CRIMINAL ENFORCEMENT ACTIONS

During the 2014 reporting period, authorities increased criminal enforcement actions in addition to strengthening the environmental protection regulatory framework. In June 2013, court and procuratorate authorities issued an interpretation that clarified the application of the PRC Criminal Law to environmental cases,[58] and between June and December 2013, security agencies reportedly investigated and handled 247 environmental criminal cases, equivalent to the total number of cases handled in the previous 10 years.[59] The Ministries of Environmental Protection and Public Security issued a joint opinion in December 2013 that outlined closer cooperation between the two ministries in enforcing environmental laws,[60] and by early December, eight provinces and cities had established joint enforcement mechanisms.[61]

NONCOMPLIANCE AND CORRUPTION

Rule of law in the environmental sector will require more than new or revised laws and regulations, as noncompliance and corruption remain problematic. A survey published in 2014 by several Chinese non-governmental organizations about real-time online air pollution monitoring results from a sampling of China's "key" enterprises for air emissions found that most companies surveyed were in compliance only 30 to 45 percent of the time.[62] An official source indicated that in 2013, environmental protection enforcement personnel found nearly 10,000 infractions of the law and other hazards and risks during environmental inspections.[63] Corruption and disregard for the law reportedly are widespread in the environmental sector[64] and in some cases, they have been linked to pollution accidents.[65]

UNRELIABLE LEGAL REMEDIES

Despite improved environmental legislation and increased application of criminal sanctions, significant challenges hinder the development of the rule of law in the area of environmental protection, including ongoing barriers faced by citizens in accessing the courts.[66] During this reporting year, for example, in February 2014, Li Guixin, a resident of Hebei province, tried to file a lawsuit related to air pollution against the Shijiazhuang Municipal Environmental Protection Bureau (EPB).[67] While domestic media touted Li's efforts as the first lawsuit by an individual against an EPB,[68] Li did not get his day in court because no court would accept the case.[69] In addition, a Chinese news article reported that Li was subject to pressure from "all sides," including from his lawyer, who decided to drop Li as a client.[70]

Another case illustrating the obstacles citizens faced in their efforts to access the courts concerns the April 2014 major benzene chemical spill in Lanzhou municipality, Gansu province.[71] Five citi-

zens filed a lawsuit over the spill, but a court did not accept the lawsuit and, without providing a written response, stated that the litigants did not meet the criteria to sue, citing legal provisions related to public interest cases.[72] Sources cite assertions that the court's reasoning is problematic because the citizens were filing the case as individuals directly harmed by the spill, so the case should not have been considered a public interest case.[73] The Supreme People's Court responded to questions about the lower court's decision not to accept the lawsuit by stating that the court where a plaintiff files should be the court that makes the determination to accept or reject the case.[74]

POLLUTION AND MASS INCIDENTS

Pollution and environmental degradation problems are among the primary triggers of environmental mass incidents.[75] For example, in May 2014, authorities in Hangzhou municipality, Zhejiang province, reportedly detained at least 53 people linked to their participation in a mass protest[76] against a waste incinerator, and 7 others for "spreading rumors" about the protest.[77] In another example, on March 30, 2014, thousands of people joined a peaceful protest against a paraxylene (PX) plant in Maoming municipality, Guangdong province,[78] that eventually turned violent.[79] Human Rights Watch called upon Chinese authorities to launch an investigation into possible excessive use of force in Maoming.[80] Officials administratively detained 26 people and criminally detained 18 others on unspecified charges.[81] One resident reportedly said citizens had not been consulted about the project.[82] News articles reported instances of censorship,[83] deletion of journalists' photographs,[84] and journalists being blocked from entering the city[85] or being required to have a special permit.[86] The government and some schools and employers pressured workers and students to support the plant and not to participate in the demonstrations.[87]

Environmental Transparency: Advances and Setbacks

During the 2014 reporting period, Chinese and international media reported that Chinese authorities had made advances in environmental transparency. A Chinese NGO research report indicated that in more than 100 cities, disclosure of air quality data had improved since 2011.[88] As of January 2014, 179 cities had started to disclose to the public real-time information on air quality.[89] Also in January, a national environmental measure came into force requiring "key enterprises and scaled livestock and poultry farms" to self-monitor and disclose air, water, noise, and other pollution emissions data.[90] The measure also required enterprises that have automated monitoring systems to disclose emissions data on a real-time basis.[91] A January 2014 preliminary evaluation of compliance with the measure indicated some positive results.[92] In April 2014, authorities made available to the public limited general data from a sample-based national survey on soil pollution,[93] following a previous refusal to release it on the grounds that the data was a "state secret."[94] While the disclosure represents a step forward, the general and incomplete nature of the information hinted that officials may be reluctant to move toward full disclosure.[95]

During the reporting year, censorship persisted and citizens continued to face obstacles in accessing environmental information from governmental agencies. In February 2014, sources reported that Chinese officials fired an editor from the Finance Channel of Chinese Central Television (CCTV) for allowing posts complaining about the air quality in Beijing municipality on the channel's official Sina Weibo microblog, and ordered CCTV not to report on Beijing's air pollution.[96] Chinese officials reportedly deleted references to a Shanghai Academy of Social Sciences research study, which was cited by several news media, that said "Beijing is not livable."[97] As China accelerates its development of nuclear power,[98] a source reported on the lack of transparency and some unease regarding communication and cooperation on safety issues at the Taishan nuclear plant under construction in Guangdong province.[99] Other sources highlighted instances in which officials denied environmental information requests. For example, in one case, officials denied a request for information on pollution emission fees collected by environmental officials across the country,[100] and in another case, information regarding environmental impact assessment results and emissions data related to an incinerator in Hangzhou municipality, Zhejiang province.[101] One international source noted that requests for information about the implementation of China's Green Credit Directive (the Directive) sent to six Chinese banks went unanswered.[102] Chinese banks are required under the Directive to evaluate the social and environmental impacts of their international project loans.[103]

III. Development of the Rule of Law

CIVIL SOCIETY

Crackdown on Civil Society Advocates and Increasing Pressures on NGOs

During the Commission's 2014 reporting year, the Chinese government and Communist Party expanded the scope of its crackdown against civil society advocates, journalists, and rights defenders that began in spring 2013.[1] Human rights organizations and other observers reported on dozens of detentions and arrests,[2] including individuals who attempted to monitor the Chinese government's report to the UN Human Rights Council for its second Universal Periodic Review on human rights in China in October 2013,[3] and others who sought to mark the 25th anniversary of the 1989 Tiananmen protests.[4] Among the targets of the government crackdown were participants in the New Citizens' Movement (NCM),[5] a "loose association" or "network"[6] of rights defenders engaged in a social movement for justice, rule of law, and citizens' rights.[7] In January 2014, a court in Beijing municipality sentenced legal scholar and NCM promoter Xu Zhiyong to four years' imprisonment based on an indictment that accused him of being the "ringleader" of peaceful demonstrations for equal education rights and transparency.[8] Others associated with the NCM who have been sentenced to prison terms include Liu Ping (6 years and 6 months),[9] Wei Zhongping (6 years and 6 months),[10] and Ding Jiaxi (3 years and 6 months),[11] and some continue to be held in detention, such as Zhang Kun[12] and Li Huaping.[13] Authorities also detained Wang Gongquan, a key NCM financial supporter, in September 2013, but released him on bail in January 2014 after he reportedly admitted his "guilt."[14] Such acts by the authorities violate international standards on freedom of speech, association, and assembly in the International Covenant on Civil and Political Rights[15] (Articles 19, 21, and 22) and the Universal Declaration of Human Rights[16] (Articles 19 and 20). Moreover, China's Constitution provides for freedom of speech, assembly, association, and demonstration in Article 35.[17] [For further information on the crackdown on NCM advocates and others, see Section II—Freedom of Expression and Criminal Justice and Section III—Institutions of Democratic Governance.]

The New Citizens' Movement

According to Teng Biao, a leading proponent of the New Citizens' Movement (NCM), the emergence of the NCM reflects a gradual shift from "legal appeals towards political appeals" and from "cyberspace activism into real-world activism."[18] The NCM tracks closely to the careers of Teng and Xu Zhiyong, former classmates and legal advocates whose efforts contributed to the abolition of custody and repatriation in 2003[19]—a form of extralegal detention rife with reported abuses.[20] They later established a legal aid center, the Open Constitution Initiative (*Gongmeng*), which Beijing municipal authorities shut down in 2009 after accusing the organization of tax evasion.[21] Xu, Teng, and others continued their legal work under the name Citizens (*Gongmin*) following the closure of *Gongmeng,* and renamed it New Citizens' Movement in 2012.[22] The NCM has been shaped by participant activities, including petitioning for equal education rights;[23] peaceful demonstrations urging disclosure of government officials' assets;[24] "same-city dinner gatherings" that feature discussion of issues of public concern;[25] and a Web site.[26] A petition initiated by NCM participants advocating for education equality for the children of migrant workers reportedly garnered 100,000 signatures.[27]

Increasing pressures on non-governmental organizations (NGOs) went beyond mere regulatory oversight during this reporting year.[28] A leading Chinese expert on civil society development stated that there has been no reduction of controls or restrictions on NGOs, but rather the government is exerting even greater pressure on organizations it deems to be "troublemaking," i.e., politically sensitive.[29] In its 2013 annual report, the international human rights organization Chinese Human Rights Defenders noted that "groups working on issues of health and discrimination that had more space in previous years faced paralyzing scrutiny."[30] Following the Changsha municipality, Hunan province, civil affairs bureau's refusal to register an LGBT group as an NGO in November 2013,[31] several NGOs planned a seminar in Beijing municipality to discuss NGO registration in early May.[32] Police summoned some of the participants for questioning and canceled the seminar reportedly due to the seminar's close timing to the 25th anniversary of the 1989 Tiananmen protests.[33] Although the arrest of human rights lawyer and Zhengzhou Yirenping co-founder Chang Boyang in July was also linked to the 25th anniversary events,[34] authorities in Zhengzhou municipality, Henan province, reportedly raided Zhengzhou Yirenping's office twice in one month, closed the organization's bank account, and required that it produce a list of foreign NGOs with which it had contact.[35] Zhengzhou Yirenping is a public health and anti-discrimination NGO.[36] In a separate development, the pioneering anti-domestic violence advocacy group Anti-DV Network (ADVN) ceased operations during this reporting year.[37] Based in Beijing and active for more than 14 years, ADVN urged the establishment of national anti-domestic violence legislation.[38] In a letter posted to its Web site in April, the group explained that with an anti-domestic violence law on the legislative calendar for 2014 and the rise of other organizations engaged in advocacy, it had "achieved its organizational mis-

sion."[39] It is unclear, however, if political pressures had any bearing on its closure. [For information on the harassment of labor and religious groups, see Section II—Worker Rights and Freedom of Religion.]

International news media reported in June that local governments posted notices for a security review of foreign NGOs operating in China, an investigation reportedly instigated by the new Central State Security Commission.[40] The Global Times, a state-run media outlet, and the Hong Kong-based South China Morning Post also reported on the increased surveillance of Chinese NGOs that had contact with or received program funds from foreign NGOs.[41]

Government and Party Control

Scholars have estimated there are anywhere from three to eight million non-governmental organizations (NGOs) in China[42]—many of which are not registered[43]—that engage in a broad range of activities. Government-registered "social organizations" (*shehui zuzhi*)—the government's term for non-governmental entities[44]—make up a subset of Chinese NGOs. Most of these registered organizations are government-organized NGOs (GONGOs)[45] whose decisionmaking and operations are not independent of the government.[46] Government statistics for 2013 reported an 8.4 percent increase overall in government-registered "social organizations" over 2012 estimates,[47] reflecting steady rather than explosive growth.[48] Of the 541,000 officially registered organizations in 2013, 286,000 were membership-based social associations (*shehui tuanti*); 251,000 were private, non-commercial units (*minban feiqiye danwei*); and 3,496 were foundations (*jijinhui*).[49] In spite of regulatory changes to lower the threshold for NGO registration that began in a few locations in 2009,[50] many Chinese NGOs, especially those the government deems to be politically sensitive, continue to register as business entities, remain unregistered due to administrative obstacles in registering, or choose not to register to avoid intrusive government control.[51] An academic study of 263 grassroots NGOs in Beijing municipality and Guangdong and Yunnan provinces published in 2014, for example, found that 70 percent were not registered as NGOs.[52] Grassroots organizations' lack of formal registration is a barrier to normalized operations, such as opening a bank account and receiving project funding.[53]

The Chinese government reportedly has not engaged with non-governmental organizations without "an official background"[54] in formulating national reports presented to UN review bodies or in monitoring China's compliance with its domestic or international commitments, a concern raised during this reporting year by UN member states,[55] the UN Committee on the Rights of the Child,[56] and domestic and international civil society organizations.[57] The government listed 22 and 16 "non-governmental organizations and academic research institutions," respectively, for its most recent national reports to the UN Human Rights Council (UNHRC) and the Committee on Economic, Social and Cultural Rights (CESCR).[58] The U.S.-based NGO Human Rights in China noted that many of the listed groups in the country report for the CESCR review "are mass organizations created by or closely affiliated with the govern-

ment."[59] A representative from the China Association for the Preservation and Development of Tibetan Culture, an organization affiliated with the Communist Party's United Front Work Department and one of the NGOs listed as a consultant in the Universal Periodic Review (UPR) and CESCR country reports, was observed by UN staff taking photos of the computer screen of Ti-Anna Wang, the daughter of imprisoned dissident Wang Bingzhang, at the March 2014 session of China's UPR.[60] When the representative continued to take photos of Wang despite warnings from UN staff, UN officials revoked his authorization to attend the session.[61]

The Chinese government interfered with international NGO efforts at UN forums this past year. For example, it attempted to use UN procedures to prevent international NGOs from holding a moment of silence to honor civil society activist Cao Shunli on March 20, 2014, during the session in which the UNHRC adopted the outcomes of the second Universal Periodic Review of China's human rights record.[62] Cao died in March 2014, following a two-week forcible disappearance, months of detention without access to adequate medical care, and alleged abuse.[63] At least two organizations have been unable to attain consultative status on the UN Economic and Social Council Committee on NGOs (ECOSOC) due to obstruction from China. The Child Rights International Network (CRIN), an international group based in London, reported that China repeatedly has asked that it "change content on the organisation's website regarding Tibet . . . ."[64] At a May 2014 ECOSOC session, a Chinese government representative delayed a decision on U.S.-based Freedom Now's application with a request for the "theoretical definition of prisoners of conscience."[65]

POLICY SUPPORT TO EXPAND ROLE OF "SOCIAL ORGANIZATIONS"

In contrast to the "chill" of the government's clampdown on more independent civil society development,[66] central government and Party policy documents, such as the Central Committee Third Plenum Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms of the 18th National Congress of the Chinese Communist Party issued in November 2013,[67] included language to support broader participation of non-governmental "social organizations" as a function of China's economic development and reform.[68] This policy support reiterated points in the institutional reform plan of March 2013 that aim to shift some government functions in the provision of public services to "social organizations."[69] The expansion of social service and welfare organizations encompasses several sectors, including large-scale urbanization,[70] public health,[71] social welfare for disabled persons,[72] services for the elderly,[73] education,[74] and employment.[75] The Chinese public reportedly is concerned that the government might not willingly transfer functions and that "social organizations'" autonomy may not be guaranteed.[76]

CHALLENGES TO "SOCIAL ORGANIZATION" SYSTEM REFORM

The central government did not meet the December 2013 deadline specified in the March 2013 institutional reform plan[77] to issue revisions to the three main administrative regulations on "social organization" management.[78] Twenty-six provinces and re-

gions, however, have issued local measures.[79] One of the key features of these local measures reflects a "combined"[80] registration system whereby trade and industry associations, science and technical groups, foundations, and rural-urban community services organizations will be permitted to register directly at civil affairs bureaus, but religious, legal, and political groups, among others, will continue to be required to first secure a governmental or quasi-governmental professional sponsoring organization prior to registration at the civil affairs office, maintaining the existing "dual management" system.[81] Other provisions under discussion include a stipulation that government officials not be permitted to hold joint appointments at both a government agency and a "social organization," and measures to de-link the operations of the government departments and affiliated "social organizations";[82] sanctioning the registration of more than one organization per sector as a potential spur to organizational competition;[83] and abolishing some restrictions on national-level social associations (*shehui tuanti* or *shetuan*).[84]

The transition to this "combined" system has not resolved two key aims of "social organization" reform. Registration, for example, has been hampered by a lack of human resources at the Ministry of Civil Affairs (MCA) and its bureaus throughout the country.[85] The separation of membership organizations (*shetuan*) from the government units to which they were attached also has not gone smoothly. For example, a directive to change its professional sponsor organization pitted a politically well-connected legal research institute against the MCA in a case that came to court in April 2014.[86] The institute's professional sponsoring unit was the Ministry of Justice and it refused to accept the China Law Society as its professional sponsoring unit, which led the MCA to issue a warning to the institute for not submitting financial audit information according to the regulations.[87]

GOVERNMENT PROCUREMENT OF SERVICES FROM NGOS

A central government opinion issued in late September 2013 gave high-level policy support to the development of the procurement of services from non-governmental organizations,[88] yet government outsourcing reportedly continued to develop unevenly, with greater development in urban areas rather than in central and western China.[89] Research on government contract outsourcing to HIV/AIDS organizations in Yunnan province found a tendency toward government control of public-private partnerships.[90] A Chinese researcher has raised a concern that continuing government control may not only lead to potentially ineffective project implementation, but also may thwart growth of "social organizations" by subsuming the organization as a subsidiary of a government department.[91]

DEVELOPMENTS IN THE PHILANTHROPIC SECTOR

The regulatory framework for charitable organizations made some progress at the provincial level, specifically Beijing municipality[92] and Shenzhen Special Economic Zone,[93] during this reporting year. A national charity law has been on the National People's Congress (NPC) legislative agenda since 2006,[94] but work on

it stalled due to debate over whether charity would be "state-supervised or independent."[95] Government officials and scholars have highlighted the need for the law to help establish credibility, transparency, and accountability in the sector, particularly among government-run charities,[96] and to resolve the current overlapping of the charitable sector and government.[97] The national legislation reportedly was raised to a high priority project in the fall of 2013 and the first-ever meeting of an NPC small working group on the charity law took place in February 2014.[98] According to Wang Zhenyao, director of the Philanthropy Research Institute at Beijing Normal University, the lack of a national charity law has cost China billions of yuan in potential donations in one year alone.[99]

INSTITUTIONS OF DEMOCRATIC GOVERNANCE

Institutions of Democratic Governance Within China's One-Party State

China's political institutions remain out of compliance with the standards defined in Article 25 of the International Covenant on Civil and Political Rights (ICCPR),[1] which China has signed and declared an intention to ratify.[2] Chinese leaders also have not developed political institutions to be in compliance with the standards set forth in Article 21 of the Universal Declaration of Human Rights (UDHR).[3] During the October 2013 UN Human Rights Council's Universal Periodic Review of the Chinese government's human rights record, several countries put forward recommendations regarding China's ratification of the ICCPR.[4] China rejected a number of these, including recommendations to "ratify," "establish a clear timeframe" to ratify, or "move towards ratification of the ICCPR in the near future."[5] China did, however, accept recommendations to "[t]ake steps toward the ratification of ICCPR" and "move towards ratification of the ICCPR at the earliest possible date."[6]

THIRD PLENUM: NO PLANS FOR FUNDAMENTAL POLITICAL REFORM

During the Commission's 2014 reporting year, while central Chinese leaders expressed a commitment to rein in excessive government power, they gave no indication that they would undertake political reforms to bring China into compliance with the ICCPR or the UDHR. During the Third Plenum[7] of the 18th National Congress of the Chinese Communist Party Central Committee in November 2013,[8] the Party issued a major planning document, the Central Committee Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms (the Decision).[9] While the Decision included language about "strengthening the system for restraining and supervising the use of power"[10] and made general references to improving China's existing "socialist democratic political system,"[11] it did not contain plans for fundamental democratic reforms[12] such as democratizing the Party.[13] The Decision emphasized the continuing dominance of the Party and the goal of "strengthening and improving the Party's leadership over overall reform."[14]

Referring to China's Constitution in a novel way, the Decision stated that authorities should "raise comprehensive implementation of the Constitution to a new level," but it is unclear what, if anything, this means for the rule of law in China.[15] Previously, a five-year intraparty plan to establish rules, issued in November 2013, included another novel phrase, the "constitution is foremost; the Party constitution is the foundation."[16] One Chinese scholar noted this phrase simply means that the "Party will conduct its work within the limits of state laws."[17] This idea is not new. An amendment to the Chinese Communist Party Constitution adopted in 2012,[18] and statements made by Chinese leaders in 2012 and 2013, already specify that the Party must operate within the scope of China's Constitution and laws.[19] Similar language also has appeared in the State and Party Constitutions as early as 1982,[20] and

the novel phrasing does not mean that China is planning to shift to a constitutional government.[21]

PARTY RECENTRALIZES DECISIONMAKING AUTHORITY

President and Party General Secretary Xi Jinping and top Party leaders[22] continued efforts to recentralize decisionmaking authority in the hands of the central Party,[23] enforce Party discipline, and remove potential barriers to central Party reform plans through Party campaigns.[24] To facilitate the centralization of Party authority, top leaders created new leadership organizations, including the Central Leading Small Group for Comprehensively Deepening Reforms (Reforms Leading Small Group)[25] and the Central State Security Committee,[26] among several others.[27] President Xi Jinping will lead each of these groups.[28] Sources assert that top Party officials see the Reforms Leading Small Group as a means of managing, rising above, and satisfying entrenched powerful interest groups to ensure reforms move forward.[29] To boost intraparty unity, improve the Party's relations with citizens, reduce corruption, and lessen "formalism, bureaucracy, hedonism, and extravagance" among officials, along with other goals, Party officials also continued an education and ideology campaign termed the "mass line" campaign.[30] The campaign included requirements for officials to attend political indoctrination and criticism and self-criticism sessions.[31] [For more information on anticorruption efforts, see Party and Government Accountability in this section.]

REACH OF THE STATE UNDER ONE-PARTY RULE

The Party continued to dominate political affairs, penetrating every level of society and undertaking political indoctrination campaigns. Party branches exist at all levels, in villages[32] and urban neighborhoods,[33] public institutions (including hospitals, schools, and research institutes),[34] government departments, and quasi-governmental organizations.[35] Sources this year emphasized the Party's continuing efforts to strengthen grassroots-level Party organizations[36] and implement Party-loyalty and political indoctrination and education campaigns, including within the army,[37] the courts,[38] the media,[39] Party branches,[40] and security agencies.[41] President Xi called for innovation in propaganda and publicity work in order to ensure their "correct political direction."[42] The Party Central Committee also instituted a campaign to promote the cultivation and implementation of a list of "core socialist values" to impose ideological views and education throughout society.[43] For example, an opinion issued by the central Party called for strengthening Marxist ideological education in schools and class curriculum[44] and to infuse "core socialist values" into economic development and social governance.[45] Central officials replaced the term "social management"[46] with the term "social governance," which reportedly is meant to convey the idea that social groups work together with the government to govern society instead of the idea that society is managed in a top-down fashion by the government.[47] It is uncertain how this change in terminology will be reflected in practice.

25th Anniversary of 1989 Protests and the Ongoing Crackdown on Free Speech, Association, and Assembly

Authorities continued to harass, detain, and impose prison sentences on individuals who exercised their rights to freedoms of speech, assembly, association, and demonstration, including over 100 people during the two months prior to the 25th anniversary of the 1989 Tiananmen protests and their violent suppression by authorities (1989 protests).[48] After the anniversary of the 1989 protests, officials formally arrested lawyers Pu Zhiqiang[49] and Qu Zhenhong,[50] democracy advocate Xu Guang,[51] and student Zhao Huaxu.[52] Authorities also criminally detained lawyer Chang Boyang,[53] apparently in connection with his representation of individuals who had been detained for holding an event commemorating the 1989 protests.[54] In addition, authorities criminally detained dozens of other individuals for Internet postings or for participating in private and public events memorializing the 1989 protests.[55] Authorities gave numerous other individuals short-term administrative detentions.[56] In an effort to silence commemorative activities, officials questioned individuals and warned others not to participate in commemorative activities, and briefly detained, imposed soft detention on, or forced to travel scores of other individuals.[57]

During the Commission's 2014 reporting year, authorities continued a crackdown[58] against democracy and human rights advocates. Authorities sentenced democracy advocate Liu Benqi[59] to three years' imprisonment on the charge of "inciting subversion of state power"[60] for posting messages mentioning "demonstrations,"[61] sentenced democracy advocate Zhang Lin to three years and six months' imprisonment on the charge of "gathering a crowd to disrupt order in a public place" for organizing protests advocating for his daughter's right to an education,[62] and arrested democracy advocate Lu Gengsong on the charge of "subversion of state power."[63] Other democracy advocates faced harassment and detention, including Qin Yongmin[64] and Sun Feng.[65] Still others remained in prison, including Zhu Yufu (7 years),[66] Cao Haibo (8 years),[67] Chen Xi (10 years),[68] and Liu Xianbin (10 years).[69] In addition, when human rights defender Cao Shunli died in March 2014, human rights organizations voiced concerns that her death[70] was linked to Chinese authorities' denial of timely and proper medical care during her time in detention.[71] Cao had urged leaders to allow independent public participation in the drafting of the Chinese government's reports for the 2009 and 2013 UN Human Rights Council Universal Periodic Reviews.[72]

Elections: Trends and Update on the Decline of Democratic Governance

Sources continued to highlight government interference in village committee elections,[73] underscoring China's noncompliance with standards outlined in Article 21 of the Universal Declaration of Human Rights (UDHR)[74] and Article 25 of the International Covenant on Civil and Political Rights.[75] For example, one Chinese elections expert commented that over the last 10 years, grassroots government interference in village committee elections clearly had

increased.[76] Interference took several forms. Some village election plans issued by local authorities stipulated prerequisites for village committee election candidates, including age limits, education requirements, and condition of loyalty to the Party line,[77] which are not in the PRC Organic Law of Village Committees.[78] In addition, officials in at least a few locations declared certain categories of people as being "unsuitable" for or prohibited from being nominated to be village committee candidates.[79] These categories included villagers who "distribute suggestions that counter Party theories, guidelines, and policies"; "create or disseminate political rumors"; "organize and incite mass incidents"; and "manipulate and incite people to file petitions," among other politically sensitive activities.[80] Official media sources highlighted perceived problems involving the unfavorable influence of clans, religions, and factions.[81] One survey in Guangdong province reportedly found that fraudulent elections in some cases were associated with "abnormal" channels of participation involving big-time criminals, the very rich, and members of prominent families who became officials.[82] In at least one province, some election results were nullified because of these issues.[83]

Other sources noted allegations of corruption and numerous other undemocratic practices during some village committee and local people's congresses' elections. Village elections were marred by instances of improper formation of an election committee;[84] unlawful selection of candidates;[85] irregular campaign procedures;[86] and in at least one case, an elected representative was not recognized by higher level officials.[87] Chinese and international news reports also noted alleged corruption in some local people's congresses' elections. During one investigation of alleged election corruption in Hunan province, especially focusing on Hengyang city,[88] authorities punished hundreds of people and stripped people's congress delegate status from dozens of individuals at the county, city,[89] and provincial levels.[90]

Decline of Democratic Governance in Wukan

In a retreat from democracy, government interference and other issues marred the most recent 2014 village committee election in the village of Wukan in Lufeng city, Shanwei municipality, Guangdong province. Chinese and international media reported allegations of illegalities in election processes, including vote buying and vote counting behind closed doors,[91] the lack of transparency,[92] and government interference.[93] Wukan was the location of a 2011 uprising by villagers over land issues and the death of a villager in custody, which ended with the election of several of the protest organizers in an ad hoc 2012 village committee election.[94]

Decline of Democratic Governance in Wukan—Continued

In mid-March 2014, just prior to the most recent village committee elections, officials detained two candidates, Yang Semao[95] and Hong Ruichao, prompting allegations of government interference.[96] Yang and Hong helped to organize the 2011 uprising and later were voted onto the 2012 village committee.[97] Suspiciously, Yang's detention came hours after he issued a call for a village representative assembly meeting to discuss the upcoming election.[98] National official media sources criticized Yang's call for the meeting and attacked him personally.[99] Authorities released Yang on bail pending trial.[100] Hong's wife told reporters that people had come to their house and warned Hong not to participate in the village committee election.[101] Hong subsequently won a seat on the 2014 village committee[102] despite being in detention for alleged violations that occurred in 2012, and a May 2014 report indicated authorities were still holding him in detention.[103] As of September 2014, the Commission had not observed reports tht Hong has been released. Zhuang Liehong, a third organizer of the 2011 demonstrations voted onto the 2012 village committee,[104] fled China in early 2014 for the United States for fear of retaliation against him, and is seeking asylum.[105]

Party and Government Accountability

ANTICORRUPTION AND AUSTERITY MEASURES

During the Commission's 2014 reporting year, central authorities amplified an ongoing significant anticorruption campaign.[106] As part of the campaign, central authorities issued new rules and regulations to reduce government waste and moderate ostentatious or dishonest behavior by officials;[107] measures to strengthen oversight of officials such as a requirement to file internal reports to the Party about their finances;[108] and a five-year anticorruption action plan.[109] Authorities issued a measure prohibiting officials who have a spouse or children residing overseas ("naked officials") from being leaders of specified agencies and organizations.[110] One news article reported that authorities in Guangdong province disclosed the number of "naked officials" uncovered during an investigation but relevant departments in 10 other locations refused to disclose the same information.[111] Top authorities undertook other steps to prevent corruption and punish violators, including undertaking institutional changes within Party discipline agencies and modifying their relationships to local authorities;[112] prohibiting Party and government officials from holding outside jobs;[113] increasing audits of managed funds, public projects, and state asset management and land transfers;[114] establishing a database of corruption suspects;[115] and publicizing the names of people who had been punished for violating rules regarding "work styles."[116] Despite official reports that the serious anticorruption and austerity campaigns had yielded some results,[117] there is some doubt regarding the degree to which these measures have been implemented[118] or have been successful in reducing corruption.[119]

Amid news that one percent of Chinese families own more than one-third of China's wealth[120] and increasing citizen concern over

corruption,[121] authorities stepped up investigations and detentions of officials suspected of corruption.[122] During 2013, authorities reportedly punished 160,000 cadres for violations of discipline [123] and an additional 20,000 for their ostentatious or extravagant behavior.[124] In the first half of 2014, the number of officials disciplined reportedly increased by 30 percent over the same period last year.[125] Top Party officials are among those affected by the anticorruption campaign. In October 2013, Bo Xilai, former Party Central Committee Political Bureau (Politburo) member and Chongqing Party Secretary, who was charged with bribery, embezzlement, and abuse of power, lost his appeal.[126] Sources asserted there were procedural violations related to Bo's case and trial.[127] Chinese and international media also have raised concerns regarding the questioning and detention of people associated with Zhou Yongkang, former Politburo Standing Committee member and Secretary of the Party Central Committee Political and Legal Affairs Commission who had close ties to Bo Xilai.[128] As of March 2014, authorities reportedly had questioned or placed in custody over 300 people associated with Zhou, including family members, political supporters, staff, and protégés.[129] Zhou has been held incommunicado since late 2013.[130] In July, Xinhua reported that the Central Commission for Discipline Inspection had opened an investigation of Zhou Yongkang on suspicion of serious violations of discipline.[131]

Sources highlighted the darker side of the anticorruption campaign. Articles reported that several lower level officials detained on suspicion of corruption had been tortured or ill-treated under "*shuanggui,*" a form of arbitrary detention utilized by the Party to investigate officials,[132] and included first-hand accounts of torture and forced confession.[133] Two of those officials reportedly had been targeted for retribution for talking to the media about their torture while under *shuanggui*.[134] In July 2014, authorities detained one official and opened an investigation of the other, highlighting the lack of protections for whistleblowers.[135] Chinese and international reports highlighted a series of unusual deaths of officials, linking some of them to the anticorruption campaign.[136] Some sources assert President Xi Jinping and other top officials are purging political rivals through the anticorruption campaign,[137] but one article reported that the Central Discipline Inspection Commission asserted authorities were not "selectively" implementing the anticorruption campaign.[138]

SUPPRESSION OF ANTICORRUPTION ADVOCATES

Despite high levels of official corruption and authorities' stated commitment to address official corruption, officials have detained and imprisoned anticorruption and transparency advocates, often invoking the charge of "gathering a crowd to disturb order in a public place," including: [139]

- **Yuan Dong and Zhang Baocheng.** On January 29, 2014, authorities sentenced Yuan Dong to one year and six months' imprisonment, and on April 18 sentenced Zhang Baocheng to two years, for unfurling banners with anticorruption slogans, handing out leaflets, and giving speeches in public.[140]
- **Ding Jiaxi.** On April 18, 2014, authorities sentenced Ding to three years and six months' imprisonment.[141] He reportedly

joined peaceful demonstrations advocating for the disclosure of officials' assets and for education equality.[142]

- **Zhao Changqing and Li Wei.** On April 18, 2014, authorities sentenced Zhao to two years and six months' imprisonment and Li to two years[143] for their roles in organizing and participating in demonstrations advocating for disclosure of officials' assets.[144]
- **Liu Ping, Wei Zhongping, Li Sihua.** On June 19, 2014, authorities sentenced Liu and Wei to six years and six months' imprisonment and Li to three years,[145] for their participation in demonstrations calling for disclosure of officials' assets and planning rights defense activities.[146] Additional charges against Liu and Wei were related to independent election campaigning in 2011 and for an Internet posting by Liu urging people to attend a trial for a Falun Gong practitioner in 2012.[147]
- Trials for additional democracy, rule of law, and anticorruption advocates have not yet begun, including those for **Huang Wenxun,**[148] **Yuan Xiaohua,**[149] and **Yuan Fengchu,**[150] who authorities reportedly charged with "gathering a crowd to disturb order in a public place," as well as **Liu Jiacai,** whom authorities charged with "picking quarrels and provoking trouble."[151]

Open Party and Government Affairs and Citizen Access to Information

Some Chinese officials and government agencies have sought to be more open and accessible to citizens, but government transparency is still lacking. In March 2014, the Ministry of Finance directed that all departments that receive government allocations should disclose their budgets and financial accounts by 2015, which expanded upon a previous directive that required only organizations at the county level and above to disclose this information.[152] Also in March, the National People's Congress (NPC) Standing Committee announced it would begin to circulate among NPC delegates and disclose to the public specialized work reports and enforcement investigation reports along with deliberations and opinions.[153] In August 2014, the NPC Standing Committee issued a draft amendment to the PRC Legislation Law, which included a provision that has the potential to strengthen the practice of issuing draft laws for public review and comment.[154] Amid these regulatory and policy pronouncements, reports highlighted ongoing barriers to transparency. A 2013 survey by the US-China Business Council indicated that surveyed member companies believed transparency was one of the top 10 challenges faced by the Council's member companies.[155] An October 2013 State Council opinion highlighted several barriers to transparency and open government affairs, including a failure of governments in particular geographic locations to proactively release information, respond to information requests in a timely manner, respond to citizen concerns, and make public statements.[156] In January 2014, the State Council issued the Implementing Regulations for the PRC Law on the Protection of State Secrets (Implementing Regulations).[157] Article 5 of the Implementing Regulations stipulates that government agencies and

companies may not classify as "secret" information which should be disclosed to the public "in accordance with the law," but also cannot "disclose information involving state secrets."[158] Reports noted criticism of the Implementing Regulations because they did not provide a definition of state secrets or clearly delineate secret classifications.[159]

In April 2014, the State Council General Office issued an open information work plan, which stated that authorities should improve transparency in specific areas, including environmental protection, production accidents, finances of state-owned enterprises, food safety, government and public spending, expropriation of village and other land, and mining concession rights.[160] The plan, however, also urged authorities to strengthen procedures for collecting opinions from the public, discovering and evaluating "hot issues" earlier, issuing authoritative information in a timely manner, "eliminating untrue rumors," and "positively guiding public opinion."[161]

IMPLEMENTATION OF OPEN GOVERNMENT INFORMATION REGULATIONS

Open government information (OGI) requests by citizens reportedly are increasing and OGI-related court cases constituted 10 percent of China's administrative law cases according to an October 2013 report,[162] but government implementation of the 2008 Open Government Information Regulations (OGI Regulations) remains problematic. For example, during the October 2013 UN Human Rights Council's Universal Periodic Review of the Chinese government's human rights record, the China Society for Human Rights Studies recommended an evaluation of the implementation of the OGI Regulations.[163] In February 2014, the Chinese Academy of Social Sciences issued a report evaluating implementation of the OGI Regulations in 2013 by some State Council departments and provincial and city governments.[164] The study reportedly found that there were still numerous problems with implementation, including that a great deal of information that should have been proactively released had not been made open to the public, had been only partially released, or had not been released in a timely manner.[165] Research by a Chinese university institute found that an increasing number of administrative agencies are responding to information requests by simply saying "the information does not exist."[166] The study also found that frequently courts still dismiss open government information administrative law cases.[167]

The responsiveness of local governments to OGI requests varies considerably. The percentage of OGI requests granted or denied outright by municipal authorities in Shanghai, Beijing, and Guangzhou, for example, compared to the percentage of requests for which these authorities did not provide information for a variety of other reasons, differed substantially, as noted in the table below.

Requests granted or outright denied (*All numbers in the table are expressed in percent of 2013 requests responded to)	Shanghai Municipal Gov't[168] 18,563 (In percent)	Beijing Municipal Gov't[169] 16,681 (In percent)	Guangzhou City Gov't[170] 11,656 (In percent)
"agreed to disclose"	41.7	42.22	91.996
"agreed to partially disclose"	1.2	1	1.2533
"information already proactively disclosed"		3.41	
"did not agree to disclose"	3.9	3.03	1.63
TOTAL PERCENTAGE OF REQUESTS OUTRIGHT GRANTED OR DENIED [Shanghai = "are clear and can respond"]	46.8	49.66	94.879
Other reasons for not providing information	**Shanghai**	**Beijing**	**Guangzhou**
"does not exist"	16.9	27.28	2.239
"outside of the scope of the agency" (or similar)	14	11.16	1.973
"contents of request unclear"	11.3	7.63	.832
"not referred to as gov. information" (or similar)	3.9	3.81	
"repetitive request"	1.9		
"non-governmental info. request"; "applicant withdraws request"; or "other circumstances"	5.2		
"already sent to records hall"		.48	
PERCENT OF REQUESTS WHERE NO INFORMATION WAS PROVIDED [Shanghai category = (required) "other types of responses"]	53.2	50.34	5.044

COMMERCIAL RULE OF LAW

Introduction

When China acceded to the World Trade Organization (WTO) on December 11, 2001,[1] the Chinese government made numerous commitments to strengthen transparency,[2] run state-owned enterprises (SOEs) on a commercial basis,[3] open Chinese markets,[4] protect intellectual property rights,[5] and reform China's legal system.[6] The Chinese government made additional transparency, trade, and intellectual property commitments through the U.S.-China Joint Commission on Commerce and Trade (JCCT) and the U.S.-China Strategic and Economic Dialogue (S&ED).[7] From 2001 to 2013, U.S. imports from China increased by US$338 billion, while exports to China increased by US$103 billion—less than one-third as much.[8] In 2012, the Ministry of Commerce reported that Chinese foreign direct investment into the United States exceeded investment by U.S. companies into China for the first time,[9] and the Rhodium Group reported that in 2013, Chinese investments in the United States doubled from 2012 levels.[10] The Chinese government has not kept its international trade commitments in many respects. China continued to discriminate against foreign companies and products, had not met its transparency commitments, provided large subsidies to SOEs, had poor protection for intellectual property, and lacked the rule of law.[11] During the Commission's 2014 reporting year, Chinese leaders committed to allowing the market to play a decisive role in allocating resources but also reaffirmed that SOEs would continue to play a primary role in China's economy.[12] Authorities also established a pilot Shanghai Free Trade Zone,[13] and an amended PRC Trademark Law took effect.[14]

State-Owned Enterprises and Indigenous Innovation

During this reporting year, the Chinese government continued to provide subsidies to state-owned and state-controlled enterprises (collectively, "SOEs") and to promote indigenous innovation.[15] The state capitalism practiced by China also continued to be a key issue in U.S.-China economic dialogues and ongoing treaty negotiations.[16] When China acceded to the WTO, it made commitments to running SOEs on a market basis, including not interfering in procurement and sales decisions, except as provided for by WTO rules.[17] The November 2013 Chinese Communist Party Central Committee Third Plenum Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms emphasized a decisive role for the market in the allocation of resources, but acknowledged that SOEs would continue to play a primary role in China's economy.[18] Foreign companies also perceived SOEs as receiving preferential treatment in litigation.[19] In 2014, an American Chamber of Commerce in China survey of U.S. companies found that the surveyed companies considered Chinese policies favoring SOEs to be the most negative type of industrial policy in China.[20] As of July 2014, there were reportedly 113 central SOEs directly controlled by the national State-owned Assets Supervision and Administration Commission (SASAC).[21] A total of 144,700 SOEs, including those controlled by provincial and local governments, were reported at

the end of 2011.[22] According to the China State Owned Assets Report, 92 of the 100 Chinese companies on the 2014 Global Fortune 500 List were SOEs.[23] SOEs, however, are less profitable than private enterprises.[24] High-level personnel changes at SOEs are often driven by political considerations.[25] Through direct and indirect supervision, the Chinese Communist Party oversees the decision-making of SOEs,[26] including using policies and subsidies to make non-market-based purchasing and sales decisions to support Chinese companies and technology.[27] The Chinese government reportedly encouraged greater private investment in SOEs through a mixed-ownership model in which private companies take minority stakes in SOEs, but it is unclear whether the move was intended to make SOEs more subject to market-based decisionmaking or simply to provide SOEs with additional capital.[28]

The Chinese government promoted SOEs and domestic companies through indigenous innovation policies, including subsidies, incentives, and preferential procurement policies.[29] Some U.S. companies considered implementation of indigenous innovation policies to be an even larger problem than intellectual property theft.[30] China's High and New Technology Enterprise tax incentives, first implemented in 2008, continued during the reporting year, and maintained unfavorable licensing requirements and the requisite that beneficiaries conduct a majority of their research and development in China.[31] Despite China's commitments when it joined the WTO, technology transfer requirements are still often required of foreign companies, although at times described as "encouraged," in order to operate in China.[32] Fiscal and tax benefits were often given to Chinese companies, including in strategic industries,[33] while many foreign companies in China believed they had been held to higher regulatory standards than Chinese companies.[34]

Transparency and Access to Corporate Information

This past year, China remained noncompliant with its WTO commitments for disclosing subsidies and providing regulatory transparency on draft laws and regulations,[35] and access to government and corporate information in China remained challenging.[36] In 2013, the percentage of Chinese government administrative regulations and departmental rules published for public comment on the Web site of the State Council Legislative Affairs Office (SCLAO) was less than 10 percent.[37] At the June 2008 Strategic Economic Dialogue, according to the Joint U.S.-China Fact Sheet, China committed to publish on the SCLAO Web site "in advance for public comment, subject to specified exceptions, all trade and economic-related administrative regulations and departmental rules that are proposed for adoption and provide a public comment period of not less than 30 days."[38] An industry association of multinational corporations with investment in China reportedly had some success in strengthening the new PRC Trademark Law[39] through submission of comments on draft amendments.[40] In an October 2013 analysis of corporate reporting on anticorruption programs, organizational transparency, and financial information in major emerging markets by Transparency International, Chinese companies ranked last among companies from Brazil, Russia, India and South Africa.[41] According to an October 2013 Bloomberg report, the lack of cor-

porate reporting requirements made conditions "ripe for" corruption.[42] The Chinese government blocked access to the New York Times and Bloomberg News' Web sites in the wake of their reporting on the wealth and business connections of government officials.[43] In November 2013, a report on the hidden financial ties between China's wealthiest man, Wang Jianlin, and family members of China's top leaders reportedly was not published by a foreign media company, due to concern it would harm the company's access in China.[44] As of June 2014, the New York Times and Bloomberg News remained blocked in China, and in late 2013 many reporters had difficulty obtaining visas.[45]

American regulators, private companies, and investors have also faced difficulty obtaining corporate information in China. In January 2014, the U.S. Securities and Exchange Commission (SEC) suspended the activities of the Chinese affiliates of the Big Four accounting firms for not providing audit documents of China-based companies "whose securities are registered with the SEC" and that were targets of "fraud investigation" by the SEC.[46] The accounting firms did not provide the audit documents due to concerns they would be in violation of Chinese law, including the China Securities Regulatory Commission's (CSRC) announcement 29 of 2009, which requires the approval of regulatory authorities before work papers can leave China.[47] The Hong Kong Securities and Futures Commission also had difficulties in obtaining documents due to concerns over potential conflicts with the PRC State Secrets Law and related regulations.[48] According to a 2014 survey conducted by the American Chamber of Commerce in China, 56 percent of businesses surveyed indicated that Internet censorship negatively affected their businesses.[49] A lack of corporate transparency created obstacles for companies wishing to engage in merger and acquisition transactions in China[50] and investors in Chinese companies.[51] China's vague personal privacy laws also created obstacles for due diligence work.[52] Chinese officials, for example, detained and later arrested U.S. citizen Yu Yingzeng and her husband Peter Humphrey for purchasing personal information to assist them in doing due diligence on behalf of corporate clients.[53] An article in the Atlantic Monthly described the arrests as revealing "a Chinese government that fears public exposure of corruption."[54] In August 2014, the Shanghai No. 1 Intermediate People's Court sentenced Yu to two years in prison and Humphrey to two years and six months in prison.[55]

Commercial Developments and Cyber Theft

American companies cited the continuing deterioration in the business environment in China and continuing bias against foreign companies, despite Chinese government claims that "China has fully honored its extensive commitments of the WTO accession."[56] Chinese subsidies and the lack of transparency reportedly had a negative impact on U.S. businesses.[57] In 2014, an American Chamber of Commerce in China survey found that 41 percent of member companies surveyed believe that China is "less welcom[ing] than before."[58] A European Union Chamber of Commerce in China (EUCCC) survey found that 51 percent of member companies believe "that business in China has become more difficult over the

last couple of years,"[59] including 68 percent of large companies with over 1,000 employees.[60] According to 71 percent of member companies surveyed by the EUCCC, improved rule of law and more transparent policymaking are the most important factors for economic progress in China.[61] Many U.S. technology and media companies remained blocked in China, including Facebook, Twitter, YouTube, Dropbox, the New York Times, and Bloomberg News.[62] In May 2014, the Central Government Procurement Center banned the installation of Microsoft's Windows 8 on government computers,[63] and the Financial Times reported that SOEs were ordered to stop using U.S. consulting firms.[64]

The United States and China continued to negotiate a bilateral investment treaty and China continued to promote its Shanghai Free Trade Zone. In July 2014, during the Strategic and Economic Dialogue, the United States and China reportedly agreed to "intensify" negotiations over a bilateral investment treaty culminating in an agreement on "core issues" and "major articles" of the treaty by year's end, and to begin negotiations on a "negative list" in early 2015.[65] In January 2014, China submitted a fourth revised bid to join the WTO Government Procurement Agreement, which could open China's government procurement market, valued at US$230 billion in 2012, to foreign companies.[66] In September 2013, a pilot Shanghai Free Trade Zone was opened to reduce restrictions on investment and the services market.[67] According to the Chinese government, the Shanghai Free Trade Zone is intended as a test area for "trade and investment liberalization" policies that may be implemented nationwide in the future.[68] As of June 2014, Chinese and foreign media noted that modest liberalization of trade and investment policies had occurred to date in the Shanghai Free Trade Zone,[69] although over 20 local governments have applied for similar free trade zone status.[70]

There continued to be reports of significant theft of U.S. intellectual property originating from China, which caused significant losses for American companies.[71] In May 2014, the U.S. Department of Justice (DOJ) charged five Chinese military hackers for cyber espionage against Westinghouse Electric Co., U.S. subsidiaries of SolarWorld AG, United States Steel Corp., Allegheny Technologies Inc., United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (United Steelworkers), and Alcoa Inc.[72] The indictment marks the first time the DOJ has filed criminal charges against foreign government officials for computer hacking,[73] although the DOJ has brought criminal charges against employees of Chinese companies.[74] At the announcement of the indictment against the alleged military hackers, U.S. Federal Bureau of Investigation Director James B. Comey said, "[f]or too long, the Chinese government has blatantly sought to use cyber espionage to obtain economic advantage for its state-owned industries."[75] The Ministry of Foreign Affairs reportedly responded that the DOJ indictment included "intentionally-fabricated facts" and suspended the ongoing China-U.S. Cyber Working Group.[76] In June 2014, U.S. Ambassador to China Max Baucus described cyber theft by state actors as a "major threat" to U.S. economic and national security.[77] During the reporting year, the DOJ began criminal prosecutions in two

significant cases involving the theft of agricultural trade secrets.[78] In December 2013, a Chinese national was arrested for allegedly conspiring to steal corn-related trade secrets of several U.S.-based seed manufacturing companies, including Monsanto and DuPont Pioneer, from fields in Iowa and Illinois.[79] In July 2014, a second Chinese national who was allegedly part of the conspiracy to steal corn-related trade secrets was arrested.[80] According to prosecutors, the value of the trade secrets was likely over US$500 million.[81] In December 2013, two agricultural scientists from China reportedly were indicted in a different case for allegedly stealing seeds from a biopharmaceutical company's research center in Kansas and providing them to a visiting Chinese delegation.[82]

Intellectual Property Rights

During this reporting year, the State Council implemented amendments to the PRC Trademark Law,[83] and the Chinese government and courts worked to strengthen the prosecution and enforcement of intellectual property rights (IPR) in China.[84] U.S. companies in China, however, continued to have difficulty enforcing IPR through Chinese courts and administrative agencies.[85] Sales of IPR-intensive goods, including copyrighted software, music, and movies, remained low for U.S. companies in China.[86] One report estimated that in 2013, 74 percent of computer software in China was unlicensed.[87] In 2014, Microsoft assisted state attorneys general in litigation against Chinese companies in U.S. state courts due to difficulties in collecting payments in China.[88] Trade secret protection is also difficult in China.[89] In August 2013, the U.S. pharmaceutical company Eli Lilly and its Chinese subsidiary were able to obtain the first preliminary injunction in a trade secret dispute.[90] Prior to implementation of the revised PRC Civil Procedure Law on January 1, 2013, preliminary injunctions were not available in trade secret cases.[91] In 2014, Massachusetts-based AMSC had four ongoing lawsuits against Sinovel Wind Group (Sinovel) totaling an estimated US$1.2 billion in damages, including a trade secrets case, two copyright infringement cases, and a commercial arbitration for violations of sales contracts.[92] In June 2013, the DOJ, in a related case, also brought a criminal indictment against Sinovel, several Sinovel employees, and a former employee of AMSC's Chinese subsidiary.[93] In another significant lawsuit, Huawei Technologies (Huawei) filed civil complaints in its hometown of Shenzhen municipality, Guangdong province, against the Delaware company InterDigital, Inc., for failing to negotiate on fair, reasonable, and non-discriminatory terms for licensing its standard essential patents and abuse of its dominant market position.[94] According to analysis by an international law firm, Huawei's victory in the litigation "sends a clear message that China wants to encourage indigenous innovation and lower technology barriers against the development of domestic technology companies."[95]

In May 2014, the amended PRC Trademark Law and implementing regulations took effect, which increased statutory damages for trademark infringement from 500,000 yuan (US$80,000) to 3 million yuan (US$480,000).[96] In most intellectual property cases, however, the recovered compensation is well below the statutory damages, and in one database of 5,169 intellectual property judg-

ments for 2012, average compensation awarded was 44,871 yuan (US$7,200).[97] During this reporting year, the State Administration for Industry and Commerce began to draft proposed revisions to the 1993 PRC Anti-Unfair Competition Law, China's key law for civil protection of trade secrets.[98]

Antimonopoly Law and Company Law

Chinese authorities are conducting an increasing number of antimonopoly reviews, including merger reviews and investigations of abuse of dominant market positions.[99] Article 7 of the PRC Antimonopoly Law provides preferential treatment for SOEs that are important to the national economy or security.[100] Between 2008 and 2013, the Ministry of Commerce (MOFCOM) received 866 declarations for "concentration of business operations," and among the 740 settled cases, MOFCOM unconditionally approved 717 "concentration of business operations," conditionally approved 22, and prohibited only 1.[101] In June 2014, however, MOFCOM blocked a cooperative vessel-sharing agreement between A.P. Moller-Maersk, CMA CGM, and MSC Mediterranean Shipping Company ("P3 network").[102] The P3 network had been approved by the U.S. Federal Marine Commission[103] and the European Commission.[104] Analysts believe that the Chinese P3 network decision may have been influenced by a motivation to protect domestic industry; the PRC Antimonopoly Law provides for an assessment of the impact on "national economic development."[105] Chinese SOEs in the shipping industry had suffered significant losses in recent years and reportedly pressured Chinese government officials not to approve the P3 network.[106] The previous deal blocked by MOFCOM was the Coca-Cola Company's failed acquisition of Chinese beverage company Huiyuan Juice Group in 2009.[107] In 2013, 80 price-related investigations were conducted by the National Development and Reform Commission (NDRC) under the PRC Antimonopoly Law, a number four times greater than the total of 20 investigations conducted in the previous five years.[108] Investigations against U.S. and foreign firms reportedly have also increased.[109] In July 2014, NDRC reportedly determined that Qualcomm Inc., the American semiconductor company, was a monopoly, a decision which may result in up to US$1 billion in fines.[110] Also in July 2014, the Chinese government began investigating Microsoft for possible violations of the PRC Antimonopoly Law.[111] According to an August 2014 Wall Street Journal editorial, "[t]he investigations are clustered in industries in which foreign firms have a competitive advantage and Chinese firms are struggling," and these "attacks on foreign firms" may serve to "distract from the huge cost to consumers" of China's monopolist SOEs.[112] In September 2014, the US-China Business Council reported that 86 percent of firms that responded to its survey had some level of concern about competition enforcement activities in China.[113] Foreign companies' concerns with China's enforcement activities included selective and subjective enforcement, lack of regulatory transparency, and the use of administrative intimidation tactics.[114] According to a September 2014 U.S. Chamber of Commerce report, China's enforcement activities, which "often appear designed to advance industrial policy and boost national champions," may be a violation of its WTO commitments.[115]

In December 2013, the National People's Congress passed significant amendments to the PRC Company Law that simplified the registration process and review procedure for companies.[116] Registered capital will no longer be required for registration of most companies, along with other reforms.[117] In the first three months after the amended PRC Company Law took effect, the number of new companies increased by over 66 percent compared to the same three-month period in 2013.[118] The amended PRC Company Law will increase the need for due diligence.[119]

World Trade Organization Disputes

During this reporting year, the U.S. Government continued to use the World Trade Organization (WTO) dispute settlement mechanism to address China's noncompliant trade policies, including export restrictions and subsidies, that could not be resolved through dialogue.[120] A lack of transparency in China and weak rule of law made WTO disputes challenging, a situation exacerbated by the fear of retaliation for companies that are involved in trade disputes.[121] Four U.S. entities—United States Steel Corp., Allegheny Technologies Inc., U.S. subsidiaries of SolarWorld AG, and the United Steelworkers union—were allegedly victims of cyber theft after they challenged discriminatory Chinese trade policies.[122] China also continued to challenge U.S. trade policies in WTO disputes.[123] As of July 2014, China had been involved in 12 WTO disputes as a complainant, 31 cases as a respondent, and 110 cases as a third party.[124] China has been a complainant in 9 cases against the United States and the United States has been a complainant in 15 cases against China.[125] In December 2013, China filed a WTO dispute challenging duties the United States had imposed on a number of Chinese products, including coated paper, steel products, and shrimp.[126]

In the first half of 2014, significant WTO panel decisions were issued in a rare earths dispute involving Chinese export quotas and an automobile subsidies dispute involving Chinese duties on U.S. automobile imports.[127] In March 2014, a WTO panel found that "under the circumstances, China's imposition of the export duties [on rare earths] in question was found to be inconsistent with China's WTO obligations," and "that China's export quotas were designed to achieve industrial policy goals rather than conservation."[128] In August 2014, the WTO Appellate Body upheld the panel's findings that China's rare earths export quotas were not measures relating to conservation.[129] In May 2014, a WTO panel in an automobile duties case reportedly found a number of errors in China's determination of automobile duties, including calculating rates without a factual basis and not providing facts used to determine the duties.[130] The U.S. Trade Representative's Office (USTR) estimated over US$5 billion of U.S. auto exports were affected by these illegal duties in 2013.[131] USTR reported that the Chinese government imposed the duties in retaliation against U.S. President Barack Obama's decision in September 2009 to impose tariffs on Chinese tire imports.[132] During the reporting year, the United States also initiated a WTO compliance proceeding against China's failure to implement an October 2012 WTO appellant report that upheld a finding that Chinese duties on imports of grain-oriented

flat-rolled electrical steel from the United States violated WTO rules.[133]

Outbound Investments and Foreign Exchange Controls

In 2013, Chinese investments in the United States doubled from 2012 levels, reaching US$14 billion, and China has now invested more in the United States over the past decade than any other country.[134] According to the Rhodium Group, the largest of approximately 80 significant investments in 2013 were in the food industry, energy, and real estate sectors.[135] China's Shuanghui International Holdings' US$7.1 billion acquisition of the pork processor Smithfield Foods was the largest deal of 2013.[136] In the first quarter of 2014, Chinese companies announced new deals totaling over US$8 billion.[137] During 2014, the Committee on Foreign Investment in the U.S. (CFIUS) reviewed national security concerns relating to the announced acquisitions by the Chinese company Lenovo Group of an International Business Machines Corporation (IBM) server unit and of Motorola Mobility from Google.[138] In January 2014, Lenovo agreed to purchase IBM's x86 server business for US$2.3 billion and Motorola Mobility for US$2.9 billion.[139] The x86 servers are used by the Department of Defense, Department of Homeland Security, and Federal Bureau of Investigation.[140] As of July 2014, the deals were reportedly still under review by CFIUS.[141] The purchase of residential properties in the United States by Chinese buyers also increased significantly, with US$22 billion in purchases in the year ending March 2014, up from US$13 billion in the previous year, raising questions about compliance with Chinese law.[142] Chinese regulations prevent Chinese citizens from exchanging over US$50,000 in currency per year, but CCTV reported in July 2014 that the Bank of China provided "illegal" foreign exchange services above that amount and expressly targeted Chinese looking to emigrate and purchase property overseas.[143]

This past year, intervention by the Chinese government continued to contribute to significant undervaluation of the Chinese yuan.[144] The yuan reportedly reversed a trend of appreciation in 2014, depreciating by 1.5 percent in February 2014, for the largest two-week depreciation since 2005,[145] and depreciating 2.68 percent for the year ending in April 2014.[146] China's currency policy reportedly results in increases in the cost of U.S. imports for Chinese consumers and lowers the price of Chinese exports, increasing the U.S. trade deficit with China.[147] In 2013, China's inbound foreign direct investment (FDI) and current account surplus amounted to more than US$446 billion,[148] and China's foreign currency reserves reached approximately US$4 trillion in June 2014.[149] According to February 2014 analysis by the Economic Policy Institute, eliminating currency manipulation globally, with China as the "linchpin," could reduce the U.S. trade deficit in three years by as much as US$500 billion and create up to 5.8 million U.S. jobs.[150]

Food Safety and Labeling

During the Commission's 2014 reporting year, food safety concerns and labeling issues affected consumers in China and overseas. Chinese media highlighted official plans[151] to address food

safety concerns, including the use of banned pesticides,[152] unsafe veterinary drugs,[153] illegal food additives,[154] use of expired food,[155] sale of waste oil,[156] and mislabeled food.[157] A Pew Research survey published in September 2013 found 38 percent of Chinese consider food safety to be a "very big problem," an increase from the 12 percent reported in 2008.[158] In June 2014, an investigation by a reporter for Chinese state media [159] found widespread use of bribes by Chinese companies to obtain certifications for farm produce and other products, including pesticide.[160] During the reporting year, food safety concerns affected a number of foreign companies; for example, Wal-Mart announced that it would strengthen its food safety inspection system in China [161] after donkey meat sold in its stores there was found to contain fox meat.[162] In July 2014, the Chinese subsidiary of the U.S. meat supplier OSI Group was also reportedly discovered selling expired meat in China and Japan, negatively impacting its customers McDonald's, KFC, Pizza Hut, Burger King, and Papa John's.[163] In June 2014, draft amendments to the PRC Food Safety Law, including improvements to the supervision and management system and higher penalties for violations, were published for public comment.[164]

China's food safety concerns also affect U.S. consumers who may not be aware that a product is sourced from or processed in China.[165] In May 2014, the U.S. Food and Drug Administration (FDA) announced that since 2007 more than 1,000 canine deaths may be associated with eating jerky pet treats that primarily come from China.[166] Following the FDA announcement, U.S. pet food retailers Petco and PetSmart announced they would stop selling pet treats from China.[167] As of July 15, 2014, the FDA had 79 active import alerts for China, which is more than for any other country.[168] In August 2013, China became eligible to export processed poultry to the United States, provided it is slaughtered in the United States or other approved countries.[169] According to the U.S. Department of Agriculture, imported processed chicken will not be labeled as a product of China if it is repackaged in the United States.[170] Although the U.S. Government plans to increase the number of food safety inspectors in China, there reportedly were difficulties in obtaining visas for them, despite U.S. Vice President Joe Biden addressing the issue during a December 2013 visit to China.[171]

ACCESS TO JUSTICE

Introduction

Chinese citizens continue to face substantial obstacles in seeking remedies to government actions that violate their legal rights and constitutionally protected freedoms. International human rights standards require effective remedies for official violations of citizens' rights. Article 8 of the Universal Declaration of Human Rights provides that "Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law."[1] Article 2 of the International Covenant on Civil and Political Rights (ICCPR), which China has signed but not yet ratified, requires that all parties to the ICCPR ensure that persons whose rights or freedoms are violated "have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity."[2]

The Third Plenum and Judicial Reform

The November 2013 Chinese Communist Party Central Committee Third Plenum Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms (Third Plenum Decision) contained several items relating to judicial system reform.[3] In June 2014, the office of the Party's Central Leading Small Group for Comprehensively Deepening Reform announced that six provinces and municipalities—Shanghai, Guangdong, Jilin, Hubei, Hainan, and Qinghai—would serve as pilot sites for certain judicial reforms, including divesting local governments of their control over local court funding and appointments and centralizing such power at the provincial level, in an effort to limit interference by local governments in the work of the courts.[4] Following the June announcement of judicial reform pilot sites, in July, the Supreme People's Court released its fourth five-year reform plan.[5] According to China law expert Stanley Lubman, a "significant aim of [the plan] is to reduce the influence of local government on local courts."[6]

Local protectionism is a longstanding problem that has, among other things, damaged judicial credibility.[7] In March 2014, Meng Jianzhu, secretary of the Communist Party Central Committee Political and Legal Affairs Commission, addressed another form of interference in court work. Meng is reported to have said in internal meetings that Party officials must not intervene in specific cases, although the Party would still have final control over outcomes in "politically sensitive" cases.[8] The limits of judicial reform were made clear in a June 2014 editorial in the state-run Global Times, which stated that the goal of improving "judicial justice" in the new reforms does not mean that China is moving toward "judicial independence" (*sifa duli*) or "separation of powers" (*sanquan fenli*).[9]

During this reporting year, the Supreme People's Court (SPC) took steps to increase judicial transparency and accountability in line with the Third Plenum Decision.[10] The SPC issued measures requiring all courts in China to publish their effective written judgments (with some exceptions, such as cases involving state secrets and individual privacy) on the publicly accessible Web site Judicial

Opinions of China, effective January 1, 2014.[11] As of March 2014, more than 3,800 SPC judgments and over 1.6 million judgments from lower level courts had been published on the Web site.[12] One of the eight main areas of focus in the Supreme People's Court new five-year plan is strengthening judicial openness.[13] Specific reform measures include improving the systems of open trials and trial information databases, and continuing to strengthen the establishment of the Judicial Opinions of China Web site.[14]

Improving legal aid and judicial assistance (*sifa jiuzhu*)—court funds that are used to mitigate costs and other burdens facing parties with economic difficulties[15]—was another reform noted in the Third Plenum Decision.[16] During 2013, the SPC and the Ministry of Justice promulgated an opinion on enhancing legal aid for plaintiffs seeking state compensation "to guarantee that the impoverished people exercise their rights claiming for compensation according to law."[17] Moreover, courts throughout China "mitigated 190 million RMB" (US$31 million) "legal costs for the parties involved in real difficulty."[18] The Supreme People's Procuratorate (SPP) also indicated it would promote improvements to the national judicial assistance system in 2014.[19] These and other reform efforts addressed in the work reports of the SPC and the SPP may have played a role in bolstering National People's Congress (NPC) delegates' confidence in the two bodies during the annual NPC meeting in March 2014; the approval ratings for both the SPP and SPC work reports were the highest in seven years.[20]

Citizen Petitioning and Proposed Revisions to the Administrative Litigation Law

CITIZEN PETITIONING

During the 2014 reporting year, the Party and central government issued a number of documents instituting reforms to the petitioning (*xinfang*) system—one of the areas of reform outlined in the Third Plenum Decision.[21] *Xinfang,* also referred to as the "letters and visits system," is a popular mechanism outside of the formal legal system for citizens to present their grievances to authorities, either in writing or in person.[22] Over 70 percent of petitions raise issues relating to expropriation of rural land, forced evictions and home demolitions, labor and social security, and law- and litigation-related problems.[23] The fundamental goal of the *xinfang* reforms is "social stability"—preventing and solving social conflicts at the local level.[24] Petitioners bring unresolved grievances to central government offices in Beijing, or resort to disruptive actions to garner attention for their cause—actions that the central government wants stopped.[25]

The Chinese government has acknowledged that the petitioning system is flawed.[26] In April 2014, the state-run Global Times declared the petitioning system "on the verge of collapse."[27] According to the official statistics, the total number of petitions (letters and visits) received at government and Party *xinfang* offices at county and higher administrative levels during the first 10 months of 2013 was 6,040,000, a decrease of 2.1 percent compared with the same time period in 2012.[28] Only a very small percentage of petitions are actually resolved—less than 1 percent, according to a

2004 study conducted by the Chinese Academy of Social Sciences, and there is nothing to suggest that the resolution rate has improved significantly since then.[29]

Collectively, the various measures and guidelines on petitioning issued during the 2014 reporting year, not unlike previous efforts to reform the petitioning system,[30] seek to accomplish the following aims, among others:[31]

- Handle and resolve complaints in a timely manner at the local level or one level higher; petitioners are not permitted to skip levels and higher level agencies are prohibited from accepting "skipped-level" petitions;[32]
- Prevent petitioners from traveling to Beijing and "from bypassing local authorities to file petitions in Beijing";[33]
- Increase online and written petitions, and decrease in-person visits;[34]
- Handle all law- and litigation-related petitions (*shefa shesu*) in courts or through other political-legal entities and resolve them through legal channels (*fazhi guidao*); government and Party petition offices are prohibited from accepting such petitions;[35]
- Reverse the widespread tendency among petitioners "to believe in petitioning, not law" (*xin fang, bu xin fa*).[36]

In addition, the government and Party have again stated that officials are prohibited from blocking or restricting "normal" petitioning by any means and they must not unlawfully detain petitioners.[37] In February 2013, the central government reportedly ceased ranking localities based on the number of repeat "abnormal" (*feizhengchang*) petitioners who bring their grievances to Beijing.[38] The previous ranking system reportedly helped to spawn the "black jail" industry, which the Commission has written about in previous annual reports.[39] [See Section II—Criminal Justice for more information regarding "black jails."]

ADMINISTRATIVE LITIGATION LAW

Adopted in 1989, the PRC Administrative Litigation Law (ALL)[40] enables citizens to file lawsuits challenging certain government actions; it is popularly referred to as the "people suing officials" law ("*min gao guan*").[41] Implementation of the ALL has been problematic, however, and in large part explains the petitioners' creed: "believe in petitioning, not law" (*xin fang, bu xin fa*).[42] Dismay with, and distrust of, the legal system has itself spawned vast numbers of petitions; individuals who are dissatisfied with judicial decisions or court inaction often turn to petitioning.[43] Various estimates over the past 10 years put the range of law- and litigation-related petitions between 40 percent and 70 percent of all petitions.[44]

In late December 2013, the first-ever draft amendment to the ALL was submitted to the National People's Congress Standing Committee for review.[45] The substantial draft contained 23 new provisions and amended 36 existing provisions.[46] The proposed revisions address the main problems with the ALL—widely referred to as "the three difficulties" (*san nan*): difficulties filing ALL cases, trying ALL cases, and enforcing ALL judgments.[47] It is because of

"the three difficulties" that many ALL cases end up in petitioning channels.[48] Proposed amendments to the ALL include increasing the range of official conduct that can be challenged (including, for example, infringement of private rights relating to ownership or use of land and other natural resources, and failure to provide appropriate social benefits), clarifying that plaintiffs may file cases orally, strengthening the procedures for accepting cases, and increasing penalties on courts that fail to file cases (*li'an*).[49] The ultimate aim of the revision, which has been in the works since 2009, is to encourage people to "believe in law" rather than petitioning.[50]

Whether the ALL amendments will lead more petitioners to file lawsuits rather than use the petitioning system remains to be seen. As noted above, local protectionism is a serious problem, which several of the judicial reform initiatives are attempting to address.[51] Moreover, with both the petitioning reforms and the proposed ALL amendments aiming to funnel more cases into a weak and already overburdened judicial system[52]—one of the reasons why petitioning is still deemed to be necessary—the ALL and petitioning reforms are not likely to lead to enhanced credibility for the judicial system or a change in the widely held belief among petitioners that petitioning is better than filing a lawsuit.[53]

Harassment and Abuse of Human Rights Lawyers

During the 2014 reporting year, authorities intensified the degree of harassment and abuse of both human rights lawyers and defenders, particularly in the run-up to the 25th anniversary of the violent suppression of the 1989 Tiananmen protests, which the non-governmental organization Chinese Human Rights Defenders (CHRD) described as the "harshest June 4 anniversary yet"[54] and China analyst Willy Lam described as "markedly more draconian"[55] than the 20th anniversary in 2009.[56] Official violence against human rights lawyers and detentions of lawyers increased substantially during this reporting year.[57] Incidents include violence against lawyers advocating for a detained Christian pastor, Zhang Shaojie, in Nanle county, Puyang municipality, Henan province,[58] and the detention and torture of four rights lawyers—Tang Jitian, Jiang Tianyong, Wang Cheng, and Zhang Junjie—in Jiansanjiang, Fujin county, Jiamusi municipality, Heilongjiang province.[59] The four lawyers were in Jiansanjiang to investigate a "legal education center" and to represent several Falun Gong detainees who sought to protest their unlawful detention.[60] [See Section II—Freedom of Religion for more information on the Nanle and Jiansanjiang incidents, and Section II—Criminal Justice for more information on "legal education centers."] Rights lawyer Gao Zhisheng was released from prison in early August 2014.[61] Shortly thereafter reports emerged that authorities had maltreated him during his more than two and a half years in Shaya Prison in the Xinjiang Uyghur Autonomous Region (XUAR).[62] According to the non-profit organization Freedom Now and Gao's U.S.-based wife, Geng He, as a result of the abuses and deprivations meted out to Gao by authorities, including solitary confinement, Gao lost 50 pounds, has serious dental problems that have not been treated, and has difficulty speaking coherently.[63] Since Gao's release, public security officers in Urumqi municipality, XUAR have been closely

monitoring Gao and restricting his activities and movement.[64] In early August, the state-run Global Times published an opinion piece on Gao, which, among other things, warned that he must "adjust his conduct" as he reenters society, or else, the commentary implied, he might cross the "red line of the law" and face legal sanctions.[65]

During this reporting year, authorities also criminally detained a number of human rights lawyers for political reasons. Authorities in Beijing municipality detained and then arrested prominent public interest lawyer Pu Zhiqiang on charges of "picking quarrels and provoking trouble" and "illegally obtaining personal information" after he attended a private gathering in early May 2014 to discuss the legacy of the 1989 Tiananmen protests and their violent suppression.[66] In early June, officials in Henan province criminally detained two human rights lawyers, Chang Boyang and Ji Laisong, who were reportedly representing individuals whom authorities had detained earlier for taking part in a February 2014 memorial service related to the 1989 Tiananmen protests.[67] Also in June 2014, authorities in Guangzhou municipality, Guangdong province, arrested three human rights lawyers—Tang Jingling, Wang Qingying, and Yuan Xinting—for "inciting subversion" reportedly in connection with their promotion of nonviolent civil disobedience.[68]

While repression of Chinese human rights lawyers intensified this reporting year, they took new steps to protect their own rights.[69] In September 2013, Tang Jitian, Jiang Tianyong, and Wang Cheng founded the China Human Rights Lawyers Group (CHRLG), which provides legal services and advice to citizens who have been detained for exercising their civil rights.[70] More than 100 lawyers affiliated with CHRLG signed a public statement in December 2013 condemning the violation of lawyers' professional rights by Nanle county authorities in the case of Pastor Zhang Shaojie.[71] In June 2014, more than 40 rights lawyers signed a pledge to voluntarily assist other lawyers and their families if they are targeted by authorities, in what one lawyer described as a "crisis situation" for rights lawyers.[72] Later that month, proposed revisions to the Lawyers' Code of Conduct and other rules relating to lawyers and law firms, drafted by the state-run All China Lawyers' Association (ACLA), were leaked on social media.[73] Provisions prohibiting lawyers from stirring up public opinion and using the Internet "to express radical or improper commentary on cases or public matters, or attack or disparage [China's] legal system, political system and Party guidelines [and] policies" were viewed by some as an apparent attempt to silence human rights lawyers.[74] In response, over 100 lawyers signed a joint letter strongly condemning the proposed revisions, claiming that they violated China's Constitution, the PRC Lawyers' Law, and the Universal Declaration of Human Rights.[75]

IV. Xinjiang

Security Measures and Conflict

Against a backdrop of escalating security controls targeting the broader Uyghur population in the Xinjiang Uyghur Autonomous Region (XUAR), the frequency and scope of violent clashes and attacks in the region increased during the Commission's 2014 reporting year. High-level central and regional Chinese Communist Party and government officials highlighted the need to "maintain stability" by strengthening the XUAR's anti-terrorism security capacity and combating "illegal religious activities" or "religious extremism."[1] Overseas rights advocates and analysts raised concerns that authorities had used excessive force against Uyghur protesters.[2] They also voiced concern that authorities' overly broad security measures and crackdowns, ongoing economic marginalization, restrictions on peaceful religious activity, and constraints on expressions of Uyghur cultural identity have exacerbated tensions in the XUAR.[3] In addition, they expressed concern that Chinese officials failed to distinguish between violence or terrorism and peaceful dissent.[4] Domestic and international observers and international media reports also raised questions about the government's reported versions of violent events and the denial of access to foreign journalists to areas linked to violent clashes or attacks, underscoring the government's lack of transparency and failure to release key details about violent conflict and subsequent criminal procedures.[5]

Throughout this reporting year, authorities implemented repressive security measures targeting Uyghur communities inside and outside the XUAR. Such measures included arbitrary detentions,[6] domestic repatriation of migrant communities to the XUAR,[7] crackdowns on peaceful religious practices,[8] police and paramilitary patrols and searches of the general Uyghur population,[9] restrictions on Uyghurs' access to hotels in areas outside of the XUAR,[10] and requests to citizens living outside of the XUAR to report on the presence of any Uyghur tenants or other Uyghurs or "people from Xinjiang" within their communities.[11]

At a December 2013 meeting, President Xi Jinping reportedly told the Political Bureau of the Communist Party Central Committee (Politburo) that officials should focus on "maintaining stability" in the XUAR, marking a strategic shift from an official emphasis on promoting regional development that had been in place since 2010.[12] In January 2014, the XUAR government released plans to increase regional public security spending by 24 percent to 6.1 billion yuan (US$1 billion), which included a 100 percent rise in the XUAR public security bureau's budget to fight terrorism.[13] In late April 2014, during a visit to military and paramilitary posts in Kashgar city, President Xi stated that the Kashgar region formed the "front line" against terror.[14]

At the Third Plenum of the 18th Party Congress, held in Beijing municipality in November 2013,[15] central government officials reportedly established a new Central State Security Committee, which will focus heavily on domestic security measures, including in the XUAR.[16] At the annual meetings of the National People's Congress and Chinese People's Political Consultative Conference in

March 2014, central legislators also considered drafting the nation's first anti-terrorism law.[17] Also in March, a Chinese legal expert urged lawmakers to use caution when drafting anti-terrorism legislation in order to achieve a balance between combating extremism and protecting civil rights.[18]

Both domestic and overseas media and rights defenders criticized Chinese officials' lack of transparency regarding violent events involving Uyghurs that took place during this reporting year.[19] Journalists and rights groups reported on authorities' detention of reporters,[20] refusal to allow foreign reporters to visit areas linked to violent clashes or attacks,[21] restrictions on social media comments,[22] and issuance of official directives to media organizations to proscribe reporting that strayed from the official narrative.[23]

During this reporting year, deadly incidents and attacks that likely involved political or ethnic tensions and that took place in the XUAR or involved Uyghurs outside of the XUAR led to more than 300 fatalities. Violence that took place on July 28, 2014, in Yarkand (Shache) county, Kashgar prefecture, likely resulted in more deaths on a single day than at any time since the July 2009 demonstrations and riots in the regional capital of Urumqi.[24] [For more information on the July 28 violence, see the text box below.] On July 30, 2014, three Uyghur attackers allegedly killed Jume Tahir, the imam of the historic Id Kah Mosque in Kashgar city[25] and deputy president of the Islamic Association of China[26] who was reportedly unpopular among many Uyghurs due to his support of government and Party policy and official restrictions on the practice of Islam in the XUAR.[27] On May 22, 2014, Uyghur attackers allegedly drove through a vegetable market in Urumqi city, killing 39 people and injuring more than 90.[28] Central government officials responded by launching a year-long crackdown on terrorism[29] and heightening security in the XUAR and in major cities in eastern China.[30] In May, President Xi Jinping called for "nets spread from the earth to the sky" to fight terrorism in the XUAR, and stressed the need to ensure long-term stability in the region, as well as to foster patriotism among religious clergy and deter "illegal and extreme" religious activities.[31] Also in May, XUAR Communist Party Secretary Zhang Chunxian pledged a "people's war" against terrorism in the region, encompassing security measures and "special campaigns to regulate illegal religious activities."[32]

July 28 Deadly Violence in Yarkand (Shache) County, Kashgar Prefecture

On July 28, 2014, at the end of Ramadan, violent clashes took place in Yarkand county, Kashgar prefecture, involving local residents and security personnel. In the wake of the clashes, officials prevented any independent assessment of the violent events by reportedly heightening the local security presence,[33] shutting down or censoring online communications forums,[34] and blocking foreign reporters from entering the area.[35] State media first reported the violence on July 29, describing it as a terrorist attack in which a "mob" armed with knives and axes attacked government offices and a police station, burned vehicles, and killed dozens of civilians, and stating that police shot and killed dozens of attackers.[36] State media later reported that police had shot and killed 59 "terrorists" and arrested 215 people, and that the attackers had killed 37 civilians.[37] Overseas Uyghur rights advocates and Uyghur sources cited by overseas media, however, disputed the official account, reporting that police had shot and killed 20 or more Uyghur residents who were protesting against a harsh official crackdown during Ramadan.[38]

On May 20, 2014, police in Kucha county, Aksu prefecture, reportedly fired on a group of Uyghurs protesting in front of local government offices, after the protesters assaulted the principal of a local middle school and the head of the local township government.[39] Eyewitnesses stated the gunfire killed at least two protesters and wounded several others.[40] Local residents had gathered to protest the detention of up to 25 Uyghur women and girls who had violated government instructions not to wear headscarves,[41] which one local resident reportedly said was part of an ongoing crackdown on men wearing beards, women wearing headscarves, and schoolgirls wearing "Islamic dress."[42] Police reportedly detained more than 100 people in security sweeps in the days following the protest.[43]

On April 30, 2014, two Uyghurs allegedly set off an explosive device at a train station in Urumqi city, killing themselves and a bystander and injuring at least 79 others.[44] The attack took place at the end of President Xi's four-day visit to the region, during which he had underscored the need to fight terrorism and maintain stability in the XUAR.[45] Dozens of additional fatal clashes or attacks took place within the XUAR during the reporting year, many in locations in Aksu, Kashgar, and Hotan prefectures.[46] These incidents reportedly included attacks committed by Uyghurs[47] and clashes involving authorities' deadly force against Uyghurs in instances rights groups said were excessive or unwarranted.[48]

Government officials attributed to Uyghurs at least two major violent incidents that took place beyond the XUAR during the reporting year, indicating a possible expansion of conflict outside of XUAR borders. A March 1, 2014, knife attack, allegedly carried out by 8 Uyghurs at the Kunming Railway Station in Kunming city, Yunnan province, left 29 dead and more than 140 injured.[49] On October 28, 2013, a Uyghur drove an SUV through a crowd of people, crashing into a bridge in Tiananmen Square in Beijing city, killing

himself, his wife, and his mother, who were with him in the vehicle, and 2 bystanders, and injuring 40 bystanders.[50]

Criminal Law and Access to Justice

During this reporting year, authorities in the XUAR detained hundreds of Uyghurs on terror-related charges,[51] sentenced hundreds of Uyghurs to prison terms or death for terror-related crimes,[52] and executed at least 13 people convicted of terror-related crimes,[53] in criminal and judicial procedures that rights groups criticized for lack of due process.[54] In one case including Uyghurs sentenced on terror-related charges, on May 27, 2014, following central and regional authorities' pledges to crack down on terrorism in the XUAR,[55] authorities in Yili Kazakh Autonomous Prefecture held a mass sentencing rally for 55 people that was attended by more than 7,000 local residents and officials.[56] State media reported that at the event, authorities also announced the arrests of 38 criminal suspects and the criminal detentions of 27 criminal suspects.[57] The names provided of those sentenced, arrested, and criminally detained all appear to be Uyghur.[58] Those arrested and criminally detained reportedly included terrorists, separatists, rapists, and people who had "illegally read the *Nikah,*"[59] an important part of Uyghurs' Islamic wedding ceremony.[60]

Research into trials in the XUAR involving charges of "endangering state security" (ESS) in 2013 suggests an increase in the prosecution of Uyghurs on ESS charges compared to 2012.[61] XUAR authorities have used ESS charges to punish people for peaceful activism, free expression of ethnic identity, and independent religious activity.[62] According to estimates provided by the Dui Hua Foundation, an international human rights advocacy organization, based on statistics reported by the XUAR government,[63] the number of ESS trials held in the XUAR rose by 10 percent to nearly 300 in 2013.[64] According to Dui Hua's research, ESS trials are concentrated in certain areas of the XUAR, with courts in Kashgar prefecture trying more than 60 percent of the XUAR's ESS cases.[65] Dui Hua also noted that while the XUAR High People's Court had provided the exact number of ESS trials concluded every year since 2008, it did not provide this information for 2013.[66]

This past reporting year, authorities convicted Uyghur scholar Ilham Tohti, a professor at Minzu University and founder of the Web site Uyghur Online, of "separatism," a crime falling under the category of "endangering state security." On September 23, 2014, the Urumqi Intermediate People's Court sentenced Tohti to life in prison and ordered the confiscation of his property.[67] Authorities had detained Tohti on January 15, 2014, at his home in Beijing municipality, in apparent connection with his public discussion of Uyghur rights issues.[68] Around the same time in January 2014, authorities also detained around eight or more young Uyghurs who reportedly either had been Tohti's students or had contributed to Uyghur Online.[69] In February 2014, Chinese authorities formally arrested Tohti[70] and four young Uyghurs who had contributed to Uyghur Online: Mutellip Imin,[71] Perhat Halmurat,[72] Shohret Tursun,[73] and Abduqeyum Ablimit.[74]

Other cases of Uyghurs reportedly detained or arrested on political charges during the reporting year include:

- **Akbar Imin,**[75] an HIV/AIDS advocate reportedly detained on January 15, 2014, in Urumqi city on charges of "endangering state security";[76] and
- **Abduweli Ayup, Dilyar Obul, and Muhemmet Sidik,** whom authorities reportedly detained in August 2013 in separate locations in the XUAR after opening a Uyghur-language kindergarten in Kashgar and attempting to open a Uyghur-language school in Urumqi.[77] In May 2014, authorities reportedly issued a letter indicating Ayup had been formally charged with soliciting illegal donations for the kindergarten in Kashgar.[78] The Tianshan District People's Court in Urumqi city reportedly tried Ayup, Obul, and Sidik on July 11, 2014, and sentenced them on August 21 to prison terms ranging from one year and six months to two years and three months on charges of "illegal fundraising."[79]

Life Sentence for Ilham Tohti; Abuses Reported in Tohti's Case

On September 23, 2014, an Urumqi court sentenced Uyghur scholar Ilham Tohti to life in prison on the charge of "separatism."[80] According to a September 23 Xinhua report, the court heard that Tohti had "spread lessons containing separatist thoughts" via Uyghur Online, "coerced students to work for the website and built a criminal syndicate," and "incited ethnic hatred by distorting the causes of a number of riots and disputes that occurred in Xinjiang and Beijing."[81] According to media reports regarding Tohti's indictment, which Chinese authorities announced on July 30, 2014,[82] authorities charged him under Article 103 of the PRC Criminal Law.[83] Numerous overseas government bodies and rights groups criticized Tohti's life sentence, raising concerns that Chinese authorities persecuted Tohti for peacefully exercising his rights under Chinese law.[84] The court reportedly refused to call any of the 10 witnesses Tohti's defense lawyers had requested to testify at his trial.[85]

Overseas advocacy groups have criticized the lack of due process in Chinese authorities' handling of Tohti's case, including officials' initial denial of access to his defense attorney.[86] During Tohti's first meeting with his lawyers Li Fangping and Wang Yu on June 26, 2014—more than five months after he was first detained—he reportedly stated that detention center authorities had subjected him to abuse, including denying him food for 10 days and shackling him for nearly three weeks.[87] Wang Yu's law firm withdrew her from Tohti's case in late July, citing pressure from officials in Beijing.[88] Li Fangping and another lawyer, Liu Xiaoyuan, met with Tohti for about three hours on August 5, 2014.[89] Later in August, Li stated on social media that prosecutors had failed to provide complete evidence for Tohti's defense team to review.[90]

Life Sentence for Ilham Tohti; Abuses Reported in Tohti's Case—Continued

In May 2014, Tohti's wife Guzelnur told Radio Free Asia (RFA) that security personnel had placed her and the couple's two sons under "heavy surveillance" at their Beijing home since Tohti's detention in January 2014, although they had recently reduced this surveillance.[91] In the same interview, Guzelnur said the couple's oldest son was suffering from heart problems due to the psychological stress of his father's detention.[92] In February 2014, Guzelnur told RFA that police stationed outside the family's apartment were preventing anyone from meeting with her, including Tohti's lawyer, Li Fangping.[93]

Development Policy

During the Commission's 2014 reporting year, central government and XUAR officials launched large-scale development initiatives prioritizing the XUAR's integration with the rest of China and neighboring countries, including through the upcoming launch of the region's first high-speed railway,[94] a new desert expressway,[95] and projects designed to develop the region as an economic hub for the new "Silk Road."[96] Central and regional officials also made assurances to raise living standards[97] and address the unequal distribution of wealth in the region[98] that analysts continued to observe during the reporting year.[99] Officials pledged to provide employment for at least one person from every family,[100] abolished fees for high school students in southern areas of the XUAR,[101] ordered state-owned enterprises in the XUAR to hire 25 percent of staff from local ethnic minorities,[102] and issued a plan to develop the XUAR's textile industry.[103] Some commentators observed that authorities' launching of new development initiatives likely constituted tacit acknowledgement of the role economic and social inequality had played in exacerbating regional instability.[104] Some observers cautioned that new development policies would likely fail to engender stability or equitable regional development.[105]

At the second Xinjiang Work Forum, held in Beijing municipality in May 2014, President Xi Jinping prescribed policy measures to further assimilate Uyghurs and other non-Han groups in the XUAR into the Han Chinese cultural and economic spheres. Alongside recommendations for more state investment in promoting employment and reducing poverty in the region, President Xi stressed the importance of "ethnic unity" to bringing about stability in the XUAR.[106] Government and Party officials have historically used "ethnic unity" initiatives to impose state-defined interpretations of identity.[107] Toward the goal of supporting "ethnic unity," President Xi advocated the promotion of "bilingual education," as well as the expansion of programs to send ethnic minority XUAR residents to other regions of China to study, work, and live.[108] In addition, President Xi called for teachings by religious leaders to be grounded in patriotism.[109]

On February 14, 2014, regional officials launched a "Down to the Grassroots" campaign, which officials and state media billed as aiming to boost development, improve people's livelihoods, and enhance stability and "ethnic unity."[110] In March 2014, more than

70,000 XUAR officials assumed one-year "grassroots" positions in villages throughout the region,[111] as part of a three-year regional plan to dispatch 200,000 "grassroots" cadres.[112] State media articles and social media posts by "grassroots" cadres indicated that alongside efforts such as agricultural and environmental initiatives,[113] "grassroots" cadres had carried out projects that may be less well-received,[114] such as forums on "illegal religious activities,"[115] the partial demolition of a local mosque,[116] and the construction of shops selling alcohol and tobacco to counter local resistance to the sale of these products.[117] The "grassroots" campaign in the XUAR is part of the larger nationwide "mass line" campaign that began in June 2013.[118] XUAR Communist Party Secretary Zhang Chunxian reportedly stated that the regional campaign "leaves no blanks" in its coverage of 10,000 XUAR villages and communities.[119]

Demolitions in Kashgar's Old City

Authorities continued to tear down homes and other structures in the Old City section of Kashgar city[120]—an area with deep cultural and historic resonance for Uyghurs[121]—amid concerns that local authorities had failed to include Uyghur residents' input into how or whether the Old City demolition project should be carried out.[122] Since 2009, officials have overseen the Old City's demolition and redevelopment, together with the resettlement of the Old City's 220,000 residents,[123] alongside broader state efforts to transform Kashgar into an economic development hub.[124] According to a November 2013 China Daily article, four square kilometers remained[125] out of the Old City's original eight square kilometers.[126] The New York Times reported in March 2014 that most Uyghurs who have returned to live in the Old City have been relatively well-off government workers and merchants, with many less wealthy former residents unable to afford to return.[127] A British journalist wrote in January 2014 that authorities had razed much of Yar Beshi, a section of the Old City authorities had previously designated for preservation.[128]

Labor

Some government and private employers in the XUAR continued to discriminate against non-Han job candidates.[129] As in past reporting years,[130] the Commission continued to observe job announcements that reserved positions exclusively for Han Chinese, including civil servant and private-sector jobs, in contravention of Chinese labor and anti-discrimination law.[131] Private and public employers also continued to reserve more positions for men, leaving non-Han women to face both ethnic and gender discrimination in the employment process.[132]

Freedom of Expression

Government authorities continued to restrict media coverage and online expression over violent incidents involving Uyghurs during the reporting period.[133] Chinese officials moved quickly to suppress news and online discussion about violent incidents.[134] On October 28, 2013, an SUV driven by a Uyghur man crashed into a guardrail

next to Tiananmen Square after driving through a crowd of people, killing 2 and injuring 40.[135] Shortly thereafter, Chinese authorities detained a number of foreign and Hong Kong reporters who sought to cover the incident.[136] Security agents also threatened Uyghur scholar Ilham Tohti on November 2 after he provided interviews to foreign media in which he questioned the government's portrayal of the Tiananmen crash as a terrorist attack and raised concerns about government policies in the XUAR.[137]

In March 2014, XUAR Communist Party Secretary Zhang Chunxian told reporters that the Internet was the driving force behind terrorism in the XUAR, and that almost all terrorism in the XUAR was aided by the use of VPNs (virtual private networks).[138] XUAR authorities punished Internet users for online expression and online discussion of religious issues during the reporting year. In October 2013, state media reported that regional authorities had "punished 256 people for spreading online rumors that jeopardized social stability and another 139 for spreading extreme religious ideas during a recent crackdown on Internet crimes."[139] In spring 2014, state media articles reported that disciplinary inspection officials in Aksu prefecture had fired a Uyghur official for online activities that had "incited separatism and ethnic hatred."[140] In a separate case, in May 2014, the Aksu Intermediate People's Court sentenced Mehmetniyazi Ayni to five years in prison for "inciting ethnic hatred" and "inciting ethnic discrimination" in online chat groups as part of officials' efforts to stop the spread of violent terrorist audiovisual materials.[141]

The space for online Uyghur expression remained limited during the reporting year. A report released by a Uyghur human rights organization in June 2014 documented a marked increase in the degree of government- and self-censorship of Uyghur online expression in the years since the July 2009 demonstrations and riots in Urumqi, when authorities shut down a number of popular Uyghur-run Web sites and detained more than 100 Uyghur Web site administrators.[142] According to research cited by the report, moderators on at least one Chinese social media site censored a much higher proportion of postings by users in the XUAR than postings by users in Beijing municipality.[143]

Freedom of Religion

During this reporting year, regional authorities monitored, controlled, and punished Uyghurs for peaceful Islamic practices.[144] In comments made during the reporting year, top central and regional officials underscored the need to combat "religious extremism" in order to maintain stability in the XUAR, and vowed to increase controls on religious activities carried out outside of government-sanctioned parameters.[145] Authorities enforced tight restrictions on religious aspects of Uyghur marriage customs,[146] tightened rules preventing civil servants and others from engaging in religious activities,[147] and enforced controls on Uyghurs' religious practices during Ramadan.[148]

This past year, local governments throughout the XUAR enforced rules and regulations prohibiting certain displays of peaceful religious expression.[149] In April 2014, authorities in Shayar (Shaya) county, Aksu prefecture, publicized a system of rewards, some ex-

ceeding more than 50,000 yuan (US$8,015), for "whistle-blowers" who reported on a range of "illegal religious activities," including the wearing of beards and the practice of *Nikah,* a key religious component of Islamic marriages.[150] During a public sports event in August, authorities in Qaramay (Kelamayi) city prohibited women wearing veils, men with long beards, and others wearing clothes with religious connotations from riding public transportation.[151] Local authorities throughout the XUAR also required welfare recipients, lawyers, and civil servants to sign pledges prohibiting them from engaging in "illegal religious activities," including the wearing of beards and veils and the wearing of clothes with religious connotations.[152] For civil servants, some pledges reportedly required them to prevent family members from engaging in prohibited religious activities, with penalties including restrictions on access to higher education for their children.[153] In addition, local authorities led ideological campaigns and educational sessions encouraging students in the XUAR to refrain from engaging in "illegal religious activities." [154]

Regional and local authorities trained female religious specialists, known as *büwi,* in how to educate other Muslim women to oppose illegal religious activities and dress in a "modern" fashion, without wearing a *jilbab* or covering their face.[155] XUAR officials and *büwi* promoted the "beauty project," a campaign under which Muslim women are exhorted to "let their beautiful hair fly freely" instead of covering their hair according to religious or cultural beliefs.[156]

Some Uyghur Muslims and Christians continued to serve prison sentences as a result of exercising their faith.[157] Authorities sentenced Uyghur Muslim religious leader Abdukiram Abduveli [158] to a fifth consecutive extension of his prison term after detaining him for more than 23 years, beginning in 1990, for "organizing a counter-revolutionary group," among other charges.[159]

As in the previous reporting year,[160] local government officials throughout the XUAR reportedly maintained restrictions over Uyghurs' observance of Ramadan, forbidding government employees, students, and teachers from fasting.[161] According to an overseas Uyghur rights advocate, officials in Urumqi had stationed 10 to 18 security officials inside each of the city's mosques for the Ramadan period, installed cameras in mosques, and ordered mosques frequented by Uyghurs to publicize an anti-terrorism campaign during Ramadan.[162]

Language Policy and "Bilingual Education"

During this reporting year, both central and XUAR government authorities broadened the scope of Mandarin-focused "bilingual education" in the region, a policy some Uyghur students and rights advocates fear is aimed at assimilating young Uyghurs into Han Chinese society at the expense of their Uyghur identity.[163] The expansion of the policy was carried out in line with targets set in 2010 to universalize and develop "bilingual education" in preschool through secondary school instruction throughout the region.[164] Under "bilingual education," class instruction takes place primarily in Mandarin Chinese, largely replacing instruction in languages spoken by ethnic minority groups.[165]

In June 2014, one month after President Xi Jinping highlighted the importance of "bilingual education" for "ethnic unity" in a speech at the second Xinjiang Work Forum,[166] the National Development and Reform Commission issued a total of 530 million yuan (US$85.1 million) in "special funding" to support the development of "bilingual education" at primary and secondary schools in the XUAR.[167]

Population Planning Policies

In December 2013 and January 2014, Radio Free Asia reported that authorities in Arish township, Keriya (Yutian) county, Hotan prefecture, forced at least four Uyghur women to undergo abortions, including a woman who was nine months pregnant.[168] The deputy chief of Arish township and the head of the local family planning department reportedly confirmed that authorities forced the women to undergo abortions,[169] but officials at the hospital where the women were taken denied that they had carried out any forced abortions.[170]

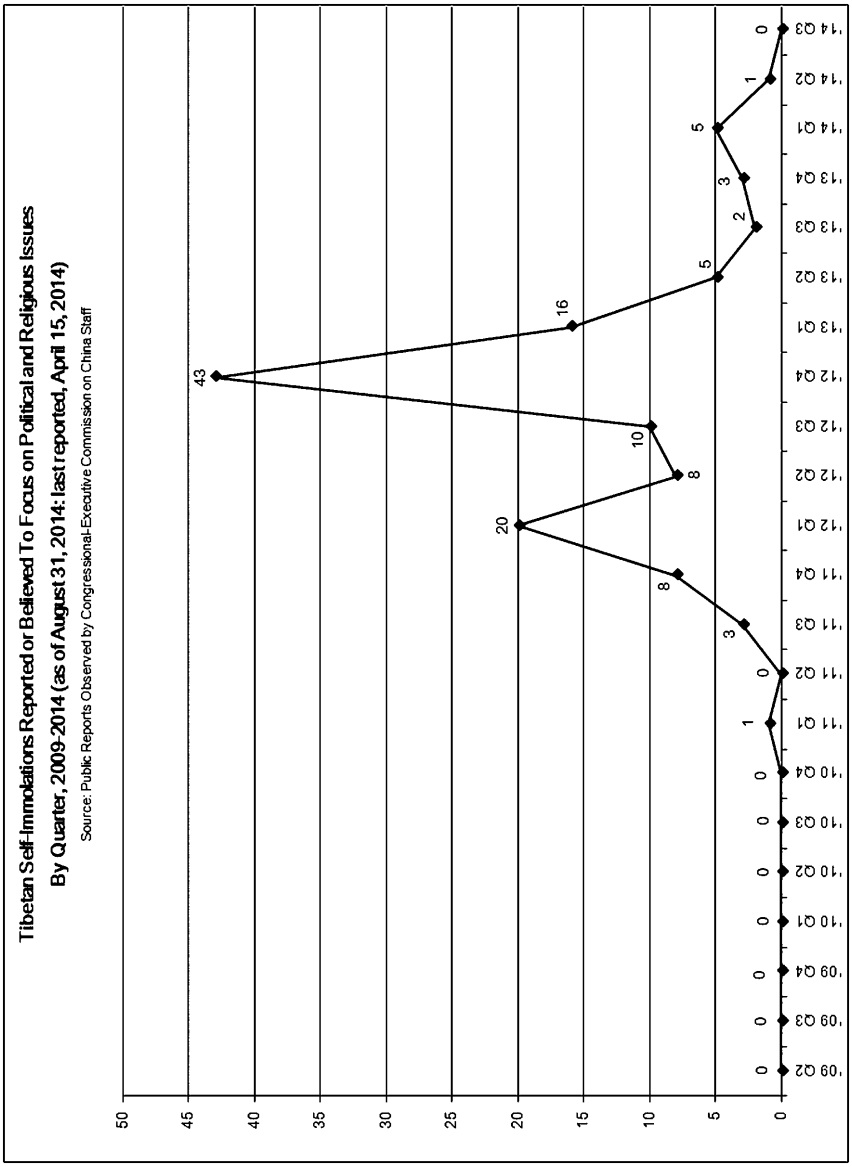
V. Tibet

Status of Negotiations Between the Chinese Government and the Dalai Lama or His Representatives

Formal dialogue between the Dalai Lama's representatives and Chinese Communist Party and government officials has been stalled since the January 2010 ninth round,[1] the longest interval since such contacts resumed in 2002.[2] The Commission observed no indication during the 2014 reporting year of official Chinese interest in resuming a dialogue that takes into account Tibetan concerns in the Tibetan autonomous areas of China.[3]

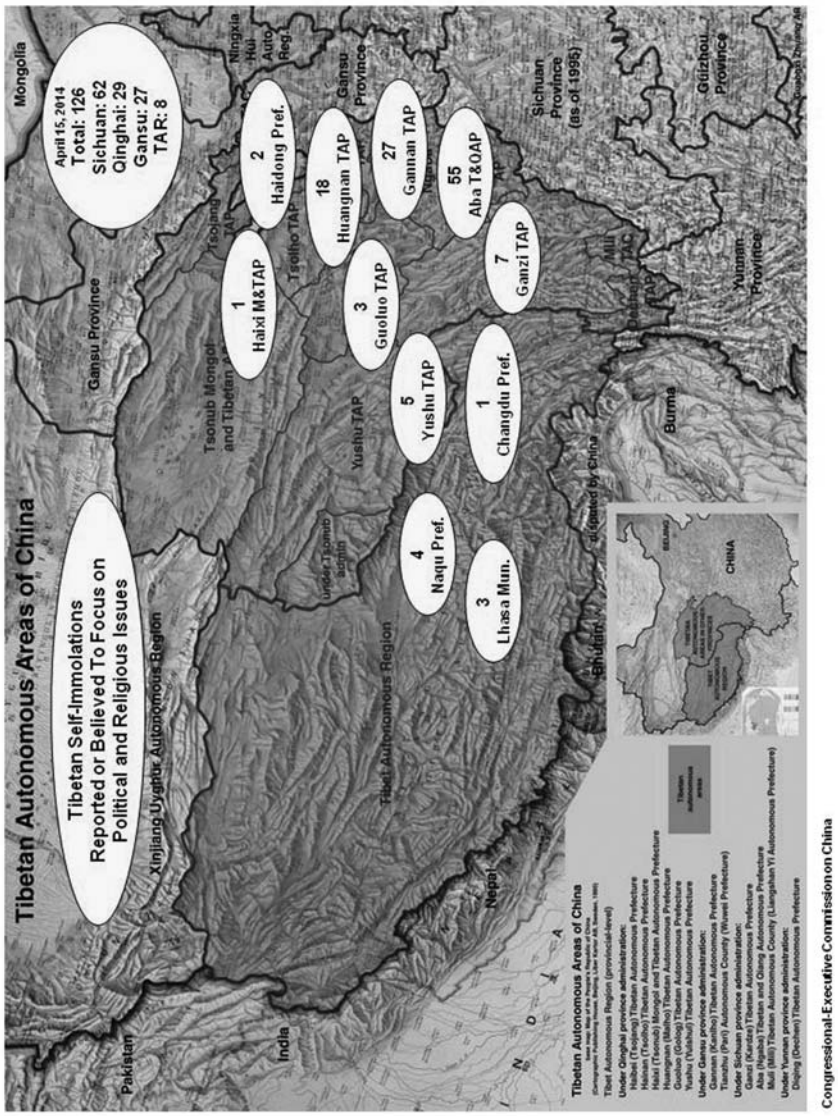
Tibetan Self-Immolation: Steep Decline

The frequency of Tibetan self-immolation reportedly focusing on political and religious issues declined steeply during the Commission's 2014 reporting year, and followed an increase in Party and government security and punitive measures. During the 12-month period September 2012–August 2013, the Commission recorded 66 self-immolations focused on political and religious issues;[4] during the 12-month period September 2013–August 2014, the Commission recorded 10 such self-immolations.[5] The Commission has not observed any sign that Party and government leaders intend to respond to Tibetan grievances in a constructive manner or accept any accountability for Tibetan rejection of Chinese policies.



The general character of self-immolations—acts committed publicly and featuring calls for Tibetan freedom and the Dalai Lama's return [6]—remained consistent with previous years and concurrent with government use of regulatory measures to control and repress principal elements of Tibetan culture and religion, including Tibetan Buddhist monastic institutions,[7] and with the apparent collapse of the China-Dalai Lama dialogue.[8] Since 2009, Tibetans have self-immolated in 10 of 17 Tibetan autonomous prefectures and 1 ordinary prefecture;[9] during the 12-month period September

2013–August 2014, Tibetans self-immolated in 5 Tibetan autonomous prefectures located in 3 provinces.[10]



Since the first Tibetan self-immolation in February 2009,[11] the profile of Tibetan self-immolators shifted from an initial pattern of less frequent self-immolations mainly in Sichuan province by a majority of current or former monastics,[12] to a pattern of more frequent self-immolations mostly outside Sichuan by a majority of laypersons.[13] Concurrent with recently declining self-immolation, however, Sichuan monastics resumed the majority: during the 12-month period September 2013–August 2014, of 10 self-immolators, 6 were monastics[14] and 4 were laypersons;[15] 6 were in Sichuan[16]

and 4 were in Qinghai or Gansu provinces.[17] Overall, the proportions of monastic and lay self-immolators, and of Sichuan and non-Sichuan residents, were similar as of April 15, 2014, when 126 Tibetan self-immolations reportedly focused on political and religious issues had occurred.[18]

TIBETAN SELF-IMMOLATIONS REPORTED OR BELIEVED TO FOCUS ON POLITICAL AND RELIGIOUS ISSUES (SEPTEMBER 2013–AUGUST 2014)

See CECC 2012 and 2013 Annual Reports for Self-Immolations 1–116[19]

No.	Date of Self-Immolation	Name Sex / Approx. Age	Occupation Affiliation	Self-Immolation Location (Prov. / Pref./ County)	Status
	2013				
117	September 28	Shichung M/41	Farmer, tailor, husband, father	Sichuan / Aba T&QAP / Aba county	Deceased[20]
118	November 11	Tsering Gyal M/20	Monk Akyong Monastery	Qinghai / Guoluo TAP / Banma county	Deceased[21]
119	December 3	Konchog Tseten M/30	Nomad, husband, father	Sichuan / Aba / Aba	Deceased[22]
120	December 19	Tsultrim Gyatso M/43	Monk Achog Monastery	Gansu / Gannan TAP / Xiahe county	Deceased[23]
	2014				
121	February 5	Phagmo Samdrub M/late 20s	Tantric Buddhist practitioner, husband, father	Qinghai / Huangnan TAP / Zeku county	Deceased[24]
122	February 13	Lobsang Dorje M/25	Former monk Kirti Monastery	Sichuan / Aba / Aba	Deceased[25]
123	March 16	Lobsang Palden M/early 20s	Monk Kirti Monastery	Sichuan / Aba / Aba	Deceased[26]
124	March 16	Jigme Tenzin M/29	Monk Sonag (Shador) Monastery	Qinghai / Huangnan / Zeku	Deceased[27]
125	March 29	Drolma F/31	Nun	Sichuan / Ganzi TAP / Batang county	Hospitalized[28]
126	April 15	Trinle Namgyal M/32	Layperson	Sichuan / Ganzi / Daofu county	Deceased[29]

Collective Punishment

This past year, the Commission observed for the first time reports of county-level governments turning to collective punishment in apparent attempts to deter individuals from engaging in prohibited behavior.

RUO'ERGAI COUNTY

In the initial and best-documented of two reports, on April 8, 2013, the Ruo'ergai (Dzoege) County People's Government, in Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, Sichuan province, issued provisions imposing collective punishment intended to deter Tibetans from self-immolating.[30] The Interim Anti-Self-Immolation Provisions (the Provisions), first reported on in February 2014,[31] could place at risk access to housing, livelihood, or financial security of a family, community, village, or monastic institution if a member of that group committed self-immolation or was deemed to be associated with an act of self-immolation.

The Provisions target groups classified as "immediate family";[32] a "household" or "residence";[33] a "village" or "community";[34] a monastery or nunnery ("temple");[35] and the monks and nuns who reside within a monastic institution.[36] The following summary provides examples of how the Provisions would punish such groups collectively by targeting their ability to remain functional and establishing an intimidating political environment.

- **Housing.** Obstructing the ability to maintain housing for persons officials deem to have been "actively involved" in a self-immolation by canceling household benefits for three years and social benefits for one year.[37]
- **Livelihood.** Preventing or obstructing the ability of a self-immolator's family members to secure a livelihood by revoking the right to use land for farming or grazing;[38] and preventing or obstructing the ability of residents of a village where a self-immolator lived to secure a livelihood by freezing the right of villagers to use land for farming or grazing.[39]
- **Employment.** Restricting career, employment, and housing opportunities for a self-immolator's family members by canceling their eligibility to apply for national-level government, worker or service positions, or military employment.[40]
- **Business.** Preventing or obstructing the ability of a self-immolator's family members and the households of persons deemed to have been "active participants"[41] in a self-immolation to secure a livelihood by withholding approval to conduct business activity for three years;[42] and by imposing financial hardships and imperiling function in monastic institutions associated with a self-immolator by ordering them to "halt all business activities."[43]
- **Property.** Preventing the ability of a self-immolator's family members and the households of persons deemed to have been "active participants" in a self-immolation from accessing full use of real estate by only "confirming" (household) land and building rights (*que quan*), but not issuing "certification" (*zheng*).[44]

- **Finance.** Imposing financial and other hardships on a community, village, or monastic institution associated with a self-immolator by designating them as "untrustworthy" and withholding the granting of new loans for three years, and by only receiving payments on existing loans but not disbursing funds from the loans;[45] and by imperiling financial status by requiring a community, village, or monastic institution where a self-immolation takes place to pay a "security deposit" of 10,000 to 500,000 yuan (US$1,600 to 80,000) that would be returned only if another self-immolation does not occur within two years.[46]
- **Development.** Imposing financial and other hardships on a village, community, or monastic institution associated with a self-immolator by canceling or postponing national-level investment in that village, community, or monastic institution;[47] and by imposing financial and other hardships on a village or community associated with a self-immolator by halting "all investment and civil society capital projects."[48]
- **Religion.** Imposing a reduction in religious function in monastic institutions associated with a self-immolator through temporary "strict limitations" on monks' and nuns' activities, and on large-scale Tibetan Buddhist activities across an undefined broader "area."[49]
- **"Education."** Requiring family members and others linked to a self-immolation by "minor evidence" or "actions [that] do not constitute a crime" to attend a minimum of 15 days' "legal education classes" located at a "separate locality";[50] and requiring residents of villages, communities, and monastic institutions where a self-immolation takes place to attend "legal study sessions."[51]
- **Intimidation.** Implementing "the strictest comprehensive administrative enforcement possible" anywhere that a self-immolation takes place, and imposing the "strictest" comprehensive administrative law enforcement and corrective punishment.[52]

BIRU COUNTY

In the more recent instance involving apparent collective punishment, a Tibetan advocacy organization obtained a partial copy of a Tibetan-language manual titled to indicate that it explained "a temporary regulation" issued in June 2014 by the Biru (Driru) County People's Government in Naqu (Nagchu) prefecture, Tibet Autonomous Region.[53] [See Biru Crackdown in this section.] A copy of the actual regulations was unavailable as of August 2014. The regulations in certain cases could impose significant financial hardship collectively on an entire family if a single family member engaged in prohibited behavior.[54] Examples of types of behavior and punishment follow.

- **Behavior.** Attending a specific religious teaching by the Dalai Lama in India in July 2014;[55] traveling beyond one's residential area for "illegal acts of religious education;[56] "having strong nationalistic fervor;"[57] "propagating harmful information" over the Internet;[58] "propagating videos or songs"

praising the Dalai Lama;[59] and failure to "hoist the Chinese flag" when required.[60]

- **Punishment.** An individual[61] or family (collective)[62] ban for one to five years on harvesting *cordyceps sinensis* ("caterpillar fungus")—a principal source of cash income for many Tibetan families;[63] loss of welfare benefits;[64] cancelation of household registration;[65] periods of legal education of up to six months;[66] and, in the case of monks and nuns, expulsion from a monastic institution.[67]

COLLECTIVE PUNISHMENT UNDER CHINESE LAW

Available information about the Ruo'ergai and Biru measures raises questions regarding their application and consistency with China's Constitution and laws.

- **Has either measure resulted in actual application of collective punishment?** As of August 2014, the Commission had not observed a report of specific collective punishment of a family, household, community, village, or monastic institution.
- **Does China's Constitution provide support for collective punishment?** Commission research failed to locate any article within the Constitution that appears either to explicitly permit the collective punishment of families, households, communities, villages, or monastic institutions irrespective of individual activity; or that explicitly protects citizens from collective punishment.
- **Are collective punishments in line with relevant Chinese laws?** Based on Commission research, the PRC Criminal Law and PRC Criminal Procedure Law do not contain language explicitly addressing collective punishment of families, households, communities, villages, or institutions based solely on proximity to an action the government treats as illegal, or based solely on a family relationship with a person who committed such an act. The Ruo'ergai measures contain no reference to any means by which a punished entity could appeal against a punishment; information is incomplete on the Biru measures.

Religious Freedom for Tibetan Buddhists

Pressure on Tibetan Buddhists to accept Communist Party and government control of the religion remained high.[68] Party leadership continued to characterize the Dalai Lama as a threat to Tibetan Buddhism's "normal order"[69] instead of as a principal teacher,[70] and urged that he be "separated" from the religion and the title "Dalai Lama."[71] Representative developments this past year included the following examples.

- **"Healthy" Buddhism.** Yu Zhengsheng, a member of the Standing Committee of the Political Bureau of the Communist Party Central Committee, stated that strengthening "the motherland" and boosting social and economic development are preconditions for the "healthy development" of Tibetan Buddhism.[72]

• **Cadre deployment.** State-run media reported that a deployment of Party cadres to every Tibet Autonomous Region (TAR) village, monastery, and nunnery, completed in March 2012,[73] involved 60,000 cadres, according to a September 2013 report[74]—nearly triple the 21,000 initially reported in March 2012.[75] An official described the cadres' deployment as the most extensive since the 1951 "peaceful liberation of Tibet."[76]

• **Heightened control.** Qinghai province officials reportedly pressured monks and monasteries in Yushu (Yulshul) and Guoluo (Golog) Tibetan Autonomous Prefectures to accept greater Party and government control.[77] In Yushu, where Tibetan Buddhist affairs regulations took effect in September 2013,[78] authorities ordered some monasteries to replace monastic members of management committees with "government and Party appointees" by June 2014.[79] In Guoluo,[80] officials launched a campaign in May 2014 requiring monks and residents to "demonstrate their support" for the Party, obey laws and regulations, and not engage in protest activity.[81]

• **Targeting leaders.** Officials detained, imprisoned, or beat to death monastic leaders, including: Abbot Gyurme Tsultrim (detained November 2013; under home confinement after urging promotion of Tibetan religion, language, and ethics);[82] Abbot Karma Tsewang (detained December 2013; a Tibetan culture advocate accused of harboring "fugitive" monks);[83] chant master Thardoe Gyaltsen (detained December 2013; sentenced to 18 years' imprisonment for "inciting splittism" by possessing copies of the Dalai Lama's teachings);[84] Geshe Ngawang Jamyang (detained November 2013; beaten to death in custody in December; attained Geshe status[85] in India; previously imprisoned for "leaking state secrets");[86] and Abbot Khedrub (detained April 2014; suspected of "links" to prayers for Tibetans who self-immolated).[87]

• **Reincarnation identification.**[88] A report emerged of the July 2013 closure of Shag Rongpo Monastery in Naqu (Nagchu) prefecture, TAR, over resentment of government attempts to "enthrone its own choice" of a teacher Tibetan Buddhists regard as a reincarnation.[89] A mother of two children reportedly attempted suicide in protest and authorities allegedly beat and detained up to 50 Tibetans.[90] In 2010, a court reportedly sentenced the monastery's senior monastic, Dawa Khyenrab Wangchug, to imprisonment for contacting the Dalai Lama during the search for the reincarnation.[91] In August 2014, officials apparently allowed him to leave the site where he served medical parole and resume teaching at Shag Rongpo.[92]

• **Preventing pilgrimage.** In late May 2014, People's Armed Police reportedly imposed a ban on travel for religious purposes to Mount Kailash (*Gang Rinpoche*), one of Tibetan Buddhism's principal pilgrimage sites.[93] The ban coincided with Tibetan Buddhism's most sacred month and day,[94] and in 2014 (the Wood Horse year) coincided with the most propitious year for such pilgrimage in the 60-year Tibetan astrological cycle.[95] The ban immediately preceded the period when the Dalai Lama provided a public Kalachakra teaching in a Himalayan

area of northern India.[96] [See Biru County in this section for information on punishment linked to attending the teaching.]

Status of Tibetan Culture

The Commission observed no indication this past year that Party and government leaders intend to develop a "harmonious society" inclusive of Tibetan preferences toward their culture and language. The Party accepted no accountability for Tibetan grievances contributing to protests and blamed them on external factors, especially the Dalai Lama—"the ultimate cause of social unrest" in Tibetan areas of China, according to Tibet Autonomous Region (TAR) Communist Party Secretary Chen Quanguo.[97] Examples of Party intentions to increase political pressure on Tibetans to accept and adhere to Party policies on culture, education, and the notion of unity follow.

- **Political culture.** Chen called for establishing Party "propaganda, ideology, and culture teams," and placing a full-time cadre responsible for propaganda in every town or township.[98]
- **Political education.** Chen called for extensive implementation of "thematic educational activities" and a "patriotic revolutionary history and culture exploration project" prioritizing younger Tibetans.[99]
- **Political unity.** Chen instructed cadres to "deeply conduct the national unity propaganda and education . . . to firmly establish the 'three inseparables' mindset."[100] At the same time, security officials detained Tibetans who called for unity among themselves.[101]

BIRU CRACKDOWN

Consistent with such policies, authorities compelled Tibetans to engage in displays of patriotism toward China and imposed crackdowns if Tibetans were noncompliant. In September–November 2013, a prominent example developed in Biru (Driru) county, Naqu (Nagchu) prefecture, TAR, in the run-up to China's October 1 National Day.[102] As of September 1, 2014, the Commission's Political Prisoner Database contained records of 58 Biru detentions related to the crackdown[103] including 15 resulting in prison sentences of up to 18 years.[104] Authorities reportedly disabled communication systems locally, ensuring that information is incomplete.[105] [See Collective Punishment—Biru County in this section.] The sequence of events in the Biru crackdown follows.

- **September 3, 2013: Elderly villager detained.** Sixty-eight-year-old Dayang staged a political protest after a "political propaganda team and dance troupe" arrived. Security officials detained, beat, and hospitalized him.[106]
- **September 24: Sentencing.** The Biru County People's Court sentenced Dayang to two years and six months' imprisonment.[107]
- **September 27: Compulsory flag display.** Preceding National Day, "thousands" of government officials and workers arrived in Naqu and forced residents to raise the Chinese national flag above their residences.[108]

• **September 28: Disposing of flags.** In one Biru village, Tibetans threw Chinese flags into a river rather than display them. People's Armed Police (PAP) may have fired at villagers (possibly with anti-riot projectiles[109]), leading to "open confrontation."[110]
• **September 29: Police beat protesters.** In another village, security officials beat and detained about 40 villagers who appealed against forceful suppression of protests. Police beat and hospitalized "main splittist" Tsering Gyaltsen.[111]
• **October 3: Another protest leader detained.** Police detained Dorje Dragtsal for participating in the protests against compulsory flag display. He reportedly had been "especially vocal" in disapproving political education campaigns.[112]
• **October 6: Weapons fire, injuries.** PAP reportedly used tear gas, batons, and weapons fire (possibly anti-riot projectiles[113]) against Tibetans who gathered to "confront" police searching Dorje Dragtsal's residence.[114] "At least 60" Tibetans were "wounded."[115]
• **October 8: Weapons fire, fatalities.** PAP ("security forces") reportedly opened fire on Tibetan protesters in Biru. Weapons fire allegedly killed 4 Tibetans and wounded about 50 (none identified).[116] The Commission has not observed published corroboration of the report.
• **October 11: Social media user detained.** Police detained Biru resident Kalsang, a mother of three young children, for expressing "anti-China" views on social media and having "Tibetan patriotic" songs and the Dalai Lama's image on her mobile phone.[117]
• **October 11: Writer detained.** Public security officials detained writer Tsultrim Gyaltsen, seized his mobile phone, computer, and documents, and accused him of "separatist activities."[118] School students staged a hunger strike in protest.[119]
• **October 12: Former policeman detained.** Police detained Tsultrim Gyaltsen's friend, Yulgyal, and accused him of "separatist activities." From 2005–2012 he worked as a Biru policeman and reportedly was "frustrated by the political nature" of the work.[120]
• **October 15: Nun, villager detained.** Police detained nun Jampa and layperson Dawa Lhundrub for allegedly "revealing state secrets through mobile phones and other means."[121]
• **October 17: Biru monks detained in Lhasa.** Police in Lhasa city detained Shugding Monastery monks Jampa Legshe and Kalnam on suspicion of "leaking state secrets." They arrived in Lhasa a month prior to detention.[122]
• **October 18: Father detained.** Police detained and "disappeared" Tenzin Rangdrol after he walked his children to a village school. The report implied that locals regarded the detention as politically motivated.[123]
• **October 19: Tibetans protest father's detention.** At least 40 Tibetans gathered on October 19 outside a township government office to protest Tenzin Rangdrol's detention.[124] Overnight, their number increased by at least 100.[125]
• **October 20: Police detain protesters.** PAP surrounded Tibetans protesting outside the government office against Tenzin

Rangdrol's detention, detained 10,[126] and later released them.[127] An official told protesters they were like "eggs hitting a rock."[128]

- **October 28: Lengthy sentences.** An unidentified court sentenced writer Tsultrim Gyaltsen and ex-policeman Yulgyal to 13 and 10 years' imprisonment respectively following their October 11 and 12 detentions.[129]
- **November 3: Tibetans detained after "education."** Tibetans attending a compulsory "political education" session pressed officials to release Tsultrim Gyaltsen and Yulgyal. That evening, officials detained 15 persons.[130] All were released by December.[131]
- **November 20: Activists detained.** Police detained environmental activists Choekyab and Tselha in late November and activist-singer Trinle Tsekar on November 20,[132] and reportedly charged them with leading a large-scale May 2013 anti-mining protest.[133]
- **December 19: Activists sentenced.** The Biru County People's Court reportedly sentenced Choekyab and Tselha to 13 and 3 years' imprisonment respectively, and Trinle Tsekar to 9 years.[134]
- **January 14, 2014: Village leaders sentenced.** A court sentenced Ngangdrag and Rigsal, village leaders detained in November when Tibetans protested against mandatory display of the Chinese flag, to 10 years' imprisonment.[135]

TIBETAN LANGUAGE

The government asserted that learning and using Tibetan language is "protected by law"[136] but officials closed non-government-run programs and detained Tibetans who promoted use of the language. Representative examples follow.

- **Observance canceled.** Authorities reportedly forced the cancellation of a February 21, 2014, Tibetan language "competition" coinciding with International Mother Language Day,[137] claiming the event had "political implications."[138]
- **Programs pressured.** Officials reportedly ordered local Tibetan "leaders" to "monitor and discourage" community programs underway in May 2014 at which Tibetans studied language and religion.[139] Authorities planned "to impose restrictions."[140]
- **School shut.** Authorities reportedly shut down in April 2013 a school for poor Tibetan students that had operated since 2003.[141] Officials provided no explanation for the shutdown; "security" reportedly delayed emergence of the report.[142]
- **Singer detained.** Security officials detained singer Gebe on May 24, 2014,[143] as he left a concert where he performed a song before cheering Tibetans warning, among other things, "we will be perished if we ignore our mother tongue."[144]

Economic Development

The Communist Party and government continued to prioritize economic development as a prerequisite for "social stability"[145] even though some official initiatives have resulted in Tibetan pro-

tests[146] and alleged harm to the environment.[147] Representative developments included the following examples.

- **Mining, environment.** Authorities reportedly detained or imprisoned Tibetans who protested against mining activity,[148] seizure or forced sale of land related to mining,[149] or development projects that allegedly damaged the environment.[150] The Commission observed such reports on the Tibet Autonomous Region (November–December 2013),[151] and on Qinghai (September, December 2013),[152] Gansu (March–April 2014),[153] Sichuan (April 2014),[154] and Yunnan (June 2014)[155] provinces.
- **Railroad construction.** The westward railway segment from Lhasa city to Rikaze (Shigatse) city, initially slated for completion in 2010,[156] reportedly was "put into use" in August 2014[157] and provided the first extension since the Xining-Lhasa segment of the Qinghai-Tibet railway opened in 2006.[158]
- **Population data withheld.** Tibetans reportedly expressed anxiety about increasing non-Tibetan population in Lhasa following the 2006 Qinghai-Tibet railway startup,[159] a concern that could develop in Rikaze. The Commission published a 2009 analysis[160] noting that official statistics indicated substantial increase in the TAR Tibetan population after 2006, but little increase in non-Tibetan population.[161] TAR statistics[162] indicated fewer Han Chinese in 2007 than the national census[163] recorded in 2000.[164] After 2009, TAR yearbooks ceased to report county-level population data, hindering demographic analysis.[165]

Summary: Tibetan Political Detention and Imprisonment

As of September 1, 2014, the Commission's Political Prisoner Database (PPD) contained 1,733 records—a figure certain to be far from complete—of Tibetan political prisoners detained on or after March 10, 2008, the beginning of a period of mostly peaceful political protests that swept across the Tibetan plateau.

Among the 1,733 PPD records of Tibetan political detentions reported since March 2008 are 28 Tibetans ordered to serve reeducation through labor (26 are believed released) and 385 Tibetans whom courts sentenced to imprisonment ranging from six months to life (198 are believed released upon sentence completion).[166] Of the 385 Tibetan political prisoners sentenced to imprisonment since March 2008, sentencing information is available for 370 prisoners, including 363 with fixed-term sentences averaging 4 years and 11 months, based on PPD data as of September 1, 2014.

CURRENT TIBETAN POLITICAL DETENTION AND IMPRISONMENT

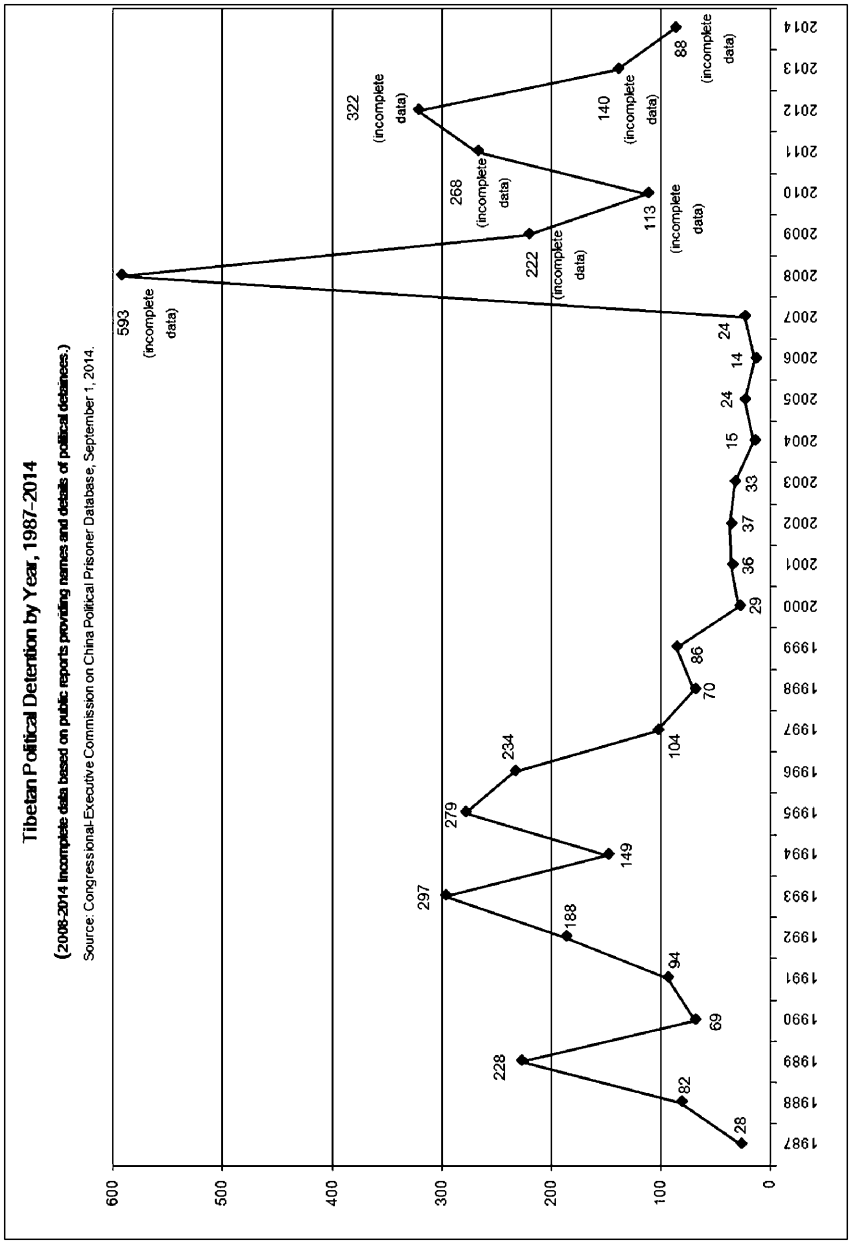
As of September 1, 2014, the PPD contained records of 639 Tibetan political prisoners believed or presumed currently detained or imprisoned. Of those, 621 are records of Tibetans detained on or after March 10, 2008;[167] 18 are records of Tibetans detained prior to March 10, 2008. PPD information for the period since March 10, 2008, is certain to be far from complete.

Of the 621 Tibetan political prisoners who were detained on or after March 10, 2008, and who were believed or presumed to re-

main detained or imprisoned as of September 1, 2014, PPD data indicated that:

- 273 (44 percent) are Tibetan Buddhist monks, nuns, teachers, or *trulkus.*[168]
- 540 (87 percent) are male, 52 (8 percent) are female, and 29 are of unknown gender.
- 251 (40 percent) are believed or presumed detained or imprisoned in Sichuan province and 202 (32 percent) in the Tibet Autonomous Region. The rest are believed or presumed detained or imprisoned in Qinghai province (103), Gansu province (64), and the Xinjiang Uyghur Autonomous Region (1).
- Sentencing information is available for 174 prisoners: 167 reportedly were sentenced to fixed terms ranging from 1 year and 6 months to 20 years,[169] and 7 were sentenced to life imprisonment or death with a 2-year reprieve.[170] The average fixed-term sentence is 7 years and 6 months. Seventy-three (43 percent) of the prisoners with known sentences are Tibetan Buddhist monks, nuns, teachers, or *trulkus.*

Sentencing information is available for 15 of the 18 Tibetan political prisoners detained prior to March 10, 2008, and believed imprisoned as of September 1, 2014. Their sentences range from 8 years to life imprisonment; the average fixed-term sentence is 12 years and 4 months.


Tibetan Political Detention by Year, 1987-2014
(2008-2014 Incomplete data based on public reports providing names and details of political detainees.)
Source: Congressional-Executive Commission on China Political Prisoner Database, September 1, 2014.
600
500
400
300
200
100
0
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
28
82
228
69
94
188
297
149
279
234
104
70
86
29
36
37
33
15
24
14
24
593 (incomplete data)
222 (incomplete data)
268 (incomplete data)
322 (incomplete data)
113 (incomplete data)
140 (incomplete data)
88 (incomplete data)

VI. Developments in Hong Kong and Macau

Hong Kong

During the Commission's 2014 reporting year, the Commission continued to observe developments that raised concerns about the state of democratic development, press freedom, and government transparency in Hong Kong. Hong Kong's Basic Law guarantees freedom of speech, religion, and assembly, promises Hong Kong a "high degree of autonomy," and affirms that the International Covenant on Civil and Political Rights (ICCPR) applies to Hong Kong.[1] The Basic Law also states that the "ultimate aim" is the election by universal suffrage of Hong Kong's Chief Executive (CE) and Legislative Council (LegCo).[2] The CE is currently chosen by a 1,200-member Election Committee,[3] largely consisting of members elected in functional constituencies made up of professionals, corporations, and trade and business interest groups;[4] many functional constituencies reportedly have close ties to or are supportive of the Chinese government.[5] Half the LegCo members are elected directly by voters and half by functional constituencies.[6]

UNIVERSAL SUFFRAGE AND AUTONOMY

Despite agreeing in principle to allow Hong Kong to elect the Chief Executive (CE) by universal suffrage in 2017, statements and actions by the Chinese government prompted concerns this past year that by controlling the CE nomination process, it would not allow genuinely free and fair elections. The Basic Law calls for electing the CE "by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures."[7] The Hong Kong government has insisted that only a nominating committee similar to the current Election Committee[8] can nominate the CE, and has claimed that "mainstream opinion" supports this view.[9] Members of the pro-democratic opposition claimed the nominating process proposed by the Hong Kong and Chinese governments would deny voters a genuine choice in the election by "screening" out CE candidates unacceptable to the Chinese government.[10] Instead, pro-democracy advocates pressed for allowing voters a more direct say in nominating CE candidates, for example, by directly electing part of the nominating committee[11] or submitting signatures to nominate candidates.[12]

Statements and actions by Chinese and Hong Kong government officials regarding reform proposals continued to raise concerns that the central government will restrict Hong Kong elections. In March 2014, National People's Congress Standing Committee (NPCSC) Chairman Zhang Dejiang reportedly warned that "Western-style democracy" in Hong Kong could produce "disastrous consequences."[13] The head of the State Council's Hong Kong and Macau Affairs Office rejected the possibility of CE candidates who "confront the central government" or do not "love the country [China]."[14] In April 2014, the head of the Central Government Liaison Office, China's official representative in Hong Kong, participated in a fundraiser for the largest pro-Beijing political party.[15] In June 2014, the State Council Information Office released a White Paper detailing the Chinese government's position that Hong

Kong's autonomy is "subject to the level of the central leadership's authorization."[16] In a July 2014 report to the NPCSC, Chief Executive Leung Chun-ying wrote that "mainstream opinion" in Hong Kong supported a CE nomination process restricted to the nominating committee.[17] Pro-democracy politicians and groups criticized the report as disregarding substantial pro-democratic viewpoints in Hong Kong.[18]

On August 31, 2014, the NPCSC issued a decision[19] on Hong Kong's electoral reform that restricted the ability of candidates to freely run for Chief Executive (CE). The NPCSC decision limits power of nomination to a committee reportedly dominated by members supportive of the central government, a majority of whose votes are needed for nomination.[20] Pro-democracy legislators[21] and activists[22] condemned the decision for failing to ensure "genuine" democracy, while some legal experts said the decision violated international standards on universal suffrage.[23] All 27 pro-democracy LegCo members pledged to veto any electoral reform proposal that follows the NPCSC decision's framework.[24]

Various political and professional groups continued to criticize Chinese government interference in Hong Kong and press for universal suffrage in electing the CE. In June 2014, hundreds of lawyers held a rare silent protest against the State Council White Paper, claiming that, by requiring judges to "love the country," the White Paper threatened the rule of law and judicial independence in Hong Kong.[25] The Occupy Central movement held an unofficial referendum in June 2014 on several proposals for electoral reform that would have led to an open and liberal candidate nomination system;[26] nearly 800,000 people reportedly voted in the referendum, despite a massive cyber-attack on the referendum's online voting systems just before voting began.[27] "Occupy" organizers planned to block traffic with civil disobedience protests in Hong Kong's Central financial district as a last resort if the Hong Kong government presented an electoral reform proposal that does not comply with international standards.[28] On July 1, the anniversary of Hong Kong's handover from Great Britain to China, hundreds of thousands of people marched through downtown Hong Kong, calling for "genuine" democracy and protesting the Chinese government's perceived increasing interference in Hong Kong.[29] After the march, Hong Kong police arrested several hundred pro-democracy protesters at a sit-in in downtown Hong Kong; protesters criticized police for using "excessive force" in clearing the demonstration.[30] On August 17, tens of thousands of people marched against Occupy Central;[31] Hong Kong and international media reported that organizers bussed in some marchers from mainland China and paid them for their participation.[32]

PRESS FREEDOM

Hong Kong journalists and media organizations reported continuing threats this past year to press freedom, citing violent attacks on individuals associated with the press, self-censorship among journalists, and pressure from the Hong Kong and central governments and mainland Chinese businesses.[33] Hong Kong dropped from 58 to 61 out of 180 countries in Reporters Without Borders' 2014 World Press Freedom Index.[34] Polls from 2013 and

2014 by Hong Kong University found that about half of respondents believed journalism in Hong Kong suffered from self-censorship.[35] In January 2014, the owner of Ming Pao, an independent newspaper, abruptly replaced Kevin Lau Chun-to as chief editor.[36] The following month, two men attacked and severely injured Lau with meat cleavers in public.[37] In March 2014, four men assaulted two executives from a soon-to-be launched newspaper.[38] Other cases of physical intimidation of media from recent years remain unresolved.[39] In July 2014, pro-democracy news Web site House News abruptly ceased operations.[40] Co-founder Tsoi Tung-ho cited a climate of fear, political pressure, and lack of advertising due to the site's criticism of the government as reasons for closing the site.[41]

Several pro-democracy media organizations said that companies with ties to mainland China withdrew their advertising from Hong Kong publications, reportedly at the behest of Chinese and Hong Kong officials.[42] More than half of Hong Kong's major media owners are reportedly members of the National People's Congress (NPC) or Chinese People's Political Consultative Conference (CPPCC).[43] In February 2014, Commercial Radio Hong Kong fired a popular radio host known for criticizing the government; the radio host previously alleged that the Hong Kong government made her dismissal a condition for renewing the radio station's broadcasting license.[44]

TRANSPARENCY

During this reporting year, the Commission observed that access to government and public organizations' records continued to be impeded by ineffective management and the government's inability to enforce compliance with its open information guidelines. Hong Kong's Office of the Ombudsman issued reports criticizing the lack of legislation governing public records and access to information.[45] Hong Kong has no laws governing its public record archives and inadequate laws on access to information; additionally, there is no independent adjudicating agency nor are there penalties for not following the guidelines.[46]

Macau

Unlike Hong Kong, Macau's Basic Law does not mention "universal suffrage," although it includes a provision ensuring the applicability of the International Covenant on Civil and Political Rights (ICCPR) in Macau.[47] The Commission has not observed developments during the 2014 reporting year consistent with the UN Human Rights Committee's 2013 recommendation that Macau "set timelines for the transition to an electoral system based on universal and equal suffrage . . . ."[48] The Commission observed reports of self-censorship and restrictions on freedom of the press in contravention of the ICCPR.[49]

POLITICAL FREEDOM

Macau's September 15, 2013, Legislative Assembly elections were the first held since the electoral system was reformed in 2012.[50] In that 2012 reform, the Legislative Assembly expanded by 4 mem-

bers, 2 of whom are elected directly and 2 indirectly by functional constituencies, for a total of 33 members.[51] In the September 2013 election, pro-democracy parties won 2 of 14 directly-elected seats, while the Chief Executive (CE) appointed 7 legislators, and functional constituencies, seen as pro-establishment and pro-Beijing, chose 12 legislators.[52] Incumbent CE Fernando Chui Sai On won reelection on August 31, 2014; running unopposed, he received 380 of 400 possible votes in the Election Committee.[53] The election was the first held since the 2012 electoral reform increased the Election Committee by 100 members to 400.[54]

Several pro-democracy groups in Macau held an unofficial referendum in late August to gauge public opinion on universal suffrage in future Macau elections.[55] The Chinese and Macau governments condemned the referendum as "invalid" and "illegal,"[56] with National People's Congress Standing Committee Chairman Zhang Dejiang saying that it "violates the Basic Law."[57] On August 24, Macau police detained five referendum organizers on suspicion of "aggravated disobedience," including Jason Chao Teng-hei, president of the pro-democracy Open Macau Society.[58] The Macau Office for Personal Data Protection said the referendum's collection of voters' official identification card numbers and phone numbers was "inherently illegitimate."[59] On August 29, Macau police detained two journalists and later named Chao as a suspect in the illegal use of Judiciary Police insignia in relation to the referendum.[60] Chao accused the Macau government of "political persecution" for actions taken against the referendum and expressed fear for his safety.[61]

FREEDOM OF EXPRESSION

The Commission observed continued reports of self-censorship by journalists and concern over government control of broadcast media.[62] Although the government pledged to liberalize the telecommunications market, government-owned Teledifusão de Macau (TDM) retained a monopoly on broadcast television, while the Macau government and TDM together own 95 percent of the shares in Macau's only cable television provider, Macau Cable TV.[63]

Two cases this year raised concerns regarding freedom of expression in Macau after prominent university professors were dismissed. The rector of the University of Saint Joseph, a private Catholic school, said that professor Eric Sautéde's contract was not renewed due to Sautéde's pro-democracy political commentary.[64] Sautéde claimed that pressure from a Macau government education agency contributed in part to his firing.[65] In August 2014, the University of Macau (UM) fired professor Bill Chou Kwok-ping, who also serves as vice president of the pro-democratic New Macau Association.[66] Although UM claimed that Chou had "impos[ed] his political beliefs on students,"[67] Chou alleged that the university fired him due to his "political activism."[68]

CORRUPTION

Corruption and money laundering from mainland China in Macau's gambling industry continued to be sources of concern. Tens of billions of yuan reportedly are routed illegally through Macau each year.[69] In addition to the "junket" system, which re-

portedly arranges gambling credit and debt collection for wealthy gamblers,[70] gamblers evaded Chinese currency-export restrictions by using state-backed UnionPay bank cards to make phony purchases and immediately return them in exchange for cash.[71] Amid reports that mobile point-of-sale terminals are brought to Macau from mainland China to facilitate transferring cash to gamblers, UnionPay announced after meeting with Macau authorities that it would take steps to fight illegal money transfers.[72] Following a May 2014 CCTV exposé on mainland visitors abusing third-country transit visas to illegally extend stays in Macau, Macau's Public Security Police shortened the time allowed for mainland travelers holding transit visas to stay in Macau.[73]

VII. Endnotes

†Voted to adopt: Senators Brown, Levin, Feinstein, Merkley, and Hagan; Representatives Smith, Wolf, Meadows, Pittenger, Walz, Kaptur, and Honda; Deputy Secretary Lu, Under Secretary Sewall, Under Secretary Selig, Assistant Secretary Russel, and Assistant Secretary Malinowski.

Notes to Section I—Political Prisoner Database

[1] The Commission treats as a political prisoner an individual detained or imprisoned for exercising his or her human rights under international law, such as peaceful assembly, freedom of religion, freedom of association, free expression, including the freedom to advocate peaceful social or political change, and to criticize government policy or government officials. (This list is illustrative, not exhaustive.) In most cases, prisoners in the PPD were detained or imprisoned for attempting to exercise rights guaranteed to them by China's Constitution and law, or by international law, or both. Chinese security, prosecution, and judicial officials sometimes seek to distract attention from the political or religious nature of imprisonment by convicting a de facto political or religious prisoner under the pretext of having committed a generic crime. In such cases defendants typically deny guilt but officials may attempt to coerce confessions using torture and other forms of abuse, and standards of evidence are poor. If authorities permit a defendant to entrust someone to provide him or her legal counsel and defense, as China's Criminal Procedure Law guarantees in Article 32, officials may deny the counsel adequate access to the defendant, restrict or deny the counsel's access to evidence, and not provide the counsel adequate time to prepare a defense.

Notes to Section II—Freedom of Expression

[1] United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights, last visited 23 June 14. China signed the convention on October 5, 1998.

[2] See, e.g., State Council Information Office, "White Paper on Progress in China's Human Rights in 2012," reprinted in Xinhua, 14 May 13; Permanent Mission of the People's Republic of China to the UN, "Aide Memoire," reprinted in United Nations, 13 April 06; State Council, European Council, Prime Minister's Office of Sweden, and European Commission, "Joint Statement of the 12th China-EU Summit," reprinted in Ministry of Foreign Affairs, 30 November 09. Upon presenting its candidacy for the 2013 UN Human Rights Council elections, China reportedly promised to "further protect civil and political rights," although it did not specifically state intent to ratify the ICCPR. UN General Assembly, Note Verbale Dated 5 June 2013 from the Permanent Mission of China to the United Nations Addressed to the President of the General Assembly, A/68/90, 6 June 13.

[3] International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 19(3); UN Human Rights Council, Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Frank La Rue, A/HRC/17/27, 16 May 11, para. 24.

[4] UN GAOR, Hum. Rts. Coun., 12th Sess., Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development, adopted by Human Rights Council resolution 12/16, A/HRC/RES/12/16, 12 October 09, para. 5(p)(i).

[5] UN GAOR, Hum. Rts. Coun., 25th. Sess., Report of the Working Group on the Universal Periodic Review: China (Including Hong Kong, China and Macao, China), A/HRC/25, 4 December 13, paras. 126, 129, 176, 178, 186.1, 186.21, 186.127, 186.136, 186.137, 186.138, 186.151, 186.152, 186.153, 186.154, 186.155, 186.156, 186.157, 186.159, 186.160, 186.230.

[6] UN GAOR, Hum. Rts. Coun., 25th. Sess., Agenda Item 6, Report of the Working Group on the Universal Periodic Review: China, Addendum, A/HRC/25/5/Add.1, 27 February 14, 186.115, 186.137, 186.149, 186.156, 186.159, 186.170 (position of the Chinese government regarding recommendations).

[7] Ibid.

[8] The Commission has not observed an official or uniform definition of the term "Internet sovereignty," but Fang Binxing offers his own explanation of the term in Wang Yuan, "Internet Sovereignty: An Issue Difficult To Avoid" [Wangluo zhuquan: yi ge bu rong huibi de wenti], People's Daily, 23 June 14. Fang Binxing reportedly developed key components of China's national system of surveillance and censorship, commonly known as the Great Firewall. See, e.g., "Great Firewall Father Speaks Out," Global Times, 18 February 11.

[9] Wang Yuan, "Internet Sovereignty: An Issue Difficult To Avoid" [Wangluo zhuquan: yi ge bu rong huibi de wenti], People's Daily, 23 June 14.

[10] See, e.g., Jonathan Kaiman, "China Granted Seat on UN's Human Rights Council," Guardian, 13 November 13.

[11] UN GAOR, Hum. Rts. Coun., 20th. Sess., Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development, Agenda Item 3, A/HRC/20/L.13, 29 June 12, para. 1; "Human Rights Council Backs Internet Freedom," Agence France-Presse, reprinted in Vanguard, 5 July 12.

[12] Lu Wei, "Chinese Domain Set To Surf," China Daily, 7 July 10.

[13] China Internet Network Information Center, "The 34th Statistical Report on Internet Development in China" [Di 34 ci zhongguo hulian wangluo fazhan zhuangkuang tongji baogao], July 2014, 4.

[14] Ibid.

[15] Ministry of Industry and Information Technology, "Ministry of Industry and Information Technology Grants 4G Licenses" [Gongye he xinxihua bu fafang 4G paizhao], 4 December 13; "China Mobile Expands 4G Network in Beijing," China Daily, 12 December 13; "China Issues 4G Licenses," Xinhua, reprinted in Economic and Commercial Counsellor's Office of the Mission of the People's Republic of China to the European Union, 3 December 13.

[16] "World's Largest 4G Network To Be Established Next Year, Terminal 4G Sales Predicted To Exceed 100 Million Next Year" [Mingnian jiang jiancheng quanqiu zuida 4G wangluo, yuji mingnian 4G zhongduan xiaoshouliang chao 1 yi], Southern Daily, 19 December 13.

[17] Shen Jingting, "China Mobile Set for 4G services in 340 cities," China Daily, 18 December 13.

[18] State Council, "Report on the Work of the Government," reprinted in Xinhua, 5 March 14, sec. 3(3).

[19] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13, sec. 13(50).

[20] Ibid., sec. 10(36).

[21] Ibid.

[22] See, e.g., Zhang Xiaoming, "Standardizing Interactions Between the Government and the People in the Management of Public Opinion" [Guifan wangluo yuqing guanli zhong de zhengmin hudong guanxi], Study Times, reprinted in Seeking Truth, 9 June 13; "Chinese Official Media Focuses on Internet Management; Internet Users Worry About Limits to Anticorruption" [Zhongguo guan mei jujiao wangguan wangmin danxin fanfu shou xian], BBC, 23 December 12; "Opinion: Strengthening of Internet Management Has Won Popular Support" [Sheping: jiaqiang hulianwang guanli shi derenxin de], Global Times, 21 December 12; "China Continues To Strengthen Internet Management; Internet Spring Difficult Now" [Zhongguo chixu jiaqiang wangguan wangluo chuntian nan xian], BBC, 21 December 12.

[23] "Xi Jinping Leads Internet Security Group," Xinhua, 27 February 14; "Student Recruitment Brochure for First 'Internet Public Opinion Management for Professionals' Seminar" [Shou qi "wangluo yuqing guanli shi" yanxiu ban zhaosheng jianzhang], Xinhua, 26 February 14; Zou Jixiang et al., "Chairman Xi's 'Eight Emphases' Specify Direction" [Xi zhuxi "ba ge qiangdiao" zhiming fangxiang], Seeking Truth, 17 January 14; Peng Zhubin, "Speed Up the Completion of the Internet Management Leadership System" [Jiakuai wanshan hulianwang guanli lingdao tizhi], reprinted in Hunan Provincial Bureau of Civil Affairs, 12 December 13; Communist Party Central Commission for Discipline Inspection and Ministry of Supervision, "Analysis of the Third Plenum 'Decision,' No. 5: How To Strengthen and Advance Restrictions and Supervision of the Exercise of Power by Leading Cadres" [Sanzhong quanhui "jueding" jiedu zhi wu: ruhe jiaqiang he gaijin dui zhuyao lingdao ganbu xingshi quanli de zhiyue he jiandu], 4 December 13; Zeng Huafeng et al., "An Interpretation of Important Initiatives in the 'Decision' of the Third Plenum of the 18th Party Congress" [Dang de shiba jie san zhong quanhui "jueding" zhongyao jucuo shiyi], People's Liberation Army Daily, 22 November 13; Xi Jinping, "Explanation Regarding the 'Chinese Communist Party Central Committee Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms'" [Guanyu "zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding" de shuoming], Xinhua, reprinted in Central People's Government, 15 November 13; Lan Zhengyan, "Military's Propaganda and Ideological Work Must Be at the Forefront" [Jundui xuanchuan sixiang gongzuo yao zou zai qianlie], People's Liberation Army Daily, 29 October 13.

[24] "Xi Jinping Leads Internet Security Group," Xinhua, 27 February 14. See also Paul Mozur, "China's Xi Presides Over Internet Security Committee—Update," Wall Street Journal, 27 February 14.

[25] Zou Jixiang et al., "Chairman Xi's 'Eight Emphases' Specify Direction" [Xi zhuxi "ba ge qiangdiao" zhiming fangxiang], Seeking Truth, 17 January 14; Lan Zhengyan, "Military's Propaganda and Ideological Work Must Be at the Forefront" [Jundui xuanchuan sixiang gongzuo yao zou zai qianlie], People's Liberation Army Daily, 29 October 13.

[26] Ibid.

[27] Lan Zhengyan, "Military's Propaganda and Ideological Work Must Be at the Forefront" [Jundui xuanchuan sixiang gongzuo yao zou zai qianlie], People's Liberation Army Daily, 29 October 13; Sun Shougang, "Having a Responsibility To Defend the Country, Taking Responsibility To Defend the Country, and Defending the Country With Utmost Responsibility" [Shou tu youze, shou tu fuze, shou tu jinze], China Association for Culture Construction, reprinted in State Council Information Office, 9 September 13.

[28] Lan Zhengyan, "Military's Propaganda and Ideological Work Must Be at the Forefront" [Jundui xuanchuan sixiang gongzuo yao zou zai qianlie], People's Liberation Army Daily, 29 October 13.

[29] Xu Jingyue and Hua Chunyu, "Xi Jinping: Ideological Work Is Extremely Important Work of the Party" [Xi jinping: yishixingtai gongzuo shi dang de yi xiang jiduan zhongyao de gongzuo], Xinhua, 20 August 13; Zou Jixiang et al., "Chairman Xi's 'Eight Emphases' Specify Direction" [Xi zhuxi "ba ge qiangdiao" zhiming fangxiang], Seeking Truth, 17 January 14; Lan Zhengyan, "Military's Propaganda and Ideological Work Must Be at the Forefront" [Jundui xuanchuan sixiang gongzuo yao zou zai qianlie], People's Liberation Army Daily, 29 October 13; Sun Shougang, "Having a Responsibility To Defend the Country, Taking Responsibility To Defend the Country, and Defending the Country With Utmost Responsibility" [Shou tu youze, shou tu fuze, shou tu jinze], China Association for Culture Construction, reprinted in State Council Information Office, 9 September 13.

[30] Zou Jixiang et al., "Chairman Xi's 'Eight Emphases' Specify Direction" [Xi zhuxi "ba ge qiangdiao" zhiming fangxiang], Seeking Truth, 17 January 14; Lan Zhengyan, "Military's Propaganda and Ideological Work Must Be at the Forefront" [Jundui xuanchuan sixiang gongzuo yao zou zai qianlie], People's Liberation Army Daily, 29 October 13; Sun Shougang, "Having a Responsibility To Defend the Country, Taking Responsibility To Defend the Country, and Defending the Country With Utmost Responsibility" [Shou tu youze, shou tu fuze, shou tu jinze], China Association for Culture Construction, reprinted in State Council Information Office, 9 September 13. For background information on Xi's August 2013 speech, see Qian Gang, "Parsing the 'Public Opinion Struggle,'" China Media Project, 24 September 13.

[31] Malcolm Moore, "China Kills Off Discussion on Weibo After Internet Crackdown," Telegraph, 30 January 14; David Wertime, "Closing Time? China's Social Media Crackdown Has Hit Weibo Hard," Tea Leaf Nation, 30 January 14; Chris Buckley, "Crackdown on Bloggers Is Mounted by China," New York Times, 10 September 13; Zhong Xuefeng and Niu Muge, "Police Campaign Against Spread of 'Net Rumors' Intensifies," Caixin, 29 August 13; "Company Boss Arrested for Creating Online Rumors," Xinhua, 26 August 13.

[32] See, e.g., Lessons From Tiananmen and Implications for the United States, Hearing of the U.S.-China Economic and Security Review Commission, 15 May 14, Written Testimony of David Wertime, Senior Editor, Foreign Policy; Josh Chin, "Out on Bail, Chinese Social Media Star Xue Manzi Returns to Weibo," Wall Street Journal, China Real Time Report (blog), 19 April 14; Keith Zhai, "Celebrity Blogger Charles Xue Biqun Released on Bail," South China Morning Post, 17 April 14; "Chinese Blogger Charles Xue Gets Bail After Illness," BBC, 17 April 14; Kevin Tang, "For Chinese Bloggers, Going Viral Can Mean Jail Time," Buzzfeed, 30 September 13; Phil Muncaster, "China's 'Big Vs' Disown Selves Online To Avoid New Gossip Laws," Register, 18 September 13; Te-Ping Chen and Brian Spegele, "CCTV Scrutinizes 'Big V' Target," Wall Street Journal, China Real Time Report (blog), 29 August 13.

[33] See, e.g., Tyler Roney, "China's Sudden WeChat Crackdown," Diplomat, 14 March 14; Malcolm Moore, "China Kills Off Discussion on Weibo After Internet Crackdown," Telegraph, 30 January 14; David Wertime, "Closing Time? China's Social Media Crackdown Has Hit Weibo Hard," Tea Leaf Nation, 30 January 14. See also CECC, 2013 Annual Report, 10 October 13, 61.

[34] Patrick Boehler, "Outspoken Commentator Li Chengpeng Silenced on Chinese Social Media," South China Morning Post, 8 July 14; Tom Philips, "Li Chengpeng: Football Commentator to Voice of the People," Telegraph, 7 March 14; Shan Renping, "Shan Renping: @LiChengpeng Closed, Destined To Happen Sooner or Later" [Shan renping: @lichengpeng bei xiaohao, zaowan zhuding fasheng], Global Times, reprinted in Global Times Net, 8 July 14.

[35] Paul Mozur, "Crossing Lines: Sina Punishes More Than 100,000 Weibo Accounts," Wall Street Journal, China Real Time Report (blog), 13 November 13; Tyler Roney, "China's Sudden WeChat Crackdown," Diplomat, 14 March 14; Malcolm Moore, "China Kills Off Discussion on Weibo After Internet Crackdown," Telegraph, 30 January 14; David Wertime, "Closing Time? China's Social Media Crackdown Has Hit Weibo Hard," Tea Leaf Nation, 30 January 14.

[36] Malcolm Moore, "China Kills Off Discussion on Weibo After Internet Crackdown," Telegraph, 30 January 14; Gerry Shih and Yimou Lee, "Analysis—Weibo Debut Highlights Complicated Dance With Chinese Censors," Reuters, 18 April 14.

[37] Tyler Roney, "China's Sudden WeChat Crackdown," Diplomat, 14 March 14; David Wertime, "Exclusive: Surprising Crackdown on China's Hottest Social Media Platform," Foreign Policy, 13 March 14; China Digital Times, "Partial List of Deleted WeChat Accounts," 13 March 14; Ian Johnson, "An Online Shift in China Muffles an Open Forum," New York Times, 4 July 14.

[38] State Internet Information Office, Interim Provisions for the Management of the Development of Instant Messaging Tools in Providing Public Information Services [Jishi tongxin gongju gongzhong xinxi fuwu fazhan guanli zanxing guiding], reprinted in Xinhua, issued 7 August 14; China Economic Information Network, "State Internet Information Office Spokesperson Answers Reporters' Questions Regarding the 'Interim Provisions for the Management of the Development of Instant Messaging Tools in Providing Public Information Services'" [Wangxinban fayanren jiu "jishi tongxin gongju gongzhong xinxi fuwu fazhan guanli zanxing guiding" da jizhe wen], 8 August 14.

[39] State Internet Information Office, Interim Provisions for the Management of the Development of Instant Messaging Tools in Providing Public Information Services [Jishi tongxin gongju gongzhong xinxi fuwu fazhan guanli zanxing guiding], reprinted in Xinhua, issued 7 August 14, art. 7.

[40] Shannon Tiezzi, "Maoming Protests Continue in Southern China," Diplomat, 5 April 14.

[41] Jason Q. Ng, "How Chinese Internet Censorship Works, Sometimes," ChinaFile, 13 March 14; Patrick Boehler, "Beijing Paper's Investigative Report on Zhou Yongkang's Son Censored," South China Morning Post, 27 February 14; "Censors Crack Down on Li Dongsheng—Zhou Yongkang Rumors," Want China Times, 26 December 13.

[42] National "Sweep Away Pornography, Strike Down False Media" Working Group, State Internet Information Office, Ministry of Industry and Information Technology, and Ministry of Public Security, Announcement Regarding Launching the Special Operation To Strike Down Pornographic Information Online [Guanyu kaizhan daji wangshang yinhui seqing xinxi zhuanxiang xingdong gonggao], 13 April 14; "Making the Internet the Primary Battleground for 'Sweeping Away Pornography and Striking Down False Media'" [Ba hulianwang zuowei "saohuang dafei" de zhu zhanchang], People's Daily, 16 January 14; "Striking Down Pornographic Information Online, Creating a Clean, Bright, and Harmonious Cyberspace" [Daji wangshang yinhui seqing xinxi, yingzao qinglang hexie wangluo kongjian], Seeking Truth, 14 April 14.

[43] See, e.g., Li Hui and Michael Martina, "China Steps Up Purge of Online Porn Amid Wider Censorship Push," Reuters, 21 April 14; Paul Carsten and Michael Martina, "Sina Penalized for Porn as China Censorship Bodies Jockey for Power," Reuters, 25 April 14; Zhang Jialong, "China's New Internet Crackdown: Not About Porn," Foreign Policy, Tea Leaf Nation, translated by David Wertime, 16 April 14; Tyler Roney, "China's Latest Porn Purge Underway," Diplomat, 18 April 14; Fong Juk-kwan, "Sina Encounters Calamity in Sweeping Away Online Pornography, Young Netizens Joke About 'Experiencing the Cultural Revolution'" [Wangluo saohuang xinlang zao yang, nianqing wangmin xixue "jingli wen'ge"], InMediaHK, 26 April 14; Zhang Jialong, "Circumstances of My Dismissal From Tencent," reprinted in China Change, 24 May 14.

[44] "Sweep Away Pornography, Strike Down False Media" Working Group, "About Us" [Guanyu women], last visited 23 June 14.

[45] Zhang Hailin, "'High-Grade' Central Leading Groups" ["Gaojingjian" de zhongyang lingdao xiaozu] People's Digest, Issue 11, 2013; "Biography" [Renwu jianli], Xinhua, last visited 23 June 14.

[46] "National Office Against Pornographic and Illegal Publications Communication Regarding the Situation of Investigating and Dealing With Sina's Alleged Dissemination of Pornographic Information" [Quanguo saohuang dafei ban tongbao guanyu chachu xinlangwang shexian chuanbo yinhui seqing xinxi de qingkuang], Xinhua, 24 April 14.

[47] See, e.g., Li Hui and Michael Martina, "China Steps Up Purge of Online Porn Amid Wider Censorship Push," Reuters, 21 April 14; Fong Juk-kwan, "Sina Encounters Calamity in Sweeping Away Online Pornography, Young Netizens Joke About 'Experiencing the Cultural Revolution'" [Wangluo saohuang xinlang zao yang, nianqing wangmin xixue "jingli wen'ge"], InMediaHK, 26 April 14; Adam Pasick, "Sina Weibo's IPO Will Have a Government Censorship Discount," Quartz, 17 March 14.

[48] U.S. Securities and Exchange Commission, Form F-1 Registration Statement Under the Securities Act of 1933: Weibo Corporation, 14 March 14.

[49] Jason Q. Ng, "64 Tiananmen-Related Words China Is Blocking Online Today," Wall Street Journal, China Real Time (blog), 4 June 14.

[50] Zoe Li, "Twenty-Five Years Later, Tiananmen Square No Less Taboo for China's Censors," CNN, 16 April 14.

[51] Marbridge Consulting, "GAPPRFT To Regulate Internet TV Platform License Holders," 15 July 14; Zheng Peishan et al., "SAPPRFT Reorganizes the Box, Alibaba and LeTV Obstructed" [Guangdianzongju zhengdun hezi, ali leshi shouzu], Caixin, 16 July 14; Zheng Peishan et al.,

"Internet TV, Set-Top Box Makers Slapped With More Content Restrictions," Caixin, 17 July 14.

[52] Zheng Peishan et al., "Internet TV, Set-Top Box Makers Slapped With More Content Restrictions," Caixin, 17 July 14.

[53] Ibid.

[54] Tan Min et al., "[Exclusive] LeTV's Deep Regulatory Crisis (Update)" [[Dujia] leshi shenxian jianguan weiji (gengxin)], Caixin, 17 July 14.

[55] State Administration of Press, Publication, Radio, Film and Television, "Operations and Management Requirements for Organizations With Internet Television Licenses" [Chiyou hulianwang dianshi paizhao jigou yunying guanli yaoqiu], reprinted in Ministry of Commerce, 28 October 11. This document, reprinted on the official Web site of the Ministry of Commerce, requires a password to view. The Commission has not observed a publicly available copy of the document.

[56] Dong Tongjian, "Gov't Order May Fray Television Set-Top Market," Global Times, 29 June 14; Zheng Peishan et al., "Internet TV, Set-Top Box Makers Slapped With More Content Restrictions," Caixin, 17 July 14.

[57] Paul Mozur, "LinkedIn Said It Would Censor in China. Now That It Is, Some Users Are Unhappy," Wall Street Journal, China Real Time Report (blog), 4 June 14.

[58] See, e.g., Paul Mozur, "LinkedIn Said It Would Censor in China. Now That It Is, Some Users Are Unhappy," Wall Street Journal, China Real Time Report (blog), 4 June 14; Peter Cai and Fergus Ryan, "In the Shadow of Tiananmen, LinkedIn Succumbs to China's Censorship," Business Spectator, 4 June 14; Tania Branigan, "LinkedIn Under Fire for Censoring Tiananmen Square Posts," Guardian, 4 June 14.

[59] Peter Cai and Fergus Ryan, "In the Shadow of Tiananmen, LinkedIn Succumbs to China's Censorship," Business Spectator, 4 June 14.

[60] Ibid.

[61] GreatFire.org, "Google Disrupted Prior to Tiananmen Anniversary; Mirror Sites Enable Uncensored Access to Information," 2 June 14; Tania Branigan, "LinkedIn Under Fire for Censoring Tiananmen Square Posts," Guardian, 4 June 14.

[62] Paul Mozur, "LinkedIn Said It Would Censor in China. Now That It Is, Some Users Are Unhappy," Wall Street Journal, China Real Time Report (blog), 4 June 14.

[63] GreatFire.org, "Google Disrupted Prior to Tiananmen Anniversary; Mirror Sites Enable Uncensored Access to Information," 2 June 14; "China Crackdown on Google Reflects Tiananmen Anniversary," Bloomberg News, 4 June 14; "China Disrupts Google Services Ahead of Tiananmen Anniversary," Reuters, 2 June 14; Kim Hjelmgaard, "Google's China Services Disrupted Before Anniversary," USA Today, 2 June 14.

[64] GreatFire.org, "What Are You Trying To Accomplish?" last visited 23 June 14.

[65] GreatFire.org, "Google Disrupted Prior to Tiananmen Anniversary; Mirror Sites Enable Uncensored Access to Information," 2 June 14.

[66] "China Crackdown on Google Reflects Tiananmen Anniversary," Bloomberg, 4 June 14; "China Disrupts Google Services Ahead of Tiananmen Anniversary," Reuters, 2 June 14; Kim Hjelmgaard, "Google's China Services Disrupted Before Anniversary," USA Today, 4 June 14.

[67] "China Disrupts Google Services Ahead of Tiananmen Anniversary," Reuters, 2 June 14.

[68] State Council, Measures for the Administration of Internet Information Services [Hulianwang xinxi fuwu guanli banfa], issued and effective 25 September 00, art. 15(3).

[69] Ibid., art. 15(6).

[70] Ibid., art. 15(5).

[71] Ibid.

[72] State Council, Implementing Regulations for the PRC Law on the Protection of State Secrets [Zhonghua renmin gonghe guo baoshou guojia mimi fa shishi tiaoli], issued 17 January 14, effective 1 March 14., art. 32(8).

[73] Ibid.

[74] For analyses of the Implementing Regulations, see Richard Silk, "China's Secret Anti-Secrecy Act," Wall Street Journal, China Real Time Report (blog), 3 February 14; Hogan Lovells, "New State Secrets Implementing Regulations: More of a Damp Fizzle Than a Bang?" March 2014.

[75] State Council, Implementing Regulations for the PRC Law on the Protection of State Secrets [Zhonghua renmin gongheguo baoshou guojia mimi fa shishi tiaoli], issued 17 January 14, effective 1 March 14, art. 5.

[76] Ibid.

[77] PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, art. 35.

[78] Malcolm Moore, "China's Human Rights Situation 'Worst in Decades,'" Telegraph, 2 March 14; Tom Phillips, "Chinese Activists Face Jail as Crackdown Continues," Telegraph, 7 April 14; Human Rights Watch, "China: Reverse Judgment in Show Trial of Xu Zhiyong," 26 January 14; "China Detains Two Rights Lawyers in Widening Crackdown on Activists," Reuters, 17 May 14.

[79] Jonathan Kaiman, "China Detains Teenager Over Web Post Amid Social Media Crackdown," Guardian, 20 September 2013; Zhangjiachuan Public Security Bureau: "Regarding Yang X Suspected of Picking Quarrels and Provoking Trouble" [Zhangjiachuan gongan: guanyu yang mou shexian xunxin zishi yi an], freeweibo.com, 20 September 13. For Commission analysis, see "Gansu Teenager Detained Under New Rules on Online Rumors," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[80] Andrew Jacobs, "China's Crackdown Prompts Outrage Over Boy's Arrest," New York Times, 23 September 13; Oiwan Lam, "Chinese Teenager Accused of Spreading Rumors Online Arrested," Global Voices Online, 23 September 13. For Commission analysis, see "Gansu Teenager Detained Under New Rules on Online Rumors," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[81] "Detained Gansu Teen Tweeter Expelled From School After Release," Radio Free Asia, 24 September 13.

[82] Rights Defense Network, "Police Again Take Hu Jia Into Custody for Questioning on Suspicion of 'Picking Quarrels and Provoking Trouble'" [Hu jia zai bei jingfang yi shexian "xunxin zishi" daizou zhuanhuan], 25 February 14; Verna Yu, "Activist Hu Jia Accepts He Faces Jail Again After Latest Police Questioning," South China Morning Post, 27 February 14.

[83] Verna Yu, "Activist Hu Jia Accepts He Faces Jail Again After Latest Police Questioning," South China Morning Post, 27 February 14; "Hu Jia's Soft Detention Ends, Returns to Tiananmen" [Jieshu ruanjin de hu jia, chonghui tiananmen], Deutsche Welle, 9 June 14.

[84] "Hu Jia's Soft Detention Ends, Returns to Tiananmen" [Jieshu ruanjin de hu jia chonghui tiananmen], Deutsche Welle, 9 June 14.

[85] Rebecca Valli, "Prominent Chinese Activist Beaten in Beijing," Voice of America, 17 July 14. For more information on Hu Jia's case, see the Commission's Political Prisoner Database record 2004-05295.

[86] Sui-Lee Wee, "Wife of China's Jailed Nobel Laureate Liu Hospitalized," Reuters, 19 February 14; Tania Branigan, "Nobel Winner's Wife Liu Xia Speaks Out From House Arrest Through Her Poems," Guardian, 15 January 14. For more information on Liu Xia's case, see the Commission's Political Prisoner Database record 2010-00629.

[87] "Liu Xia Discharged, Condition Improves" [Liu xia chuyuan, bingqing haozhuan], Radio Free Asia, 27 February 14. For Commission analysis, see "Detained Liu Xia Hospitalized as Health Reportedly Worsens," Congressional-Executive Commission on China, 27 March 14.

[88] Frontline Defenders, "China: Liu Xia, Wife of Liu Xiaobo, Appeals to Chinese Government Amid Worsening Health While Under House Arrest," 3 December 13; "Liu Xia Discharged, Condition Improves" [Liu xia chuyuan, bingqing haozhuan], Radio Free Asia, 27 February 14; UN Working Group on Arbitrary Detention, Opinion No. 16/2011 (China), A/HRC/WGAD/2011/16, 5 May 11, para. 7. For more information on Liu Xia's case, see the Commission's Political Prisoner Database record 2010-00629.

[89] Sui-Lee Wee, "Wife of China's Jailed Nobel Laureate Liu Hospitalized," Reuters, 19 February 14.

[90] "Liu Xia Discharged, Condition Improves" [Liu xia chuyuan, bingqing haozhuan], Radio Free Asia, 27 February 14.

[91] Didi Kirsten Tatlow, "Two Prominent Women Under Detention Are Hospitalized," New York Times, Sinosphere (blog), 21 February 14.

[92] UN Working Group on Arbitrary Detention, Opinion No. 16/2011 (China), A/HRC/WGAD/2011/16, 5 May 11, para. 9.

[93] Huang Qi, 64 Tianwang, "Three 64 Tianwang Journalists Criminally Detained in Beijing" [Liusi tianwang san jizhe beijing zao xingshi juliu], 10 March 14.

[94] Committee to Protect Journalists, "Three Journalists Detained After Reporting on Tiananmen," 18 March 14; Huang Qi, 64 Tianwang, "Three 64 Tianwang Journalists Criminally Detained in Beijing" [Liusi tianwang san jizhe beijing zao xingshi juliu], 10 March 14. For more information on these cases, see the Commission's Political Prisoner Database records 2014-00123 on Liu Xuehong, 2014-00125 on Xing Jian, and 2014-00104 on Wang Jing.

[95] "Internet Rumormonger Gets 3-Year Jail Term," Xinhua, 17 April 14.

[96] Supreme People's Court and Supreme People's Procuratorate, Interpretation on Several Questions Regarding Applicable Law When Handling the Use of Information Networks To Commit Defamation and Other Such Criminal Cases [Zuigao renmin fayuan, zuigao renmin jianchayuan guanyu banli liyong xinxi wangluo shishi feibang deng xingshi anjian shiyong falu ruogan wenti de jieshi], issued 2 September 13 and 5 September 13, effective 10 September 13, art. 2(1); PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 246. See also Xu Xin, "Xu Xin: Exceeding the Law To Combat Rumors Is Much More Damaging Than the Rumors Themselves" [Xu xin: chaoyue falu daji yaoyan, weihai yuan shenyu yaoyan], Caijing, 10 September 13.

[97] "Internet Rumormonger Gets 3-Year Jail Term," Xinhua, 17 April 14.

[98] Malcolm Moore and Tom Phillips, "Tiananmen Victims' Families Feel the Heat," London Daily Telegraph, reprinted in Leader-Post, 30 April 14; Human Rights in China, "China Escalates Persecution Before 25th Anniversary of June Fourth," 8 May 14.

[99] Malcolm Moore and Tom Phillips, "Tiananmen Victims' Families Feel the Heat," London Daily Telegraph, reprinted in Leader-Post, 30 April 14.

[100] Tyler Roney, "Arrests, Censorship and Propaganda: China's Tiananmen Anniversary Dance," Diplomat, 2 May 14.

[101] Human Rights in China, "China Escalates Persecution Before 25th Anniversary of June Fourth," 8 May 14; "Tiananmen Mother Stopped From Memorializing During 25th Anniversary of 'June Fourth,' Surveilled and Prohibited From Meeting With Journalists for 24 Hours" ["Liu si" 25 zhounian tiananmen muqin gongji bei zu, 24 xiaoshi shou jiankong jin jian jizhe], Radio Free Asia, 28 May 14.

[102] Rights Defense Network, "Gu Yimin Tried and Sentenced in 'Inciting Subversion Case,' Lawyers Beaten and Injured" [Gu yimin "shandian an" kaiting xuanpan, daili lushi bei dashang], 24 March 14. For more information on Gu Yimin's case, see the Commission's Political Prisoner Database record 2013-00215.

[103] Ibid.

[104] "Netizen Forwards June Fourth Picture, Is Criminally Detained, QQ Groups Eagerly Disseminate Picture Depicting Model of Sacrifice and Bravery" [Wangmin zhuan liu si tupian bei xingju, QQ qun re chuan jidian bajiu yinglie tu], Radio Free Asia, 4 June 13; "Dissident Gu Yimin Arrested on Incitement Charge, Du Bin's Younger Sister Holds Up Sign in Protest Outside Detention Center" [Yiyi renshi gu yimin bei kou shandong zui daibu, du bin meimei kanshousuo wai jupai kangyi], Radio Free Asia, 17 June 13; Rights Defense Network, "Jiangsu

Dissident Gu Yimin Arrested for 'Inciting Subversion Charge'" [Jiangsu yiyi renshi gu yimin bei yi "shexian shandong dianfu zui" daibu], 15 June 13.

[105] Charlie Campbell, "Chinese Journalist Arrested Amid Crackdown for Tiananmen Anniversary," Time, 8 May 14.

[106] "Gao Yu Suspected of Illegally Supplying State Secrets Internationally, Criminally Detained" [Gao yu shexian wei jingwai feifa tigong guojia mimi zui bei xingshi juliu], Xinhua, 8 May 14.

[107] Rights Defense Network, "'Rights Defense Network' Statement Regarding Beijing Authorities' Oppression of People Who Attended 'June Fourth' Discussion Forum" ["Weiquanwang" jiu beijing dangju daya canjia "liu si" yantaohui renshi de shengming], 7 May 14; Malcolm Moore and Tom Phillips, "Tiananmen Victims' Families Feel the Heat," London Daily Telegraph, reprinted in Leader-Post, 30 April 14; Michael Forsythe and Chris Buckley, "Journalist Missing Ahead of Tiananmen Anniversary," New York Times, 29 April 14. For more information on Gao's background, see International Press Association, "Gao Yu, China," last visited 23 June 14.

[108] China Free Press, "Chen Wei, Yu Shiwen Detained for Organizing Popular June Fourth Memorial Event" [Yin zuzhi minjian liu si gongji huodong chen wei, yu shiwen zao jubu], 29 May 14. For more information on the criminal detention and arrest of memorial participants, see "Retribution for Multiple People Who Attended 'June Fourth' Memorial, Authorities Establish Special Group To Investigate" [Canyu "liu si" gongji duo ren bei qiuhou suanzhang, dangju chengli zhuan'an zu diaocha], Radio Free Asia, 27 May 14; Rights Defense Network, "Retribution Against Multiple People Criminally Detained Several Months After June Fourth Memorial, Lawyer Prevented From Visiting" [Liu si gongji shu yue hou zao qiuhou suanzhang duo ren bei xingju, lushi huijian shouzu], 30 May 14.

[109] Ibid.; "June Fourth Stability Maintenance Measures Increase, Multiple People Detained" [Liu si weiwen cuoshi jiada, duo ren bei ju], Radio Free Asia, 29 May 14. For more information on these cases, see the Commission's Political Prisoner Database records 2014-00192 on Yu Shiwen, 2014-00191 on Chen Wei, 2014-00194 on Shi Yu, 2014-00196 on Fang Yan, and 2014-00195 on Hou Shuai.

[110] "June Fourth Stability Maintenance Measures Increase, Multiple People Detained" [Liu si weiwen cuoshi jiada, duo ren bei ju], Radio Free Asia, 29 May 14; Rights Defense Network, "Retribution Against Multiple People Criminally Detained Several Months After June Fourth Memorial, Lawyer Prevented From Visiting" [Liu si gongji shu yue hou zao qiuhou suanzhang duo ren bei xingju, lushi huijian shouzu], 30 May 14. For more information on Chang Boyang's case, see the Commission's Political Prisoner Database record 2014-00252.

[111] Rights Defense Network, "Post-'80 Youth Zhang Kunle Criminally Detained for Posting June Fourth Essay Online" [80 hou qingnian zhang kunle yin zai wangshang juban liu si zhengwen bei xingju], 2 June 14; "Guangdong Rights Defender Youth Zhang Kunle Calls for 'June Fourth' Essay Submissions Online, Criminally Detained" [Guangdong weiquan qingnian zhang kunle juban wangshang "liu si" zhengwen bei xingju], Radio Free Asia, 2 June 14. For more information on Zhang Kunle's case, see the Commission's Political Prisoner Database record 2014-00198.

[112] Rights Defense Network, "Post-'80 Youth Zhang Kunle Criminally Detained for Posting June Fourth Essay Online" [80 hou qingnian zhang kunle yin zai wangshang juban liu si zhengwen bei xingju], 2 June 14.

[113] China Change, "Young Chinese Twitter User Arrested for Proposing Method To Spread Truth About June Fourth Massacre," 9 June 14; "Woman Uses Foreign Web Site To Transmit Criminal Methods, Criminally Detained by Beijing Police" [Yi nuzi liyong jingwai wangzhan chuanshou fanzui fangfa bei beijing jingfang xingju], China News Net, 9 June 14. For more information on Zhao Huaxu's case, see the Commission's Political Prisoner Database record 2014-00204.

[114] For an image of the Twitter post, see China Change, "Young Chinese Twitter User Arrested for Proposing Method To Spread Truth About June 4th Massacre," 9 June 14.

[115] "Woman Uses Foreign Web Site To Transmit Criminal Methods, Criminally Detained by Beijing Police" [Yi nuzi liyong jingwai wangzhan chuanshou fanzui fangfa bei beijing jingfang xingju], China News Net, 9 June 14.

[116] Reporters Without Borders, "World Press Freedom Index 2014," February 2014, 31.

[117] Ibid., 16.

[118] UN Human Rights Council, "Tenth Anniversary Joint Declaration: Ten Key Challenges to Freedom of Expression in the Next Decade," Addendum to Report of the Special Rapporteur on the Promotion and Protection of the Rights to Freedom of Opinion and Expression, A/HRC/14/23/Add.2, 25 March 10, art. 1(a).

[119] State Council Information Office and Ministry of Industry and Information Technology, Provisions on the Administration of Internet News Information Services [Hulianwang xinwen xinxi fuwu guanli guiding], issued and effective 25 September 05, arts. 11, 14; State Council, Regulations on the Administration of Publishing [Chuban guanli tiaoli], issued 25 December 01, effective 1 February 02, arts. 15, 36; General Administration of Press and Publication, Measures for Administration of News Reporter Cards [Xinwen jizhe zheng guanli banfa], issued 24 August 09, effective 15 October 09, arts. 11, 12, 16.

[120] State Administration of Press, Publication, Radio, Film, and Television, Circular Regarding the Launch of Editorial Staff Job Training [Guanyu kaizhan xinwen caibian renyuan gangwei peixun de tongzhi], 29 September 13; Benjamin Carlson, "China Will Require Its 250,000 Journalists To Pass a 'Marxism Test,'" Global Post, 21 December 13.

[121] State Administration of Press, Publication, Radio, Film, and Television, Circular Regarding the Launch of Editorial Staff Job Training [Guanyu kaizhan xinwen caibian renyuan gangwei peixun de tongzhi], 29 September 13, sec. 3.

[122] State Administration of Press, Publication, Radio, Film, and Television, Circular Regarding the Situation of the Investigation and Handling of Cases of News Organizations and Journalists, Including the "Henan Youth Daily," Breaking the Law [Guanyu "henan qingnian bao" deng

xinwen danwei he jizhe weifa anjian chachu qingkuang de tongzhi], issued 16 June 14. See also Megha Rajagopalan, "China Bans Unauthorized Critical Coverage by Journalists," Reuters, 18 June 14.

[123] State Administration of Press, Publication, Radio, Film, and Television, Measures on the Management of Information Obtained by Press Personnel in the Conduct of Their Duties [Xinwen congye renyuan zhiwu xingwei xinxi guanli banfa], issued 30 June 14.

[124] For more information, see Hannah Beech, "Weirdly, Chinese Journalists Can No Longer Publish 'Unpublicized Information,'" Time, 9 July 14; Kiki Zhao, "Chinese Journalists Warned Not To Work With Foreign Media," New York Times, Sinosphere (blog), 10 July 14.

[125] State Administration of Press, Publication, Radio, Film, and Television, Measures on the Management of Information Obtained by Press Personnel in the Conduct of Their Duties [Xinwen congye renyuan zhiwu xingwei xinxi guanli banfa], issued 30 June 14, art. 5.

[126] Ibid.

[127] Ibid., art. 2.

[128] Ibid.

[129] "China Arrests Journalist Who Posted Claims of Graft Online," Bloomberg, 11 October 13.

[130] Ibid.; Patrick Boehler, "Award-Winning Journalist Luo Changping on the State of Chinese Media," South China Morning Post, 8 November 13. For more information on Liu Hu's case, see the Commission's Political Prisoner Database record 2013-00315.

[131] Simon Denyer, "Chinese Journalists Face Tighter Censorship, Marxist Retraining," Washington Post, 10 January 14.

[132] Zhang Jialong, "Circumstances of My Dismissal From Tencent," reprinted in China Change, 24 May 14; Zhang Jialong, "Everything I Wish I'd Told John Kerry," Foreign Policy, 19 February 14.

[133] Zhang Hong, "Hard-Hitting Caijing Editor Luo Changping Removed From Post: Sources," South China Morning Post, 28 November 13.

[134] "China Detains Assistant at Japanese Newspaper in Latest Action Ahead of Tiananmen Anniversary," Associated Press, reprinted in Fox News, 28 May 14; Hannah Beech, "Weirdly, Chinese Journalists Can No Longer Publish 'Unpublicized Information,'" Time, 9 July 14.

[135] Patrick Boehler, "Award-Winning Journalist Luo Changping on the State of Chinese Media," South China Morning Post, 8 November 13.

[136] See, e.g., Hong Kong Journalists Association, "First Hong Kong Press Freedom Index Announced," 23 April 14; Sarah Hoffman, PEN American Center, "Attacks and Censorship in Hong Kong," 25 March 14; International Federation of Journalists, "Back to a Maoist Future—Press Freedom in China 2013," January 2014, 38, 41–42, 45–46.

[137] Malcolm Moore, "New York Times and Bloomberg Facing Expulsion From China," Telegraph, 5 December 13; Damian Grammaticas, "Will China Expel Foreign Journalists?" BBC, 10 December 13; "Beijing 'Tightens Controls' on Foreign Journalists," Radio Free Asia, 9 December 13.

[138] Foreign Correspondents Club of China, "FCCC Annual Working Conditions Report 2014," 30 May 14.

[139] Ibid.

[140] Mark Landler and David E. Sanger, "China Pressures U.S. Journalists, Prompting Warning From Biden," New York Times, 4 December 13.

[141] See, e.g., Mary Kay Magistad, "Is Beijing About To Pull the Plug on Two Major American News Operations in China?" Public Radio International, 12 December 13; Malcolm Moore, "New York Times and Bloomberg Facing Expulsion From China," Telegraph, 5 December 13; Damian Grammaticas, "Will China Expel Foreign Journalists?" BBC, 10 December 13.

[142] China's Treatment of Foreign Journalists, Staff Roundtable of the Congressional-Executive Commission on China, 11 December 13, Written Statement of the New York Times, Submitted by Jill Abramson, Executive Editor, New York Times, Presented by Edward Wong, Correspondent, New York Times.

[143] Rebecca Valli, "Tiananmen Crackdown Casts Long Shadow Over China's Press," Voice of America, 29 May 14; "Foreign Journalists in China Harassed Over Tiananmen Square Anniversary," Guardian, Greenslade Blog (blog), last visited 31 July 14.

[144] Andrew Jacobs, "Reporter for Reuters Won't Receive China Visa," New York Times, 9 November 13.

[145] Ibid.

[146] Emily Rauhala, "CNN, BBC Reporters Covering China Activist Trial Manhandled on Live TV," Time, 22 January 14.

[147] William Wan, "China Forces New York Times Reporter To Leave Country," Washington Post, 30 January 14.

[148] Elizabeth M. Lynch, "Another One Bites the Dust but Does Anyone Care? Congress Is Silent as NY Times Reporter Leaves Beijing," China Law & Policy (blog), 9 February 14. See also Adam Gabbatt, "China Forces New York Times Reporter Chris Buckley To Leave Country," Guardian, 31 December 12; "Visa Issue in China Forces Out Times Reporter," New York Times, 31 December 12.

Notes to Section II—Worker Rights

[1] The Network of Chinese Human Rights Defenders and a Coalition of NGOs, Report Submitted to the Committee on Economic, Social and Cultural Rights for Its Review at the 52nd Session of the Second Report by the People's Republic of China on Its Implementation of the International Covenant on Economic, Social and Cultural Rights, April 2014, 4, para. 15.

[2] PRC Trade Union Law [Zhonghua renmin gongheguo gonghui fa], passed and effective 3 April 92, amended 27 October 01, arts. 9–12; Constitution of the Chinese Trade Unions [Zhongguo gonghui zhangcheng], adopted 26 September 03, amended 21 October 08, arts. 9, 11.

[3] Ibid., arts. 4–6; Constitution of the Chinese Trade Unions [Zhongguo gonghui zhangcheng], adopted 26 September 03, amended 21 October 08, General Principles.

[4] Chang Hong, "ACFTU Membership Reaches 280 Million, Minimum Wage Standards Annual Average Increase 12.6 Percent" [Quanguo gonghui huiyuan da 2.8 yi ren zuidi gongzi biaozhun nianjun tigao 12.6%], People's Daily, 11 October 13. According to data published in January 2014 by the National Bureau of Statistics of China, there were 769.77 million employed persons (*jiuye renyuan*) in China by the end of 2013. See National Bureau of Statistics of China, "2013 National Economic Development Steady for the Better" [2013 nian guomin jingji fazhan wen zhong xiang hao], 20 January 14.

[5] Bethany Allen-Ebrahimian, "The World's Largest Union: 'A Capitalist Running Dog,'" Foreign Policy, 23 April 14; Tom Mitchell and Demetri Sevastopulo, "China Labour Activism: Crossing the Line," Financial Times, 7 May 14.

[6] Geoffrey Crothall, "In China, Labour Activism Is Waking Up," South China Morning Post, 1 May 14; John Ruwitch, "Fired From Walmart, Mrs. Wang Is Now Gunning for China's State Labor Union," Reuters, 11 May 14.

[7] "Chairman of the All-China Federation of Trade Unions Li Jianguo: Firmly Grasp the Themes of the National Workers' Movement" [Zhonghua quanguo zonggonghui zhuxi li jianguo: laolao bawo woguo gongren yundong de shidai zhuti], People's Daily, 5 December 13; Chang Hong et al., "Li Jianguo: Advance Migrant Workers and Workers in Challenging Enterprises Fair Rights to Social Security" [Li jianguo: cujin nongmingong, kunnan qiye zhigong gongping xiangyou shehui baozheng], People's Daily, 18 October 13.

[8] "Speech at All-China Model Worker Representative Forum" [Zai tong quanguo laodong mofan daibiao zuotan shi de jianghua], People's Daily, 29 April 13.

[9] China Labour Bulletin, "Searching for the Union: The Workers' Movement in China 2011–13," February 2014, 38–40.

[10] Huang Dan, "Trade Union Offers Legal Aid to 20 Workers Sacked by IBM" [Gonghui wei 20 ming IBM bei chao yuangong tigong fa yuan], Southern Metropolitan Daily, 13 March 14; China Labour Bulletin, "Shenzhen Trade Union Seeks To Help Striking Workers Sacked by IBM," 13 March 14.

[11] Ibid.

[12] China Labour Bulletin, "The Fast Emerging Labour Movement in China and Its Impact on the Country's Future," 6 September 13; Tom Mitchell and Demetri Sevastopulo, "China Labour Activism: Crossing the Line," Financial Times, 7 May 14.

[13] Mimi Lau, "Fertile Ground for Labour Activism," South China Morning Post, 2 May 14; "Douban Columnist Shangguan Luan Interview With Wang Jiangsong: Most Important Channel To Remove Gap Between Intellectuals and Labor—Chinese Labor NGOs Present and Future" [Douban wang zhuanlan zuojia shangguan luan zhuanfang wang jiangsong: datong zhishifenzi yu laogong gehe de zhongyao tongdao—zhongguo laogong NGO de dangxia yu weilai], Wang Jiangsong Sina Blog, 20 May 14; Wang Jing, "Guangdong Labor Bill Puts HK Companies, Workers at Odds," Caixin, 23 June 14.

[14] "Douban Columnist Shangguan Luan Interview With Wang Jiangsong: Most Important Channel To Remove Gap Between Intellectuals and Labor—Chinese Labor NGOs Present and Future" [Douban wang zhuanlan zuojia shangguan luan zhuanfang wang jiangsong: datong zhishifenzi yu laogong gehe de zhongyao tongdao—zhongguo laogong NGO de dangxia yu weilai], Wang Jiangsong Sina Blog, 20 May 14; Ivan Franceschini, "Labour NGOs in China: A Real Force for Political Change?" China Quarterly, Vol. 218 (June 2014), 482–83.

[15] Geoffrey Crothall, "Striking Behavior: Chinese Workers Discover a Weapon Against Labour-Market Turmoil," openDemocracy, 29 March 14; "Douban Columnist Shangguan Luan Interview With Wang Jiangsong: Most Important Channel To Remove Gap Between Intellectuals and Labor—Chinese Labor NGOs Present and Future" [Douban wang zhuanlan zuojia shangguan luan zhuanfang wang jiangsong: datong zhishifenzi yu laogong gehe de zhongyao tongdao—zhongguo laogong NGO de dangxia yu weilai], Wang Jiangsong Sina Blog, 20 May 14.

[16] See, e.g., China Labour Bulletin, "The Making of a Labour Activist," 14 November 13; China Labour Bulletin, "Playing Hardball: Workers Solidarity Forces Boss To Make Concessions," 7 November 13; Mimi Lau, "Fertile Ground for Labour Activism," South China Morning Post, 2 May 14.

[17] See, e.g., China Labour Bulletin, "The Making of a Labour Activist," 14 November 13; China Labour Bulletin, "Playing Hardball: Workers Solidarity Forces Boss To Make Concessions," 7 November 13.

[18] Dexter Roberts, "China's Officials Muzzle Labor Activists," Bloomberg Businessweek, 8 May 14; Mimi Lau, "Fertile Ground for Labour Activism," South China Morning Post, 2 May 14.

[19] Ibid.

[20] Mimi Lau, "Fertile Ground for Labour Activism," South China Morning Post, 2 May 14; Ivan Franceschini, "Labour NGOs in China: A Real Force for Political Change?" China Quarterly, Vol. 218 (June 2014), 482–84.

[21] "Assisting Striking Workers at Dongguan Yue Yuen in Rights Defense, Two Labor Organization Staff 'Go Missing'" [Zhu dongguan yu yuan gongren bagong weiquan liang laogong zuzhi chengyuan "bei shizong"], Radio Free Asia, 23 April 14; Rights Defense Network, "Shenzhen Labor Organization Staff Taken Away by Police in Dongguan" [Shenzhen laogong zuzhi

yuangong zai dongguan bei jingfang daizou], 13 April 14. For more information on the detention of Lin Dong, see the Commission's Political Prisoner Database record 2014-00171.

[22] "Assisting Striking Workers at Dongguan Yue Yuen in Rights Defense, Two Labor Organization Staff 'Go Missing'" [Zhu dongguan yu yuan gongren bagong weiquan liang laogong zuzhi chengyuan "bei shizong"], Radio Free Asia, 23 April 14; "Chinese Shoe Strike Activist Held on Public Order Charges," Radio Free Asia, 30 April 14.

[23] Hong Kong Federation of Trade Unions, Submission to the Committee on Economic, Social and Cultural Rights (CESCR) on the Implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in the Hong Kong Special Administrative Region (HKSAR) and the Mainland, China, March 2014; Chris King-Chi Chan and Elaine Sio-ieng Hui, "The Development of Collective Bargaining in China: From 'Collective Bargaining by Riot' to 'Party State-Led Wage Bargaining,'" China Quarterly, Vol. 217 (March 2014), 226.

[24] Hong Kong Federation of Trade Unions, Submission to the Committee on Economic, Social and Cultural Rights (CESCR) on the Implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in the Hong Kong Special Administrative Region (HKSAR) and the Mainland, China, March 2014.

[25] "Zhang Jianguo: Status and Purpose of Constructing a Collective Consultation System in Deepening Reform" [Zhang jianguo: jiti xieshang zhidu jianshe zai shenhua gaige zhong de diwei zuoyong], Workers' Daily, 22 April 14; Wang Jiaoping et al., "Labor Capital Collective Consultations Three Year Work Plan Mission Complete" [Gongzi jiti xieshang gongzuo san nian guihua renwu wancheng], All-China Federation of Trade Unions, 25 December 13.

[26] Ministry of Human Resources and Social Security, Notice Regarding Promoting Implementation of Collective Contract System Attack Plan [Guanyu tuijin shishi jiti hetong zhidu gong jian jihua de tongzhi], 14 April 14.

[27] Mimi Lau, "Guangdong Collective Bargaining Proposal Seen as Bellwether for China," South China Morning Post, 6 July 14; Wang Jing, "Wrestling With Collective Labor Consultations" [Jueli laogong jiti xieshang], Caixin, 16 June 14; Wang Jing, "Guangdong Labor Bill Puts HK Companies, Workers at Odds," Caixin, 23 June 14.

[28] Wang Jing, "Guangdong Labor Bill Puts HK Companies, Workers at Odds," Caixin, 23 June 14; Wang Jing, "Wrestling With Collective Labor Consultations" [Jueli laogong jiti xieshang], Caixin, 16 June 14.

[29] Ibid.

[30] Wang Jing, "Wrestling With Collective Labor Consultations" [Jueli laogong jiti xieshang], Caixin, 16 June 14; Chris King-Chi Chan and Elaine Sio-ieng Hui, "The Development of Collective Bargaining in China: From 'Collective Bargaining by Riot' to 'Party State-Led Wage Bargaining,'" China Quarterly, Vol. 217 (March 2014), 226–27.

[31] Chris King-Chi Chan and Elaine Sio-ieng Hui, "The Development of Collective Bargaining in China: From 'Collective Bargaining by Riot' to 'Party State-Led Wage Bargaining,'" China Quarterly, Vol. 217 (March 2014), 227.

[32] Ibid., 226.

[33] Ibid.

[34] China Labour Bulletin, "Protecting Workers' Representatives," 7 December 12. See also "Detention of Labor Representative Highlights Challenges for Collective Bargaining in China," Congressional-Executive Commission on China, 20 December 13.

[35] "Worker Representative Faces Criminal Responsibility, 10 Labor Organizations Issue Joint Protest Declaration" [Gongren daibiao mianlin xingze shi laogong zuzhi lianshu kangyi], Radio Free Asia, 26 September 13. See also "Detention of Labor Representative Highlights Challenges for Collective Bargaining in China," Congressional-Executive Commission on China, 20 December 13. For additional information on Wu Guijun's case, see the Commission's Political Prisoner Database record 2013-00316.

[36] China Labour Bulletin, "Public Outcry Grows Over Shenzhen Labour Activist's Five Month Detention," 18 October 13. See also "Detention of Labor Representative Highlights Challenges for Collective Bargaining in China," Congressional-Executive Commission on China, 20 December 13. For additional information on Wu Guijun's case, see the Commission's Political Prisoner Database record 2013-00316.

[37] China Labour Bulletin, "Third Hearing in Trial of Labour Activist Wu Guijun Gets Underway in Shenzhen," 13 May 14; China Labour Bulletin, "Shenzhen Authorities Drop Charges Against Labour Activist Wu Guijun," 9 June 14. For additional information on Wu Guijun's case, see the Commission's Political Prisoner Database record 2013-00316.

[38] "Beiguo: Labor Leader Wu Guijun, Imprisoned Under Stability Maintenance, Finally Obtains State Compensation" [Beiguo: laogong lingxiu wu guijun bei weiwen ruyu zhong huo guojia peichang], New Citizens' Movement, 11 August 14.

[39] Wang Jing, "Expert Lawyers Recommend Revising 'Trade Union Law' Article" [Zhuanjia lushi jianyi xiugai gonghui fa tiaokuan], Caixin, 23 May 14.

[40] Ibid.

[41] China Labour Bulletin, "Searching for the Union: The Workers' Movement in China 2011–13," February 2014, chaps. 2–3, 17, 25–31; Geoffrey Crothall, "Striking Behaviour: Chinese Workers Discover a Weapon Against Labour-Market Turmoil," openDemocracy, 29 March 14; Alexandra Harney, "China's Workforce: Smaller, More Savvy, More Restive," Reuters, 17 April 14.

[42] See, e.g., "Several Hundred Workers at Lutianhua in Sichuan Block Roads Protesting Increased Work Hours Without Raise in Wages" [Sichuan lutianhua shubai gongren dulu kangyi gongshi zengjia daiyu wei tigao], Radio Free Asia, 10 February 14; Amy Li, "Guangzhou Bank Security Van Workers End Strike After Management Agrees Pay Deal," South China Morning Post, 17 February 14; "Close to One Hundred Workers Strike at Foxconn Factory in Chongqing" [Fushikang chongqing changfang jin bai gongren bagong], Radio Free Asia, 13 December 13.

[43] See, e.g., "Doctors, Nurses and Workers Suppressed for Petitioning for Wages" [Yihu, gongren shangfang tao xin jun shou zhenya], Radio Free Asia, 6 March 14; "China Steel Plant Halts as Workforce Protests Over Unpaid Wages," Radio Free Asia, 16 September 13; "Over a

Hundred Workers Striking, Blocking Factory Gate in Shanghai Arrested and Beaten, Boss in Guangdong Runs Out as Workers Block Road, 40 People Arrested" [Shanghai yu bai gongren du chang men bei zhua da guangdong laoban paolu gongren dulu 40 ren bei zhua], Radio Free Asia, 20 February 14.

[44] John Ruwitch, "China Strike Illustrates Shift in Labor Landscape," New York Times, 10 March 14; China Labour Bulletin, "Searching for the Union: The Workers' Movement in China 2011–13," February 2014, chap. 1, 7–10.

[45] "Striking Chinese Workers Are a Headache for Nike, IBM, Secret Weapon for Beijing," Bloomberg, 6 May 14; Tom Mitchell and Demetri Sevastopulo, "China Labour Activism: Crossing the Line," Financial Times, 7 May 14; Alexandra Harney, "China's Workforce: Smaller, More Savvy, More Restive," Reuters, 17 April 14.

[46] "Striking Chinese Workers Are a Headache for Nike, IBM, Secret Weapon for Beijing," Bloomberg, 6 May 14; Liyan Qi, "China To Offer Subsidies to Firms Hit by Overcapacity," Wall Street Journal, 7 May 14; Wayne Ma and Chuin-Wei Yap, "First Up on the Reform Plans: Tackling Overcapacity," Wall Street Journal, 15 November 13.

[47] See, e.g., "Week Long Strike at Towada Electronics Factory, Factory Management Issues Ultimatum" [Shihetian dianzi chang bagong yi zhou changfang fa zuihoutongdie], Radio Free Asia, 13 November 13; "Two Electronics Factories in Guangdong Strike, Over a Thousand Workers at Shenzhen Factory Participate" [Yue liang dianzi chang bagong shenzhen changfang guo qian ren canyu], Radio Free Asia, 31 October 13; "Electronics Factory To Close, Two Thousand Workers Strike for Compensation" [Dianzi chang jiang jieye liang qian gongren zheng peichang bagong], Radio Free Asia, 25 February 14.

[48] See, e.g., "Over a Thousand Workers Strike, Dissatisfied With Benefits Reduction" [Qian duo gongren bagong buman fuli bei xue], Radio Free Asia, 2 December 13; "Two Large Scale Factories in Shenzhen Troubled by Strikes" [Shenzhen liang daxing gongchang nao gong chao], Radio Free Asia, 15 November 13; "Two Thousand Workers Strike at Japanese-Financed Dongguan Electronics Factory Protesting Salary Deductions" [Dongguan ri zi dianzi chang liang qian gongren bagong kangyi kou xin], Radio Free Asia, 18 September 13.

[49] "Striking Chinese Workers Are Headache for Nike, IBM, Secret Weapon for Beijing," Bloomberg, 6 May 14; John Ruwitch, "China Strike Illustrates Shift in Labor Landscape," Reuters, reprinted in New York Times, 10 March 14; Geoffrey Crothall, "In China, Labour Activism Is Waking Up," South China Morning Post, 1 May 14.

[50] China Labour Bulletin, "Searching for the Union: The Workers' Movement in China 2011–13," February 2014, 46; Alexandra Harney, "China's Workforce: Smaller, More Savvy, More Restive," Reuters, 17 April 14; Zhang Yiwei, "Wave of Strikes Shows Neglect of Labor Rights," Global Times, 22 April 14.

[51] Dan Levin, "Plying Social Media, Chinese Workers Grow Bolder in Exerting Clout," New York Times, 2 May 14.

[52] Zhang Yiwei, "Wave of Strikes Shows Neglect of Labor Rights," Global Times, 22 April 14; Geoffrey Crothall, "Striking Behavior: Chinese Workers Discover a Weapon Against Labour-Market Turmoil," openDemocracy, 29 March 14.

[53] Dan Levin, "Plying Social Media, Chinese Workers Grow Bolder in Exerting Clout," New York Times, 2 May 14.

[54] "Striking Chinese Workers Are Headache for Nike, IBM, Secret Weapon for Beijing," Bloomberg, 6 May 14; China Labour Bulletin, "Searching for the Union: The Workers' Movement in China 2011–13," February 2014, chap. 4, 32–33.

[55] See, e.g., "Construction Contractor Owes 5 Million in Back Wages, Dozens of Workers Demanding Salaries Encounter Stability Maintenance" [Jianzhu chengbaoshang qianxin wu baiwan shu shi ming gongren tao xin zao weiwen], Radio Free Asia, 16 January 14; "Over a Hundred Workers Striking, Blocking Factory Gate in Shanghai Arrested and Beaten, Boss in Guangdong Runs Out as Workers Block Road, 40 People Arrested" [Shanghai yu bai gongren du chang men bei zhua da guangdong laoban paolu gongren dulu 40 ren bei zhua], Radio Free Asia, 20 February 14.

[56] Alexandra Harney, "China's Workforce: Smaller, More Savvy, More Restive," Reuters, 17 April 14.

[57] "12 Guangzhou Rights Defense Workers Are Collectively Arrested by Authorities, Citizen Watch Group in Guo Feixiong Case Calls Again for His Release" [Guangzhou 12 ming weiquan gongren zao dangju jiti daibu guo feixiong an gongmin guancha tuan fasheng zai huyu fang ren], Radio Free Asia, 3 October 13; China Labour Bulletin, "Hospital Security Guards Detained for 50 Days After Staging Protest," 8 October 13. For more information on the 12 security guards and their cases, see the following records in the Commission's Political Prisoner Database: 2014-00026 on Meng Han; 2014-00027 on Ou Guanglong; 2014-00028 on Ma Qing; 2014-00029 on He Tao; 2014-00030 on Hu Zhihui; 2014-00031 on Gu Dalu; 2014-00032 on Zhang Ke; 2014-00033 on Zhong Rujiao; 2014-00034 on Li Bin; 2014-00035 on Yang Yanguang; 2014-00036 on Chen Tao; and 2014-00037 on Zheng Jianfeng.

[58] "Verdict Announced Today in First Large Scale Arrest and Prosecution of Rights Defense Workers: 12 Coworkers Sentenced" [Shouci daguimo daibu qisu weiquan gongren jin xuanpan: 12 ming gongyou bei panxing], New Citizens Movement, 15 April 14. For more information on the 12 security guards and their cases, see the following records in the Commission's Political Prisoner Database: 2014-00026 on Meng Han; 2014-00027 on Ou Guanglong; 2014-00028 on Ma Qing; 2014-00029 on He Tao; 2014-00030 on Hu Zhihui; 2014-00031 on Gu Dalu; 2014-00032 on Zhang Ke; 2014-00033 on Zhong Rujiao; 2014-00034 on Li Bin; 2014-00035 on Yang Yanguang; 2014-00036 on Chen Tao; and 2014-00037 on Zheng Jianfeng.

[59] China Labour Bulletin, "Several Guangzhou Hospital Security Guards Vow To Appeal Jail Sentences," 15 April 14.

[60] National Bureau of Statistics of China, "2013 Nationwide Migrant Worker Monitoring Survey Report of China" [2013 nian quanguo nongmingong jiance diaocha baogao], 12 May 14.

[61] Ibid.; "Investigation on Migrant Workers' Integration Into Cities: Without Enough Points, Children Unable To Attend Public Primary Schools" [Nongmingong rongru chengshi diaocha: jifen bugou zinu wufa du gongban xiaoxue], People's Daily, reprinted in China News Service, 8 December 13; Zhuang Pinghui, "Chinese Migrants Seek More Stability in New Homes," South China Morning Post, 11 September 13.

[62] Huang Yueping, Beijing Yilian Labor Legal Aid and Research Center, "When Will Migrant Workers Circle Around the 'China Dream?'" [Nongmingong heshi yuan shang "zhongguo meng"], 13 September 13; Amnesty International, China: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session, May 2014, ASA 17/014/2014, March 2014, chaps. 1.3, 7.

[63] Amnesty International, China: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session, May 2014, ASA 17/014/2014, March 2014, chaps. 1.3, 7; Dexter Roberts, "China's Migrant Workers Want Their Children," Bloomberg Businessweek, 10 January 14.

[64] Ibid.

[65] National Bureau of Statistics of China, 2013 Nationwide Migrant Worker Monitoring Survey Report [2013 nian quanguo nongmingong jiance diaocha baogao], 12 May 14.

[66] Ibid.

[67] "Labor Dispatch and Labor Agencies" [Laowu paiqian yu laowu zhongjie], Jilin Worker News, reprinted in China Trade Union Net, 12 March 14.

[68] Article 66 of the PRC Labor Contract Law states that "labor dispatch generally carries out temporary, supplementary, or substitution work positions." PRC Labor Contract Law [Zhonghua renmin gongheguo laodong hetong fa], issued 29 June 07, effective 1 January 08, amended 28 December 12, art. 66.

[69] China Labour Bulletin, "Labour Rights Groups and Workers Call for Action on China's Employment Agencies," 10 September 13; Lin Jia, "'Fixed Definition + Fixed Quantity' Will Limit Misuse of Labor Dispatch" ["Dingxing + dingliang" ezhi laowu paiqian lanyong], Workers' Daily, 27 January 14.

[70] Sources citing data from the All-China Federation of Trade Unions in 2011 report the total number of dispatch workers in China was 37 million; however, other reports provide estimates that range between 10 million and 60 million. See Zhang Zhilong et al., "Xinhua Viewpoint: Labor Dispatch Personnel's 'Equal Pay for Unequal Work' Problem Draws Concern" [Xinhua shidian: laowu paiqian renyuan "tonggong bu tongchou" wenti yin guanzhu], Xinhua, 16 January 13; Mary Gallagher et al., "China's 2008 Labor Contract Law: Implementation and Implications for China's Workers," World Bank, Policy Research Working Paper 6542, July 2013, 16; China Labour Bulletin, "Labour Rights Groups and Workers Call for Action on China's Employment Agencies," 10 September 13.

[71] See National People's Congress, Decision of the Standing Committee of the National People's Congress Regarding Amendments to "PRC Labor Contract Law" [Quanguo renmin daibiao dahui changwuweiyuanhui guanyu xiugai "zhonghua renmin gongheguo laodong hetong fa" de jueding], issued 28 December 12, effective 1 July 13; CECC, 2013 Annual Report, 10 October 13, 71–72.

[72] National People's Congress, Decision of the Standing Committee of the National People's Congress Regarding Amendments to "PRC Labor Contract Law" [Quanguo renmin daibiao dahui changwuweiyuanhui guanyu xiugai "zhonghua renmin gongheguo laodong hetong fa" de jueding], issued 28 December 12, effective 1 July 13, arts. 57, 63, 66.

[73] Jiang Gang et al., "To Evade New Regulations, Enterprises Have Hundreds of Tricks, Equal Pay for Equal Work Becomes 'A Right on Paper'" [Guibi xin gui qiye huayang bai chu tonggong tongchou cheng "zhi shang quanli"], China Comment, reprinted in China News Service, 1 November 13; Wang Weijian et al., "How To Use 'Temporary Workers' Is a Big Headache for Work Units" ["Linshigong" za yong, danwei hen touteng], People's Daily, 6 May 14.

[74] Ibid.

[75] Jiang Gang et al., "To Evade New Regulations, Enterprises Have Hundreds of Tricks, Equal Pay for Equal Work Becomes 'A Right on Paper'" [Guibi xin gui qiye huayang bai chu tonggong tongchou cheng "zhi shang quanli"], China Comment, reprinted in China News Service, 1 November 13.

[76] Ibid.

[77] Ministry of Human Resources and Social Security, Interim Provisions on Labor Dispatch [Laowu paiqian zanxing guiding], issued 26 January 14, effective 1 March 14.

[78] "'Fixed Definition + Fixed Quantity' Will Limit Misuse of Labor Dispatch" ["Dingxing + dingliang" ezhi laowu paiqian lanyong], Workers' Daily, 27 January 14.

[79] Ministry of Human Resources and Social Security, Interim Provisions on Labor Dispatch [Laowu paiqian zanxing guiding], issued 26 January 14, effective 1 March 14, arts. 5–7, 12–17.

[80] Ibid., arts. 9, 18–19.

[81] Ibid., art. 10.

[82] Ibid., art. 4.

[83] Ibid., art. 28.

[84] Li Peike, "Standardizing Labor Dispatch Depends on Strength of Enforcement" [Guifan laowu paiqian guanjian hai yaokan zhixingli], Lanzhou Daily, 13 May 14; Cao Yongquan, "[Exploring the Labor Movement] Analysis of Highlights and Effects of the Interim Provisions on Labor Dispatch" ["Gongyun tantao" qianxi "laowu paiqian zhanxing guiding" de liangdian ji qi yingxiang], Workers' Daily, 18 March 14; Jin Yanming, "Dispatch Labor Not To Exceed 10 Percent Overall" [Paiqian yonggong bude chao zongliang 10%], Southern Daily, 5 March 14.

[85] Jin Yanming, "Dispatch Labor Not To Exceed 10 Percent Overall" [Paiqian yonggong bude chao zongliang 10%], Southern Daily, 5 March 14.

[86] ILO Convention (No. 138) Concerning Minimum Age for Admission to Employment, 26 June 73; ILO Convention (No. 182) Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 17 June 99; International Labour Organization,

"Ratifications of C138—Minimum Age Convention, 1973 (No. 138)," last visited 16 July 14; International Labour Organization, "Ratifications of C182—Worst Forms of Child Labour Convention, 1999 (No. 182)," last visited 16 July 14.

[87] PRC Labor Law [Zhonghua renmin gongheguo laodong fa], passed 5 July 94, effective 1 January 95, amended 10 October 01, arts. 15, 94. Article 15 of the PRC Labor Law prohibits an employer from hiring minors under the age of sixteen, with exceptions made for institutions of literature, art, physical culture, and special crafts which may employ minors through prior examination and approval of the government authorities while also ensuring their right to receive a compulsory education. See also PRC Law on the Protection of Minors [Zhonghua renmin gongheguo wei chengnian ren baohu fa], passed 4 September 91, effective 1 January 92, arts. 28, 49. See generally Provisions on Prohibiting the Use of Child Labor [Jinzhi shiyong tonggong guiding], issued 1 October 02, effective 1 December 02.

[88] International Labour Organization, "Observation (CEACR)—C138—Minimum Age Convention, 1973 (No. 138)—China," adopted 2010, published 100th ILC Session 2011.

[89] "Two Companies in Shenzhen Confirmed To Have Illegally Used Child Labor Are Fined 10,000 and 35,000 Yuan" [Shenzhen liang qiye bei zhengshi feifa shiyong tonggong fenbie bei fa 1 wan he 3.5 wan yuan], Southern Weekend, 21 January 14; "18 Child Laborers Discovered in Rented Room in Taizhou, Zhejiang, Youngest Is 10 Years Old" [Zhejiang taizhou yi chuzu wu nei xian 18 ming tonggong zui xiao 10 sui], China Central Television, reprinted in Sohu, 4 April 14.

[90] "15 Year Old Child Worker at Taiwanese Subcontractor Factory in Shanghai for Apple Dies of Illness, 4 Deaths in Half a Year Point to Overwork as Main Cause" [Hu pingguo taizi daigongchang 15 sui tonggong bingshi bannian 4 si guolao bei zhi zhuyin], Radio Free Asia, 13 December 13.

[91] "A Factory in Shenzhen Employs Large Number of 12-Year-Old Girls" [Shenzhen yi gongchang guyong daliang 12 sui nutong], Radio Free Asia, 31 December 13; "18 Child Laborers Discovered in Rented Room in Taizhou, Zhejiang, Youngest Is 10 Years Old" [Zhejiang taizhou yi chuzu wu nei xian 18 ming tonggong zui xiao 10 sui], China Central Television, reprinted in Sohu, 4 April 14.

[92] "Two Companies in Shenzhen Confirmed To Have Illegally Used Child Labor Are Fined 10,000 and 35,000 Yuan" [Shenzhen liang qiye bei zhengshi feifa shiyong tonggong fenbie bei fa 1 wan he 3.5 wan yuan], Southern Weekend, 21 January 14; "A Factory in Shenzhen Employs Large Number of 12 Year Old Girls" [Shenzhen yi gongchang guyong daliang 12 sui nutong], Radio Free Asia, 31 December 13. While 9 workers were confirmed as being underage, investigators were not able to verify identification information for an additional 20 workers.

[93] China Labour Bulletin, "Chinese Media Uncovers Another Case of Child Labour Trafficking in Shenzhen," 30 December 13.

[94] Ibid.

[95] State Council, Provisions on Prohibiting the Use of Child Labor [Jinzhi shiyong tonggong guiding], issued 1 October 02, effective 1 December 02, art. 13.

[96] PRC Education Law [Zhonghua renmin gongheguo jiaoyu fa], passed 18 March 95, effective 1 September 95, amended 27 August 09, art. 58.

[97] See, e.g., Sarah Mishkin, "Foxconn Admits Student Intern Labour Violations at China Plant," Financial Times, 10 October 13; "Foshan 16 Year Old Vocational Student Dies From Overwork in Forced Internship" [Foshan 16 sui zhongzhuansheng bei qiangpo shixi guolao si], Radio Free Asia, 8 October 13.

[98] See ILO Convention (No. 138) Concerning Minimum Age for Admission to Employment, 26 June 73. ILO guidelines on the subject of vocational training, apprenticeships and related internships vis-à-vis child labor permits such work "in accordance with conditions prescribed by the competent authority" and in programs involving education, training, or "guidance or orientation [on] . . . the choice of an occupation or of a line of training." ILO Recommendation 146 on the Minimum Age for Admission to Employment, 26 June 73, item 12.2. Furthermore, the General Conference of the International Labour Organization adopted Recommendation 146 relating to the 1973 Minimum Age Convention, which urged that measures "be taken to safeguard and supervise the conditions in which children and young persons undergo vocational orientation and training within undertakings, training institutions and schools for vocation or technical education and to formulate standards for their protection and development." See International Labour Organization (ILO), Convention Concerning Forced or Compulsory Labour (No. 29), adopted by 14th ILC Session, 28 June 30, entry into force 1 May 32; International Labour Office, "General Survey Concerning the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labor Convention, 1957 (No. 105)," International Labour Conference, 96th Session, 2007, 19–20. ILO's Committee of Experts noted that vocational training does not necessarily constitute compulsory work or service within the meaning of the Forced Labour Convention (No. 29), but states that " . . . vocational training usually entails a certain amount of practical work, and for that reason, the distinction between training and employment is sometimes difficult to draw. It is therefore only by reference to the various elements involved in the general context of a particular scheme of training that it becomes possible to determine whether such scheme is unequivocally one of vocational training or on the contrary involves the exaction of work or service within the definition of 'forced or compulsory labor.' "

[99] International Labour Organization, Convention concerning Forced or Compulsory Labour (No. 29), adopted by 14th ILC Session, 28 June 30, entry into force 1 May 32, art. 2.2(c); International Labour Organization, Convention concerning the Abolition of Forced Labour (No. 105), adopted by 40th ILC Session, 25 June 57, entry into force 17 January 59, art. 1. Article 2.2(c) of the Convention concerning Forced or Compulsory Labour allows for "any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations."

[100] See, e.g., Asia Catalyst, "'Custody and Education': Arbitrary Detention for Female Sex Workers in China," December 2013, 8, 20, 25–27; Amnesty International, China: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session, May 2014, ASA 17/014/2014, March 2014, 5–6.

[101] International Labour Organization, Convention concerning Forced or Compulsory Labour (No. 29), adopted by 14th ILC Session, 28 June 30, entry into force 1 May 32, art. 2.2(c).

[102] See, e.g., "China Has Many Forms of Arbitrary Detention, Lawyers Say," Radio Free Asia, 19 November 13; Amnesty International, China: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session, May 2014, ASA 17/014/2014, March 2014, 5–6.

[103] International Labour Organization, Convention concerning the Abolition of Forced Labour (No. 105), adopted by 40th ILC Session, 25 June 57, entry into force 17 January 59, art. 1(a).

[104] Amnesty International, China: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session, May 2014, ASA 17/014/2014, March 2014, 6.

[105] International Labour Organization, Convention concerning the Abolition of Forced Labour (No. 105), adopted by 40th ILC Session, 25 June 57, entry into force 17 January 59, art. 1(b). For a report on the use of prison labor for the purpose of profit-making, see Chai Huiqun, "Confessions of Disgraced RTL Officers" [Luoma laojiao jingcha de jiantao], Southern Weekend, 2 May 13.

[106] Frank Langfitt, "U.S. Teacher: I Did Seven Months of Forced Labor in a Chinese Jail," National Public Radio, 29 May 14.

[107] Ibid.

[108] International Labour Organization, "Ratifications of Fundamental Human Rights Conventions by Country," last visited 6 September 13; International Labour Organization, ILO Declaration on Fundamental Principles and Rights at Work, 18 June 98, art. 2. Other rights member countries are obligated to respect include the effective abolition of child labor; the elimination of discrimination in respect of employment and occupation; and freedom of association and the "effective recognition" of the right to collective bargaining.

[109] Decision of the Standing Committee of the National People's Congress on Abolishing Laws and Regulations Related to Reeducation Through Labor [Quanguo renmin daibiao dahui changwu weiyuanhui guanyu feizhi youguan laodong jiaoyang falu guiding de jueding], issued and effective, 28 December 13.

[110] "Prospects for Reforming China's Reeducation Through Labor System," Congressional-Executive Commission on China, 9 May 13, 2–3, 4, 6; John Dotson and Teresa Vanfleet, U.S.-China Economic and Security Review Commission, "Prison Labor Exports From China and Implications for U.S. Policy," 9 July 14, 5.

[111] Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 5; Human Rights Watch, "China: Fully Abolish Re-Education Through Labor," 8 January 13; Chinese Human Rights Defenders, "[CHRB] Lawyers Warn Against Other Forms of Arbitrary Detention To Replace RTL (11/14–11/20, 2013)," 21 November 13; Rights Defense Network, "Statement of Chinese Lawyers for the Protection of Human Rights on Issues Related to the Abolition of the Re-education Through Labor System" [Zhongguo baozhang renquan lushituan lushi dui laojiao zhidu feizhi xiangguan wenti de shengming], 19 November 13.

[112] Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 8–9, 39–41; Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 4–5, 7–8; Amnesty International, "China: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session, May 2014," ASA 17/014/2014, March 2014, 5–6.

[113] Frank Langfitt, "U.S. Teacher: I Did Seven Months of Forced Labor in a Chinese Jail," National Public Radio, 29 May 14; U.S. Department of Labor, List of Goods Produced by Child Labor or Forced Labor, last visited 26 August 14; Lisa Murray and Angus Grigg, "Qantas in China Prison Labour Row," Australian Financial Review, 26 June 13; Frank Langfitt, "Ex-Inmates Speak Out About Labor Camps as China Considers 'Reforms,'" National Public Radio, 22 February 13.

[114] See, e.g., Frank Langfitt, "U.S. Teacher: I Did Seven Months of Forced Labor in a Chinese Jail," National Public Radio, 29 May 14; John Dotson and Teresa Vanfleet, U.S.-China Economic and Security Review Commission, "Prison Labor Exports From China and Implications for U.S. Policy," 9 July 14, 7–10.

[115] Memorandum of Understanding Between the United States of America and the People's Republic of China on Prohibiting Import and Export Trade in Prison Labor Products, effective 7 August 92; Statement of Cooperation on the Implementation of the Memorandum of Understanding Between the United States of America and the People's Republic of China on Prohibiting Import and Export Trade in Prison Labor Products, 14 March 94.

[116] Shujie Leng, "Made in China—But Was It Made in a Prison?" National Public Radio, 29 March 14; John Dotson and Teresa Vanfleet, U.S.-China Economic and Security Review Commission, "Prison Labor Exports From China and Implications for U.S. Policy," 9 July 14, 5–6, 11–12.

[117] See, e.g., Frank Langfitt, "U.S. Teacher: I Did Seven Months of Forced Labor in a Chinese Jail," National Public Radio, 29 May 14.

[118] China Labour Bulletin, "Wages in China," last visited 8 July 14.

[119] Julie Zhu, "Is the Manufacturing Industry Withdrawing From the Pearl River Delta?" [Zhizaoye chili zhusanjiao?], Financial Times, 7 February 14; Qiu Yue, "Number of Areas Facing 'Labor Shortage' Following Holiday, Where Have All the 'Migrant Workers' Gone?" [Duo di jie hou yu "yonggong huang" "nongmingong" dou qu naer le?], Guangming Daily, reprinted in Xinhua, 22 February 14; Wang Huiyu et al., "In Many Provinces Cheap Labor Is Increasingly Difficult To Obtain, Turning Point Is Forcing Transformation and Upgrade" [Duo sheng lianjia

laoli huoqu yuelaiyue nan guaidian daolai dao bi zhuangxing shengji], Economic Information News, reprinted in China News Service, 5 November 13.

[120] State Council, Plan on Employment Promotion (2011–2015) [Cujin jiuye guihua (2011–2015 nian)], 24 January 12.

[121] Li Tangning and Zhou Rui, "9 Provinces and Cities Raise Minimum Wage Standards 13 Percent" [9 sheng shi shangtiao zuidi gongzi biaozhun zhang 13%], Economic Information News, 22 April 14.

[122] China Labour Bulletin, "Wages in China," last visited 8 July 14; Li Tangning and Zhou Rui, "9 Provinces and Cities Raise Minimum Wage Standards 13 Percent" [9 sheng shi shangtiao zuidi gongzi biaozhun zhang 13%], Economic Information News, 22 April 14; "26 Provinces Raise Minimum Wage Levels by Average of 18 Percent, Basically in Line With 2012" [26 sheng tiao zuidi gongzi biaozhun pingjun zeng 18% yu 2012 nian jiben chiping], China News, 15 January 14.

[123] China Labour Bulletin, "Wages in China," last visited 8 July 14; China Labour Bulletin, "Real Wages for China's Migrant Workers Stagnate as Cost of Living Escalates," 14 May 14.

[124] Ibid.

[125] China Labour Bulletin, "Wages in China," last visited 8 July 14.

[126] National Bureau of Statistics of China, "2013 National Economy Developing Steadily for the Better" [2013 nian guomin jingji fazhan wen zhong xiang hao], 20 January 14; "Income Inequality Now Greater in China Than in US," University of Michigan News, 28 April 14. See also Yu Xie and Xiang Zhou, "Income Inequality in Today's China, "Proceedings of the National Academy of Sciences, Vol. 111, No. 19, 13 May 14.

[127] Lorraine Woellert and Sharon Chen, "China's Income Inequality Surpasses U.S., Posing Risk for Xi," Bloomberg, 29 April 14.

[128] See, e.g., Chen Weiwei, "State Administration of Work Safety: Comparatively More Accidents Last Year at Central Enterprises Reveals Many Problems" [An jian zongju: qunian yangqi shigu jiao duo baolu zhuduo wenti], Xinhua, 9 January 14; China Labour Bulletin, "Factory Bosses Detained After Explosion at Jiangsu Auto Plant Kills 69," 3 August 14; Shannon Van Sant, "China Factory Blasts Highlight Gaps in Workplace Safety," Voice of America, 4 August 14.

[129] State Administration of Work Safety, "2013 National Work Safety Situation" [2013 nian quanguo anquan shangchan gongzuo qingkuang], 19 February 14.

[130] Chen Weiwei, "State Administration of Work Safety: Comparatively More Accidents Last Year at Central Enterprises Reveals Many Problems" [An jian zongju: qunian yangqi shigu jiao duo baolu zhuduo wenti], Xinhua, 9 January 14.

[131] "Xinhua Insight: Official Blames Factory Blast on 'Serious Dereliction of Duty,'" Xinhua, 4 August 14.

[132] Ibid.; Zhao Zhijiang, "Xinmin Evening News: Kunshan's Pain 'Mayor Weeps at the Scene' Again Proving Importance of Safety" [Xinmin wanbao: kunshan zhi tong "shizhang danchang kuqi" zai zheng anquan zhi zhong], Xinmin Evening News, reprinted in People's Daily, 4 August 14; China Labour Bulletin, "Activists Demand That Workers Be Given the Right To Supervise Workplace Safety," 4 August 14.

[133] Wang Jing, "Labor Community Calls for Workers To Be Given Power To Supervise Production Safety" [Laogong jie huyu jiang anquan shengchan jiandu quan jiaogei gongren], Caixin, 4 August 14; China Labour Bulletin, "Activists Demand That Workers Be Given the Right To Supervise Workplace Safety," 4 August 14.

[134] PRC Central Government, "2013 National Coal Mine Safety Production Achieves Three Substantial Declines" [2013 nian woguo meikuang anquan shengchan shixian san ge dafu xiajiang], 4 January 14.

[135] "Coal Mine Accident Mortality Rate Declines 24 Percent Last Year in China" [Zhongguo meikuang shigu siwanglu qunian xiajiang 24%], Radio Free Asia, 6 January 14.

[136] Wang Yichen, "State Administration of Work Safety: Safe Production in Coal Mining Remains Key Problem To Tackle" [Guojia an jian zongju: meikuang reng shi anquan shengchan gongguan zhongdian], Economic Daily, reprinted in China News Service, 10 January 14.

[137] "China Reports Cover-Ups in Coal Mine Accidents," Xinhua, reprinted in Global Times, 5 August 14.

[138] "Number of Non-Mining Accidents and Deaths Both Increase Last Year" [Qunian fei meikuangshan zhongda shigu qishu he siwangrenshu tongbi jun shangsheng], China News Service, 27 February 14.

[139] See, e.g., China Labor Watch, "Another Samsung Supplier Exploiting Child Labor: Investigation of Shinyang Electronic Co. Ltd. (Dongguan)," 10 July 14, 3, 14; Zhou Jing et al., "Tracing Fire at Shoe Factory: Hidden Dangers Amass Leading to Enormous Fire, Lack of Training Leads to Death of Many People by Smoke Inhalation" [Xie chang huozai zhuizong: yinhuan ji chong tianda huo zhong fasheng que peixun duo ren jing bei xunsi], Xinhua, 15 January 14; "Frequent News of Deaths at Apple Subcontractors Suspected To Be Related to Working Environment" [Pingguo daigongchang pinchuan sixun yi yu gongzuo huanjing youguan], Radio Free Asia, 21 November 13.

[140] See, e.g., "Several Hundred Workers at Lutianhua in Sichuan Block Roads Protesting Increased Work Hours Without Raise in Wages" [Sichuan lutianhua shubai gongren dulu kangyi gongshi zengjia daiyu wei tigao], Radio Free Asia, 10 February 14; Amy Li, "Guangzhou Bank Security Van Workers End Strike After Management Agrees To Pay Deal," South China Morning Post, 12 February 14; Sophie Stracke et al., DanWatch, "IT Workers Still Pay the Price for Cheap Computer: Case Study of Labour Conditions at 4 Dell Suppliers in China," November 2013, 10–12.

[141] See, e.g., Sophie Stracke et al., DanWatch, "IT Workers Still Pay the Price for Cheap Computer: Case Study of Labour Conditions at 4 Dell Suppliers in China," November 2013, 13–14; China Labour Bulletin, "Another Ammonia Leak at a Chinese Factory Claims 15 Lives," 2 Sep-

tember 13; China Labor Watch, "Another Samsung Supplier Exploiting Child Labor: Investigation of Shinyang Electronic Co. Ltd. (Dongguan)," 10 July 14, 3, 14.

[142] See, e.g., "Workers in Dongguan Blocking Streets, Demanding Back Wages Suppressed" [Dongguan gongren dulu tao xin zao daya], Radio Free Asia, 14 October 13; Sophie Stracke et al., DanWatch, "IT Workers Still Pay the Price for Cheap Computer: Case Study of Labour Conditions at 4 Dell Suppliers in China," November 2013, 28; China Labor Watch, "Mattel's Unceasing Abuse of Chinese Workers: An Investigation of Six Mattel Supplier Factories," October 2013, 21–22, 45.

[143] See, e.g., Shai Oster, "They're Dying at Their Desks in China as Epidemic of Stress Proves Fatal," Bloomberg, 30 June 14; Sarah Mishkin, "Overtime Work at Foxconn Still Beyond China's Legal Limits," Financial Times, 12 December 13; Yan Ying and Song Taowei, "Why Do Apple Subcontractor Workers Vie for Overtime? 'Double Overtime' Can Earn Two or Three Thousand More" [Pingguo daigongchang yuangong weihe zheng zhe jiaban? "shuangjia" neng duo na liang san qian], East Day, 16 December 13.

[144] Shai Oster, "They're Dying at Their Desks in China as Epidemic of Stress Proves Fatal," Bloomberg, 30 June 14.

[145] Wang Wanli, "In Past 10 Years, At Least 697 Young Adults in Prime of Life Suddenly Die" [10 nian zhishao 697 qingzhuangnian cusi], Guangzhou Daily, 21 July 14.

[146] Zheng Caixiong, "Syndrome Killing Young Workers in 'World's Factory,'" China Daily, reprinted in People's Daily, 22 July 14; Andrea Chen, "Mystery as Hundreds of Young Chinese Workers Are Dying in Their Sleep," South China Morning Post, 22 July 14.

[147] See, e.g., "Xinhua Insight: Official Blames Factory Blast on 'Serious Dereliction of Duty,'" Xinhua, 4 August 14; "Fire Takes Place at Shoe Factory in Wenling, Zhejiang, Analysts Doubt It Is Arson" [Zhejiang wenling xie chang fasheng huozai fenxirenshi huaiyi ren wei zonghuo], Radio Free Asia, 14 January 14; China Labour Bulletin, "Factory Bosses Detained After Explosion at Jiangsu Auto Plant Kills 69," 3 August 14.

[148] Zhou Jing et al., "Tracing Fire at Shoe Factory: Hidden Dangers Amass Leading to Enormous Fire, Lack of Training Leads to Death of Many People by Smoke Inhalation" [Xie chang huozai zhuizong: yinhuan ji chong tianda huo zhong fasheng que peixun duo ren jing bei xun si], Xinhua, 15 January 14; Charles Arthur, "Samsung Finds Labour Violations at Dozens of Its Chinese Suppliers," Guardian, 1 July 14; Yu Dawei and Bao Zhiming, "Workers at Jiangsu Auto-Parts Factory Say Fatal Blast Wasn't a Surprise," Caixin, 4 August 14.

[149] See, e.g., Alice Yan, "Kunshan Explosion Factory Ignored Several Danger Warnings, Says Regulator," South China Morning Post, 4 August 14; China Labor Watch, "Another Samsung Supplier Exploiting Child Labor: Investigation of Shinyang Electronic Co. Ltd. (Dongguan)," 10 July 14, 14; China Labour Bulletin, "Another Ammonia Leak at a Chinese Factory Claims 15 Lives," 2 September 13.

[150] National Health and Family Planning Commission, "Bulletin Concerning 2013 Situation for Occupational Disease Prevention and Control Work" [Guanyu 2013 nian zhiyebing fangzhi gongzuo qingkuang de tongbao], 30 June 14.

[151] Love Save Pneumoconiosis, "Research Report on the Living Conditions of China's Pneumoconiosis-Affected Migrant Workers (2014)" [Zhongguo chenfeibing nongmingong shengcun zhuangkuang diaocha baogao (2014)], 1 July 14, 1, 7–11.

[152] Li Xiaocong and Xu Liuping, "A Majority of the 20,000 People Suffering With Occupational Disease in Our Province Lack Medical Certification" [Wosheng 2 wan zhiyebing ren daduo wu zhenduan shu], Jiangxi Morning Post, 12 August 14; Xiang Huilian, "Report States Over 80 Percent of Migrant Workers With Pneumoconiosis Unable To Obtain Compensation" [Baogao cheng chao ba cheng chenfeibing nongmingong wei huo peichang], Caixin, 7 July 14.

[153] Love Save Pneumoconiosis, "Research Report on the Living Conditions of China's Pneumoconiosis-Affected Migrant Workers (2014)" [Zhongguo chenfeibing nongmingong shengcun zhuangkuang diaocha baogao (2014)], 1 July 14, 35, 40.

[154] Fair Labor Association, "Final Foxconn Verification Status Report," 12 December 13.

[155] "Profile: Foxconn Technology Co Ltd (2354.TW)," Reuters, last visited 8 September 14.

[156] Fair Labor Association, "Final Foxconn Verification Status Report," 12 December 13, 1.

[157] Ibid.

[158] Ibid., 3.

[159] Ibid.

[160] Isaac Shapiro and Scott Nova, "Apple Fails To Deliver on Key Labor Rights Promises, but Company's Chosen Labor Rights Monitor Finds Little Fault," Economic Policy Institute (blog), 13 December 13.

[161] Fair Labor Association, "Final Foxconn Verification Status Report," 12 December 13, 3.

[162] See, e.g., Li Na, "Numerous Violations Again Exposed at Apple Subcontractor Factories: Low Wages and Long Work Hours" [Pingguo daigongchang zai bao duo xiang weigui: xinzi di gongzuo shijian chang], 21st Century Business Herald, 18 August 14; Neil Gough and Brian X. Chen, "Groups Accuse Apple Supplier in China of Labor Violations," New York Times, 4 September 14; Yan Ying, "4 Workers at Apple Subcontractor Recently Died From Illness, Including One 15 Year Old; Pegatron's Response: Problem With Hiring Child Labor Is in Examining Identification in Recruitment" [Pingguo daigongchang 4 ming yuangong yin bing zai jinqi siwang, qizhong yi ren jin 15 sui, heshuo keji huiying: tonggong yong wenti shenfenzheng tongguo zhao gong hecha], Shanghai Morning Post, 13 December 13.

Notes to Section II—Criminal Justice

[1] Understanding China's Crackdown on Rights Advocates: Personal Accounts and Perspectives, Hearing of the Congressional-Executive Commission on China, 8 April 14, Written Statement Submitted by Teng Biao, Human Rights Lawyer and Scholar; Stéphanie Balme, Remarks on China's Domestic Policy and Human Rights Webcast, 2014 Bernstein China Symposium, Panel 1, U.S.-Asia Law Institute, New York University Law School, 3 April 14; Eva Pils, Remarks on China's Domestic Policy and Human Rights Webcast, 2014 Bernstein China Symposium, Panel 1, U.S.-Asia Law Institute, New York University Law School, 3 April 14; Teng Biao, "China's Growing Human Rights Movement Can Claim Many Accomplishments," Washington Post, 18 April 14; "Chinese Dream Turns Sour for Activists Under Xi Jinping," Agence France-Presse, 10 July 14; Stability in China: Lessons From Tiananmen and Implications for the United States, Hearing of the U.S.-China Economic and Security Review Commission, 15 May 14, Written Statement Submitted by Steve Hess, Assistant Professor of Political Science, College of Public and International Affairs, University of Bridgeport, 5–6. For similar trends in previous years, see also "The Rule of Law: Bizarrely Consistent," Economist, 27 July 13; CECC, 2013 Annual Report, 10 October 13, 77; CECC, 2009 Annual Report, 10 October 09, 88.

[2] See, e.g., Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 3; Chinese Human Rights Defenders, "China: Reverse Travesty of Justice, Free Persecuted Human Rights Defenders in Jiangxi," 20 June 14; Understanding China's Crackdown on Rights Advocates: Personal Accounts and Perspectives, Hearing of the Congressional-Executive Commission on China, 8 April 14, Written Statement Submitted by Teng Biao, Human Rights Lawyer and Scholar.

[3] Chinese Human Rights Defenders, "149 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 8 July 14.

[4] Chinese Human Rights Defenders, "152 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 25 July 14.

[5] Xu Xin, "Xu Xin: Exceeding the Law To Attack Rumors Is Much More Dangerous Than Rumors Themselves," Caijing (Xu Xin's blog), 10 September 13; Xu Xin (xuxin), Tencent Weibo post, 6 May 14, 22:34; Dui Hua Foundation, "Broad Changes to China's Criminal Law Enacted," Dui Hua Human Rights Journal, 1 March 11. See also "Si Weijiang: Does a Closed-Door Meeting Constitute Picking Quarrels and Provoking Trouble?" [Si weijiang: bimen kaihui goucheng xunxin zishi ma?], New Citizens Movement Web site, 7 May 14; "Fu Dandi: The Crime of Picking Quarrels and Provoking Trouble: Origins in Last Century's Crime of Hooliganism; The Interpretation in This Life Has Expanded" [Fu dandi: xunxin zishi zui: qian shiji qiyuan liumang zui, jinsheng jieshi kuodahua], New Citizen's Movement Web site, 8 May 14; Ying Chan, "Why Pu Zhiqiang Is Not Guilty," China Media Project, 16 June 14.

[6] Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 3; Dexter Roberts, "'Picking Quarrels and Provoking Trouble': The Crime Sweeping China," Bloomberg Businessweek, 12 May 14; Verna Yu, "How China Is Using Criminal Detention in Place of Re-Education Through Labour," South China Morning Post, 21 April 14; Gillian Wong, "Chinese Lawyer, Others Held in Tiananmen Clampdown," Associated Press, 6 May 14; Didi Tang, "China Hits Activists with Common-Crime Charges," Associated Press, 27 May 14; CECC, 2013 Annual Report, 10 October 13, 78.

[7] Dui Hua Foundation, "Broad Changes to China's Criminal Law Enacted," Dui Hua Human Rights Journal, 1 March 11; Dexter Roberts, "'Picking Quarrels and Provoking Trouble': The Crime Sweeping China," Bloomberg Businessweek, 12 May 14; Xu Xin (xuxin), Tencent Weibo post, 6 May 14, 22:34; Verna Yu, "How China Is Using Criminal Detention in Place of Re-Education Through Labour," South China Morning Post, 21 April 14.

[8] Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 3. See also Didi Tang, "China Hits Activists With Common-Crime Charges," Associated Press, 27 May 14; Verna Yu, "How China Is Using Criminal Detention in Place of Re-Education Through Labour," South China Morning Post, 21 April 14.

[9] "On Appeal, Xu Zhiyong's Original Verdict of Four Years' Imprisonment for Gathering a Crowd To Disturb Public Order Upheld" [Xu zhiyong an ershen weichi yuanpan juzhong raoluan gonggong changsuo zhixu beipan 4 nian], Southern Weekend, 11 April 14.

[10] Understanding China's Crackdown on Rights Advocates: Personal Accounts and Perspectives, Hearing of the Congressional-Executive Commission on China, 8 April 14, Written Statement Submitted by Teng Biao, Human Rights Lawyer and Scholar.

[11] Ibid.

[12] Didi Kirsten Tatlow, "Chinese Court Sentences Four Activists to Jail," New York Times, 18 April 14. For more information, see the Commission's Political Prisoner Database records 2013-00307 on lawyer Ding Jiaxi (sentenced to three years and six months in prison), 2004-05226 on veteran activist Zhao Changqing (sentenced to two years and six months in prison), and 2013-00308 and 2013-00132 on anticorruption and transparency advocates Li Wei and Zhang Baocheng, respectively. Li and Zhang were each sentenced to two years in prison.

[13] Verna Yu, "Human Rights Lawyer Among Four Detained Over Tiananmen Commemoration Event," South China Morning Post, 7 May 14; Rights Defense Network, "'Rights Defense Network' Statement on Beijing Authorities' Crackdown on Participants in the June Fourth Discussion Forum" ["Weiquanwang" jiu beijing dangju daya canjia "liu si" yantaohui renshi de shengming], 7 May 14; Cao Yaxue, "The Zhengzhou Twelve," China Change, 26 June 14; Josh Chin, "The Tiananmen Square Meeting That Sparked a Crackdown in Beijing," Wall Street Journal, China Real Time Report (blog), 6 May 14.

[14] UN Office of the High Commissioner for Human Rights, "Fact Sheet No. 26, The Working Group on Arbitrary Detention," May 2000, sec. IV(B).

[15] Ibid. The rights and freedoms protected under the second category include those in Articles 7, 10, 13, 14, 18, 19, and 21 of the Universal Declaration of Human Rights and in Articles 12, 18, 19, 21, 22, and 27 of the International Covenant on Civil and Political Rights. See Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, arts. 7, 10, 13, 14, 18, 19, 21; International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, arts. 12, 18, 19, 21, 22, 27.

[16] UN GAOR, Hum. Rts. Coun. 25th Sess., Report of the Working Group on the Universal Periodic Review—China, Addendum, Views on Conclusions and/or Recommendations, Voluntary Commitments and Replies Presented by the State Under Review, A/HRC/25/5/Add.1, 27 February 14, para. 186.115; UN GAOR, Hum. Rts. Coun. 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, para. 186.115. The recommendation which prompted this statement from the Chinese government was offered by the United States: "End the use of harassment, detention, arrest, and extralegal measures such as enforced disappearance to control and silence human rights activists as well as their family members and friends."

[17] For more information on each of these imprisoned advocates, see the following records in the Commission's Political Prisoner Database: 2005-00199 on Xu Zhiyong, 2014-00174 on Pu Zhiqiang, 2009-00315 on Ilham Tohti, and 2014-00126 on Zhang Shaojie. Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 1–6, 11, 27–28.

[18] Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 8–9; Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 1–3; Chinese Human Rights Defenders, "Individuals Detained in Crackdown on Peaceful Assembly, Association & Expression," last visited 8 July 14; Chinese Human Rights Defenders, "149 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 8 July 14; David Wertime, "Inside China's Blackest Box: Even High Cadres Quake at the Term 'Shuanggui,' an Extrajudicial Interrogation Method That Has Claimed Lives," Foreign Policy, 2 July 14; Human Rights Watch, "China: End Arbitrary Detention System for Sex Workers," 24 June 14; Dui Hua Foundation, "Detained Actor Spotlights Custody and Education, Censors Intervene," Dui Hua Human Rights Journal, 10 June 14; CECC, 2013 Annual Report, 10 October 13, 79–81.

[19] See, e.g., PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, arts. 37, 41; PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13, art. 3; PRC Public Security Administration Punishment Law [Zhonghua renmin gongheguo zhian guanli chufa fa], passed 28 August 05, effective 1 March 06, arts. 2, 3, 10, 16; PRC Legislation Law [Zhonghua renmin gongheguo lifa fa], passed 15 March 00, effective 1 July 00, art. 8(5); CECC, 2012 Annual Report, 10 October 12, 71; CECC, 2013 Annual Report, 10 October 13, 81.

[20] UN Committee against Torture, Consideration of Reports Submitted by States Parties Under Article 19 of the Convention: Concluding Observations of the Committee against Torture: China, CAT/C/CHN/CO/4, 12 December 08, para. 14. The 1992 UN Declaration on the Protection of All Persons from Enforced Disappearance provides that an "enforced disappearance" occurs when individuals are detained or abducted "or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law." UN General Assembly, Declaration on the Protection of All Persons from Enforced Disappearance, A/RES/47/133, 18 December 92.

[21] Human Rights Watch, "'An Alleyway in Hell': China's Abusive 'Black Jails,'" November 2009, 40–43.

[22] UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, para. 156.

[23] Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 3; Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013,17 December 13, 39; Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14; "Joint Statement by Four Lawyers Detained in Jiansanjiang After Their Release" [Jiansanjiang bei ju si lushi huoshi hou de lianhe shengming], Boxun, 13 April 14; Rights Defense Network, "Statement of Chinese Lawyers for the Protection of Human Rights on Issues Related to the Abolition of the Reeducation Through Labor System" [Zhongguo baozhang renquan lushituan lushi dui laojiao zhidu feizhi xiangguan wenti de shengming], 19 November 13.

[24] Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14.

[25] Rights Defense Network, "Statement of Chinese Lawyers for the Protection of Human Rights on Issues Related to the Abolition of the Reeducation Through Labor System" [Zhongguo baozhang renquan lushituan lushi dui laojiao zhidu feizhi xiangguan wenti de shengming], 19 November 13; Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14; Joshua Rosenzweig, "Chinese Human Rights Lawyers Condemn Detention of Lawyers Investigating Black Jail," Siweiluozi's Blog, 22 March 14; Rights Defense Network, "Sun Wenguang: My Personal Remembrances of Shandong University's 'Black Jails'" [Sun wenguang: shandong daxue "hei jianyu" qinlin ji], 21 April 14.

[26] "Prospects for Reforming China's Reeducation Through Labor System," Congressional-Executive Commission on China, 9 May 13, 2–3; CECC, 2013 Annual Report, 10 October 13, 81.

[27] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34).

[28] National People's Congress (NPC) Standing Committee Decision on Abolishing Reeducation Through Labor Regulations [Quanguo renmin daibiao dahui changwu weiyuanhui guanyu feizhi youguan laodong jiaoyang falu guiding de jueding], issued and effective 28 December 13; "NPC Standing Committee Decision on Laojiao," China Law Translate (blog), 30 December 13.

[29] Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 5; Human Rights Watch, "China: End Re-Education Through Labor Without Loopholes," 15 November 13; Human Rights Watch, "China: Fully Abolish Re-Education Through Labor," 8 January 13; Chinese Human Rights Defenders, "[CHRB] Lawyers Warn Against Other Forms of Arbitrary Detention To Replace RTL (11/14–11/20, 2013)," 21 November 13; Rights Defense Network, "Statement of Chinese Lawyers for the Protection of Human Rights on Issues Related to the Abolition of the Reeducation Through Labor System" [Zhongguo baozhang renquan lushituan lushi dui laojiao zhidu feizhi xiangguan wenti de shengming], 19 November 13.

[30] See, e.g., Robert Williams, "'Community Corrections' and the Road Ahead for Re-Education Through Labor," China File, 20 December 13; Chinese Human Rights Defenders, "[CHRB] Lawyers Warn Against Other Forms of Arbitrary Detention To Replace RTL (11/14–11/20, 2013)," 21 November 13; Rights Defense Network, "Statement of Chinese Lawyers for the Protection of Human Rights on Issues Related to the Abolition of the Reeducation Through Labor System" [Zhongguo baozhang renquan lushituan lushi dui laojiao zhidu feizhi xiangguan wenti de shengming], 19 November 13; Margaret K. Lewis and Jerome A. Cohen, "How Taiwan's Constitutional Court Reined in Police Power: Lessons for the People's Republic of China," Fordham International Law Journal, Vol. 37 (2014), 918–20.

[31] Chinese Human Rights Defenders, "[CHRB] Lawyers Warn Against Other Forms of Arbitrary Detention To Replace RTL (11/14–11/20, 2013)," 21 November 13.

[32] Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14; Dui Hua Foundation, "For State Security, Police Rules Color Code 'Targeted Population,'" Dui Hua Reference Materials, 3 October 13; Amnesty International, "'Changing the Soup but Not the Medicine?' : Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 8–9, 39–41; Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 2–3.

[33] Rights Defense Network, "Statement of Chinese Lawyers for the Protection of Human Rights on Issues Related to the Abolition of the Reeducation Through Labor System" [Zhongguo baozhang renquan lushituan lushi dui laojiao zhidu feizhi xiangguan wenti de shengming], 19 November 13; Chinese Human Rights Defenders, "[CHRB] Lawyers Warn Against Other Forms of Arbitrary Detention To Replace RTL (11/14–11/20, 2013)," 21 November 13; Joshua Rosenzweig, "Statement on the Abolition of Re-Education Through Labour (RTL) and Related Problems by Chinese Lawyers for the Protection of Human Rights," Siweiluozi's Blog, 19 November 13.

[34] Ye Zhusheng, "How Many 'Smaller Versions' of Reeducation Through Labor Still Remain?" ["Xiao laojiao" haiyou neixie?], South Reviews, 29 April 14.

[35] John Ruwitch, "A Jail by Another Name: China Labor Camps Now Drug Detox Centers," Reuters, 2 December 13.

[36] Wang Bixue, "Work Following the Abolition of RTL Proceeding Smoothly" [Laojiao zhidu feizhi shanhou gongzuo youxu], People's Daily, 15 January 14; "Many Places Throughout China Have Already Ceased Approvals for RTL; A Portion Have Become Compulsory Drug Treatment Centers" [Quanguo duodi yijing tingzhi laojiao shenpi bufen bianshen qiangzhi jiedusuo], Dazhong Net-Qilu Evening News, reprinted in Sina, 24 July 13.

[37] Human Rights Watch, "China: End Arbitrary Detention System for Sex Workers," 24 June 14; "Beijing Aizhixing Institute: Report on Law and Human Rights With Respect to Chinese Drug Addicts (2013)" [Beijing aizhixing yanjiusuo: zhongguo dupin chengyinzhe falu renquan baogao (2013 nian)], New Citizens Movement Web site, 9 May 14, sec. 3(3); "Carol Wickenkamp, "Torture Camp Rebranded in China," Epoch Times, 17 June 14. For background on compulsory drug detoxification centers, see Human Rights Watch, "'Where Darkness Knows No Limits': Incarceration, Ill-Treatment and Forced Labor as Drug Rehabilitation in China," 7 January 10, 1–3, 19. The 2008 Anti-Drug Law authorizes police to send suspected drug users to compulsory treatment centers for a minimum of two years with a possible extension of an additional year without trial or judicial supervision. See PRC Anti-Drug Law [Zhonghua renmin gongheguo jindufa], passed 29 December 07, effective 1 June 08, art. 47. In practice, deprivation of personal liberty in drug detention centers can last up to six years. See Human Rights Watch, "'Where Darkness Knows No Limits': Incarceration, Ill-Treatment and Forced Labor as Drug Rehabilitation in China," 7 January 10, 2. In March 2012, 12 UN agencies issued a joint statement calling for an end to compulsory drug treatment and rehabilitation centers worldwide, finding not only that they violate a wide range of human rights but that they also threaten the health of those detained. See UNAIDS, "Joint UN Statement Calls for the Closure of Compulsory Drug Detention and Rehabilitation Centers," 8 March 12.

[38] John Ruwitch, "A Jail by Another Name: China Labor Camps Now Drug Detox Centers," Reuters, 2 December 13.

[39] Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 9, 35–36, 38; Carol Wickenkamp, "Torture Camp Rebranded in China," Epoch Times, 17 June 14.

[40] Carol Wickenkamp, "Torture Camp Rebranded in China," Epoch Times, 17 June 14.

[41] Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 9, 37–38.
[42] Ibid., 9.
[43] Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14; Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 6, 39.
[44] Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14.
[45] Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 36.
[46] "Drug Addiction Treatment Centers Becomes [sic] Brainwashing Center," New Tang Dynasty Television, 6 May 14; "Joint Statement by Four Lawyers Detained in Jiansanjiang After Their Release" [Jiansanjiang bei ju si lushi huoshi hou de lianhe shengming], Boxun, 13 April 14; Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14.
[47] "Drug Addiction Treatment Centers Becomes [sic] Brainwashing Center," New Tang Dynasty Television, 6 May 14.
[48] Dui Hua Foundation, "Custody and Education Worse Than Reeducation Through Labor?" Dui Hua Reference Materials, 26 December 13; Asia Catalyst, "'Custody and Education': Arbitrary Detention for Female Sex Workers in China," December 2013; Didi Kirsten Tatlow, "Petition Seeks Closure of Extrajudicial Detention Centers," New York Times, Sinosphere (blog), 5 May 14; Dui Hua Foundation, "Detained Actor Spotlights Custody and Education, Censors Intervene," Dui Hua Human Rights Journal, 10 June 14.
[49] Asia Catalyst, "'Custody and Education': Arbitrary Detention for Female Sex Workers in China," December 2013, 18, 38–39; Dui Hua Foundation, "Custody and Education Worse Than Reeducation Through Labor?" Dui Hua Reference Materials, 26 December 13.
[50] Ibid., 25–27, 29–31; Dui Hua Foundation, "Custody and Education Worse Than Reeducation Through Labor?" Dui Hua Reference Materials, 26 December 13.
[51] "108 Scholars, Lawyers and Others Jointly Sign [Letter] Recommending That Custody and Education Be Abolished" [108 ming xuezhe lushi deng lianming jianyi feichu shourong jiaoyu], Caixin, 5 May 14; Didi Kirsten Tatlow, "Petition Seeks Closure of Extrajudicial Detention Centers," New York Times, Sinosphere (blog), 5 May 14.
[52] "Jiang Ping and Others in the Legal World Submit Petition to NPC Proposing Abolition of Custody and Education Measures" [Jiang ping deng falujie renshi shangshu quanguo renda, tiyi feizhi maiyin piaochang renyuan shourong jiaoyu banfa], Radio Free Asia, 8 June 14; Elizabeth M. Lynch, "It's a Man's, Man's, Man's World: Current Efforts To Abolish China's Custody & Education System," China Law & Policy (blog), 23 June 14.
[53] Dui Hua Foundation, "Events," Dui Hua Digest, 12 June 14; "MOJ Official: At Present There Are 667,000 People Receiving Community Correction" [Sifabu guanyuan: muqian you 66.7 wan ren zheng jieshou shequ jiaozheng], Beijing News, reprinted in New North Net, 6 January 14; Xu Xin and Lu Rongrong, "Annual Report on China's Judicial Reform (2009)," Caijing, 21 January 09; "Inquiry into Effectiveness of Henan's Community Corrections for Rehabilitating Criminals" [Tanfang henan shequ jiaozheng gaizao zuifan chengxiao ruhe], Henan Daily, reprinted in Henan Culture and Industry Net, 17 April 14.
[54] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34).
[55] Sui-Lee Wee, "'Community Corrections' System Will Not Replace Labour Camps in China," Reuters, 29 November 13; Dui Hua Foundation, "Community Correction Expands as RTL Contracts," Dui Hua Human Rights Journal, 19 December 13; "MOJ Official: At Present There Are 667,000 People Receiving Community Correction" [Sifabu guanyuan: muqian you 66.7 wan ren zheng jieshou shequ jiaozheng], Beijing News, reprinted in New North Net, 6 January 14; "The [Community] Correction Law May Turn Communities Into Prisons? Citizens Call on NPC To Stop Reviewing the Draft" [Jiaozhengfa ke zhi shequ jianyuhua? gongmin huyu renda tingzhi shenyi], Radio Free Asia, 27 February 14.
[56] "The [Community] Correction Law May Turn Communities Into Prisons? Citizens Call on NPC To Stop Reviewing the Draft" [Jiaozhengfa ke zhi shequ jianyuhua? gongmin huyu renda tingzhi shenyi], Radio Free Asia, 27 February 14; Dui Hua Foundation, "Community Correction Expands as RTL Contracts," Dui Hua Human Rights Journal, 19 December 13.
[57] "The [Community] Correction Law May Turn Communities Into Prisons? Citizens Call on NPC To Stop Reviewing the Draft" [Jiaozhengfa ke zhi shequ jianyuhua? gongmin huyu renda tingzhi shenyi], Radio Free Asia, 27 February 14.
[58] Dui Hua Foundation, "Events," Dui Hua Digest, 12 June 14.
[59] Min Jie, "'Beijing Model' of Community Correction" [Shequ jiaozheng de "beijing moshi"], China Newsweek, reprinted in Phoenix Net, 3 January 14.
[60] Dui Hua Foundation, "Community Correction Expands as RTL Contracts," Dui Hua Human Rights Journal, 19 December 13.
[61] "MOJ Official: At Present There Are 667,000 People Receiving Community Correction" [Sifabu guanyuan: muqian you 66.7 wan ren zheng jieshou shequ jiaozheng], Beijing News, reprinted in New North Net, 6 January 14.
[62] PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13.
[63] CECC, 2013 Annual Report, 10 October 13, 77, 82.
[64] Xu Jun, "New Criminal Procedure Law in Effect for One Year: How Substantial Are Changes in Detention Centers?" [Xin xingsufa shishi yi nian lai: kanshousuo de bianhua you duoda], People's Daily, reprinted in Xinhua, 19 March 14; Ji Xin, "Criminal Defense Lawyers' Current 'Three New Difficulties'" [Lushi bianhu xian "xin san nan"], Legal Daily Evening News, 14 May 14; Shangquan Law Firm, "Second Unit: Changes in Criminal Defense's 'Three Old Difficulties'" [Di er danyuan: xingshi bianhu "lao san nan" de bianhua], Shangquan Criminal De-

fense Network, 5 March 14; Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14.

[65] Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; "New Criminal Procedure Law in Effect for One Year: How Substantial Are Changes in Detention Centers?" [Xin xingsufa shishi yi nian lai: kanshousuo de bianhua you duoda], People's Daily, reprinted in Xinhua, 19 March 14; Shangquan Law Firm, "Second Unit: Changes in Criminal Defense's 'Three Old Difficulties'" [Di er danyuan: xingshi bianhu "lao san nan" de bianhua], Shangquan Criminal Defense Network, 5 March 14.

[66] Shangquan Law Firm, "Second Unit: Changes in Criminal Defense's 'Three Old Difficulties'" [Di er danyuan: xingshi bianhu "lao san nan" de bianhua], Shangquan Criminal Defense Network, 5 March 14; Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; Jerome A. Cohen, "Struggling for Justice: China's Courts and the Challenge of Reform," World Politics Review, 14 January 14; CECC, 2009 Annual Report, 10 October 09, 102; CECC, 2013 Annual Report, 10 October 13, 161.

[67] Xu Jun, "New Criminal Procedure Law in Effect for One Year: How Substantial Are Changes in Detention Centers?" [Xin xingsufa shishi yi nian lai: kanshousuo de bianhua you duoda], People's Daily, reprinted in Xinhua, 19 March 14; Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; Shangquan Law Firm, "Investigative Report on the Implementation of the New Criminal Procedure Law (2013 Annual [Report])" [Xin xingshi susongfa shishi zhuangkuang diaoyan baogao (2013 niandu)], 2 March 14, sec. 4(2.2–2.3).

[68] PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13, art. 37; Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; CECC, 2013 Annual Report, 10 October 13, 82.

[69] PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13, art. 37; CECC, 2013 Annual Report, 10 October 13, 82.

[70] Shangquan Law Firm, "Investigative Report on the Implementation of the New Criminal Procedure Law (2013 Annual [Report])" [Xin xingshi susongfa shishi zhuangkuang diaoyan baogao (2013 niandu)], 2 March 14, sec. 4(2); Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14.

[71] Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; Shangquan Law Firm, "Investigative Report on the Implementation of the New Criminal Procedure Law (2013 Annual [Report])" [Xin xingshi susongfa shishi zhuangkuang diaoyan baogao (2013 niandu)], 2 March 14, sec. 4(2.3).

[72] Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14.

[73] Shangquan Law Firm, "Investigative Report on the Implementation of the New Criminal Procedure Law (2013 Annual [Report])" [Xin xingshi susongfa shishi zhuangkuang diaoyan baogao (2013 niandu)], 2 March 14, sec. 4(2.3); Xu Jun, "New Criminal Procedure Law in Effect for One Year: How Substantial Are Changes in Detention Centers?" [Xin xingsufa shishi yi nian lai: kanshousuo de bianhua you duoda], People's Daily, reprinted in Xinhua, 19 March 14; Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14.

[74] Shangquan Law Firm, "Investigative Report on the Implementation of the New Criminal Procedure Law (2013 Annual [Report])" [Xin xingshi susongfa shishi zhuangkuang diaoyan baogao (2013 niandu)], 2 March 14, sec. 4(2); Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14.

[75] Ibid., sec. 4(2.3); Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; CECC, 2013 Annual Report, 10 October 13, 82.

[76] "Chinese Rights Lawyers Sign Aid Pledge Amid Growing Crackdown," Radio Free Asia, 2 June 14; Human Rights Watch, "China: End Nationwide Crackdown on Activists," 29 June 14; "Calls Grow for Release of Chinese Student Held Over Tiananmen Tweet," Radio Free Asia, 13 June 14.

[77] Michael Martina and Ben Blanchard, "Uighur Scholar Kept in Chains in China, Lawyer Says," Reuters, 26 June 14; "Ilham Tohti Detained for More Than 4 Months, Has Not Met With His Lawyer or Family" [Yilihamu bei ju yu 4 yue lushi jiaren weineng huijian], Radio Free Asia, 26 May 14.

[78] "China Indicts Ilham Tohti; His Lawyer Had No Knowledge" [Zhongguo qisu yilihamu lushi wanquan bu zhiqing], Radio Free Asia, 30 July 14; PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13, art. 170.

[79] "China Lawyers Demand Access to Activists Detained Ahead of Tiananmen Anniversary," Associated Press, reprinted in South China Morning Post, 7 June 14; "Chinese Authorities Now Targeting Lawyers' Lawyers," Radio Free Asia, 9 June 14; Human Rights in China, "Photos: Lawyers Protest To Demand Access to Activists by Zhengzhou Authorities," 13 June 14.

[80] Didi Kirsten Tatlow, "Lawyer Charged After Trying To Defend June Fourth Commemorators," New York Times, Sinosphere (blog), 7 July 14.

[81] "Chinese Authorities Now Targeting Lawyers' Lawyers," Radio Free Asia, 9 June 14; Human Rights Watch, "China: End Nationwide Crackdown on Activists," 29 June 14; "Over 120

Chinese Legal Professionals Demand Guarantee of Right of Lawyers To Meet With Their Clients" [Zhongguo 120 duo ming falu ren yaoqiu quebao lushi yu dangshi ren de huijian quan], Radio Free Asia, 15 June 14; Didi Kirsten Tatlow, "Lawyer Charged After Trying To Defend June Fourth Commemorators," New York Times, Sinosphere (blog), 7 July 14.

[82] "Chang Boyang's Criminal Detention Extended One Month, Case Involves Zhengzhou Yirenping's Receipt of Foreign Funds" [Chang boyang bei yanchang xingju yige yue an she zhengzhou yirenping shou jingwai zijin], 6 September 14.

[83] Michael Forsythe and Chris Buckley, "Journalist Missing Ahead of Tiananmen Anniversary," New York Times, 29 April 14; Gillian Wong, "China Detains Veteran Journalist for State Secrets," Associated Press, 8 May 14; Chinese Human Rights Defenders, "149 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 8 July 14.

[84] "Calls Grow for Release of Chinese Student Held Over Tiananmen Tweet," Radio Free Asia, 13 June 14; "Gao Yu Has Been Detained for More Than Two Months; Zhang Sizhi's Request To Meet With Her Was Rejected" [Gao yu bei qiu yi yu liangge yue zhang sizhi yaoqiu jian ren bei ju], 24 June 14; Chinese Human Rights Defenders, "149 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 8 July 14; "Beijing Woman Journalist Gao Yu Detained Under Suspicion of Unlawfully Disseminating a Top Secret CCP Central Committee Document Overseas" [Beijing nuzi gao yu she xiangwai feifa tigong zhongyang jimi wenjian bei ju], Xinhua, reprinted in NetEase, 8 May 14.

[85] "China Holds Two More Rights Lawyers Under Criminal Detention," Radio Free Asia, 19 May 14; Shangquan Law Firm, "Investigative Report on the Implementation of the New Criminal Procedure Law (2013 Annual [Report])" [Xin xingshi susongfa shishi zhuangkuang diaoyan baogao (2013 niandu)], 2 March 14, sec. 4(2.3); Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; "Lawyer Confirms That Gao Yu's Arrest Was Approved One Month Ago; She Was Not Tortured; Her Case Has Not Yet Been Sent to the Procuratorate" [Lushi zhengshi gao yu yi ge yue qian bei pibu wei shou kuxing anjian shangwei song jianchayuan], Radio Free Asia, 30 June 14.

[86] Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14; Ji Xin, "Criminal Defense Lawyers' Current 'Three New Difficulties'" [Lushi bianhu xian "xin san nan"], Legal Daily Evening News, 14 May 14; Jerome A. Cohen, "Struggling for Justice: China's Courts and the Challenge of Reform," World Politics Review, 14 January 14; CECC, 2009 Annual Report, 10 October 09, 106; CECC, 2008 Annual Report, 31 October 08, 39.

[87] PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13, art. 188; Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14. See also Jie Yang, "The Development of China's Death Penalty Representation Guidelines: A Learning Model Based on the ABA Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases," Hofstra Law Review, Vol. 52 (2013), 593.

[88] Wang Feng, "New Criminal Procedure Law 'Diagnosis' on First Anniversary" [Xin xingsufa "linchuang" yi zhounian], 21st Century Business Herald, 15 March 14.

[89] ChinaAid, "Zhang Shaojie Trial Continues, Attorneys' Request To Subpoena 10 Witnesses Refused" [Zhang shaojie an xushen, lushi chuanzhao zhengren chuting bei jue], 29 April 14; "Xu Zhiyong Appeals: Spare Any Talk About Rule of Law in China if the Second Instance Does Not Correct the Decision by the First Instance [Court]" [Xu zhiyong shangsu shu: ershen ru bu jiuzheng, zhongguo mo tan fazhi], 3 February 14, reprinted in China Change, 8 February 14. See also Liu Shuqing, "Defense Lawyer in Dr. Xu's Case Applies for 75 Main Witnesses To Give Testimony in Court" [Xu boshi an bianhu ren shenqing 75 ming zhuyao zhengren chuting zuozheng beiwanglu], China Free Press, 4 April 14.

[90] An Ran, "New Criminal Procedure Law in Effect for One Year: Rarely Has 'Illegal Evidence' Been Excluded" [Xin xingsufa shishi yi nian; shao you "feifa zhengju" bei paichu], Beijing Evening News, 2 March 14; Eva Pils, Remarks on China's Domestic Policy and Human Rights Webcast, 2014 Bernstein China Symposium, Panel 1, U.S.-Asia Law Institute, New York University Law School, 3 April 14.

[91] An Ran, "New Criminal Procedure Law in Effect for One Year: Rarely Has 'Illegal Evidence' Been Excluded" [Xin xingsufa shishi yi nian; shao you "feifa zhengju" bei paichu], Beijing Evening News, 2 March 14.

[92] Shangquan Law Firm, "Investigative Report on the Implementation of the New Criminal Procedure Law (2013 Annual [Report])" [Xin xingshi susongfa shishi zhuangkuang diaoyan baogao (2013 niandu)], 2 March 14, sec. 4(2.8); An Ran, "New Criminal Procedure Law in Effect for One Year: Rarely Has 'Illegal Evidence' Been Excluded" [Xin xingsufa shishi yi nian; shao you "feifa zhengju" bei paichu], Beijing Evening News, 2 March 14.

[93] Eva Pils, Remarks on China's Domestic Policy and Human Rights Webcast, 2014 Bernstein China Symposium, Panel 1, U.S.-Asia Law Institute, New York University Law School, 3 April 14.

[94] Josh Chin, "Dissident Journalist Becomes Latest To Confess on Chinese State TV," Wall Street Journal, China Real Time Report (blog), 8 May 14; Liu Xiaoyuan, "Do Law Enforcement Agencies Have the Authority To Approve Journalists Entering Detention Centers To Interview Suspects?" [Ban'an jiguan shifou youquan pizhun jizhe jinru kanshousuo caifang fanzui xianyi ren?], Liu Xiaoyuan's Blog, 26 October 13; Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 2, 5.

[95] Michael Forsythe and Chris Buckley, "Journalist Missing Ahead of Tiananmen Anniversary," New York Times, 29 April 14; Gillian Wong, "China Detains Veteran Journalist for State

Secrets," Associated Press, 8 May 14; Human Rights in China, "Restrictions, Detentions, Disappearances, and Arrests Related to June 4, 2014," 8 July 14.

[96] Gillian Wong, "China Detains Veteran Journalist for State Secrets," Associated Press, 8 May 14; Chinese Human Rights Defenders, "149 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 8 July 14.

[97] Gillian Wong, "China Detains Veteran Journalist for State Secrets," Associated Press, 8 May 14; Verna Yu, "Journalist Gao Yu in Detention for Allegedly Leaking Secret Communist Party Document," South China Morning Post, 9 May 14; Human Rights in China, "Restrictions, Detentions, Disappearances, and Arrests Related to June 4, 2014," 8 July 14. Gao was permitted a first meeting with her attorney, Zhang Sizhi, only in late June 2014. See "Lawyer Confirms That Gao Yu's Arrest Was Approved One Month Ago; She Was Not Tortured; Her Case Has Not Yet Been Sent to the Procuratorate" [Lushi zhengshi gao yu yi ge yue qian bei pibu wei shou kuxing anjian shangwei song jianchayuan], Radio Free Asia, 30 June 14.

[98] PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13.

[99] CECC, 2013 Annual Report, 10 October 13, 83.

[100] International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 14; Julie Makinen, "Televised Confessions in China Raise Worries," Los Angeles Times, 2 March 14.

[101] Keith Zhai, "Celebrity Blogger Charles Xue Biqun Released on Bail," South China Morning Post, 17 April 14; Julie Makinen, "Televised Confessions in China Raise Worries," Los Angeles Times, 2 March 14.

[102] Josh Chin, "Dissident Journalist Becomes Latest To Confess on Chinese State TV," Wall Street Journal, China Real Time Report (blog), 8 May 14.

[103] "'I Was Framed': Court Outburst by Mining Tycoon Liu Han as He Is Sentenced to Death," South China Morning Post, 24 May 14; Julie Makinen, "Televised Confessions in China Raise Worries," Los Angeles Times, 2 March 14.

[104] Liu Xiaoyuan, "Do Law Enforcement Agencies Have the Authority To Approve Journalists Entering Detention Centers To Interview Suspects?" [Ban'an jiguan shifou youquan pizhun jizhe jinru kanshousuo caifang fanzui xianyi ren?], Justice Net, Liu Xiaoyuan Law Blog, 26 October 13.

[105] Julie Makinen, "Televised Confessions in China Raise Worries," Los Angeles Times, 2 March 14.

[106] Amnesty International, "Torture in 2014: 30 Years of Broken Promises," ACT 40/004/2014, May 2014, 33–34; Eva Pils, Remarks on China's Domestic Policy and Human Rights Webcast, 2014 Bernstein China Symposium, Panel 1, U.S.-Asia Law Institute, New York University Law School, 3 April 14; An Ran, "New Criminal Procedure Law in Effect for One Year: Rarely Has 'Illegal Evidence' Been Excluded" [Xin xingsufa shishi yi nian shao you "feifa zhengju" bei paichu], Beijing Evening News, 2 March 14; Joshua Rosenzweig, "Tang Jitian Recounts Torture and Detention in Heilongjiang," Siweiluozi's Blog, 31 May 14; Dui Hua Foundation, "Is Detention Center Law Enough To Prevent Police Abuse?" Dui Hua Human Rights Journal, 2 July 14; CECC, 2013 Annual Report, 10 October 13, 83.

[107] "Joint Statement by Four Lawyers Detained in Jiansanjiang After Their Release" [Jiansanjiang bei ju si lushi huoshi hou de lianhe shengming], Boxun, 13 April 14; Joshua Rosenzweig, "Tang Jitian Recounts Torture and Detention in Heilongjiang," Siweiluozi's Blog, 31 May 14. For more information on these cases, see the Commission's Political Prisoner Database records 2011-00180 on Tang Jitian, 2011-00179 on Jiang Tianyong, 2014-00122 on Wang Cheng, and 2014-00139 on Zhang Junjie.

[108] "Liu Xiaoyuan Detained in Jiangsu While Handling a Case; Tang Jitian and Others Issue Statements Condemning the Revocation of Their Lawyers' Licenses" [Liu xiaoyuan jiangsu banan bei juya; tang jitian deng fa shengming qianze lushizheng bei diaoxiao], Radio Free Asia, 1 July 14.

[109] "I Was Framed: Court Outburst by Mining Tycoon Liu Han as He Is Sentenced to Death," South China Morning Post, 23 May 14.

[110] "Detained Uighur Scholar Went for Days Without Food," Associated Press, reprinted in Washington Post, 26 June 14; Human Rights Watch, "China: Baseless Charge Against Uighur Scholar," 30 July 14.

[111] "Beijing Court Tries 'Interceptors' Over Black Jail Torture Claims," Radio Free Asia, 14 August 14; Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14; Chris Luo, "Chinese Prosecutors 'Worse Than Police' in Torturing Suspects for Confessions: Legal Experts," South China Morning Post, 18 March 14; Amnesty International, "Torture in 2014: 30 Years of Broken Promises," May 2014; Gillian Wong, "In China, Brutality Yields Confessions of Graft," Associated Press, 10 March 14; David Wertime, "Inside China's Blackest Box: Even High Cadres Quake at the Term 'Shuanggui,' An Extrajudicial Interrogation Method That Has Claimed Lives," Foreign Policy, 2 July 14.

[112] Teng Biao, "What Is a 'Legal Education Center' in China," China Change, 3 April 14. See also Amnesty International, "'Changing the Soup but Not the Medicine?': Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 9.

[113] "Official Discipline: Policing the Party," Economist, 1 September 12; Flora Sapio, "Shuanggui and Extralegal Detention in China," China Information, Vol. 22, No. 1, March 2008, 7, 12; CECC, 2013 Annual Report, 10 October 13, 80; CECC, 2008 Annual Report, 31 October 08, 35.

[114] Andrew Jacobs, "Accused Chinese Party Members Face Harsh Discipline," New York Times, 14 June 12; Gillian Wong, "In China, Brutality Yields Confessions of Graft," Associated Press, 10 March 14; CECC, 2013 Annual Report, 10 October 13, 80.

[115] Gillian Wong, "In China, Brutality Yields Confessions of Graft," Associated Press, 10 March 14; Leon Watson, "Limbs Broken, Spoon-Fed Excrement and Forced To Smoke Ten Ciga-

rettes Simultaneously: Former Chinese Official Reveals How He Was Tortured for Six Months in Corruption Probe," Daily Mail, 11 March 14.

[116] Ibid.

[117] Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, "Country Report on Human Rights Practices—2013, China (Includes Tibet, Hong Kong and Macau)," 27 February 14. See also Chinese Human Rights Defenders, "Watch List of Detainees and Prisoners of Conscience in Need of Medical Attention," 24 June 14.

[118] Renee Xia and Perry Link, "China: Detained to Death," New York Review of Books (blog), 15 May 14; "Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law," Congressional-Executive Commission on China, 2 April 14; Understanding China's Crackdown on Rights Advocates: Personal Accounts and Perspectives, Hearing of the Congressional-Executive Commission on China, 8 April 14, Written Statement Submitted by Teng Biao, Human Rights Lawyer and Scholar.

[119] Renee Xia and Perry Link, "China: Detained to Death," New York Review of Books (blog), 15 May 14; "Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law," Congressional-Executive Commission on China, 2 April 14.

[120] Renee Xia and Perry Link, "China: Detained to Death," New York Review of Books (blog), 15 May 14.

[121] Ibid.

[122] Chinese Human Rights Defenders, "[CHRB] Arrested Uyghur Scholar Ilham Tohti Suffering From Multiple Illnesses & Other News (June 20–June 26, 2014)," 27 June 14.

[123] Ibid.; "Detained Uighur Scholar Went for Days Without Food," Associated Press, reprinted in Washington Post, 26 June 14.

[124] Chinese Human Rights Defenders, "Watch List of Detainees and Prisoners of Conscience in Need of Medical Attention," 24 June 14; Chen Guangcheng, "Chen Guangcheng: Still Waiting on China To Honor Its Pledges," Washington Post, 24 June 14; UN Human Rights Council, Working Group on Arbitrary Detention, Opinions Adopted by the Working Group on Arbitrary Detention at Its Sixty-Ninth Session, 22 April–1 May 2014, No. 2/2014 (China), A/HRC/WGAD/2014/xx, 4 June 14, para. 13.

[125] Chinese Human Rights Defenders, "Watch List of Detainees and Prisoners of Conscience in Need of Medical Attention," 24 June 14.

[126] Dui Hua Foundation, "Is Detention Center Law Enough To Prevent Police Abuse?" Dui Hua Human Rights Journal, 2 July 14; Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34); Yang Jinzhi and Yue Deliang, "Supreme People's Court and Supreme People's Procuratorate Work Reports 'Declare War' on Wrongful Convictions and Miscarriages of Justice: Will 'Correct Mistakes' and '[Investigate] and Affix Responsibility'" [Lianggao baogao xiang yuanjia cuoan "xuanzhan": yao "jiucuo" ye yao "jiuze"], Xinhua, 12 March 14.

[127] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34); "SPC Opinion on Completing Systems for Prevention of Wrongful Cases," China Law Translate (blog), 21 November 13; Yang Jinzhi and Yue Deliang, "Supreme People's Court and Supreme People's Procuratorate Work Reports 'Declare War' on Wrongful Convictions and Miscarriages of Justice; Will 'Correct Mistakes' and [Investigate] and Affix Responsibility" [Lianggao baogao xiang yuanjia cuoan "xuanzhan": yao "jiucuo" ye yao "jiuze"], Xinhua, 12 March 14.

[128] Zhou Bing and Jiang Hao, "Legal Reforms Must Start From the Things the Masses Care Most About" [Sifa gaige cong qunzhong zui guanqie zhi chu gai qi], Legal Daily, 3 June 14.

[129] State Council Information Office, "White Paper on Progress in China's Human Rights in 2013," reprinted in Xinhua, 26 May 14.

[130] He Jiahong and He Ran, "Empirical Studies of Wrongful Convictions in Mainland China," 80 U. Cin. L. Rev. Issue 4, 8 September 13, 11; CECC, 2013 Annual Report, 10 October 13, 83–84.

[131] An Ran, "New Criminal Procedure Law in Effect for One Year: Rarely Has 'Illegal Evidence' Been Excluded" [Xin xingsufa shishi yi nian shao you "feifa zhengju" bei paichu], Beijing Evening News, 2 March 14; Eva Pils, Remarks on China's Domestic Policy and Human Rights Webcast, 2014 Bernstein China Symposium, Panel 1, U.S.-Asia Law Institute, New York University Law School, 3 April 14; CECC, 2013 Annual Report, 10 October 13, 83–84.

[132] Stanley Lubman, "China Will Struggle To Walk the Talk on Legal Reform," Wall Street Journal, China Real Time Report (blog), 3 December 13. See also Jeremy Daum, "Walkthrough for SPC Opinion on Wrongful Cases," China Law Translate (blog), 21 November 13.

[133] Amnesty International, "Death Sentences and Executions in 2013," ACT 50/001/2014, March 2014, 7.

[134] See, e.g., UN GAOR, Hum. Rts. Coun., 25th Sess., Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, paras. 122, 130, 136, 143, 147, 164, 176, and 186.107–114.

[135] UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, para. 186.108.

[136] UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, Addendum, Views on Conclusions and/or Recommendations, Voluntary Commitments and Replies Presented by the State Under Review, A/HRC/25/5/Add.1, 27 February 14, para. 186.108; UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, para. 186.108.

[137] Amnesty International, "Death Sentences and Executions in 2013," ACT 50/001/2014, March 2014, 5.

[138] Dui Hua Foundation, "Our Work: Criminal Justice," last visited 2 July 14; "The Death Penalty: Strike Less Hard," Economist, 3 August 13; CECC, 2013 Annual Report, 10 October 13, 84.

[139] "Execution With No Farewell Spotlights China Death Penalty," Agence France-Presse, reprinted in Bangkok Post, 11 February 14; Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34). In 2011, with the eighth amendment to the PRC Criminal Law, the National People's Congress Standing Committee rendered 13 non-violent crimes no longer eligible for the death penalty, reducing the number to 55. See Zhang Yan and He Dan, "13 Crimes Exempted From Death Penalty," China Daily, 2 May 11.

[140] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34).

[141] "China's Top Legislature Considers Trimming Death Penalty Crimes," Xinhua, 9 March 14; "36 Delegates Propose Abolishing the Death Penalty for Fraudulent Fundraising" [36 ming daibiao tiyi feichu jizi zhapianzui sixing], Southern Weekend, 12 March 14.

[142] "36 Delegates Propose Abolishing the Death Penalty for Fraudulent Fundraising" [36 ming daibiao tiyi feichu jizi zhapianzui sixing], Southern Weekend, 12 March 14; Xiaoqing Pi, "Tough Questions After Chinese Court Mishandles Execution," Wall Street Journal, China Real Time Report (blog), 16 July 13; CECC, 2013 Annual Report, 10 October 13, 84–85.

[143] "Senior Official Admits Use of Organs of Executed Prisoners Has Not Stopped; [Prisoners'] Families Kept in the Dark; Citizen Donations Increasing Gradually" [Gaoguan ren quyong siqiu qiguan weizhi benren jiashu jubu zhiqing cheng minzhong juanzeng yi jianduo], Ming Pao, 12 March 14; CECC, 2013 Annual Report, 10 October 13, 85.

[144] CECC, 2013 Annual Report, 10 October 13, 85.

[145] Shan Juan, "Govt Seeks Fairness in Organ Donor System for Inmates," China Daily, 7 March 14; Adnan Sharif et al., "Organ Procurement From Executed Prisoners in China," American Journal of Transplantation 2014, XX, 24 July 14, 4.

[146] "China Plans To Stop Using Organs From Executed Prisoners for Transplants" [Zhongguo jihua quxiao siqiu qiguan yizhi], Deutsche Welle, 9 April 14; Matthew Robertson, "Top Chinese Transplant Official Says There's No Plan To Stop Using Prisoner Organs," Epoch Times, 11 April 14; World Health Organization, "New Era for Organ Donation and Transplant in China," Bulletin of the World Health Organization, Vol. 90, No. 11, November 2012.

Notes to Section II—Freedom of Religion

[1] PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 83, 15 March 99, 14 March 04, art. 36.

[2] Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) on 10 December 48, art. 18; International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) on 16 December 66, entry into force 23 March 76, art. 18.

[3] State Administration for Religious Affairs, Regulations on Religious Affairs [Zongjiao shiwu tiaoli], issued 30 November 04, effective 1 March 05, arts. 6, 12.

[4] Buddhist Association of China, "NPC Delegate Shi Yongxin: Issue of Most Concern Is Society's Smooth and Sustainable Development" [Quanguo daibiao shi yongxin: zui guanzhu shehui pingwen chixu fazhan wenti], 12 March 14.

[5] "Wang Zuo'an: Religious Work Is in Essence Mass Work" [Wang zuo'an: zongjiao gongzuo benzhi shang shi qunzhong gongzuo], People's Daily, 26 November 13.

[6] Ibid.

[7] State Administration for Religious Affairs, "State Administration for Religious Affairs 2014 Work Plan Key Points" [Guojia zongjiao shiwuju 2014 nian gongzuo yaodian], 2 January 14.

[8] State Administration for Religious Affairs, Implementation Measures on Administrative Licensing [Guojia zongjiao shiwuju xingzheng xuke shishi banfa], issued 31 December 13, effective 8 January 14; State Administration for Religious Affairs, Implementation Measures on Administrative Punishment [Guojia zongjiao shiwuju xingzheng chufa shishi banfa], issued 31 December 13, effective 8 January 14; State Administration for Religious Affairs, Administrative Enforcement Misconduct Accountability System [Guojia zongjiao shiwuju xingzheng zhifa guocuo zeren zhuijiu zhidu], issued 31 December 13, effective 8 January 14.

[9] The Regulations on Religious Affairs (RRA) provide that religious matters requiring administrative licenses include: the establishment of religious academic institutions (arts. 8–9); the establishment and registration of sites for religious activities (arts. 13–16); large-scale religious activities held in multiple provinces, autonomous regions and municipalities (art. 22); the building of large outdoor religious statues (art. 24); and the succession of "living Buddhas" in Tibetan Buddhism (art. 27). The RRA, however, does not provide specific procedures for obtaining the required administrative licenses. See State Administration for Religious Affairs (SARA), Regulations on Religious Affairs [Zongjiao shiwu tiaoli], issued 30 November 04, effective 1 March 05, arts. 8–9, 13–16, 22, 24, 27. The new SARA measure on administrative licensing provides details specifying SARA's Operations Division shall be in charge of handling applications for administrative licenses (art. 5); the circumstances under which an application can be rejected or when supplemental materials are required for further processing (art. 6); SARA's Politics and Law Division shall be in charge of examining the application and the SARA leadership shall approve the application (art. 8); and approval or rejection of an application shall be communicated to the applicant via written notification, and in the case of rejection, the applicant shall be notified of the right to administrative reconsideration (art. 9). State Administration for Religious Affairs, Implementation Measures on Administrative Licensing [Guojia zongjiao shiwuju xingzheng xuke shishi banfa], issued 31 December 13, effective 8 January 14, arts. 5–6, 8–9.

[10] The Regulations on Religious Affairs (RRA) provide conditions under which religious groups and government employees can be punished. The RRA, however, does not provide procedures for imposing administrative punishments. State Administration for Religious Affairs, Regulations on Religious Affairs (RRA) [Zongjiao shiwu tiaoli], issued 30 November 04, effective 1 March 05, arts. 38–46. The new SARA measure on administrative punishments provides details specifying that SARA's Operations Division shall be in charge of implementing administrative punishments (arts. 5–6); SARA's Operations Division offers suggestions for administrative punishments based on different circumstances (art. 7); SARA's Politics and Law Division should examine the suggestion and report to SARA's leadership for approval, and the Division should review appeals (art. 8); the party involved is entitled to a hearing in the event a suggestion for administrative punishment has been made (art. 9); a written decision containing relevant details shall be given to the party involved (arts. 10–11); SARA personnel who violate relevant laws and regulations during the process of implementing administrative punishment shall be disciplined or punished by the SARA Disciplinary Committee and Human Resources Division, and when circumstances are serious enough to constitute a crime, SARA personnel shall be transferred to judicial authorities (art. 14). State Administration for Religious Affairs, Implementation Measures on Administrative Punishment [Guojia zongjiao shiwuju xingzheng chufa shishi banfa], issued 31 December 13, effective 8 January 14, arts. 5–11, 14.

[11] State Administration for Religious Affairs, Administrative Enforcement Misconduct Accountability System [Guojia zongjiao shiwuju xingzheng zhifa guocuo zeren zhuijiu zhidu], issued 31 December 13, effective 8 January 14.

[12] Buddhist Association of China, "Bureau Deputy Director Jiang Jianyong Speaks at Opening Ceremony" [Jiang jianyong fu juzhang zai kaimushi shang jianghua], 27 October 13.

[13] State Administration for Religious Affairs, "State Administration for Religious Affairs 2014 Work Plan Key Points" [Guojia zongjiao shiwuju 2014 nian gongzuo yaodian], 2 January 14; State Administration for Religious Affairs, United Front Work Department, National Development and Reform Commission, Ministry of Public Security, Ministry of Housing and Urban-Rural Development, Ministry of Culture, State Administration for Industry and Commerce, China National Tourism Administration, China Security Regulatory Commission, State Administration of Cultural Heritage, Opinion Regarding Issues Related to the Management of Buddhist Monasteries and Taoist Temples [Guanyu chuli sheji fojiao simiao, daojiao gongguan guanli youguan wenti de yijian], issued 8 October 12.

[14] Ibid.

[15] ChinaAid, "Fujian: Chengguan Forcibly Demolished Newly-Built Temple in the Village, Clashed With Villagers" [Fujian: chengguan qiangchai cunzhong xinjian simiao yu cunmin bao chongtu], 27 February 14.

[16] "Zhuhai Buddhist Organization 'Huazang Famen' Raided by Police, Founder and Followers Detained" [Zhuhai fojiao zuzhi "huazang famen" zao jingfang chaocha chuangban ren ji duoming dizi beibu], Radio Free Asia, 6 August 14.

[17] Zhang Ningdan, "Zhuhai Police Investigate and Deal With Illegal Organization 'Huazang Famen,' 15 People Criminally Detained" [Zhuhai jingfang chachu "huazang famen" feifa zuzhi 15 ren bei xingju], Legal Daily, reprinted in Xinhua, 6 August 14; "Zhuhai Buddhist Organization 'Huazang Famen' Raided by Police, Founder and Followers Arrested" [Zhuhai fojiao zuzhi "huazang famen" zao jingfang chaocha chuangban ren ji duoming dizi beibu], Radio Free Asia, 6 August 14. For more information on Wu Zeheng's case, see the Commission's Political Prisoner Database record 2011-00482.

[18] Letter from Jared Genser, Perseus Strategies, to Juan E. Mendez, Special Rapporteur on Torture and Other Cruel, Inhuman, and Degrading Treatment, UN Office of the High Commissioner for Human Rights, 19 August 14.

[19] "Thousands Bid Farewell to 'Underground' Catholic Bishop Joseph Fan," Agence France-Presse, reprinted in Gulf News, 22 March 14.

[20] Zhang Yiwei and Bai Tiantian, "Catholic Patriotic Association Warns Vatican Not To Interfere," Global Times, 19 March 14; "Chinese Bishop Who Led 'Underground' Church Dies at 94," Catholic World News, reprinted in Catholic Culture, 5 November 13; Austin Ramzy, "Catholic Bishop Who Spent Decades in Prison Dies in Shanghai," New York Times, Sinosphere (blog), 17 March 14; John Sudworth, "China's Detained Bishop Ma 'Given Political Lessons,'" BBC, 24 December 13; Bernardo Cervellera, "Two Priests From Underground Church in Prison. Doubts About Xi Jinping's 'Unprecedented' Reforms," Asia News, 19 November 13; "China Detains Underground Catholic Administrator," UCA News, 9 June 14.

[21] "Chinese Bishop Who Led 'Underground' Church Dies at 94," Catholic World News, reprinted in Catholic Culture, 5 November 13; Bernardo Cervellera, "Remembering Mgr Peter Liu Guangdong, 'Standard-Bearer' of the Underground Church," Asia News, 8 November 13.

[22] Ibid.

[23] Rui Di, "Chinese Underground Church Bishop Liu Guangdong" [Zhongguo dixia jiaohui zhujiao liu guangdong], Radio France Internationale, 7 November 13; Bernardo Cervellera, "Remembering Mgr Peter Liu Guangdong, 'Standard-Bearer' of the Underground Church," Asia News, 8 November 13.

[24] Austin Ramzy, "Catholic Bishop Who Spent Decades in Prison Dies in Shanghai," New York Times, Sinosphere (blog), 17 March 14; Ellen Teague and Abigail Frymann, "Chinese Officials Refuse Cathedral Funeral Request for Bishop," Tablet, 19 March 14.

[25] Austin Ramzy, "Catholic Bishop Who Spent Decades in Prison Dies in Shanghai," New York Times, Sinosphere (blog), 17 March 14.

[26] Ellen Teague and Abigail Frymann, "Chinese Officials Refuse Cathedral Funeral Request for Bishop," Tablet, 19 March 14; "Thousands Bid Farewell to 'Underground' Catholic Bishop Joseph Fan," Agence-France Presse, reprinted in Gulf News, 22 March 14.

[27] "Five Thousand Catholics Bid Farewell to Bishop Fan Zhongliang, Memorial Service Held for the Bishop in Shanghai" [Wuqian jiaoyou songbie fan zhongliang shanghai juxing zhujiao zhuisihui], Radio Free Asia, 22 March 14.

[28] Katie Nelson, "Shanghai's Bishop Ma Will Remain in Detainment, Insiders Say," Shanghaiist (blog), 19 June 14; Austin Ramzy, "Catholic Bishop Who Spent Decades in Prison Dies in Shanghai," New York Times, Sinosphere (blog), 17 March 14; John Sudworth, "China's Detained Bishop Ma 'Given Political Lessons,'" BBC, 24 December 13.

[29] John Sudworth, "China's Detained Bishop Ma 'Given Political Lessons,'" BBC, 24 December 13. For more information on Thaddeus Ma Daqin's case, see the Commission's Political Prisoner Database record 2013-00336.

[30] Ibid.

[31] "Thousands Bid Farewell to 'Underground' Catholic Bishop Joseph Fan," Agence France-Presse, reprinted in Gulf News, 22 March 14; "Five Thousand Catholics Bid Farewell to Bishop Fan Zhongliang, Memorial Service Held for the Bishop in Shanghai" [Wuqian jiaoyou songbie fan zhongliang shanghai juxing zhujiao zhuisi hui], Radio Free Asia, 22 March 14.

[32] Bernardo Cervellera, "Two Priests From Underground Church in Prison. Doubts About Xi Jinping's 'Unprecedented' Reforms," Asia News, 19 November 13. For more information on Tian Datong's case, see the Commission's Political Prisoner Database record 2014-00069.

[33] Ibid.

[34] "China Detains Underground Catholic Administrator: Father John Peng Weizhao Missing Since May 30," UCA News, 9 June 14.

[35] "Pope May Visit China This Summer, Says China and the Vatican Are 'Close,'" Catholic Online, 7 March 14; "Pope Francis Hints at Warming Ties With Beijing," Want China Times, 21 March 14; CECC, 2013 Annual Report, 10 October 13, 89.

[36] "Pope May Visit China This Summer, Says China and the Vatican Are 'Close,'" Catholic Online, 7 March 14; Zhang Yiwei and Bai Tiantian, "Catholic Patriotic Association Warns Vatican Not To Interfere," Global Times, 19 March 14.

[37] "Pope Wants China Dialogue, Freedom for Church," Associated Press, reprinted in Washington Post, 19 August 14; "Pope Wants China Visit, Seeks Church Freedom," Agence France-Presse and Associated Press, reprinted in China Post, 20 August 14; Calum MacLeod, "From 30,000 Feet, Pope Francis Reaches Out to Beijing," USA Today, 13 August 14.

[38] "Pope Francis Message to China Leader Lost in Space," Agence France-Presse and Associated Press, reprinted in Inquirer, 20 August 14; "Pope Wants China Dialogue, Freedom for Church," Associated Press, reprinted in Washington Post, 19 August 14; Calum MacLeod, "From 30,000 Feet, Pope Francis Reaches Out to Beijing," USA Today, 13 August 14.

[39] Chang Meng, "China Willing To Have Dialogue With Vatican: FM," Global Times, 20 August 14; "Can He Break Christian Persecution? Pope Francis Says He's Ready To Try in China," Catholic Online, 19 August 14; Josephine McKenna, "China to Pope Francis: Don't 'Interfere' With Religion," Religion News Service, reprinted in Washington Post, 20 August 14; "Pope Wants China Dialogue, Freedom for Church," Associated Press, reprinted in Washington Post, 19 August 14; "Pope Francis Message to China Leader Lost in Space," Agence France-Presse and Associated Press, reprinted in Inquirer, 20 August 14; "Pope Wants China Visit, Seeks Church Freedom," Agence France-Presse and Associated Press, reprinted in China Post, 20 August 14.

[40] Chang Meng, "China Willing To Have Dialogue With Vatican: FM," Global Times, 20 August 14; Harry W.S. Lee, "China and the Papal Pivot to Asia," World Policy (blog), 26 August 14; Christopher Bodeen, "Papal Visit to South Korea Brings China Opportunity," Associated Press, reprinted in Yahoo! News, 14 August 14.

[41] Josephine McKenna, "China to Pope Francis: Don't 'Interfere' With Religion," Religion News Service, reprinted in Washington Post, 20 August 14.

[42] Christopher Bodeen, "Who Stopped China Catholics Going to South Korea," Associated Press, reprinted in Taiwan News, 16 August 14; Harry W.S. Lee, "China and the Papal Pivot to Asia," World Policy (blog), 26 August 14.

[43] Ibid.; Des Cambaliza, "Chinese Catholics Cheer Pope's Visit Despite News Blackout," China Topix, 18 August 14.

[44] Yangliuxue Township Communist Party Committee, "Yangliuxue Township 2013–2015 Transformation Decisive Battle Plan" [Yangliuxue zhen 2013–2015 nian jiaoyu zhuanhua juezhan fang'an], reprinted in Bingzhou City Yangguang Rural Credit Union Net, 10 September 13; Xiyangjiang Township Cult Problem Prevention and Management Team, "Xiyangjiang Township 2013–2015 Transformation Decisive Implementation Plan" [Xiyangjiang zhen 2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 20 June 13; Falun Dafa Information Center, "Overview of Persecution," 4 May 08; CECC, 2013 Annual Report, 10 October 13, 89; CECC, 2012 Annual Report, 10 October 12, 81.

[45] Falun Dafa Information Center, "Overview of Persecution," 4 May 08; CECC, 2012 Annual Report, 10 October 12, 81.

[46] Yangliuxue Township Communist Party Committee, "Yangliuxue Township 2013–2015 Transformation Decisive Battle Plan" [Yangliuxue zhen 2013–2015 nian jiaoyu zhuanhua juezhan fang'an], reprinted in Bingzhou City Yangguang Rural Credit Union Net, 10 September 13; Xiyangjiang Township Cult Problem Prevention and Management Team, "Xiyangjiang Township 2013–2015 Transformation Decisive Implementation Plan" [Xiyangjiang zhen 2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 20 June 13; Jinhe Township government, "2013–2015 Transformation Decisive Battle Implementation Plan" [2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 13 August 13; Tongshan Middle School, "Tongshan Middle School 2013–2015 Anti-Cult Transformation Decisive Battle Implementation Plan" [Tongshan zhongxue 2013–2015 nian fan xiejiao jiaoyu zhuanhua juezhan shishi fang'an], 13 May 13; Fanxingji Township Communist Party Committee, "Linquan County 2013–2015 Transformation Decisive Battle Implementation Plan" [Linquan xian 2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 9 October 13; Xingzipu Township Government, "Xingzipu Township 2013 Transformation Decisive Battle and Consolidation Implementation Work Plan" [Xingzipu zhen 2013 nian jiaoyu zhuanhua juezhan yu gonggu shishi gongzuo fang'an], 11 September 13; China Anti-Cult Association, "2013 Gansu Province Anti-Cult Theoretical Research and Practical Experience Seminar Convened in Cheng County, Longnan Municipality" [2013 nian gansu sheng fan xiejiao lilun yanjiu yu shijian jingyan yantaohui zai longnan chengxian zhaokai], reprinted in Gansu Association for Science and Technology, 26 September 13.

[47] Yangliuxue Township Communist Party Committee, "Yangliuxue Township 2013–2015 Transformation Decisive Battle Plan" [Yangliuxue zhen 2013–2015 nian jiaoyu zhuanhua juezhan fang'an], reprinted in Bingzhou City Yangguang Rural Credit Union Net, 10 September 13; Tongshan Middle School, "Tongshan Middle School 2013–2015 Anti-Cult Transformation Decisive Battle Implementation Plan" [Tongshan zhongxue 2013–2015 nian fan xiejiao jiaoyu zhuanhua juezhan shishi fang'an], 13 May 13; Fanxingji Township Communist Party Committee, "Linquan County 2013–2015 Transformation Decisive Battle Implementation Plan" [Linquan xian 2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 9 October 13; Xingzipu Township Government, "Xingzipu Township 2013 Transformation Decisive Battle and Consolidation Implementation Work Plan" [Xingzipu zhen 2013 nian jiaoyu zhuanhua juezhan yu gonggu shishi gongzuo fang'an], 11 September 13.

[48] Yangliuxue Township Communist Party Committee, "Yangliuxue Township 2013–2015 Transformation Decisive Battle Plan" [Yangliuxue zhen 2013–2015 nian jiaoyu zhuanhua juezhan fang'an], reprinted in Bingzhou City Yangguang Rural Credit Union Net, 10 September 13; Xiyangjiang Township Cult Problem Prevention and Management Team, "Xiyangjiang Township 2013–2015 Transformation Decisive Implementation Plan" [Xiyangjiang zhen 2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 20 June 13; Jinhe Township Government, "2013–2015 Transformation Decisive Battle Implementation Plan" [2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 13 August 13; Fanxingji Township Communist Party Committee, "Linquan County 2013–2015 Transformation Decisive Battle Implementation Plan" [Linquan xian 2013–2015 nian jiaoyu zhuanhua juezhan shishi fang'an], 9 October 13; Xingzipu Township Government, "Xingzipu Township 2013 Transformation Decisive Battle and Consolidation Implementation Work Plan" [Xingzipu zhen 2013 nian jiaoyu zhuanhua juezhan yu gonggu shishi gongzuo fang'an], 11 September 13.

[49] Ibid.

[50] World Organization To Investigate the Persecution of Falun Gong, "Investigative Report (17) Regarding the Participation of the 'China Anti-Cult Association' in the Persecution of Falun Gong" [Zhuicha guoji baogao (shiqi): guanyu "zhongguo fan xiejiao xiehui" canyu pohai falun gong de diaocha baogao], reprinted in Epoch Times, 26 March 04.

[51] China Anti-Cult Association, "China Anti-Cult Association: Be Highly Vigilant About Various Cults That Harm the Public" [Zhongguo fan xiejiao xiehui: yao gaodu jingti weihai gongzhong de gezhong xiejiao], 3 June 14.

[52] Lu Chen, "Ministerial Official Dismissed for Corruption, Chinese Authorities Say," Epoch Times, 17 April 14; Sarah Cook and Leeshai Lemish, Jamestown Foundation, "The 610 Office: Policing the Chinese Spirit," China Brief, Vol. 11, No. 17, 16 September 11; CECC, 2012 Annual Report, 10 October 12, 82.

[53] "Over Ten Fujian Falun Gong Practitioners Abducted During the Past Two Weeks" [Fujian shiji ming falun gong xueyuan jin banyue zao bangjia], Clear Wisdom, 10 March 14; "Ms. Wu Shuyuan of Guanyun County, Jiangsu Province Tortured in Detention Center" [Jiangsu guanyun xian wu shuyuan nushi zai kanshousuo zao kuxing zhemo], Clear Wisdom, 24 March 14.

[54] "Over Ten Fujian Falun Gong Practitioners Abducted During the Past Two Weeks" [Fujian shiji ming falun gong xueyuan jin banyue zao bangjia], Clear Wisdom, 30 April 14.

[55] Falun Dafa Information Center, "Overview of Persecution," 4 May 08.

[56] "What Exactly Did the Gansu Women's Prison Do to Them?" [Gansu nuzi jianyu jiujing dui tamen zuo le shenme], Clear Wisdom, 24 March 14; "Liang Bo Released From Prison, Says She Was Sexually Assaulted and Mentally Abused in Prison" [Liang bo chuyu sushuo zai yuzhong bei xingqin ji jingshen nuedai], Radio Free Asia, 6 November 13.

[57] Lu Chen, "Lawyers Expose Torture After Attempt To Rescue Falun Gong," Epoch Times, 7 April 14; Falun Dafa Information Center, "Overview of Persecution," 4 May 08; ChinaAid, "Joint Statement of Four Detained Lawyers in Jiansanjiang After [Their] Release" [Jiansanjiang bei ju si lushi huoshi hou de lianhe shengming], 13 April 14.

[58] "Ms. Wu Shuyuan of Guanyun County, Jiangsu Province Tortured in Detention Center" [Jiangsu guanyun xian wu shuyuan nushi zai kanshousuo zao kuxing zhemo], Clear Wisdom, 24 March 14; "What Exactly Did the Gansu Women's Prison Do to Them?" [Gansu nuzi jianyu jiujing dui tamen zuo le shenme?], Clear Wisdom, 24 March 14.

[59] "Ms. Wu Shuyuan of Guanyun County, Jiangsu Province Tortured in Detention Center" [Jiangsu guanyun xian wu shuyuan nushi zai kanshousuo zao kuxing zhemo], Clear Wisdom, 24 March 14.

[60] Arleen Richards and Gisela Sommer, "Smuggled Toilet Paper Diary Discloses Brutal Torture in Chinese Detention Center," Epoch Times, 29 April 14.

[61] "What Exactly Did the Gansu Women's Prison Do to Them?" [Gansu nuzi jianyu jiujing dui tamen zuo le shenme?], Clear Wisdom, 24 March 14.

[62] "Ms. Wu Shuyuan of Guanyun County, Jiangsu Province Tortured in Detention Center" [Jiangsu guanyun xian wu shuyuan nushi zai kanshousuo zao kuxing zhemo], Clear Wisdom, 24 March 14.

[63] "Liang Bo Released From Prison, Says She Was Sexually Assaulted and Mentally Abused in Prison" [Liang bo chuyu sushuo zai yuzhong bei xingqin ji jingshen nuedai], Radio Free Asia, 6 November 13.

[64] Ibid.

[65] "Deaths Due to Persecution of Falun Gong Practitioners, Details of Cases Need Further Confirmation" [Yin xueguo falun gong er bei pohai zhisi zhe he xiangqing xuyao jixu queren anli], Clear Wisdom, last visited 14 July 14.

[66] Gisela Sommer, "Falun Gong Practitioner in China Pays Ultimate Price for Tapping Into TV Network," Epoch Times, 28 May 14.

[67] Ibid.

[68] Genevieve Belmaker, "Parallel Lives Meet in New York," Epoch Times, 16 May 14; Tony Gosgnach, "China Still Targeting and Murdering Religious Minorities for Illegal Organ 'Donations': Expert," LifeSiteNews, 30 May 14; Racheli Hibben, "Medical Professionals Condemn Organ Harvesting in China," Epoch Times, 12 June 14.

[69] "Deaths Due to Persecution of Falun Gong Practitioners, Details of Cases Need Further Confirmation" [Yin xueguo falun gong er bei pohai zhisi zhe he xiangqing xuyao jixu queren anli], Clear Wisdom, last visited 14 July 14.

[70] Lu Chen, "Lawyers Expose Torture After Attempt To Rescue Falun Gong," Epoch Times, 7 April 14.

[71] ChinaAid, "Joint Statement of Four Detained Lawyers in Jiansanjiang After [Their] Release" [Jiansanjiang bei ju si lushi huoshi hou de lianhe shengming], 13 April 14.

[72] Ibid.

[73] Verna Yu, "Four Rights Lawyers Detained After Questioning Falun Gong Detention," South China Morning Post, 24 March 14. For more information on the four lawyers and their detentions, see the following records in the Commission's Political Prisoner Database: 2011-00180 on Tang Jitian; 2011-00179 on Jiang Tianyong; 2014-00122 on Wang Cheng; and 2014-00139 on Zhang Junjie.

[74] Lu Chen, "Lawyers Expose Torture After Attempt To Rescue Falun Gong," Epoch Times, 7 April 14; World Organization To Investigate the Persecution of Falun Gong (WOIPFG), "WOIPFG Investigative Announcement on the Kidnapping of Rights Lawyers and Falun Gong Practitioners in Jiansanjiang, Heilongjiang Province" [Zhuicha guoji dui heilongjiang jiansanjiang bangjia weiquan lushi he falun gong xueyuan de zhuicha baogao], 31 March 14; Didi Tang, "Chinese Lawyers Say They Were Tortured by Police," Associated Press, 15 April 14; Rights Defense Network, "Statement of the Citizen Support Group for Jiansanjiang Human Rights Lawyers" [Jiansanjiang renquan lushi gongmin shengyuan tuan shengming], 10 April 14.

[75] Didi Kirsten Tatlow, "Lawyers Say They Were Tortured After Protesting 'Black Jail,'" New York Times, Sinosphere (blog), 7 April 14.

[76] World Organization To Investigate the Persecution of Falun Gong (WOIPFG), "WOIPFG Investigative Announcement on the Kidnapping of Rights Lawyers and Falun Gong Practitioners in Jiansanjiang, Heilongjiang Province" [Zhuicha guoji dui heilongjiang jiansanjiang bangjia weiquan lushi he falun gong xueyuan de zhuicha baogao], 31 March 14; ChinaAid, "Joint State-

ment of Four Detained Lawyers in Jiansanjiang After [Their] Release" [Jiansanjiang bei ju si lushi huoshi hou de lianhe shengming], 13 April 14; Rights Defense Network, "Statement of the Citizen Support Group for Jiansanjiang Human Rights Lawyers" [Jiansanjiang renquan lushi gongmin shengyuan tuan shengming], 10 April 14.

[77] Islamic Association of China, "Introduction to the Islamic Association of China" [Zhongguo yisilan jiao xiehui jianjie], last visited 9 April 14; Islamic Association of China, " Scripture Interpretation Work Office" [Jiejing gongzuo bangongshi], last visited 9 April 14.

[78] Islamic Association of China (IAC), "CPPCC Ethnic and Religious Affairs Committee Director Zhu Weiqun Visits the IAC" [Quanguo zhengxie minzong wei zhuren zhu weiqun yi xing dao zhongguo yixie zoufang weiwen], 9 January 14; Islamic Association of China, "United Front Work Department Deputy Director Zhang Yijiong Visits the IAC" [Zhongyang tongzhan bu changwu fu buzhang zhang yijiong yixing dao zhongguo yixie he jie], 21 January 14.

[79] Ibid.

[80] Islamic Association of China, "Deepen Reforms, Benefit the People" [Shenhua gaige zaofu yu min], 15 November 13.

[81] State Administration for Religious Affairs, Measures for Accrediting Islamic Clergy [Yisilan jiao jiaozhi renyuan zige rending banfa], issued 12 May 06, effective 7 August 06.

[82] "Islamic Association of China Education Work Committee Established" [Zhongguo yisilan jiao xiehui jiaoyu gongzuo weiyuan hui chengli], China Ethnicity News, reprinted in United Front Work Department, 28 March 14.

[83] Shaanxi Ethnic and Religious Affairs Committee, "Our Province Launched 'Shaanxi Province Young and Middle-Aged Islamic Cleric Training Class' at Lanzhou Islamic Institute" [Wo sheng zai lanzhou yisilan jiao jingxue yuan kaiban "shaanxi sheng yisilan jiao zhong qingnian ahong jinxiu ban"], 19 March 14; Kunming Islamic Institute, "2013 Yunnan Province Islamic Religious Personnel Training Class Held at Kunming Islamic Institute" [2013 nian yunnan yisilan jiao jiaozhi renyuan peixun ban zai kunming jingxue yuan kaiban], 12 November 13; Wang Yaoyu, Yunnan Socialism College, "Province-Wide Islamic Religious Personnel Training Class Held in Kunming" [Quan sheng yisilan jiao jiaozhi renyuan peixun ban zai kunming juban], 18 November 13; Li Zeqiong, Hunan Islamic Association, "Changde City Islamic Association Holds City-Wide Training Classes for Religious Personnel" [Changde shi yixie juban quanshi jiaozhi renyuan peixun ban], 15 November 13; MuslimWWW, "Zhejiang Province Islamic Association Launches the Third Training Class for Religious Personnel" [Zhejiang sheng yixie juban disan qi jiaozhi renyuan peixun ban], 30 December 13.

[84] State Administration for Religious Affairs, Regulations on Religious Affairs [Zongjiao shiwu tiaoli], issued 30 November 04, effective 1 March 05, arts. 11, 43.

[85] State Administration for Religious Affairs, "State Administration for Religious Affairs Convenes 2014 Hajj Pilgrimage Work Meeting in Xining City, Qinghai Province" [Guojia zongjiao ju zai qinghai sheng xining shi zhaokai 2014 nian chaojin gongzuo huiyi], 11 April 14.

[86] 2013 China Hajj Pilgrimage Working Group Secretarial Section, "Our Country's Last Hajj Group Returns Home From Jeddah Airport" [Woguo zuihou yipi haji cong jida jichang qicheng huiguo], reprinted in Islamic Association of China, 7 November 13.

[87] Islamic Association of China, "Islamic Association of China Hajj Affairs Delegation Visits Saudi Arabia" [Zhongguo yixie chaojin shiwu daibiao tuan fangwen shate], 28 February 14.

[88] Islamic Association of China, "Second Meeting of Third Conference of China Islamic Affairs Steering Committee Held in Beijing" [Zhongguo yisilan jiao jiaowu zhidao weiyuan hui san jie er ci huiyi zai jing juxing], 13 December 13.

[89] Islamic Association of China, "Guizhou Province Islamic Scripture Interpretation Work Training Class Held in Guiyang" [Guizhou sheng yisilan jiao jiejing gongzuo peixun ban zai guiyang juxing], 7 January 14.

[90] Didi Tang, "China Bans Ramadan Fast in Muslim Northwest," Associated Press, 3 July 14; Irene Chidinma Nwoye, "China Bans Ramadan Fast in Muslim Region," Slate, 3 July 14; Ruoqiang County No. 3 Grade School, "Our School Holds Education Outreach Activity To Prohibit Teachers and Students From Fasting [During Ramadan]" [Wo xiao kaizhan jinzhi jiaoshi, xuesheng fengzhai gongzuo xuanchuan jiaoyu huodong], 30 June 14.

[91] Didi Tang, "China Bans Ramadan Fast in Muslim Northwest," Associated Press, 3 July 14; Irene Chidinma Nwoye, "China Bans Ramadan Fast in Muslim Region," Slate, 3 July 14.

[92] Didi Kirsten Tatlow, "Xinjiang Hospital Asks Staff Not To Fast During Ramadan," New York Times, Sinosphere (blog), 5 June 14; "China Hospital Tells Muslim Staff Not To Fast in Ramadan," World Bulletin, 5 June 14; Kabita Maharana, "Ramadan 2014: China Force Feeds Muslim Students To Break Fast During Holy Month," International Business Times, 12 July 14.

[93] The Hui ethnic minority, who number more than 10 million people, are the predominately Muslim descendants of Persian, Central Asian, and Arab traders. Now largely ethnically and linguistically assimilated with the majority Han Chinese population, Hui are dispersed throughout China. For more information on the Hui ethnic group, see Hannah Beech, "If China Is Anti-Islam, Why Are These Chinese Muslims Enjoying a Faith Revival," Time, 12 August 14.

[94] Hannah Gardner, "Ramadan Highlights Divisions in China's Muslim Community," National, 26 July 14; Islamic Human Rights Commission, "Press Release: China's Uighurs Face New Ramadan Restrictions," 7 July 14; Shannon Tiezzi, "China's Not Anti-Religion, It's Anti-Threat," Diplomat, 12 August 14.

[95] Hannah Beech, "If China Is Anti-Islam, Why Are These Chinese Muslims Enjoying a Faith Revival," Time, 12 August 14.

[96] China Christian Council and the Three-Self Patriotic Movement of the Protestant Churches in China, "Charter of the National Committee of the Three-Self Patriotic Movement of the Protestant Churches in China" [Zhongguo jidu jiao sanzi aiguo yundong weiyuan hui zhangcheng], 10 September 14.

[97] China Christian Council (CCC) and the Three-Self Patriotic Movement (TSPM) of the Protestant Churches in China, "CCC & TSPM Two Associations Receive United Front Work De-

partment Deputy Head Zhang Yijiong" [Jidu jiao quanguo lianghui jiedai zhonggong zhongyang tongzhan bu changwu fu buzhang zhang yijiong yixing diaoyan], 24 December 13.

[98] China Christian Council and the Three-Self Patriotic Movement of the Protestant Churches in China, "The Reconstruction of Theological Thinking Is the New Light for the Chinese Church" [Shenxue sixiang jianshe shi zhongguo jiaohui xin de liangguang], Tianfeng Magazine, 11 November 08; State Administration for Religious Affairs, "Ten-Year Anniversary Commemoration of China's Christian Reconstruction of Theological Thinking Grandly Convened" [Zhongguo jidu jiao shenxue sixiang jianshe shi zhounian jinian dahui longzhong zhaokai], 19 November 08.

[99] Jiang Hongbing, "People's Daily: Chinese Christians Number Between 23 Million–40 Million" [Renmin ribao: zhongguo jidutu renshu zai 2300 wan–4000 wan], People's Daily, 6 August 14; Peter Weber, "China Will Create Its Own Version of Christianity," Week, 7 August 14; "Christianity Also Must Have Chinese Characteristics" [Jidu jiao ye yao you zhongguo tese], Agence France-Presse, reprinted in Deutsche Welle, 7 August 14.

[100] Qiao Nong, ChinaAid, "Guiyang Province Fengsheng Church Crosses Removed, Xinjiang Christians File Complaints That They Are Persecuted, They Are Accused of 'Leaking State Secrets'" [Guiyang fengsheng jiaohui shizijia bei qiangchai, xinjiang xintu tousu zao bipo bei zhi "xiemi"], 26 May 14; ChinaAid, "Wenzhou Bodani House Church Persecuted and Seeking Help From Society" [Wenzhou bodani jiating jiaohui shou bipo xunqiu shehui bangzhu], 12 May 14; Qiao Nong, ChinaAid, "Pastor Zhang Mingxuan Banned From Preaching in Zhongzhuang, Jiangsu Province, Believers in Nanle, Henan Continue To Face Obstacles in Sunday Worship" [Zhang mingxuan mushi jiangsu zhongzhuang jiangdao bei jin, henan nanle xintu zhouri jingbai xu shouzu], 12 May 14; Beijing Shouwang Church, "Beijing Shouwang Church's Report to Church Members" [Beijing shouwang jiaohui gao huizhong shu], 6 May 14; Qiao Nong, ChinaAid, "Urumqi Christian Gathering Dispersed by Police, Four Christians Detained, American Pastor Expelled" [Wulumuqi xintu juhui zao jing qusan si jidutu bei ju meiguo mushi zao zhu], 27 May 14.

[101] Zhejiang Provincial People's Government, Zhejiang Provincial People's Government Circular on the Province-Wide Launch of the Three-Year "Three Rectifications and One Demolition" Operation [Zhejiang sheng renmin zhengfu guanyu zai quansheng kaizhan "san gai yi chai" san nian xingdong de tongzhi], 13 March 13.

[102] Ibid.

[103] Ethnic and Religious Affairs Committee of Zhejiang Province, "Chairman Feng Zhili Mobilizes Our Province's Christian Community To Participate In and Support the 'Three Rectifications and One Demolition' Campaign" [Feng zhili zhuren dongyuan wo sheng jidu jiao jie zhichi canyu "san gai yi chai" xingdong], 26 February 14; Yuhuan County People's Government, "Implementation Plan for the Special Treatment Work on Illegally Constructed Sites of Religious and Folk Religion Activities in Shamen Township" [Shamen zhen zongjiao he minjian xinyang huodong changsuo weifa jianzhu zhuanxiang zhengzhi gongzuo shishi fang'an], reprinted in Pu Shi Institute for Social Science, 11 April 14; Shaoxing Municipality United Front Work Department, "Shangyu District Does a Solid Job Regarding Religious and Folk Religion Sites for the 'Three Rectifications and One Demolition [Campaign]'" [Shangyu qu zhashi zuohao zongjiao he minjian xinyang huodong changsuo "san gai yi chai" gongzuo], 16 May 14; Xietang Township People's Government, "Circular Regarding Effectively Doing Special Rectification Work on Religious Sites and Folk Religion Sites" [Guanyu qieshi zuohao zongjiao huodong changsuo he minjian xinyang changsuo zhuanxiang zhengzhi gongzuo de tongzhi], reprinted in Shangyu District People's Government, 8 April 14; Qiao Nong, ChinaAid, "Wenzhou as Testing Ground, a Nationwide Persecution Has Started" [Yichang yi wenzhou wei shidian de quanguoxing bipo yijing kaishi], 9 April 14.

[104] Ian Johnson, "Church-State Clash in China Coalesces Around a Toppled Spire," New York Times, 29 May 14.

[105] ChinaAid, "Updated: China Aid Receives Compilation of Persecuted Zhejiang Churches," 7 August 14.

[106] Wu Yu, "Five Thousand Wenzhou Christians Resist Forced Church Demolition by Authorities" [Wenzhou wuqian jidutu dikang dangju qiangchai jiaotang], Deutsche Welle, 4 April 14; Qiao Nong, ChinaAid, "Over 1,000 Wenzhou Policemen Wait for Chance To Demolish Sanjiang Church Building, 5,000 Christians Take Turns Guarding [the Church]" [Wenzhou qian jing siji qiangchai sanjiang jiaotang wuqian jidutu lunliu shouhu], 3 April 14; Xu Yangjingjing, "Why Chinese Christians Are Camping Out To Save Their Church and Cross From Demolition," Washington Post, 4 April 14.

[107] Wu Yu, "Five Thousand Wenzhou Christians Resist Forced Church Demolition by Authorities" [Wenzhou wuqian jidutu dikang dangju qiangchai jiaotang], Deutsche Welle, 4 April 14; Qiao Nong, ChinaAid, "Over 1,000 Wenzhou Policemen Wait for Chance To Demolish Sanjiang Church Building, 5,000 Christians Take Turns Guarding [the Church]" [Wenzhou qian jing siji qiangchai sanjiang jiaotang wuqian jidutu lunliu shouhu], 3 April 14.

[108] Qiao Nong, ChinaAid, "Wenzhou Believers Struggled, Sanjiang Church Demolition Avoided, Signed Agreement With Provincial Government, Only Parts of Nursing Home To Be Demolished" [Wenzhou xintu kangzheng sanjiang jiaotang mian chai yu shengfu qian xieyi jin chai shuceng jinglao yuan], 8 April 14; ChinaAid, "One TSPM Church in Zhejiang Finds Compromise, Others Still Face Forced Demolition," 12 April 14.

[109] Qiao Nong, ChinaAid, "Wenzhou [Authorities] Dispatched Heavy Machinery Into the Area of Sanjiang Church, Cross Facing Demolition, Believers Went To Voice Support and Were Intercepted" [Wenzhou chudong zhongxing jiqi jinru sanjiang jiaotang fanwei shizijia mianlin qiangchai xintu wang shengyuan bei lanjie], 21 April 14.

[110] "Crosses Atop Christian Church Buildings in Several Locations in Zhejiang Removed, Several Ministers Taken Away" [Zhejiang duochu jidu jiao jiaotang dingbu shizijia bei chai, duoming chuandao yuan bei daizou], UCA News, 25 April 14; Qiao Nong, ChinaAid, "Over a Thousand People Expelled From Sanjiang Church on Saturday in Wenzhou, Daughter of Nanle Pastor Zhang Shaojie Kidnapped Before Zhang's Trial" [Wenzhou zhouliu qingchang sanjiang

jiaohui yu qianren bei zhu, nanle zhang shaojie mushi kaiting qian nu er bei bangjia], 28 April 14.

[111] Qiao Nong, ChinaAid, "Over a Thousand People Expelled From Sanjiang Church on Saturday in Wenzhou, Daughter of Nanle Pastor Zhang Shaojie Kidnapped Before Zhang's Trial" [Wenzhou zhouliu qingchang sanjiang jiaohui yu qianren bei zhu, nanle zhang shaojie mushi kaiting qian nu er bei bangjia], 28 April 14.

[112] Qiao Nong, ChinaAid, "Over One Thousand Police in Wenzhou Forcibly Demolish Sanjiang Church, Believers' Internet Comments Banned, Violators [Warned] Their Entire Families Could Be Implicated" [Wenzhou yu qian jingli qiangchai sanjiang jiaotang, xintu wangluo yanlun bei jin weizhe zhulian jiazu], 28 April 14.

[113] ChinaAid, "Henan, Puyang City, Nanle County: Arrested Pastor and Christians Still Not Released" [Henan puyang shi nanle xian jidu jiaohui bei zhua mushi he xintu zhijin wei shifang], 18 November 13; "More Members of the Nanle Church Detained, Dozens Gathered To Petition in Beijing" [Nanle jiaohui zai you xintu bei zhua, shu shi fangming beijing juhui shengyuan], Radio Free Asia, 21 December 13. For more information on Zhang Shaojie's case, see the Commission's Political Prisoner Database record 2014-00126.

[114] "Pastor Zhang Shaojie Met His Lawyer for the First Time Since His Detention Two Months Ago" [Zhang shaojie mushi bei kou liang yue shou wu lushi], Radio Free Asia, 16 January 14.

[115] "Lawyers for Detained China Church Leader Assaulted," Associated Press, 13 December 13; "Pastor Zhang Shaojie Met His Lawyer for the First Time Since His Detention Two Months Ago" [Zhang shaojie mushi bei kou liang yue shou wu lushi], Radio Free Asia, 16 January 14; Rights Defense Network, "Urgent: Lawyers Beaten a Third Time in Nanle, Lawyer Liu Weiguo Hit in the Head With a Brick" [Jinji guanzhu: nanle lushi di san ci bei qun ou, liu weiguo lushi tou bei zhuantou za po], 13 December 13.

[116] ChinaAid, "Nanle County Christian Church Appeals for Help and Applied for Permit To Protest Government Infringement," 20 November 13; ChinaAid, "Nanle Religion Case Continues To Escalate, Local Government Persecutes Christians and Rights Defenders" [Nanle jiao an buduan shengji, difang zhengfu fengkuang pohai jidutu ji weiquan renshi], 23 December 13.

[117] "Pastor Zhang Shaojie Met His Lawyer for the First Time Since His Detention Two Months Ago" [Zhang shaojie mushi bei kou liang yue shou wu lushi], Radio Free Asia, 16 January 14.

[118] Christian Solidarity Worldwide, "China: Henan Pastor's Trial Date Postponed Indefinitely," 25 February 14.

[119] Qiao Nong, ChinaAid, "[The Court] Continued With Zhang Shaojie's Trial, Denied Lawyers' Request To Call Ten Witnesses To Testify" [Zhang shaojie an xu shen, lushi chuanzhao shi zhengren chuting bei ju], 29 April 14; Qiao Nong, ChinaAid, "Concern Over Nanle Religion Case: Zhang Shaojie's Trial Concludes, Judge Scheduled To Announce Judgment" [Guanzhu nanle jiao an: zhang shaojie an shenjie, faguan zeqi xuanpan], 30 April 14.

[120] "Pastor Zhang Shaojie of Nanle Religion Case Given Heavy Sentence of 12 Years, He Said in Court He Would Appeal, Lawyers Said [Sentence] a Setback for Justice" [Nanle jiao an zhang shaojie mushi bei zhongpan 12 nian, dang ting cheng jiang shangsu lushi zhi sifa daotui], Radio Free Asia, 4 July 14.

[121] Beijing Shouwang Church Governing Committee, "Three-Year Outdoor Worship Anniversary: Beijing Shouwang Church's Report to Congregation Members" [Huwai jingbai san zhounian zhi ji beijing shouwang jiaohui gao huizhong shu], 27 March 14.

[122] Chen Weizhen, "Witnessing the Current Condition of Shouwang Church and Other House Churches—Freedom of Religion and Rule of Law Seminar Speech Text" [Jianzheng shouwang jiaohui deng jiating jiaohui xianzhuang—zongjiao ziyou he fazhi yantao hui yanjiang gao], reprinted in ChinaAid, 28 January 14; Qiao Nong, ChinaAid, "Pastor Zhang Mingxuan Banned From Preaching in Zhongzhuang, Jiangsu, Nanle, Henan Believers Continued To Be Barred From Sunday Worship" [Zhang mingxuan mushi jiangsu zhongzhuang jiangdao bei jin henan nanle xintu zhouri jingbai xu shouzu], 12 May 14.

[123] Starting in May 2014, Beijing authorities disrupted Shouwang Church's outdoor worship services and detained members of the church on a weekly basis. Beijing Shouwang Church, "Beijing Shouwang Church May 4, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 5 yue 4 ri huwai jingbai tongbao], 5 May 14; Beijing Shouwang Church, "Beijing Shouwang Church May 11, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 5 yue 11 ri huwai jingbai tongbao], 13 May 14; Beijing Shouwang Church, "Beijing Shouwang Church May 18, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 5 yue 18 ri huwai jingbai tongbao], 18 May 14; Beijing Shouwang Church, "Beijing Shouwang Church May 25, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 5 yue 25 ri huwai jingbai tongbao], 26 May 14; Beijing Shouwang Church, "Beijing Shouwang Church June 1, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 6 yue 1 ri huwai jingbai tongbao], 2 June 14; Beijing Shouwang Church, "Beijing Shouwang Church June 8, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 6 yue 8 ri huwai jingbai tongbao], 9 June 14; Beijing Shouwang Church, "Beijing Shouwang Church June 15, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 6 yue 15 ri huwai jingbai tongbao], 16 June 14; Beijing Shouwang Church, "Beijing Shouwang Church June 22, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 6 yue 22 ri huwai jingbai tongbao], 23 June 14; Beijing Shouwang Church, "Beijing Shouwang Church June 29, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 6 yue 29 ri huwai jingbai tongbao], 30 June 14; Beijing Shouwang Church, "Beijing Shouwang Church July 6, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 7 yue 6 ri huwai jingbai tongbao], 7 July 14; Beijing Shouwang Church, "Beijing Shouwang Church July 13, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 7 yue 13 ri huwai jingbai tongbao], 14 July 14; Beijing Shouwang Church, "Beijing Shouwang Church July 20, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 7 yue 20 ri huwai jingbai tongbao], 21 July 14; Beijing Shouwang Church, "Beijing Shouwang Church July 27, 2014, Outdoor Worship Announcement" [Beijing shouwang

jiaohui 2014 nian 7 yue 27 ri huwai jingbai tongbao], 28 July 14; Beijing Shouwang Church, "Beijing Shouwang Church August 3, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 8 yue 3 ri huwai jingbai tongbao], 4 August 14; Beijing Shouwang Church, "Beijing Shouwang Church August 10, 2014, Outdoor Worship Announcement" [Beijing shouwang jiaohui 2014 nian 8 yue 10 ri huwai jingbai tongbao], 11 August 14.

[124] ChinaAid, "Three Believers of Shouwang Church Detained, Few Attended Sunday Worship Service at Sanjiang Church" [Shouwang jiaohui 3 ming xintu bei juliu sanjiang tang zhuri juhui renshu xishao], 6 May 14. See also an overview of Shouwang Church's three-year history of worshipping outdoors. Beijing Shouwang Church Governing Committee, "Three-Year Outdoor Worship Anniversary: Beijing Shouwang Church's Report to Congregation Members" [Huwai jingbai san zhounian zhi ji beijing shouwang jiaohui gao huizhong shu], 27 March 14.

[125] Li Xiangping, "True Religion Is for People's Good," China Daily, 5 June 14; Guo Baosheng, ChinaAid, "Be Alert [Authorities] Use 'Cult' as Pretext To Persecute Christianity in Large Scale" [Jingti yi "xiejiao" mingyi da guimo pohai jidu jiao], 9 June 14; "China Clearly Identified 14 Cult Organizations (List) Including the Shouters Sect" [Zhongguo yi mingque rending huhan pai deng 14 ge xiejiao zuzhi (mingdan)], Youth Times, reprinted in People's Daily, 3 June 14.

[126] World Organization To Investigate the Persecution of Falun Gong, "Investigative Report of the China Anti-Cult Association's Role in the Persecution of Falun Gong," 23 March 04; "China Anti-Cult Association Reporting Conference Held in Beijing, China Anti-Cult Net Launched Concurrently" [Zhongguo fan xiejiao xiehui baogaohui zai jing zhaokai zhongguo fan xiejiao wangzhan tongshi kaitong], Xinhua, reprinted in China Net, 24 December 00.

[127] China Anti-Cult Association, "China Anti-Cult Association: Be Highly Vigilant About Various Cults That Harm the Public" [Zhongguo fan xiejiao xiehui: yao gaodu jingti weihai gongzhong de gezhong xiejiao], reprinted in Kai Wind, 3 June 14.

[128] ChinaAid, "Taipei Local Church Vehemently Protests Against Being Mistaken for the Shouters Sect" [Taibei zhaohui yanzhong kangyi bei wudao wei huhan pai], 12 June 14; "Statement From Many Local Churches in the Fuzhou Area to the China Anti-Cult Association" [Fuzhou diqu zhong difang zhaohui zhi zhongguo fan xiejiao xiehui shengming], Wnee, 15 June 14.

[129] Lu Dewen, "Lu Dewen: Attacking Cults, a Matter of Great Urgency" [Lu dewen: daji xiejiao keburonghuan], Global Times, 3 June 14.

[130] ChinaAid, "Guangdong House Church Persecuted in Authorities' Attempt To Suppress Eastern Lightning Following Shandong Attack," 19 June 14; Qiao Nong, ChinaAid, "A House Church in Shenzhen Newly Established by a College Student Dispersed by the Police During Gathering" [Shenzhen yi daxuesheng xin chengli jiating jiaohui juhui zao jingfang qusan], 11 July 14; Qiao Nong, ChinaAid, "Twelve Guizhou Christians Are Accused of Belonging to a Cult and Administratively Detained, Lawyer Files Lawsuit" [Guizhou 12 ming jidutu bei zhi xiejiao xingzheng juliu lushi tiqi susong], 24 June 14; Qiao Nong, ChinaAid, "Christians of Langzhong Church in Sichuan Detained for Evangelism, Christians of 80 Households Accused of Being Cult [Followers] Cannot Keep Social Insurance" [Sichuan langzhong jiaohui jidutu chuan fuyin bei ju bashi hu jidutu bei zhi xiejiao "di bao" bu bao], 25 July 14; ChinaAid, "'Cao County Religion Case' Reappears in Heze, Shandong, Lawyers Form Group To Rescue Detained Believers" [Shandong heze zai xian "cao xian jiao an," lushi zu tuan qianwang yingjiu bei zhua xintu], 11 July 14; Qiao Nong, ChinaAid, "Twenty-Two Christians in Shandong Accused of Taking Part in a Cult, Dozens of Special Police Detain [Believers] and Trick [Them] Into Giving Confessions, Over Half [of Those Detained] Are Taken Into Custody" [Shandong 22 ming jidutu juhui bei zhi xiejiao shu shi tejing zhua ren ji she yougong yu banshu zao ju], 14 July 14; Qiao Nong, ChinaAid, "Public Security [Officials] in Shaoyang, Hunan, Criminally Detain More Than Ten Christians, House Churches in Four Counties and Cities in Shaoyang Declare Emergency" [Hunan shaoyang gongan xingju shi duo ming jidutu shaoyang si xian shi jiating jiaohui gaoji], 14 August 14.

[131] Chinese Taoist Association, "The Charter of the Chinese Taoist Association" [Zhongguo daojiao xiehui zhangcheng], last visited 2 April 14, art. 3.

[132] Chinese Taoist Association, "Chinese Taoist Association Eighth Conference Ninth Session Meeting Held in Beijing" [Zhongguo daojiao xiehui bajie jiuci huizhang huiyi zai jing zhaokai], 10 March 14; State Administration for Religious Affairs, United Front Work Department, National Development and Reform Commission, Ministry of Public Security, Ministry of Housing and Urban-Rural Development, Ministry of Culture, State Administration for Industry and Commerce, China National Tourism Administration, China Security Regulatory Commission, State Administration of Cultural Heritage, Opinion Regarding Issues Related to the Management of Buddhist Monasteries and Taoist Temples [Guanyu chuli sheji fojiao simiao, daojiao gongguan guanli youguan wenti de yijian], issued 8 October 12.

[133] "Chinese Taoist Association's 'Third International Taoist Forum'" [Zhongguo daojiao xiehui "di san jie guoji daojiao luntan"], Chinese Daily USA, 1 March 14.

[134] State Administration for Religious Affairs, "Deputy Director Jiang Jianyong Went to Jiangxi To Inspect the Third International Taoist Forum Preparation Work" [Jiang jianyong fu juzhang fu jiangxi kaocha di san jie guoji daojiao luntan choubei gongzuo], 4 March 14.

[135] State Council, Provisions on the Management of the Religious Activities of Foreigners Within the PRC [Zhonghua renmin gongheguo jingnei waiguoren zongjiao huodong guanli guiding], issued and effective 31 January 94, art. 4; State Administration for Religious Affairs, Detailed Implementation of Rules for the Provisions on the Management of the Religious Activities of Foreigners Within the PRC [Zhonghua renmin gongheguo jingnei waiguoren zongjiao huodong guanli guiding shishi xize], issued and effective 26 September 00, arts. 7, 17(5).

[136] Magda Hornemann, "China: When Will Five-Fold State-Backed Religious Monopoly End?" Forum 18 News Service, 16 September 13.

[137] Ibid.

[138] Ibid.; The Russian Orthodox Church Department for External Church Relations, "Patriarch Kirill: The Dreams of the Chinese Orthodox Church's Bright Future Begins [sic] To Come True," 13 May 13.

[139] Magda Hornemann, "China: When Will Five-Fold State-Backed Religious Monopoly End?" Forum 18 News Service, 16 September 13; Fan Lizhu and Chen Na, "The Current State of China's Folk Religions and Issues of Their Management" [Zhongguo minjian xinyang de xianzhuang jiqi guanli wenti], Religion Weekly, reprinted in China Ethnic News, 22 October 13.

Notes to Section II—Ethnic Minority Rights

[1] "Unified Legal Standards Can Help Battle Terror," Global Times, 11 March 14; "Xinjiang Officials Flock to Villages for Mass Line Campaign," Global Times, 20 April 14; Li Yuan and Wen Tao, "Tibet Sends More Than 60,000 Cadres to the Grassroots Over Two Years, the Most Extensive in 60 Years" [Xizang liang nian xuanpai yu 6 wan ganbu xia jiceng wei 60 nian lai zui da guimo], Xinhua, 10 September 13. According to Xinhua, "'[m]ass line' refers to a guideline under which CPC officials and members are required to prioritize the interests of the people and persist in representing them and working on their behalf." "Officials Urged To Promote 'Mass Line' Campaign," Xinhua, 16 July 13. For information on the "mass line" and how it applies to religion, see Wang Zuo'an, "Religious Work Is by Nature Mass Work" [Zongjiao gongzuo benzhi shang shi qunzhong gongzuo], People's Daily, 26 November 13.

[2] Zhu Weiqun, "Why Has the West Been So Hard on China on 'Tibet and Xinjiang Issues,'" China Tibet Online, 18 February 14; Zhu Weiqun, "Why Does the West Interfere in Tibet and Xinjiang Issues and Make Things Difficult for China?" [Xifang weihe zai she zang she jiang wenti shang yu zhongguo guobuqu], China Tibet Online, 19 February 14.

[3] James Leibold, Jamestown Foundation, "Xinjiang Work Forum Marks New Policy of 'Ethnic Mingling,'" China Brief, Vol. 14, No. 12, 19 June 14; Edward Wong, "China Moves To Calm Restive Xinjiang Region," New York Times, 30 May 14. For Commission analysis, see "New Science and Technology Plan for Ethnic Minorities Raises Questions About Ethnic Minority Rights," CECC China Human Rights and Rule of Law Update, December 2008, 3; "Central Leaders Hold Forum on Xinjiang, Stress Development and Stability as Dual Goals," CECC China Human Rights and Rule of Law Update, No. 6, 12 July 10, 3.

[4] "Yu Zhengsheng Visits Guangxi: Continue To Consolidate the Excellent Situation of Ethnic Unity and Harmony" [Yu zhengsheng zai guangxi kaocha: buduan gonggu minzu tuanjie hexie de dahao jumian], People's Daily, reprinted in State Ethnic Affairs Commission, 31 October 13.

[5] Zhou Yifan, "Yu Zhengsheng Investigates Xinjiang, Stresses Need To Ensure Xinjiang's Social Stability and Long-Term Peace" [Yu zhengsheng zai xinjiang diaoyan qiangdiao quebao xinjiang shehui wending he changzhi jiu'an], Tianshan Net, 31 March 14; Nicholas Dynon, Jamestown Foundation, "The Language of Terrorism in China: Balancing Foreign and Domestic Policy Imperatives," China Brief, Vol. 14, No. 1, 9 January 14; Nur Bekri, "Xinjiang Uyghur Autonomous Region Government Work Report" [Xinjiang weiwuer zizhiqu zhengfu gongzuo baogao], Tianshan Net, 22 January 14.

[6] "How To Understand 'the Han Ethnicity Is Inseparable From Ethnic Minorities, Ethnic Minorities Are Inseparable from the Han Ethnicity, and All Ethnic Minorities Are Mutually Inseparable'" [Ruhe lijie "hanzu libukai shaoshu minzu, shaoshu minzu libukai hanzu, ge shaoshu minzu zhijian ye xianghu libukai"], People's Daily, reprinted in China Ethnicity and Religion Net, 18 March 13; Nicholas Dynon, Jamestown Foundation, "The Language of Terrorism in China: Balancing Foreign and Domestic Policy Imperatives," China Brief, Vol. 14, No. 1, 9 January 14.

[7] Liu Lei, "Come Together To Achieve the 'Three Guarantees' and Do a Solid Job of Ethnic Unity Work" [Juli shixian "san ge quebao," zhashi zuohao minzu tuanjie gongzuo], Seeking Truth, 1 January 14; Nicholas Dynon, Jamestown Foundation, "The Language of Terrorism in China: Balancing Foreign and Domestic Policy Imperatives," China Brief, Vol. 14, No. 1, 9 January 14.

[8] State Council, Several Opinions on Promoting and Speeding Up Sound Development in Grazing Areas [Guowuyuan guanyu cujin muqu you hao you kuai fazhan de ruogan yijian], PRC Central People's Government, 9 August 11; UN Office of the High Commissioner for Human Rights, Mandate of the Special Rapporteur on the Right to Food, Mission to the People's Republic of China from 15 to 23 December 2010, Preliminary Observations and Conclusions, 23 December 10; China's Regional Ethnic Autonomy Law: Does It Protect Minority Rights? Staff Roundtable of the Congressional-Executive Commission on China, 11 April 05, Written Statement Submitted by Christopher P. Atwood, Associate Professor, Department of Central Eurasian Studies, Indiana University. For Commission analysis, see "State Council Opinion Bolsters Grazing Ban, Herder Resettlement," Congressional-Executive Commission on China, 18 October 11.

[9] Southern Mongolian Human Rights Information Center, "Protesting Herders Stopped by Machine Guns," 4 May 14; "Nearly a Hundred Herders Protest, Soldiers Face Public With Guns" [Jin bai mumin shiwei junbing yi qiangkou dui minzhong], Radio Free Asia, 5 May 14.

[10] Southern Mongolian Human Rights Information Center, "Resisting Land Grab, at Least 48 Mongolian Herders Arrested," 17 April 14.

[11] "Seven Herders Held After Inner Mongolia Clashes," Radio Free Asia, 17 April 14; Southern Mongolian Human Rights Information Center, "Resisting Land Grab, at Least 48 Mongolian Herders Arrested," 17 April 14.

[12] Southern Mongolian Human Rights Information Center, "Fresh Wave of Herders' Protests Erupts Following Chinese Premier's Visit to Southern Mongolia," 3 April 14.

[13] Sui-Lee Wee, "China Sentences Six Mongol Herders in Land-Grab Case," Reuters, reprinted in Yahoo! News, 6 January 14; Southern Mongolian Human Rights Information Center, "Herders Defending Their Grazing Lands Face Long Jail Sentences," 4 October 13. According to the herders' lawyer, authorities had charged them with "sabotaging production management."

[14] Southern Mongolian Human Rights Information Center, "Herders Defending Their Grazing Lands Face Long Jail Sentences," 4 October 13; Southern Mongolian Human Rights Information Center, "100 Days and Counting, Six Mongolian Herders in Detention for Defending Their Grazing Land," 16 September 13.

[15] Southern Mongolian Human Rights Information Center, "100 Days and Counting, Six Mongolian Herders in Detention for Defending Their Grazing Land," 16 September 13.

[16] Southern Mongolian Human Rights Information Center, "Herders Defending Their Grazing Lands Face Long Jail Sentences," 4 October 13.

[17] Ibid.

[18] Southern Mongolian Human Rights Information Center, "Two Southern Mongolian Exiles Deported From Mongolia to China," 16 May 14.

[19] Ibid.

[20] Ibid.; Southern Mongolian Human Rights Information Center, "Southern Mongolian Exile Chooses Self-Immolation Over Deportation," 12 May 14; David Chace, Southern Mongolian Human Rights Information Center, "'Where Is My Homeland?': Alhaa Norovtseren Fears the Power of China in Mongolia," 2 July 14.

[21] Southern Mongolian Human Rights Information Center, "Two Southern Mongolian Exiles Deported From Mongolia to China," 16 May 14.

[22] "Wife of Inner Mongolian Political Prisoner Writes to Chinese President," Radio Free Asia, 19 March 14; Southern Mongolian Human Rights Information Center, "Hada: 'Ready To Sue the Authorities,' Xinna: 'Ready To Go to Jail Again,'" 19 March 14; "Inner Mongolian Activist in Safe, Healthy State: Official," Xinhua, 6 March 13; Southern Mongolian Human Rights Information Center, "Hada and Family Members Still Missing," 24 February 13.

[23] "Hada's Appeal to Beijing and UN Blocked, Inner Mongolian Politics and Law Officials Threaten Retaliation Against Xinna" [Hada xiang beijing ji lianheguo ti shensu bei zu neimeng zhengfa guanyuan deng men konghe baofu xinna], Radio Free Asia, 24 March 14; "Wife of Inner Mongolian Political Prisoner Writes to Chinese President," Radio Free Asia, 19 March 14; Southern Mongolian Human Rights Information Center, "Hada: 'Ready To Sue the Authorities,' Xinna: 'Ready To Go to Jail Again,'" 19 March 14; "Why Are Authorities Still Obstructing Me?" Radio Free Asia, 2 May 14.

[24] Southern Mongolian Human Rights Information Center, "Hada: 'Ready To Sue the Authorities,' Xinna: 'Ready To Go to Jail Again,'" 19 March 14.

[25] Ibid.

[26] "Tibetan, Mongolian Dissidents Silenced During Kerry Visit," Radio Free Asia, 9 July 14.

[27] "Inner Mongolian Dissident's Family Targeted," Radio Free Asia, 5 December 10; Hada, Xinna, and Uiles, Southern Mongolian Human Rights Information Center, "Open Letter From Hada and His Family Members," 2 July 14; Southern Mongolian Human Rights Information Center, "SMHRIC Statement to the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association," 19 February 14. For Commission analysis on Hada, Xinna, and Uiles, see "Authorities Heighten Persecution of Detained Mongol Rights Advocate's Wife and Son," CECC China Human Rights and Rule of Law Update, No. 1, 3 January 13, 2. For more information on these cases, see the following records in the Commission's Political Prisoner Database: 2004-02045 on Hada; 2010-00704 on Xinna; and 2010-00705 on Uiles.

[28] "China Denies Medical Parole for Inner Mongolian Dissident," Radio Free Asia, 10 December 13; "Inner Mongolian Dissident Ill in Prison" [Neimeng yijian renshi yu zhong huanbing], Radio Free Asia, 7 October 13.

[29] "China Denies Medical Parole for Inner Mongolian Dissident," Radio Free Asia, 10 December 13.

[30] Southern Mongolian Human Rights Information Center, "Two Other Herders Sentenced to 3 Years in Jail, One Suffers From Kidney Failure," 19 January 14; Southern Mongolian Human Rights Information Center, "Mongolian Herder's Rights Defender in Poor Health at Chinese Detention Center," 2 September 13.

[31] Southern Mongolian Human Rights Information Center, "Two Other Herders Sentenced to Three Years in Jail, One Suffers From Kidney Failure," 19 January 14.

Notes to Section II—Population Planning

[1] To avoid confusion, the Commission uses the official Chinese term "population planning" when referring to the Chinese government's official policy of limiting the number of children a woman or couple may have and the methods employed by Chinese officials to coerce compliance with this policy. Some Commissioners also use the term "population control" to describe these policies.

[2] PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, art. 18. Article 18 stipulates, "The State maintains its current policy for reproduction, encouraging late marriage and childbearing and advocating one child per couple. Where the requirements specified by laws and regulations are met, plans for a second child, if requested, may be made." For information on differing provincial implementing regulations that permit couples to have more than one child, see Chinese Human Rights Defenders, "I Don't Have a Choice Over My Own Body," 21 December 10, 6–7. Implementing regulations in different provinces vary with respect to the ages at which couples may give birth or the spacing permitted between children; most provinces have canceled limitations on birth spacing altogether. See, e.g., "Nine Provinces Formally Launch 'Two Children for Single Only-Child Couples,' 20 Provinces Put Forth Implementing Timetables" [9 shengfen zhengshi qidong "dandu lianghai" 20 shengfen tui shishi shijianbiao], China News Net, 26 March 14; "19 Provinces in Our Country Cancel [Mandatory] Birth Spacing, Central [Authorities] Call for Strict Control of the Births of Multiple Children" [Wo guo 19 sheng quxiao shengyu jian'ge zhongyang yaoqiu yankong duohai shengyu], Xinhua, reprinted in People's Daily, 31 December 13.

[3] See, e.g., Beijing Municipal Population and Family Planning Commission, Beijing Municipal Birth Services Certificate Management Measures [Beijing shi shengyu fuwu zheng guanli banfa], issued 30 May 91, amended 31 December 97, effective 1 April 00, art. 4; Beijing Municipal Population and Family Planning Commission, Beijing Municipal Implementing Details on Birth Services Certificate Management Measures [Beijing shi shengyu fuwu zheng guanli banfa shishi xize], issued 23 March 12, effective 1 May 12, art. 5; Fujian Provincial Population and Family Planning Committee, Fujian Province Birth Services Certificate Management Measures [Fujian sheng shengyu fuwu zheng guanli banfa], issued 27 February 13, effective 1 March 13, sec. 1(1); Guizhou Province Ninth People's Congress Standing Committee, Guizhou Provincial Population and Family Planning Regulations [Guizhou sheng renkou yu jihua shengyu tiaoli], issued 24 July 98, amended 29 September 02, art. 29; Yecheng County People's Government, Xinjiang Uyghur Autonomous Region "Birth Services Certificate" Dispensation and Management Measures (Trial) Summary [Xinjiang weiwuer zizhiqu "shengyu fuwu zheng" fafang yu guanli banfa (shixing) zhaiyao], issued 27 March 13, arts. 4, 14.

[4] PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, art. 18. Article 18 stipulates, "[t]he State maintains its current policy for reproduction, encouraging late marriage and childbearing and advocating one child per couple. Where the requirements specified by laws and regulations are met, plans for a second child, if requested, may be made." For information on differing provincial implementing regulations that permit exceptions to the one child policy, see Gu Baochang et al., "China's Local and National Fertility Policies at the End of the Twentieth Century," Population and Development Review, Vol. 33, No. 1 (2007), 134–135, Table 1.

[5] Gu Baochang et al., "China's Local and National Fertility Policies at the End of the Twentieth Century," Population and Development Review, Vol. 33, No. 1 (2007), 134–135, Table 1. According to the report, these criteria include, for example, such conditions as: The first child was medically diagnosed as disabled, both members of the couple are only children, the couple are rural residents and their first child was a girl, or the couple are remarried.

[6] Ibid., Table 1. Ethnic minority couples (couples in which at least one parent belongs to an officially recognized ethnic minority group) are permitted to bear a second child in all provincial-level jurisdictions except Jiangsu province, and Shanghai, Tianjin, and Beijing municipalities. Ethnic minority couples are permitted to bear a third child if they meet certain criteria in the Inner Mongolia, Tibet, Xinjiang Uyghur, and Ningxia Hui Autonomous Regions, and Heilongjiang, Fujian, Hainan, Sichuan, Guizhou, Yunnan, and Qinghai provinces. Population and Family Planning Commission of Hubei Province, "Hubei Provincial Population and Family Planning Regulations" [Hubei sheng renkou yu jihua shengyu tiaoli], 2 February 09, art. 17(5). In Hubei province, both members of the couple must belong to an ethnic minority to be able to bear a second child.

[7] See, e.g., Shaanxi Provincial People's Government, Shaanxi Provincial Implementing Measures for Collection and Management of Social Maintenance Fees [Shaanxi sheng shehui fuyang fei zhengshou guanli shishi banfa], issued 8 June 04, effective 1 August 04, art. 5(1). In Shaanxi province, individuals in violation of local population planning regulations can each be fined three to six times the amount of the average annual income of a resident in their locality, sometimes more, based on statistics from the previous year. See also Brittany Hite et al., "China Fines Zhang Yimou $1.2 Million," Wall Street Journal, China Real Time Report (blog), 9 January 14; "Cost of a Second Child: Pair Fined 1.3m Yuan," Shanghai Daily, reprinted in China Internet Information Center, 31 May 12; Chinese Human Rights Defenders, "I Don't Have a Choice Over My Own Body," 21 December 10, 19–20.

[8] See, e.g., Mark Stone, "China Couple Speak of 'Forced Abortion,'" Sky News, 4 October 13; "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13.

[9] See, e.g., ChinaAid, "Guizhou Family Planning Official Says Woman Should Have Forced Sterilization 'Because He Told Her To,'" 27 January 14. See also Steven W. Mosher, Population Research Institute, "Better To Be a Criminal in China Than a Pregnant Mother," Weekly Briefing, Vol. 16 (2014).

[10] Beijing Declaration and Platform for Action (1995), adopted at the Fourth World Conference on Women on 15 September 95, and endorsed by UN General Assembly resolution 50/203 on 22 December 95, paras. 9, 17. The Beijing Declaration states that governments that participated in the Fourth World Conference on Women reaffirmed their commitment to "[e]nsure the full implementation of the human rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms . . ." (para. 9) and "are convinced that . . . [t]he explicit recognition and reaffirmation of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment . . ." (para. 17).

[11] Programme of Action of the Cairo International Conference on Population and Development, 18 October 94, paras. 7.2, 8.25. Paragraph 7.2 states that, "[r]eproductive health therefore implies that people . . . have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice. . . ." Paragraph 8.25 states, "[i]n no case should abortion be promoted as a method of family planning."

[12] United Nations, "Report of the Fourth World Conference on Women," A/CONF.177/20/Rev.1, 1996. chap. II, para. 3; chap. VI, para. 12. China was one of the participating States at the Fourth World Conference on Women, which adopted the Beijing Declaration and Platform for Action. United Nations Population Information Network, A/CONF.171/13: Report of the International Conference on Population and Development (ICPD), 18 October 94, chaps. II.C; VI.1. China was one of the participating States at the ICPD, which reached general agreement on the Programme of Action. The Programme of Action is provided as an annex to the above ICPD report.

[13] For recent examples of acts of official violence in the implementation of population planning policies, see ChinaAid, "Guizhou Family Planning Official Says Woman Should Have Forced Sterilization 'Because He Told Her To,'" 27 January 14; "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13; Mark Stone, "China Couple Speak of 'Forced Abortion,'" Sky News, 4 October 13.

[14] UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by UN General Assembly resolution 39/46 of 10 December 84, art. 1; UN Committee against Torture, 41st Session, Consideration of Reports Submitted by State Parties Under Article 19 of the Convention: Concluding Observations of the Committee against Torture—China, CAT/C/CHN/CO/4, 12 December 08, para. 29. In 2008, the Committee against Torture noted again with concern China's "lack of investigation into the alleged use of coercive and violent measures to implement the population policy (A/55/44, para. 122)."

[15] See United Nations Treaty Collection, Chapter IV, Human Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, last visited 11 July 14. China signed the convention on December 12, 1986, and ratified it on October 4, 1988.

[16] See, e.g., Chinese Human Rights Defenders, "I Don't Have a Choice Over My Own Body," 21 December 10, 26. Children born "out-of-plan" in China may be denied household registration (*hukou*) and thus face barriers to accessing education, social services, and in some cases employment.

[17] UN Convention on the Rights of the Child, adopted and opened for signature, ratification, and accession by UN General Assembly resolution 44/25 of 20 November 89, entry into force 2 September 90, arts. 2–4, 6, 24, 26, 28. China signed the convention on August 29, 1990, and ratified it on March 2, 1992. Article 2 of the CRC calls upon States Parties to "respect and ensure the rights set forth . . . to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's . . . national, ethnic or social origin . . . birth or other status." Article 24 sets forth the right of the child to access healthcare, Article 26 sets forth the right of the child to social security, and Article 28 sets forth the right of the child to free primary education and accessible secondary education and higher education.

[18] International Covenant on Economic, Social and Cultural Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 3 January 76, art. 10(3). China signed the covenant on October 27, 1997, and ratified it on March 27, 2001. Article 10(3) calls upon States Parties to recognize that "[s]pecial measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions."

[19] UN Convention on the Rights of the Child, adopted and opened for signature, ratification, and accession by UN General Assembly resolution 44/25 of 20 November 89, entry into force 2 September 90. China signed the convention on August 29, 1990, and ratified it on March 2, 1992. See also United Nations Treaty Collection, Chapter IV, Human Rights, Convention on the Rights of the Child, last visited 8 July 14; International Covenant on Economic, Social and Cultural Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 3 January 76; China signed the covenant on October 27, 1997, and ratified it on March 27, 2001. UN Treaty Collection, Chapter IV, Human Rights, International Covenant on Economic, Social and Cultural Rights, last visited 8 July 14.

[20] "China To Ease One-Child Policy," Xinhua, 15 November 13. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[21] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13. See also David Shambaugh, "Breaking Down China's Reform Plan," National Interest, 2 December 13; Christopher K. Johnson, Center for Strategic and International Studies, "China Announces Sweeping Reform Agenda at Plenum," 15 November 13.

[22] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13, para. 46. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[23] Ibid.

[24] Gu Baochang et al., "China's Local and National Fertility Policies at the End of the Twentieth Century," Population and Development Review, Vol. 33, No. 1 (2007), 134–135, Table 1; Tian Yuan and Zheng Songbo, "All 31 Provinces in China Have Launched Two-Child Policy for Families in Which Both Parents Are Only Children" [Quanguo 31 shengfen jun yi fangkai shuangdu jiating sheng ertai zhengce], International Online, reprinted in NetEase, 26 November 11; "From One-Child to Two-Child Policy," CNC World, 25 January 12. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13; CECC, 2012 Annual Report, 10 October 12, 93–94.

[25] Laney Zhang, "China: Provincial Family Planning Regulations Amended Allowing More Couples To Have a Second Child," Global Legal Monitor, Library of Congress, 6 August 14. See, e.g., Heilongjiang Province Population and Family Planning Regulations [Heilongjiang sheng renkou yu jihua shengyu tiaoli], effective 1 January 03, amended 22 April 14, chap. 2, art. 13(2); Jiangsu Province Population and Family Planning Regulations [Jiangsu sheng renkou yu jihua shengyu tiaoli], effective 1 December 02, amended 17 June 04, 28 March 14, issued and effective 28 March 14, chap. 3, art. 22(1); Shanghai Municipal Population and Family Planning Regulations [Shanghai shi renkou yu jihua shengyu tiaoli], effective 15 April 04, amended 25 February 14, issued 25 February 14, effective 1 March 14, chap. 3, art. 25(1).

[26] Wei Gu, "China's Coming Baby Boomlet Will Deliver a Boost," Wall Street Journal, 22 November 13; Shan Juan, "Wait a Minute, Baby," China Daily, 17 November 13. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[27] Dai Lili, "'Single Only-Child' Households Can Have Second Child" ["Dandu" jiating fangkai sheng ertai], Beijing Evening News, reprinted in Beijing Daily, 16 November 13; "Will a New 'Baby Wave' Come With the Launch of the 'Two Children for Single Only-Child Couples' Policy?" ["Dandu lianghai" zhengce qidong xin yi lun "yinger chao" hui lai ma?], People's Daily, reprinted in China News Net, 13 December 13. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[28] Wei Gu, "China's Coming Baby Boomlet Will Deliver a Boost," Wall Street Journal, 22 November 13. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[29] Liz Carter, "For Cash-Strapped Chinese Parents, Two Babies Are Too Many," Foreign Policy, Passport (blog), 20 November 13; Daniel Ren, "Shanghai Parents React Coolly to Relaxation of One-Child Policy," South China Morning Post, 23 November 13; Dai Lili, "'Single Only-Child' Households Can Have Second Child" ["Dandu" jiating fangkai sheng ertai], Beijing Evening News, reprinted in Beijing Daily, 16 November 13. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[30] Zhuang Pinghui, "Birth Rate Holds Steady After One-Child Policy Eased, but There Won't Be Further Easing," South China Morning Post, 11 July 14; "One-Child Proclivity," Economist, 19 July 14.

[31] National Health and Family Planning Commission, "National Health and Family Planning Commission Deputy Director Wang Pei'an Answers Reporters' Questions About Maintaining the Basic National Family Planning Policy and Launching the Implementation of the Two Children for Single Only-Child Couples Policy" [Guojia weisheng jisheng wei fu zhuren wang peian jiu jianchi jihua shengyu jiben guoce qidong shishi dandu lianghai zhengce da jizhe wen], 16 November 13. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[32] National Health and Family Planning Commission, "National Health and Family Planning Commission Deputy Director Wang Pei'an Answers Reporters' Questions About Maintaining the Basic National Family Planning Policy and Launching the Implementation of the Two Children for Single Only-Child Couples Policy" [Guojia weisheng jisheng wei fu zhuren wang peian jiu jianchi jihua shengyu jiben guoce qidong shishi dandu lianghai zhengce da jizhe wen], 16 November 13; Wang Feng, "Bringing an End to a Senseless Policy: China's 'One-Child' Rule Should Be Scrapped," New York Times, 19 November 13; U.S. Representative Chris Smith, "No Amount of 'Easing' Will Fix China's Brutal Population Control Policy," LifeNews, 17 November 13; Simon Denyer and William Wan, "In Reform Package, China Relaxes One-Child Policy, Abolishes Prison Labor Camps," Washington Post, 15 November 13; "Women's Rights Organization Says 'Single Only-Child Couples Bearing a Second Child' Does Not Loosen Family Planning Policy" [Nuquan zuzhi cheng "dandu ertai" bingfei fangsong jisheng zhengce], Voice of America, 19 November 13; Shan Juan, "Wait a Minute, Baby," China Daily, 17 November 13. See also "Chinese Communist Party Announces Revision to Population Planning Policy," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[33] PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, arts. 4, 39.

[34] This number is based on Commission analysis of population planning measures. Jurisdictions that urge officials to adopt "remedial measures" to terminate "out-of-plan" pregnancies (with no mention of a requirement for parents' consent) include Tianjin and Chongqing municipalities; Liaoning, Jilin, Guangdong, Fujian, Hebei, Hubei, Shaanxi, Shanxi, Henan, Qinghai, Jiangxi, Sichuan, Anhui, Gansu, Yunnan, Guizhou, Hunan, and Hainan provinces; and the Ningxia Hui and Xinjiang Uyghur Autonomous Regions. For two specific examples, see

Guangdong Province Population and Family Planning Regulations Full Text 2014 [Guangdong sheng renkou yu jihua shengyu tiaoli quanwen 2014], reprinted in Lawtime, 10 April 14, art. 25, and Jiangxi Provincial People's Congress Standing Committee, Jiangxi Province Population and Family Planning Regulations (2014 Revisions) [Jiangxi sheng renkou yu jihua shengyu tiaoli (2014 nian xiuding)], reprinted in Lawtime, 16 January 14, art. 15; Beijing Municipal Population and Family Planning Commission, "Early Term Abortion" [Zaoqi rengong liuchan], 10 April 09. The Beijing Municipal Population and Family Planning Commission clearly draws the link between the term "remedial measures" and abortion: "Early term abortion refers to the use of surgery or pharmaceuticals to terminate a pregnancy before the 12th week of gestation; it is a remedial measure taken after the failure of contraception."

[35] See, e.g., Mark Stone, "China Couple Speak of 'Forced Abortion,'" Sky News, 4 October 13; "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13. See also Steven Mosher, Population Research Institute, "Better To Be a Criminal in China Than a Pregnant Mother," Weekly Briefing, Vol. 16 (2014).

[36] Li Qiuling, "Baiyun District—Woman Doesn't Want IUD Implanted, Residence Committee Threatens Cancellation of Bonus Share" [Baiyun qu—nuzi bu xiang shanghuan juweihui weixie quxiao fenhong], Xinkuai Net, 3 January 14.

[37] See, e.g., ChinaAid, "Guizhou Family Planning Official Says Woman Should Have Forced Sterilization 'Because He Told Her To,'" 27 January 14.

[38] See CECC, 2013 Annual Report, 10 October 13, 100; CECC, 2012 Annual Report, 10 October 12, 91; CECC, 2011 Annual Report, 10 October 11, 111; CECC, 2010 Annual Report, 10 October 10, 118.

[39] Duji District Party Committee Propaganda Department, "Duji District Convenes Population and Family Planning Work Meeting" [Duji qu zhaokai renkou he jihua shengyu gongzuohui], reprinted in Duji District People's Government, 27 June 14; Bowang District People's Government, "Bowang Township and Village Committee Elections and Family Planning Work Mutual Promotion" [Bowang zhen cun liang wei huanjie yu jihua shengyu gongzuo hu cujin], 22 July 14.

[40] Changping District Population and Family Planning Commission, "Changping District Convenes 2014 Family Planning Work Meeting" [Changping qu zhaokai 2014 nian jihua shengyu gongzuo huiyi], 17 July 14.

[41] Jinjiang City Family Planning Bureau, "2014 Family Planning Work Briefing" [2014 nian jihua shengyu gongzuo jianbao], No. 3, reprinted in Jinjiang News Net, 28 January 14.

[42] Guanling Buyi and Miao Autonomous County People's Government, "Guanling Autonomous County 2013 Annual Population and Family Planning Work Summary" [Guanling zizhixian 2013 niandu renkou jisheng gongzuo zongjie], 27 December 13.

[43] Shijiazhuang Municipality Health and Family Planning Commission, "Municipal Government Standing Committee Conference Studies Family Planning Work" [Shi zhengfu changwu huiyi yanjiu jihua shengyu gongzuo], 28 July 14.

[44] Boai County Population and Family Planning Committee, "Boai County Deputy Chief Li Xiuping Goes to the Grassroots and Inspects and Supervises the Spring 'Reproductive Health Enters the Household' Top Quality Service Activities" [Boai xian fu xianzhang li xiuping shenru jiceng jiancha dudao chunji "shengzhi jiankang jin jiating" youzhi fuwu huodong], 6 March 14.

[45] Guzhang County People's Government, Circular Regarding Earnestly Organizing and Launching the All-County 2014 Annual First Family Planning Concentrated and Unified Service Activities [Guanyu renzhen zuzhi kaizhan quanxian 2014 niandu diyi ci jihua shengyu jizhong tongyi fuwu huodong de tongzhi], 10 November 13; Beita District People's Government, "Spare No Efforts in Fighting the Battle of Family Planning Concentrated Service Activities" [Fenli dahao jisheng jizhong fuwu huodong gongjian zhan], 12 December 13.

[46] Xiangdong District People's Government, "Regarding the Launch of Spring Family Planning and Reproductive Technical Service Activities" [Guanyu kaizhan chunji jihua shengyu jishu fuwu huodong de], 21 March 14.

[47] Heze City Population and Family Planning Commission, "Heze City Convenes Citywide Population and Family Planning Work Dispatch Meeting" [Hezi shi zhaokai quanshi renkou he jihua shengyu gongzuo diaodu huiyi], 11 April 14.

[48] Songyang County People's Government, "Comrade Zhong Changming's Speech at the Countywide Population and Family Planning Work Meeting (Summary)" [Zhong changming tongzhi zai quanxian renkou he jihua shengyu gongzuo huiyi shang de jianghua (zhaiyao)], 28 March 14.

[49] Beita District People's Government, "Spare No Efforts in Fighting the Battle of Family Planning Concentrated Service Activities" [Fenli dahao jisheng jizhong fuwu huodong gongjian zhan], 12 December 13; Boai County Population and Family Planning Committee, "Boai County Deputy Chief Li Xiuping Goes to the Grassroots and Inspects and Supervises the Spring 'Reproductive Health Enters the Household' Top Quality Service Activities" [Boai xian fu xianzhang li xiuping shenru jiceng jiancha dudao chunji "shengzhi jiankang jin jiating" youzhi fuwu huodong], 6 March 14. For a report that clearly presents which procedures are included in the term "four procedures," see "Township Spring Family Planning Service Activities Program" [Xiangzhen chunji jihua shengyu fuwu huodong fang'an], Mishu Net, 9 January 14.

[50] Guzhang County People's Government, Circular Regarding Earnestly Organizing and Launching the All-County 2014 Annual First Family Planning Concentrated and Unified Service Activities [Guanyu renzhen zuzhi kaizhan quanxian 2014 niandu diyi ci jihua shengyu jizhong tongyi fuwu huodong de tongzhi], 10 November 13.

[51] Ibid.

[52] ChinaAid, "Guizhou Family Planning Official Says Woman Should Have Forced Sterilization 'Because He Told Her To,'" 27 January 14.

[53] Ibid. According to ChinaAid, Huang said that he and Tan Kaimei "have not violated any family planning policy that would warrant such actions against them."

[54] Li Qiuling, "Baiyun District—Woman Doesn't Want IUD Implanted, Residence Committee Threatens Cancellation of Bonus Share" [Baiyun qu—nuzi buxiang shanghuan juweihui weixie quxiao fenhong], Xinkuai Net, 3 January 14.

[55] Ibid.

[56] "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13.

[57] Ibid.; "Uyghur Woman Forced To Abort Six-Month Pregnancy While Ill," Radio Free Asia, 13 January 14.

[58] "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13.

[59] "Uyghur Woman Forced To Abort Six-Month Pregnancy While Ill," Radio Free Asia, 13 January 14.

[60] Mark Stone, "China Couple Speak of 'Forced Abortion,'" Sky News, 4 October 13.

[61] Ibid.

[62] Ibid.

[63] PRC Measures for Administration of Collection of Social Maintenance Fees [Shehui fuyang fei zhengshou guanli banfa], issued 2 August 02, effective 1 September 02, arts. 3, 7.

[64] All Girls Allowed, "One-Child Policy Fines Relative to Income Levels in China," 1 November 12. See, e.g., Shaanxi Provincial Implementing Measures for Collection and Management of Social Maintenance Fees [Shaanxi sheng shehui fuyang fei zhengshou guanli shishi banfa], issued 8 June 04, effective 1 August 04, art. 5(1). In Shaanxi province, individuals in violation of local population planning regulations can each be fined three to six times the amount of the average income of a resident in their locality, sometimes more, based on their income compared to the average income of rural residents the previous year. For a recent example in which local family planning authorities required that a woman pay six to nine times the base fine for an "out-of-plan" child, see Tang Meng, "Woman Marries Ex-Husband's Uncle To Have a Second Child, Fined 260,000 [yuan] in Social Compensation Fees" [Nuzi wei sheng ertai gaijia qianfu jiujiu bei zheng 26 wan shehui fuyang fei], Southern Daily, reprinted in Sina, 20 March 14.

[65] Qi Leijie and Luo Xuefeng, "Villager From Qiu County, Hebei Exceeds Birth Quota, Commits Suicide by Poison, Cadres Involved Are Investigated and Punished for Illegal Collection of Funds" [Hebei qiu xian chaosheng cunmin fu du zisha sheshi ganbu weigui shoufei bei chachu], Xinhua, 12 December 13.

[66] Ibid.

[67] "Lawyer Wu Youshui's Lawsuit Against Guangdong Provincial Health and Family Planning Commission Successful in First Instance Trial" [Lushi wu youshui su guangdong sheng weijiwei an yi shen shengsu], Southern Weekend, 1 April 14.

[68] Liu Hongcen, "Guangdong Releases Social Maintenance Fee Audit Findings for the First Time" [Guangdong shouci pilu shehui fuyang fei shenji qingkuang], Caixin, 30 July 14.

[69] Adam Minter, "China's Family Planning Commission Forced To Come Clean on Fees," Sydney Morning Herald, 9 April 14; "Lawyer Wu Youshui's Lawsuit Against Guangdong Provincial Health and Family Planning Commission Successful in First Instance Trial" [Lushi wu youshui su guangdong sheng weijiwei an yi shen shengsu], Southern Weekend, 1 April 14.

[70] PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, art. 39(4). According to Article 39, officials are to be punished either criminally or administratively for "withholding, reducing, misappropriating or embezzling funds for family planning or social maintenance fees."

[71] See, e.g., Sophia Lin, Freedom House, "China's Population-Control Machine Churns On," 13 January 14; Lin Shining, "Firing of South China University of Technology Associate Professor for Over-Quota Second Child Draws Attention, Human Resources' Response—A Verified Over-Quota Birth Cannot Go Unpunished" [Huanan ligong daxue yi fu jiaoshou yin chaosheng ertai bei kaichu yin guanzhu, huagong renshichu huiying—chaosheng shushi, bu fu "buyu chuli" tiaojian], Xinhua, 14 December 13.

[72] See, e.g., "Five Party Members in Bowang District, Maanshan City Expelled From Party for Exceeding Birth Quota" [Maanshan shi bowang qu 5 ming dangyuan yin chaosheng bei kaichu dangji], Zhongan Online, 24 December 13.

[73] See, e.g., "What Has Happened to the Countryside? Population Planning Policy Violators . . . Tear Down [Your] Home!" [Nongcun zenmela? Weifan jihua shengyu zhe . . . chai fang!], Zhinews, 18 January 14. For reports of officials destroying or seizing property while implementing population planning policies in previous years, see, e.g., "Perils of Motherhood," Economist, 16 June 12; Chinese Human Rights Defenders, "I Don't Have a Choice Over My Own Body," 21 December 10, 2, 23. See also CECC, 2008 Annual Report, 31 October 08, 97.

[74] For reports of officials depriving citizens of their personal liberty with no legal basis in order to forcefully implement population planning policies, see, e.g., Mark Stone, "China Couple Speak of 'Forced Abortion,'" Sky News, 4 October 13; "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13; "Uyghur Woman Forced To Abort Six-Month Pregnancy While Ill," Radio Free Asia, 13 January 14. For reports of officials imposing arbitrary detention while implementing population planning policies in previous years, see, e.g., Chinese Human Rights Defenders, "I Don't Have a Choice Over My Own Body," 21 December 10, 2, 19, 23. See also CECC, 2008 Annual Report, 31 October 08, 97.

[75] See, e.g., Mark Stone, "China Couple Speak of 'Forced Abortion,'" Sky News, 4 October 13; ChinaAid, "Guizhou Family Planning Official Says Woman Should Have Forced Sterilization 'Because He Told Her To,'" 27 January 14.

[76] PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, arts. 4, 39. Article 4 of the PRC Population and Family Planning Law (PFPL) states that officials "shall perform their administrative duties strictly in accordance with the law, and enforce the law in a civil manner, and they may not infringe upon the legitimate rights and interests of citizens." Article 39 states that an official is subject to criminal or administrative punishment if he "infringes on a citizen's per-

sonal rights, property rights, or other legitimate rights and interests" or "abuses his power, neglects his duty, or engages in malpractices for personal gain" in the implementation of population planning policies.

[77] Li Qian, "2nd Child, If You're Then Sterilized," Shanghai Daily, 4 April 14.

[78] Ibid.

[79] See, e.g., Huang Xiuli, "'Black Residents' Born in Excess [of Family Planning Policies]: Living Like Shadows" [Chaosheng "heihu" de rensheng: xiang yingzi yiyang huozhe], Southern Weekend, reprinted in Phoenix Net, 4 June 13; Mu Guangzong, "The Travails of Having a Second Child," China Daily, 28 May 13. See also Chinese Human Rights Defenders (CHRD), "I Don't Have a Choice Over My Own Body," 21 December 10, 13, 26. According to the CHRD report, "The management of the *hukou* system is the domain of the Ministry of Public Security and it refuses to issue *hukous* to children without birth permits, children of unmarried parents, and children whose parents for some reasons have not completed the required procedures. Without a *hukou*, a child cannot apply for an ID card and thus does not have a legal identity, is not a citizen and consequently is deprived of the rights accorded to other Chinese citizens."

[80] "Hard-To-Get Hukous, Who Can Protect the Rights and Interests of Children Born Out of Wedlock?" [Nanluo de hukou feihun sheng zinu de quanyi shei neng baozhang], CCTV2, reprinted in China Economic Net, 18 April 14; Guo Yuanpeng, "[Responsibility of] Processing Hukous for Children Born Out of Wedlock Falls Back on Social Management [System]" [Wei hunwai zinu ban hukou shi shehui guanli de benwei huigui], East Day, 3 December 13.

[81] "The Invisible Lives of 'Illegal Residents'" ["Heihu" de yingxing rensheng], CCTV, 3 April 14; Huang Xiuli, "'Black Residents' Born in Excess [of Family Planning Policies]: Living Like Shadows" [Chaosheng "heihu" de rensheng: xiang yingzi yiyang huozhe], Southern Weekend, reprinted in Phoenix Net, 4 June 13.

[82] Huang Xiuli, "'Black Residents' Born in Excess [of Family Planning Policies]: Living Like Shadows" [Chaosheng "heihu" de rensheng: xiang yingzi yiyang huozhe], Southern Weekend, reprinted in Phoenix Net, 4 June 13; "Separate and Unequal," China Economic Review, 5 April 12; Yan Hao and Li Yanan, "Urban Hukou, or Rural Land? Migrant Workers Face Dilemma," Xinhua, 10 March 10; Tao Ran, "Where There's a Will, There's a Way To Reform," China Daily, 22 March 10.

[83] UN Committee on the Rights of the Child, Concluding Observations on the Combined Third and Fourth Periodic Reports of China, Adopted by the Committee at Its Sixty-Fourth Session (16 September–4 October 2013), CRC/C/CHN/CO/3–4, 29 October 13, paras. 39(a), 40(a), 40(b).

[84] "Total Population, CBR, CDR, NIR and TFR in China (1949–2000)," China Daily, 20 August 10.

[85] U.S. Central Intelligence Agency, "The World Factbook—China," last visited 4 April 14. See also "China's Total Fertility Rate Grossly Overestimated: Academic," Caijing, 17 May 11. While China's National Bureau of Statistics estimated China's fertility rate at 1.8 in 2007, in May 2011, a group of Chinese academics publicly disputed the number, stating that it had been "grossly overestimated." These academics estimated in 2011 that China's total fertility rate more accurately stood anywhere from 1.63 to below 1.5.

[86] "China's Working-Age Population Drops for a Second Year," Xinhua, 20 January 14; Yanzhong Huang, "Population Aging in China: A Mixed Blessing," Diplomat, 10 November 13.

[87] For regulations prohibiting the practices of non-medically necessary gender determination tests and sex-selective abortion, see National Population and Family Planning Commission, Ministry of Health, State Food and Drug Administration, "Regulations Regarding the Prohibition of Non-Medically Necessary Gender Determination Examinations and Sex-Selective Termination of Pregnancy" [Guanyu jinzhi fei yixue xuyao de taier xingbie jianding he xuanze xingbie de rengong zhongzhi renshen de guiding], issued 29 November 02, effective 1 January 03. For discussion of these regulations, see "China Bans Sex-Selection Abortion," Xinhua, reprinted in China Net, 22 March 03. See also PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, art. 22. According to Article 22, "Discrimination against, maltreatment, and abandonment of baby girls are prohibited."

[88] National Health and Family Planning Commission, "Several Departments Jointly Uncover Cross-Provincial Case of 'Two Illegals,' Strike Hard Campaign Against the Illegal Practice of Medicine and Crimes Against the Law" [Ji bumen lianhe pohuo kuasheng "liang fei" xingwei anjian zhong quan daji feifa xingyi weifa fanzui xingdong], 19 January 14; "China Breaks Up Gang Offering Sex-Selective Abortions," Reuters, 18 January 14.

[89] Shan Juan, "Gang Busted for Illegal Gender Selection Testing," China Daily, 20 January 14. According to Zhai Zhenwu, a professor at the Renmin University School of Sociology and Population Studies, son preference is the root cause of China's skewed sex ratio, and "the preference for boys became more intense as the three-decade-old family planning policy restricted most families to just one child." See also "Preference for Boys by Migrants," China Internet Information Center, 15 December 11.

[90] "China's Sex Ratio at Birth Declines Four Years in a Row," Xinhua, 5 March 13. According to Xinhua, China's sex ratio at birth in 2012 was 117.7 males for every 100 females.

[91] Xu Wei, "Changes Could Balance Gender Ratio," China Daily, 26 December 13; Peng Xinyun, "Expert: 'Two Children for Single Only-Child Couples' Policy May Help Mitigate Male/Female Sex Ratio Imbalance" [Zhuanjia: "dandu lianghai" zhengce youzhu huanjie nannu xingbie bili shiheng], People's Daily, 4 March 14; Susan Scutti, "One-Child Policy Is One Big Problem for China," Newsweek, 24 January 14.

[92] UN Committee on the Rights of the Child, Concluding Observations on the Combined Third and Fourth Periodic Reports of China, Adopted by the Committee at Its Sixty-Fourth Session (16 September–4 October 2013), CRC/C/CHN/CO/3–4, 29 October 13, para. 28.

[93] "China's Sex Ratio at Birth Declines Four Years in a Row," Xinhua, 5 March 13. According to Xinhua, China's sex ratio at birth in 2012 was 117.7 males for every 100 females, down from 117.78 in 2011, 117.94 in 2010, and 119.45 in 2009. See also "China's Sex Ratio at Birth Drop-

ping," North Side Net, translated in Women of China, 12 July 12. According to the North Side Net report, which cites a 2012 National Population and Family Planning Commission Bulletin, "China's sex ratio at birth in 2011 was 117.78, representing a drop of 0.16 compared to 2010. . . . The ratios of 2008, 2009 and 2010 were respectively 120.56, 119.45 and 117.94."

[94] UN Population Division, Department of Economic and Social Affairs, "World Population Prospects: The 2012 Revision," June 2013. According to UN Population Division statistics, China's sex ratio at birth (SRB) from 2005–2010 was the highest in the world at 117 males per 100 females born. Equally as high was Azerbaijan's sex ratio at 117, followed by Armenia's at 115, and India's and Georgia's at 111.

[95] See, e.g., Andrea den Boer and Valerie M. Hudson, "The Security Risks of China's Abnormal Demographics," Washington Post, Monkey Cage (blog), 30 April 14; Susan Scutti, "One-Child Policy Is One Big Problem for China," Newsweek, 23 January 14; World Health Organization, UN Office of the High Commissioner for Human Rights, UN Population Fund, UNICEF, and UN Entity for Gender Equality and the Empowerment of Women, "Preventing Gender-Biased Sex Selection," 2011, 5; Susan W. Tiefenbrun and Christie J. Edwards, "Gendercide and the Cultural Context of Sex Trafficking in China," Fordham International Law Journal, Vol. 32, No. 3 (2009), 731, 752; Therese Hesketh et al., "The Effect of China's One-Child Family Policy After 25 Years," New England Journal of Medicine, Vol. 353, No. 11 (2005), 1173; Nicholas Eberstadt, "A Global War Against Baby Girls: Sex-Selective Abortion Becomes a Worldwide Practice," Handbook of Gender Medicine, reprinted in All Girls Allowed, 1 May 11. According to the Eberstadt article, "Some economists have hypothesized that mass feticide, in making women scarce, will only increase their 'value'—but in settings where the legal and personal rights of the individual are not secure and inviolable, the 'rising value of women' can have perverse and unexpected consequences, including increased demand for prostitution and an upsurge in the kidnapping and trafficking of women (as is now reportedly being witnessed in some women-scarce areas in Asia)[.]"

[96] Zhu Shanshan, "Shandong Baby Trafficking Ring Taken Down," Global Times, 4 November 11. For domestic reports, see Shi Jingnan and Zheng Liang, "Xinhua Investigation: Resold Several Thousand Miles Away, Changed Hands Seven Times—Tracing the Chain of Black [Market] Baby Trafficking Driven by Huge Profit" [Xinhua diaocha: zhuanmai shu qianli, daoshou da 7 ci—zhuizong baoli qudong xia de heise fanying lian], Xinhua, 24 December 12; Zhou Ping, "Two Officials Also Detained for Human Trafficking," Global Times, 26 December 12. For international reports, see Lavinia Mo et al., "Chinese Parents, Trapped in One-Child Web, Give Babies Away on Internet," Reuters, 30 March 14; Chen Weijun, "One Child Policy Leads to Baby Selling," Asia News, 4 January 13; "What Is Fuelling Child Abduction in China?" Al Jazeera, 27 December 12.

[97] Erwin Li, "Erwin Li: Finding China's Missing Children," Council on Foreign Relations, Asia Unbound (blog), 11 August 14; Sharon LaFraniere, "Chinese Officials Seized and Sold Babies, Parents Say," New York Times, 4 August 11.

[98] "Baby-Trafficking Doctor Given Suspended Death Sentence," Xinhua, 14 January 14.

[99] Ibid.; Ma Lie and Lei Lei, "Doctor Suspected of Child Trafficking," China Daily, 3 August 13; "China Vows To Seriously Punish Newborn Traffickers," Xinhua, 6 August 13.

[100] Lavinia Mo et al., "Chinese Parents, Trapped in One-Child Web, Give Babies Away on Internet," Reuters, 30 March 14; Louise Watt, "Wuhan, China To Fine Unwed Mothers," Associated Press, reprinted in Huffington Post, 3 June 13.

[101] Lavinia Mo et al., "Chinese Parents, Trapped in One-Child Web, Give Babies Away on Internet," Reuters, 30 March 14.

[102] Ibid. For additional information on the crackdown, see Bai Tiantian, "Police Save 382 Babies in Trafficking Crackdown," Global Times, 1 March 14.

Notes to Section II—Freedom of Residence and Movement

[1] PRC Regulations on Household Registration [Zhonghua renmin gongheguo hukou dengji tiaoli], issued and effective 9 January 58.

[2] Kam Wing Chan, "Crossing the 50 Percent Population Rubicon: Can China Urbanize to Prosperity?" Eurasian Geography and Economics, Vol. 53, No. 1 (2012), 67.

[3] Ibid.

[4] Ibid.

[5] International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, arts. 2(1), 12(1), 12(3), 26; Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, arts. 2, 13(1).

[6] State Council, "Report on the Work of the Government," 5 March 14, sec. 5.

[7] PRC Central People's Government, "National New-Type Urbanization Plan (2014–2020)" [Guojia xinxing chengzhenhua guihua (2014–2020 nian)], reprinted in Xinhua, 16 March 14; "China Unveils Landmark Urbanization Plan," Xinhua, 16 March 14.

[8] PRC Central People's Government, "National New-Type Urbanization Plan (2014–2020)" [Guojia xinxing chengzhenhua guihua (2014–2020 nian)], reprinted in Xinhua, 16 March 14.

[9] Fu Guangyun, "Residence Permit: Reform or Buffer?" [Juzhu zheng: gaige haishi huanchong?], People's Daily, 7 April 14.

[10] "Tsinghua University Investigation Shows China's Household Registration Urbanization Rate Only 27.6 Percent" [Qinghua daxue diaocha xianshi zhongguo huji chengzhenhua lu jin wei 27.6%], China Youth Daily, reprinted in Xinhua, 5 November 13; Hu Jianhui, "Tsinghua Professor: China's Hukou Urbanization Rate Only 27.6 Percent, Hukou Reform Lagging Behind" [Qinghua jiaoshou: zhongguo huji chengzhenhua lu jin 27.6% huji gaige zhihou], Legal Daily, reprinted in People's Daily, 28 October 13.

[11] PRC Central People's Government, "National New-Type Urbanization Plan (2014–2020)" [Guojia xinxing chengzhenhua guihua (2014–2020 nian)], reprinted in Xinhua, 16 March 14; An Baijie, "Hukou Reforms Target 2020: Official," China Daily, 18 December 13; State Council, Opinion on Further Carrying Out Reform of the Household Registration System [Guowuyuan guanyu jin yi bu tuijin huji zhidu gaige de yijian], reprinted in PRC Central People's Government, 30 July 14, paras. 4–7.

[12] Li Hongpeng, "Deputy Public Security Minister: With New Type Urbanization, 'Not Much Hope' To Settle in Megacities" [Gonganbu fubuzhang: xinxing chengzhenhua te da chengshi luohu "xiwang buda"], Mirror, reprinted in China News Service, 19 March 14; Liyan Qi, "Dashing the China Dream," Wall Street Journal, China Real Time Report (blog), 20 March 14.

[13] State Council, Opinion on Further Carrying Out Reform of the Household Registration System [Guowuyuan guanyu jin yi bu tuijin huji zhidu gaige de yijian], reprinted in PRC Central People's Government, 30 July 14, para. 9.

[14] Ibid.; "China Eases Internal Passport System in Urbanization Push," Bloomberg, 30 July 14.

[15] Wang Su, "Closer Look: Unifying the Hukou System Is a Start, but It's Just That," Caixin, 31 July 14.

[16] Guangdong Provincial Department of Education et al., Implementing Measures for the Participation in Entrance Exams in Guangdong by Children Accompanying Migrant Workers (Trial) [Jincheng wugong renyuan suiqian zinu zai guangdong sheng canjia gaoxiao zhaosheng kaoshi shishi banfa (shixing)], issued and effective 27 November 13, reprinted in Education Examinations Authority of Guangdong Province.

[17] Beijing Education Examinations Authority, "Questions and Answers on the 2014 Higher Vocational School Entrance Examination Policy for Children Accompanying Migrant Workers in Beijing" [2014 nian jincheng wugong renyuan suiqian zinu zai jing canjia gaodeng zhiye xuexiao zhaosheng kaoshi zhengce wenda], 5 November 13.

[18] Shanghai Municipal People's Government et al., Implementing Opinion Concerning the Enrollment of Children Accompanying Persons Who Migrate to Shanghai in Different Types of Local Schools at Various Levels [Guanyu lai hu renyuan suiqian zinu jiudu benshi geji gelei xuexiao de shishi yijian], issued 11 December 13, effective 1 January 14; Shanghai Municipal People's Government, Trial Measures on Administering the Accumulation of Points for Shanghai Residential Permits [Shanghai shi juzhu zheng jifen guanli shixing banfa], issued 13 June 13, effective 1 July 13.

[19] Beijing Education Examinations Authority, "Questions and Answers on the 2014 Higher Vocational School Entrance Examination Policy for Children Accompanying Migrant Workers in Beijing" [2014 nian jincheng wugong renyuan suiqian zinu zai jing canjia gaodeng zhiye xuexiao zhaosheng kaoshi zhengce wenda], 5 November 13; Shanghai Municipal People's Government et al., Implementing Opinion Concerning the Enrollment of Children Accompanying Persons Who Migrate to Shanghai in Different Types of Local Schools at Various Levels [Guanyu lai hu renyuan suiqian zinu jiudu benshi geji gelei xuexiao de shishi yijian], issued 11 December 13, effective 1 January 14; Shanghai Municipal People's Government, Trial Measures on Administering the Accumulation of Points for Shanghai Residential Permits [Shanghai shi juzhu zheng jifen guanli shixing banfa], issued 13 June 13, effective 1 July 13; Guangdong Provincial Department of Education et al., Implementing Measures for the Participation in Entrance Exams in Guangdong by Children Accompanying Migrant Workers (Trial) [Jincheng wugong renyuan suiqian zinu zai guangdong sheng canjia gaoxiao zhaosheng kaoshi shishi banfa (shixing)], issued and effective 27 November 13, reprinted in Education Examinations Authority of Guangdong Province.

[20] Human Rights in China, "Parallel Submission in Advance of the Review of the People's Republic of China's Second Report on its Implementation of the International Covenant on Economic, Social and Cultural Rights," 17 March 14, paras. 15–22.

[21] International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12(2).

[22] Ibid., art. 12(3).

[23] PRC Passport Law [Zhonghua renmin gongheguo huzhao fa], issued 29 April 06, effective 1 January 07, art. 13(7); PRC Exit and Entry Control Law [Zhonghua renmin gongheguo chujing rujing guanli fa], issued 30 June 12, effective 1 July 13, art. 12(5).

[24] See, e.g., Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, "Country Report on Human Rights Practices—2013, China (Includes Tibet, Hong Kong and Macau)," 27 February 14; "50 Shanghai Rights Defenders Issue Three Demands to Guangzhou Baiyun District Court" [50 ming shanghai weiquanzhe xiang guangzhou baiyun qu fayuan fachu 3 dian yaoqiu], Radio Free Asia, 5 January 14; Rights Defense Network, "Rights Defenders Xu Dali Told on Way to US at Pudong Airport Passport Canceled" [Weiquan renshi xu dali fu mei zai pudong jichang bei gaozhi huzhao bei zhuxiao], 16 November 13; Rights Defense Network, "Nanjing 1989 Student Li Yong Refused Hong Kong-Macau Travel Permit" [Nanjing bajiu xuesheng li yong bei ju ban gang'ao tongxingzheng], 19 December 13; Rights Defense Network, "Hunan Rights Defenders Ou Biaofeng Prevented From Leaving Country at Luohu Customs" [Hunan weiquan renshi ou biaofeng zai luohu haiguan bei xianzhi chujing], 12 January 14; Rights Defense Network, "Independent Chinese PEN Center Writer Tai Ping Prevented by Luohu Customs From Leaving Country" [Duli zhongwen bi hui zuojia tai ping bei luohu haiguan xianzhi chujing], 13 January 14; Rights Defense Network, "Linyi, Shandong, Forced Demolition Victim Lu Qiumei Under Strict Control After Getting US Visa" [Shandong linyi qiangchai shouhairen lu qiumei banli fu mei qianzheng hou zao yanmi jiankong], 3 May 14; Rights Defense Network, "Military Author Xin Ziling Forbidden From Leaving Country To Visit Family Because of Publishing Political Essay" [Jundui zuojia xin ziling yin fabiao zhenglun wenzhang bei jin chuguo tanqin], 21 May 14.

[25] Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, "Country Report on Human Rights Practices—2013, China (Includes Tibet, Hong Kong and Macau)," 27 February 14.

[26] "Passport Application Process 'Not Easy' for Uyghurs," Radio Free Asia, 20 November 13; "Uyghurs Applying for Passports Face One Difficulty After Another, Intermediary Companies Get Rich Processing Documents" [Weizu shenqing huzhao nan shang jia nan zhongjie gongsi jie ban zheng liancai], Radio Free Asia, 13 November 13.

[27] International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12(4).

[28] Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 13(2). Article 2 of the UDHR states that "[e]veryone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as . . . national or social origin . . . birth or other status." Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution of 10 December 48, art. 2.

[29] For more information on Cao Shunli, see the Commission's Political Prisoner Database record 2009-00195.

[30] Sui-Lee Wee, "Chinese Police Detain Activist Ahead of U.N. Human Rights Review," Reuters, 30 September 13; "Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law," Congressional-Executive Commission on China, 2 April 14.

[31] "Chinese Activists Face Arrests, Travel Bans Before U.N. Forum: Experts," Reuters, 16 October 13; Chinese Human Rights Defenders, "Cao Shunli & Her Legacy," last visited 8 September 14.

[32] Amnesty International, "China: Authorities Have 'Blood on Their Hands' After Activist's Death," 14 March 14; Front Line Defenders, "Chinese Government Responsible for the Death of Cao Shunli," 14 March 14; Chinese Human Rights Defenders, "Cao Shunli & Her Legacy," last visited 8 September 14.

[33] Clifford Coonan, "Wu'er Kaixi: The Chinese Dissident Who Can't Get Himself Arrested—Not Even To Go Home and See His Sick Parents," Independent, 25 November 13.

[34] Perry Link, "Paying a Price To Cross China's Border," Washington Post, 20 December 13; Clifford Coonan, "Wu'er Kaixi: The Chinese Dissident Who Can't Get Himself Arrested—Not Even To Go Home and See His Sick Parents," Independent, 25 November 13; CECC, 2009 Annual Report, 10 October 09, 164.

[35] Clifford Coonan, "Wu'er Kaixi: The Chinese Dissident Who Can't Get Himself Arrested—Not Even To Go Home and See His Sick Parents," Independent, 25 November 13; International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12. Although Chinese law allows authorities to deny passports to those whose "leaving China will do harm to the state security or result in serious losses to the benefits of the state," article 12(3) of the ICCPR only permits narrow restrictions on the right to leave the country. For more information, see PRC Passport Law [Zhonghua renmin gongheguo huzhao fa], issued 29 April 06, effective 1 January 07, art. 13(7); PRC Exit and Entry Control Law [Zhonghua renmin gongheguo chujing rujing guanli fa], issued 30 June 12, effective 1 July 13, art. 12(5).

[36] For more information on Yang Jianli, see the Commission's Political Prisoner Database record 2004-04961.

[37] "Holding Valid Chinese Passport, Dr. Yang Jianli Again Refused Entry to Hong Kong" [Chi youxiao zhongguo huzhao de yang jianli boshi zaici bei jujue rujing xianggang], Radio Free Asia, 20 April 14; Nora Boustany, "Hong Kong Bars Chinese Dissident," Washington Post, 7 August 08; Jeffie Lam, "Tiananmen Square Activist Refused Entry to Hong Kong To Attend June 4 Museum Opening," South China Morning Post, 21 April 14; CECC, 2009 Annual Report, 10 October 09, 164.

[38] "Holding Valid Chinese Passport, Dr. Yang Jianli Again Refused Entry to Hong Kong" [Chi youxiao zhongguo huzhao de yang jianli boshi zaici bei jujue rujing xianggang], Radio Free Asia, 20 April 14.

[39] Jeffie Lam, "Tiananmen Square Activist Refused Entry to Hong Kong To Attend June 4 Museum Opening," South China Morning Post, 21 April 14.

[40] For more information on Yang Kuang, see the Commission's Political Prisoner Database record 2014-00138.

[41] "Yang Kuang Sentenced to Eight Months in Prison" [Yang kuang bei pan ruyu 8 ge yue], Radio Free Asia, 12 June 14; "Yang Kuang Sentenced by Shenzhen to Eight Months in Prison for Crossing Border" [Yang kuang yin yuejing bei shenzhen pan jian ba ge yue], Ming Pao, 12 June 14; "Yang Kuang's Case of 'Illegally Crossing the National Border' To Be Scheduled for Sentencing, Supporters Intercepted En Route" [Yang kuang "touyue guo bianjing" an zeqi xuanpan shengyuan renshi tuzhong zao lanjie], Radio Free Asia, 14 April 14.

[42] Rights Defense Network, "Court Record for Hong Kong Democracy and Human Rights Activist Yang Kuang, Accused of "Illegally Crossing Border" [Xianggang minzhu weiquan renshi yang kuang beikong "touyue bianjing zui" tingshen jishi], 16 April 14; He Huifeng, "Hong Kong Activist Pledges To Continue Human Rights Fight at Trial in Shenzhen," South China Morning Post, 15 April 14.

[43] Ibid.

[44] Bill Smith, "China Quashes Campaign To Probe Blood-Selling Scandal," Business Recorder, 30 November 13.

[45] Sophie Richardson, "Dispatches: Clipping a Sparrow's Wings in China," Human Rights Watch, 15 July 14; Patrick Boehler, "Sex Worker Rights Activist Ye Haiyan Says She Is Barred From Leaving China," South China Morning Post, 16 July 14.

[46] Patrick Boehler, "Sex Worker Rights Activist Ye Haiyan Says She Is Barred From Leaving China," South China Morning Post, 16 July 14.

[47] See, e.g., "Sentence Completed and After Two Weeks of Soft Detention, Tan Zuoren Returns to Chengdu To Continue Work on His Investigative Report of the Sichuan Earthquake" [Tan zuoren xingman bei ruanjin liang zhou hou fan rong, jiang jixu wancheng chuan zhen diaocha baogao], Radio Free Asia, 16 April 14; Rights Defense Network, "Hangzhou Rights Lawyer Wang Cheng and Family Forcibly Expelled From Hangzhou by State Security" [Hangzhou renquan lushi wang cheng yijia bei guobao qiangxing "quzhu" chu hangzhou], 13 April 14; Rights Defense Network, "Before Trial of Liu Ping and Two Others Begins, Many Xinyu Rights Defenders Under Soft Detention" [Liu ping san junzi an kaiting qian xinyu duo ming weiquan renshi bei ruanjin], 26 October 13; Rights Defense Network, "Petitioner Min Xianguo Held in Soft Detention for 11 Hours by Wanggou Public Security Bureau Because of Xi Jinping Visit to Linyi" [Fangmin min xianguo yin xi jinping dao linyi bei wanggou paichusuo ruanjin 11 xiaoshi], 26 November 13; Rights Defense Network, "With Xu Zhiyong Trial About To Begin, Many Have Personal Freedom Restricted" [Xu zhiyong an kaiting zaiji, duo ren bei xianzhi renshen ziyou], 21 January 14.

[48] International Covenant on Civil and Political Rights, adopted and proclaimed by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 12(1).

[49] Wang Xiaojun, "Urumqi: It's a Rumor You Will Be Sent Back if You Leave Xinjiang Without a Convenient Contact Card" [Wulumuqi: chu jiang budai bian min lianxi ka jiang bei qianfan shu yaoyan], China News, 5 August 14.

[50] See, e.g., Civil Rights and Livelihood Watch, "CRLW Founder Liu Feiyue Confirmed Detained" [Minsheng guancha fuzeren liu feiyue zhengshi bei juliu], 5 March 14; Rights Defense Network, "Zhenjiang, Jiangsu Petitioners Kidnapped, Taken Away in Beijing Before Two Sessions" [Lianghui qian jiangsu zhenjiang fangmin zai beijing zao bangjia daizou], 4 March 14; Rights Defense Network, "Shandong Petitioner Min Xianguo Has Freedom Restricted Due to 'Two Sessions'" [Shandong fangmin min xianguo yin "lianghui" bei xianzhi ziyou], 3 March 14; Rights Defense Network, "Because of 'Two Sessions' June Fourth Victim Qi Zhiyong Held in Soft Detention by Police at Home in Bejing" [Yin "lianghui" beijing liu si shangcanzhe qi zhiyong zao jingfang ruanjin jiazhong], 2 March 14; Andrew Jacobs, "Chinese Artist Detained Before Tiananmen Anniversary," New York Times, Sinosphere (blog), 9 May 14; "Pu Zhiqiang and Others Incommunicado After June Fourth Discussion Forum; Ding Zilin Prohibited From Returning to Beijing" [Pu zhiqiang deng ren 'liu si' yantaohui hou shilian ding zilin bei jin hui beijing], Voice of America, 5 May 14; Human Rights in China, "China Escalates Persecution Before 25th Anniversary of June Fourth," 8 May 14; Rights Defense Network, "As June Fourth Approaches, Ji'nan Rights Defender Li Hongwei and Husband Detained" [Liu si linjin, ji'nan weiquan renshi li hongwei fufu bei juliu], 27 May 14; Rights Defense Network, "Xi'an Democracy Activist Yang Hai Taken Away on Vacation, Guiyang Rights Defenders Under Strict Control" [Xi'an minzhu renshi yang hai bei daizou luyou, guiyang weiquan renshi zao yankong], 27 May 14; Rights Defense Network, "June Fourth Stability Maintenance—Guangzhou State Security Drive Sign Brother Liu Hui Back to Shaanxi" [Liu si weiwen guangzhou guobao jiang ju pai ge liu hui gan hui shaanxi], 3 May 14.

[51] "Detainee Liu Xia Hospitalized as Health Reportedly Worsens," Congressional-Executive Commission on China, 27 March 14. See also the Commission's Political Prisoner Database record 2010-00629 for additional information on Liu Xia's case.

[52] Desmond M. Tutu and Jared Genser, "The Ordeal of China's Liu Xia," Wall Street Journal, 30 March 14.

[53] PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, art. 37; PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts. 234, 238; Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 9; International Covenant on Civil and

Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 9.

[54] "Liu Xia Has Heart Attack, the Hospital Refused To Accept Her; Hong Kong Group Shaves Head for Liu Xia" [Liu xia xinzang bing fa zao yiyuan jujue gang tuanti qingren jie titou cheng liu xia], Radio Free Asia, 14 February 14; "Detainee Liu Xia Hospitalized as Health Reportedly Worsens," Congressional-Executive Commission on China, 27 March 14.

[55] "Jailed Nobel Dissident's Wife Seeks Treatment in Beijing Hospital," Radio Free Asia, 20 February 14.

[56] For more information on Thaddeus Ma Daqin, see the Commission's Political Prisoner Database record 2013-00336.

[57] "New Shanghai Bishop To Leave CPA Posts," UCA News, 7 July 12.

[58] Sui-Lee Wee, "Special Report—The Bishop Who Stood Up to China," Reuters, 1 April 14; "Shanghai Bishop in Soft Detention, Brainwashed for 17 Months" [Shanghai zhujiao zao ruanjin xinao 17 yue], Apple Daily, 25 December 13.

[59] "Woeser Released From House Arrest" [Weise bei jiechu ruanjin], Voice of America, 10 July 14.

[60] Edward Wong, "Tibetan Writer Says Invitation to U.S. Embassy Preceded House Arrest," New York Times, Sinosphere (blog), 9 July 14.

[61] Gillian Wong, "Denied Passport, Tibet Poet Can't Receive US Award," Associated Press, 8 March 13; CECC, 2013 Annual Report, 10 October 13, 107.

[62] "China Prevents Prominent Human Rights Lawyer Mo Shaoping From Meeting German Minister," Reuters, reprinted in South China Morning Post, 24 April 14.

[63] Rights Defense Network, "German Vice-Chancellor Visits China, Invites Five Citizen Representatives To Meet, Four of Whom Have Freedom Hindered" [Deguo fu zongli lai hua yuehao huijian 5 wei gongmin daibiao, si wei bei xianzhi ziyou], 24 April 14.

Notes to Section II—Status of Women

[1] UN Committee on Economic, Social and Cultural Rights, "Committee on Economic, Social and Cultural Rights Concluding Observations on the Second Periodic Report of China, Including Hong Kong, China and Macao, China," 23 June 14, E/C.12/CHN/CO/2.

[2] UN Office of the High Commissioner for Human Rights, Committee on the Elimination of Discrimination against Women, Provisional Agenda and Annotations, 23 June 14, CEDAW/C/59/1. According to this document, the 59th session of the Committee on the Elimination of Discrimination against Women will take place from October 20 through November 7, 2014.

[3] UN Committee on Economic, Social and Cultural Rights, Committee on Economic, Social and Cultural Rights Concluding Observations on the Second Periodic Report of China, Including Hong Kong, China and Macao, China, E/C.12/CHN/CO/2, 23 June 14, para. 16.

[4] UN Committee on the Elimination of All Forms of Discrimination against Women, Consideration of Reports Submitted by States Parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Combined Seventh and Eighth Periodic Report of States Parties, China, CEDAW/C/CHN/7–8, 17 January 13, para. 2.

[5] Ibid., paras. 10–51.

[6] Ibid., para. 52.

[7] See, e.g., Chinese Human Rights Defenders, "Information Submitted by Joint Chinese NGOs With the Assistance of Chinese Human Rights Defenders (CHRD) to Committee on the Elimination of Discrimination against Women on the Occasion of the Consideration of List of Issues Related to the Combined Seventh and Eighth Periodic Report of the People's Republic of China at the Pre-Sessional Working Group Meeting of the Committee's 59th Session," 20 February 14, art. 5; Human Rights in China, "Suggested Questions and Issues To Be Raised With the Chinese Government in Advance of the Fifth Review of Its Implementation of the Convention on the Elimination of All Forms of Discrimination against Women," January 2014, para. 30.

[8] Convention on the Elimination of All Forms of Discrimination against Women, adopted and opened for signature, ratification, and accession by UN General Assembly resolution 34/180 of 18 December 79, entry into force 3 September 81. Under Article 7 of CEDAW, China is committed to ensuring the right of women, on equal terms with men, "to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government." UN Treaty Collection, Chapter IV, Human Rights, Convention on the Elimination of All Forms of Discrimination against Women, last visited 19 June 14. China signed the convention on July 17, 1980, and ratified it on November 4, 1980.

[9] PRC Law on the Protection of Women's Rights and Interests [Zhonghua renmin gongheguo funu quanyi baozhang fa], passed 3 April 92, effective 1 October 92, amended 28 August 05, art. 11; PRC Electoral Law of the National People's Congress and Local People's Congresses [Zhonghua renmin gongheguo quanguo renmin daibiao dahui he difang geji renmin daibiao dahui xuanju fa], passed 1 July 79, amended 10 December 82, 2 December 86, 28 February 95, 27 October 04, 14 March 10, art. 6. The PRC Law on the Protection of Women's Rights and Interests and the PRC Electoral Law of the National People's Congress and Local People's Congresses stipulate that an "appropriate number" of female deputies should serve at all levels of people's congresses.

[10] State Council Information Office, "National Human Rights Action Plan of China (2012–2015)," reprinted in Xinhua, 11 June 12, sec. III(2); State Council, "PRC Outline for the Development of Women (2011–2020)" [Zhongguo funu fazhan gangyao (2011–2020)], issued 30 July 11, sec. 3(4).

[11] Women (Liu Yandong and Sun Chunlan) held 2 out of 25 positions in the Politburo. See Benjamin Kang Lim and Michael Martina, "China's Politburo Has More Women, Is Younger—But Barely," Reuters, 15 November 12.

[12] Women held no positions in the Politburo Standing Committee as has been the case throughout the history of the CCP. See "Meet Your New Politburo Standing Committee," Economic Observer, 15 November 12; Cheng Li, "A Biographical and Factional Analysis of the Post-2012 Politburo," China Leadership Monitor, Hoover Institution, Stanford University, No. 41, 7 June 13; Zhuang Pinghui, "Breaking the Glass Ceiling in the Politburo Standing Committee," South China Morning Post, 19 September 12.

[13] Women held 10 positions in the 205-person Communist Party Central Committee. See "Members of the 18th CPC Central Committee," Xinhua, 14 November 12.

[14] Two women (Li Bin and Wu Aiying) held positions on the 35-person State Council, which was appointed in March 2013. See "China Unveils New Cabinet Amid Function Reform," Xinhua, 17 March 13.

[15] Women held 23.4 percent of National People's Congress memberships in 2014. See Yan Hao et al., "Percentage of Female Delegates to China's Top Authoritative Body Reaches Highest Level in History" [Zhongguo zuigao guojia quanli jiguan nuxing daibiao bili dadao lishi zuigao shuiping], Xinhua, 8 March 14; National Bureau of Statistics of China, "Number of Deputies to All the Previous National People's Congresses," China Statistical Yearbook 2013, 2013, Table 23–1. According to the 2013 China Statistical Yearbook, female representation in the National People's Congress has stayed around 21 percent since the late 1970s.

[16] The target of 30 percent female representation in leadership positions by 1995 was recommended by the UN Commission on the Status of Women at its 34th session in 1990. "Target: 30 Percent of Leadership Positions to Women by 1995—United Nations Commission on the Status of Women," UN Chronicle, reprinted in Popline, June 1990.

[17] See "Raising Percentage of Female Village Committee Members Is Necessary for Development" [Tigao cunweihui chengyuan zhong nuxing bili shi fazhan suo xu], People's Daily, 12 March 14; Christophe Bahuet, "The Importance of Women's Leadership," China Daily, 6 November 12.

[18] Xuyang Jingjing, "No Woman's Land," Global Times, 16 January 14; Amnesty International, "China: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session, May 2014," ASA 17/014/2014, March 2014, 10; Rangita de Silva de Alwis, "Introduction," in Women Leading Lawmaking in China, Global Women's Leadership Initiative, Wilson Center, February 2013, 6–7; Li Huiying, "The Pain of Chinese Urbanization: Strengthening of Gender Layering," in Women Leading Lawmaking in China, Global Women's Leadership Initiative, Wilson Center, February 2013, 14–18; UN Entity for Gender Equality and the Empowerment of Women, "Asia-Pacific Calls for Urgent Increase to Low Participation of Women in Politics," 4 February 13.

[19] UN Office of the High Commissioner for Human Rights, Preliminary Observations and Conclusions of the Working Group on the Issue of Discrimination Against Women in Law and in Practice: End Visit to the People's Republic of China From 12 to 19 December 2013, 19 December 13.

[20] Convention on the Elimination of All Forms of Discrimination against Women, adopted and opened for signature, ratification, and accession by UN General Assembly resolution 34/180 of 18 December 79, entry into force 3 September 81, art. 11. China signed the convention on July 17, 1980, and ratified it on November 4, 1980. See UN Treaty Collection, Chapter IV, Human Rights, Convention on the Elimination of All Forms of Discrimination against Women, last visited 14 September 12.

[21] UN General Assembly, Report of the Working Group on the Issue of Discrimination Against Women in Law and in Practice, Mission to China, A/HRC/26/39/Add.2, 12 June 14, paras. 39–45, 109.

[22] Ibid., paras. 15–18.

[23] Ibid., paras. 39–45, 109. For additional reports of gender discrimination in recruitment and hiring, see Joanna Chiu, "China's Women Professionals Challenge Workplace Inequality," South China Morning Post, 13 October 13; Julie Makinen, "China's Women Begin To Confront Blatant Workplace Bias," Los Angeles Times, 28 February 14.

[24] UN General Assembly, Report of the Working Group on the Issue of Discrimination Against Women in Law and in Practice, Mission to China, A/HRC/26/39/Add.2, 12 June 14, paras. 39–45, 109. For the most recent available information on gender income gaps in China, see He Dan, "Gender Income Gap Continues To Widen," China Daily, 16 May 13; Joanna Chiu, "China's Women Professionals Challenge Workplace Inequality," South China Morning Post, 13 October 13.

[25] UN General Assembly, Report of the Working Group on the Issue of Discrimination Against Women in Law and in Practice, Mission to China, A/HRC/26/39/Add.2, 12 June 14, paras. 39–45, 109. Currently, retirement ages for male and female government and Party officials are 60 and 55, respectively, while retirement ages for male and female workers in general are 60 and 50, respectively. For regulations on retirement ages for most workers, see State Council Provisional Measures on Workers' Retirement and Withdrawal from Office [Guowuyuan guanyu gongren tuixiu, tuizhi de zanxing banfa], issued 2 June 78, art. 1. For regulations on extended retirement ages for cadres, see State Council Provisional Measures on the Settlement of Elderly, Weak, Sick, and Disabled Cadres [Guowuyuan guanyu anzhi lao ruo bing can ganbu de zanxing banfa], 2 June 78, art. 4. See also "China's Compulsory Retirement Age for Males and Females Challenged for Violating Constitution" [Woguo nannu tuixiu nianling guiding bei tiqing weixian shencha], Legal Morning Post, reprinted in China Law Education Net, 16 March 06. For a recommendation from the UN Working Group on the Issue of Discrimination Against Women in Law and in Practice calling for the cancellation of early mandatory retirement for women in China, see UN General Assembly, Report of the Working Group on the Issue of Discrimination Against Women in Law and in Practice, Mission to China, A/HRC/26/39/Add.2, 12 June 14, para. 109(f).

[26] Julie Makinen, "China's Women Begin To Confront Blatant Workplace Bias," Los Angeles Times, 28 February 14. See also Amy Li, "Job-Seekers in Wuhan Protest Government-Imposed Gynaecological Tests," South China Morning Post, 28 November 12.

[27] China Labour Bulletin, "Plaintiff Obtains 30,000 Yuan in China's First Gender Discrimination Lawsuit," 9 January 14.

[28] PRC Education Law [Zhongguo renmin gongheguo jiaoyu fa], passed 18 March 95, effective 1 September 95, art. 9.

[29] Celia Hatton, "100 Women: The Jobs Chinese Girls Just Can't Do," BBC, 16 October 13; "Room for Improvement in Achieving Gender Equality in University Enrollment," Phoenix Net, translated and reprinted in All-China Women's Federation, 17 January 14; Li Li, "Leveling the Playing Field," Beijing Review, 8 October 13.

[30] Ibid. For additional information on the use of gender quotas, see China Labour Bulletin, "Employment Discrimination in China," 20 November 12; Didi Kirsten Tatlow, "Women in China Face Rising University Entry Barriers," New York Times, 7 October 12.

[31] Celia Hatton, "100 Women: The Jobs Chinese Girls Just Can't Do," BBC, 16 October 13; "Room for Improvement in Achieving Gender Equality in University Enrollment," Phoenix Net, translated and reprinted in All-China Women's Federation, 17 January 14.

[32] Luo Wangshu, "Ministry Defends Gender Ratios for Colleges," China Daily, 17 October 12.

[33] "Room for Improvement in Achieving Gender Equality in University Enrollment," Phoenix Net, translated and reprinted in All-China Women's Federation, 17 January 14.

[34] Supreme People's Court, "SPC Press Conference Regarding People's Court Judicial Intervention in Circumstances Related to Domestic Violence" [Zuigao renmin fayuan guanyu renmin fayuan sifa ganyu jiating baoli youguan qingkuang xinwen fabuhui], 27 February 14.

[35] See, e.g., PRC Law on the Protection of Women's Rights and Interests [Zhonghua renmin gongheguo funu quanyi baozhang fa], passed 3 April 92, effective 1 October 92, amended 28 August 05, art. 46; PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts.

234, 236, 237, 260; PRC Marriage Law [Zhonghua renmin gongheguo hunyin fa], passed 10 September 80, effective 1 January 81, amended 28 April 01, art. 3.

[36] PRC Law on the Protection of Women's Rights and Interests [Zhonghua renmin gongheguo funu quanyi baozhang fa], passed 3 April 92, effective 1 October 92, amended 28 August 05, art. 46; PRC Marriage Law [Zhonghua renmin gongheguo hunyin fa], passed 10 September 80, effective 1 January 81, amended 28 April 01, art. 3. For Chinese experts' discussion of the shortcomings of current national-level legislation, see Ng Tze-wei, "A Clear Definition of Domestic Violence Is Needed To Curb the Crime," South China Morning Post, 7 February 13; Huang Yuli and He Dan, "Call for Action on Domestic Violence," China Daily, 26 November 12; "China Scholars Call for Attention on 'Anti-Domestic Violence' Legislation" [Zhongguo xuezhe huyu guanzhu "fan jiating baoli" lifa], Radio Free Asia, 13 January 10; Li Fei, "All-China Women's Federation Strongly Promotes Anti-Domestic Violence Legislation" [Quanguo fulian litui fan jiating baoli lifa], People's Representative News, 31 December 09. See also "All-China Women's Federation Proposes, Highlights Need for Draft Anti-Domestic Violence Legislation," Congressional-Executive Commission on China, 2 February 10.

[37] UN Human Rights Council, Report of the Working Group on the Issue of Discrimination Against Women in Law and in Practice, Mission to China, A/HRC/26/39/Add.2, 12 June 14, para. 107(a).

[38] Beijing Children's Legal Aid and Research Center, "Don't Let Children Grow Up Under the Shadow of Domestic Violence" [Bie rang haizi zai jiabao de yinying xia chengzhang], 12 October 12; Huang Yuli and He Dan, "Call for Action on Domestic Violence," China Daily, 26 November 12; Ng Tze-wei, "A Clear Definition of Domestic Violence Is Needed To Curb the Crime," South China Morning Post, 7 February 13; Zhang Yiqian, "Battered but Not Beaten," Global Times, 18 February 13. For information on calls for national-level legislation in previous years, see CECC, 2013 Annual Report, 10 October 13, 111; CECC, 2012 Annual Report, 10 October 12, 102; CECC, 2011 Annual Report, 10 October 11, 124; CECC, 2010 Annual Report, 10 October 10, 132.

[39] "12th National People's Congress Standing Committee Legislative Plan" [Shier jie quanguo renda changweihui lifa guihua], Xinhua, reprinted in National People's Congress, 31 October 13.

[40] "Anti-Domestic Violence Law Draft Submitted to State Council for Review, 90 Percent of Those Surveyed Support Legislation" [Fan jiabao fa caoan song shen gao bao guowuyuan jiucheng bei diaochazhe zhichi lifa], Legal Daily, reprinted in China News, 3 June 14.

[41] Supreme People's Court, "Supreme People's Court Issues 10 Typical Cases Involving Domestic Violence" [Zuigao renmin fayuan gongbu shi qishe jiating baoli dianxing anli], reprinted in Peking University Law Library, 28 February 14.

[42] Susan Finder, "Supreme People's Court Focuses on Domestic Violence," Supreme People's Court Monitor (blog), 16 March 14.

[43] Supreme People's Court, "Supreme People's Court Issues 10 Typical Cases Involving Domestic Violence" [Zuigao renmin fayuan gongbu shi qishe jiating baoli dianxing anli], reprinted in Peking University Law Library, 28 February 14; Susan Finder, "Supreme People's Court Focuses on Domestic Violence," Supreme People's Court Monitor (blog), 16 March 14.

[44] Didi Kirsten Tatlow, "Pushing for Law Against Domestic Violence in China," New York Times, Sinosphere (blog), 26 February 14.

[45] Ibid.

[46] Raymond Li, "Outcry Over Sichuan Woman's Death Sentence for Killing Abusive Husband," South China Morning Post, 30 January 13; Amnesty International, "Document—Chinese Woman Faces Imminent Execution: Li Yan," 24 January 13; Human Rights Watch, "China: Commute Death Sentence in Domestic Violence Case," 30 January 13.

[47] Dui Hua Foundation, "China's Supreme Court Overturns Death Sentence of Domestic Violence Survivor," 23 June 14.

[48] Li Haifu and Cai Xiaoli, "Sichuan Woman Kills Husband Then Dismembers, Boils, and Discards Corpse, Claims She Suffered Domestic Violence" [Sichuan nuzi sha fu hou jinxing fenge pengzhu paoshi cheng zaoshou jiabao], Sichuan News Net, reprinted in Xinhua, 30 January 13; Human Rights Watch, "China: Commute Death Sentence in Domestic Violence Case," 30 January 13; Dui Hua Foundation, "China's Supreme Court Overturns Death Sentence of Domestic Violence Survivor," 23 June 14.

[49] Li Haifu and Cai Xiaoli, "Sichuan Woman Kills Husband Then Dismembers, Boils, and Discards Corpse, Claims She Suffered Domestic Violence" [Sichuan nuzi sha fu hou jinxing fenge pengzhu paoshi cheng zaoshou jiabao], Sichuan News Net, reprinted in Xinhua, 30 January 13.

[50] World Health Organization, "Violence Against Women," Fact Sheet No. 239, November 2012. The World Health Organization defines sexual violence as "any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work."

[51] "Women Lawyers To Campaign for China's Sex Abuse Victims," Radio Free Asia, 3 June 13.

[52] Wu Xiaofeng and Xing Dongwei, "Hainan, Wanning Primary School Principal Takes Four Young Girls to Hotel, Government Worker Takes Two Young Girls to Hotel" [Hainan wanning yi xiao xiaozhang dai 4 younu kaifang zhengfu zhiyuan dai 2 younu kaifang], Legal Daily, 13 May 13; "China Orders Severe Penalties for Child Abuse," Xinhua, 24 October 13.

[53] For discussion of guidelines issued jointly by the Ministry of Education, Ministry of Public Security, the Central Committee of the Communist Youth League of China, and the All-China Women's Federation in September 2013, see "China Moves To Curb Sexual Assaults Against Children," Xinhua, 24 September 13. For discussion of the Ministry of Education Circular issued in October 2013, see "China Emphasizes Legal Education for Teachers," Xinhua, 22 October 13.

[54] Supreme People's Court, Supreme People's Procuratorate, Ministry of Public Security, Ministry of Justice, Opinion Regarding the Lawful Punishment of Sexual Crimes Against Minors [Zuigao renmin fayuan zuigao renmin jianchayuan gonganbu sifabu guanyu yifa chengzhi xing

qinhai wei chengnianren fanzui de yijian], 23 October 13. For discussion of these guidelines, see "China Orders Severe Penalties for Child Abuse," Xinhua, 24 October 13.

[55] For a discussion of these loopholes, see Didi Kirsten Tatlow, "In China, a Controversial Law Is Seen To Excuse Sex With Minors," New York Times, 18 June 13; Sophie Song, "China's 'Child Rape Isn't Rape' Law Is Sparking Outrage," International Business Times, 13 May 13.

[56] Chris Luo, "'Left Behind' Girl, Aged 11, Falls Victim to Sexual Abuse by Villagers," South China Morning Post, 8 January 14.

[57] PRC Law on the Protection of Women's Rights and Interests [Zhonghua renmin gongheguo funu quanyi baozhang fa], passed 3 April 92, effective 1 October 92, amended 28 August 05, arts. 40, 58; State Council, Special Provisions for the Work Protection of Female Employees [Nu zhigong laodong baohu tebie guiding], issued and effective 28 April 12, art. 11; Women's Watch-China, "Annual Report 2008," 2008, 30.

[58] Shenzhen Hand in Hand Workers' Activity Space, "'Monitoring Sexual Harassment' Survey Report," 22 November 13, 4; Sunflower Women Workers Centre, "The Sexual Harassment of Women Factory Workers in Guangzhou," reprinted in China Labour Bulletin, 25 November 13, 2, 4.

[59] Cao Yin, "What Can Be Done To Prevent Sexual Harassment," Xinhua, 13 March 13.

[60] Mark Stone, "China Couple Speak of Forced Abortion," Sky News, 4 October 13; "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13.

[61] ChinaAid, "Guizhou Family Planning Official Says Woman Should Have Forced Sterilization 'Because He Told Her To,'" 27 January 14.

[62] Li Qiuling, "Baiyun District—Woman Doesn't Want IUD Implanted, Residence Committee Threatens Cancellation of Bonus Share" [Baiyun qu—nuzi bu xiang shanghuan juweihui weixie quxiao fenhong], Xinkuai Net, 3 January 14.

[63] Beijing Declaration and Platform for Action (1995), adopted at the Fourth World Conference on Women on 27 October 95, and endorsed by UN General Assembly resolution 50/203 on 22 December 95, para. 115; UN Women, Convention on the Elimination of All Forms of Discrimination against Women, General Recommendations Made by the Committee on the Elimination of Discrimination against Women, last visited 16 July 14, General Recommendation No. 19 (11th Session, 1992), paras. 22, 24(m), General Recommendation No. 21 (13th Session, 1994), paras. 21–23.

[64] PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, arts. 4, 39. Article 4 of the PRC Population and Family Planning Law (PFPL) states that officials "shall perform their administrative duties strictly in accordance with the law, and enforce the law in a civil manner, and they may not infringe upon the legitimate rights and interests of citizens." Article 39 states that an official is subject to criminal or administrative punishment if he or she "infringes on a citizen's personal rights, property rights, or other legitimate rights and interests" or "abuses his or her power, neglects his or her duty, or engages in malpractices for personal gain" in the implementation of population planning policies. The provision does not define what constitutes an infringement or provide punishment for violations. See also Yan Shuang, "Fury Over 'Forced Abortion,'" Global Times, 14 June 12; Stanley Lubman, "The Law on Forced Abortion in China: Few Options for Victims," Wall Street Journal, China Real Time Report (blog), 4 July 12.

[65] "12 Moments in China's Women's Rights in 2013—A Review of the Year's Innovative Public Actions" [2013 zhongguo de 12 ge nuquan shike—niandu gongkai chuangxin xingdong huigu], Women's Net, reprinted in China Development Brief, 16 January 14.

[66] "Commentary: Prostitution Crackdown Helps Corruption Fight," Xinhua, 19 February 14; Edward Wong, "A Clampdown on Prostitution and Gambling Spreads in China," New York Times, 18 February 14; Edward Wong, "Red Lights Dim in China's Sin City," New York Times, 6 March 14.

[67] He Huifeng, "Dongguan Massage Parlours Reopen After Sex Trade Crackdown," South China Morning Post, 31 July 14.

[68] Asia Catalyst, "'Custody and Education': Arbitrary Detention for Female Sex Workers in China," December 2013, 20–24; Human Rights Watch, "'Swept Away': Abuses Against Sex Workers in China," 14 May 13, 23–24; UN Human Rights Council, Report of the Working Group on the Issue of Discrimination Against Women in Law and in Practice, Mission to China, A/HRC/26/39/Add.2, 12 June 14, para. 81; Ministry of Supervision, Ministry of Human Resources and Social Security, Ministry of Public Security, Regulations on the Discipline of the People's Police [Gongan jiguan renmin jingcha jilu tiaoling], issued 21 April 10, effective 1 June 10, art. 11.

Notes to Section II—Human Trafficking

[1] UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 00, entered into force 25 December 03. This protocol is also commonly referred to as the Palermo Protocol because it was adopted in Palermo, Italy, in 2000.

[2] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 132.

[3] Ibid. See also, e.g., Morgan Frances, "Rockport Police: Spa Tied to Human Trafficking of Chinese Women," KZTV10, 30 October 13; Mahasti Dustmurod, "Rise in Human Trafficking in Tajikistan," IWPR Radio, 12 March 14; "Police Arrests [sic] Tanzanian Human Traffickers," Macau Daily Times, 7 April 14; Farouk Arnaz and Edi Hardum, "Two Arrests After Trafficked Indonesians Flee China," Jakarta Globe, 21 March 14; "A Hundred Victims of Human Trafficking Contact Police for Help," Eleven, 16 March 14; Bryan Harris, "Hong Kong Women 'Being Kept in Slave-Like Conditions in Sydney Brothels,'" South China Morning Post, 13 April 14; "Two Chinese Men Detained on Suspicion of Trafficking Cambodian Women Into Prostitution in China" [Liang zhongguo nanzi shexian guaimai jianbuzhai funu zhi zhongguo maiyin bei bu], China News Net, 6 May 14.

[4] UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entered into force 25 December 03, art. 3. According to Article 3(a) of the UN TIP Protocol, "'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."

[5] See, e.g., Xu Yifei, "Black Room Cannot Keep Three Tricked Youths Imprisoned" [Heiwu qiu bu zhu san ge shoupian shaonian], Guangzhou Daily, 13 January 14; Farouk Arnaz and Edi Hardum, "Two Arrests After Trafficked Indonesians Flee China," Jakarta Globe, 21 March 14.

[6] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 133.

[7] Ibid., 132, 134.

[8] "China's Top Legislature Ends Bimonthly Session, Adopts Tort Law," Xinhua, 26 December 09.

[9] "Cross-Border Cooperation Stressed To Fight Human Trafficking," Ekantipur, 19 January 14; Zhang Yan, "Efforts Boosted Against Human Trafficking," China Daily, 22 January 13. According to this report, "China has signed the Mekong River Sub-regional Cooperation Anti-trafficking Memo with Thailand, Myanmar, Vietnam and Cambodia, to establish annual high-level exchanges. The ministry has also set up eight border offices with neighboring countries."

[10] United Nations Action for Cooperation against Trafficking in Persons, "Monthly Newsletter," June 2014; Liu Shiping, "Human Trafficking Crackdown Praiseworthy, but More Remains To Be Done," Global Times, 4 November 13; Zhang Yan, "Efforts Boosted Against Human Trafficking," China Daily, 22 January 13.

[11] PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 244. The revised legislation broadens the scope of activity considered punishable for forced labor and strengthens punishments for "serious" crimes of forced labor; however, the legislation still does not clearly define what constitutes forced labor. See also CECC, 2011 Annual Report, 10 October 11, 129.

[12] State Council General Office, "China Action Plan To Combat Trafficking in Persons (2013–2020)" [Zhongguo fandui guaimai renkou xingdong jihua (2013–2020 nian)], 2 March 13.

[13] State Council General Office, "China's National Plan of Action on Combating Trafficking in Women and Children (2008–2012)" [Zhongguo fandui guaimai funu ertong xingdong jihua (2008–2012 nian)], 13 December 07.

[14] State Council General Office, "China Action Plan To Combat Trafficking in Persons (2013–2020)" [Zhongguo fandui guaimai renkou xingdong jihua (2013–2020 nian)], 2 March 13.

[15] State Council General Office, "China's National Plan of Action on Combating Trafficking in Women and Children (2008–2012)" [Zhongguo fandui guaimai funu ertong xingdong jihua (2008–2012 nian)], 13 December 07.

[16] PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240. The PRC Criminal Law defines trafficking as "abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim."

[17] State Council General Office, "China Action Plan To Combat Trafficking in Persons (2013–2020)" [Zhongguo fandui guaimai renkou xingdong jihua (2013–2020 nian)], 2 March 13, sec. 2.6.2(2). See also CECC, 2013 Annual Report, 10 October 13, 114.

[18] Ibid., sec. 2.4.2(1). See also CECC, 2013 Annual Report, 10 October 13, 114.

[19] Ibid., sec. 3.2. See also CECC, 2013 Annual Report, 10 October 13, 114.

[20] Ibid., sec. 2.1.2(2–3). See also CECC, 2013 Annual Report, 10 October 13, 114.

[21] Ibid., secs. 2.1.2(2), 2.2.2(1), 2.3. See also CECC, 2013 Annual Report, 10 October 13, 114–115.

[22] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 133.

[23] Ibid., 133–34. According to this report, "[t]he [Chinese] government reported that out of 1,400 shelters serving a wide variety of people, including victims of crime and the homeless, seven were exclusively dedicated to care for victims of human trafficking; victims reportedly also had access to basic services at China's general-purpose shelter network."

[24] "Attack Trafficking in Women and Children, Lhasa Announces Reporting Line" [Daji guaimai funu ertong xingwei lasa gongbu jubao dianhua], China Tibet News, 7 May 14; Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 134.

[25] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 134.

[26] Ibid., 133–34.

[27] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2013—China," 19 June 13, 129.

[28] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 132.

[29] Ibid.

[30] Topics that need to be addressed in domestic legislation to bring it into compliance with the UN TIP Protocol include protection and rehabilitation of victims of trafficking (see UN TIP Protocol, art. 6.3), addition of non-physical forms of coercion into the legal definition of trafficking (see UN TIP Protocol, art. 3(a)), commercial sexual exploitation of minors (see UN TIP Protocol, art. 3(c and d)), and trafficking of men (covered under the definition of "trafficking in persons" in art. 3(a) of the UN TIP Protocol). See UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 00, entered into force 25 December 03. See also Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2009—China," 16 June 09, 106. "China's definition of trafficking does not prohibit . . . offenses committed against male victims . . . ."

[31] The PRC Criminal Law defines trafficking as "abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim." PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, effective 1 October 97, amended 14 March 97, 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240.

[32] PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 14 March 97, 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts. 240, 244, 358. For additional information on this topic, see Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2013—China," 19 June 13, 130. According to this report, "it remains unclear whether [articles 240, 244, and 358] have prohibited the use of common non-physical forms of coercion, such as threats of financial or reputational harm, or whether acts such as recruiting, providing, or obtaining persons for compelled prostitution are covered."

[33] PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts. 240(4), 244, 358(3). See also Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 133. As the TIP report notes, "Article 359 makes it a crime to lure girls under the age of 14 into prostitution, but does not criminalize facilitating the prostitution of boys under 18 or girls between the ages of 14 and 18, although two provincial supreme courts have found Articles 358 and 359 to extend to men, women, and children, generally."

[34] PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240. The PRC Criminal Law defines trafficking as "abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim."

[35] Ibid., arts. 244, 358. See also Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2009—China," 16 June 09, 106. "China's definition of trafficking does not prohibit non-physical forms of coercion, fraud, debt bondage, involuntary servitude, forced labor, or offenses committed against male victims, although some aspects of these crimes are addressed in other articles of China's criminal law."

[36] UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entered into force 25 December 03, art. 3(a). Article 3(a) of the UN TIP Protocol states: "'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."

[37] PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240. The

PRC Criminal Law defines trafficking as "abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim."

[38] UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entered into force 25 December 03, art. 3(a) and (c). The end result of exploitation is one of the required elements of a trafficking case under Article 3 of the UN TIP Protocol.

[39] See, e.g., State Council Information Information Office, "White Paper on Progress in China's Human Rights in 2013," reprinted in Xinhua, 26 May 14; "Progress Made in Protecting Rights of Person: White Paper," Xinhua, 26 May 14; Bai Tiantian, "Police Save 382 Babies in Trafficking Crackdown," Global Times, 1 March 14; "94 Children, Women Rescued in Trafficking Case," Xinhua, 28 September 13.

[40] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 133. According to this report, "In 2013, the government reported that police took law enforcement action against 5,000 alleged human trafficking organized crime groups and placed over 40,000 alleged suspects in criminal detention. Due to the government's continued conflation of human smuggling, child abduction, and fraudulent adoptions with trafficking offenses—and its lack of judicial due process and transparency—it is impossible to ascertain from this data the number of trafficking cases the government investigated and prosecuted that were in accordance with international law."

[41] See, e.g., Bai Tiantian, "Police Save 382 Babies in Trafficking Crackdown," Global Times, 1 March 14; "Baby-Trafficking Doctor Given Suspended Death Sentence," Xinhua, 14 January 14. See also Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 133.

[42] CECC, 2009 Annual Report, 10 October 09, 175. For more information on distinctions between "human smuggling" and "human trafficking," see U.S. Immigration and Customs Enforcement, "Fact Sheet: Human Trafficking and Smuggling," 16 January 13.

[43] United Nations Office on Drugs and Crime, Liaison and Partnership Office (LPO) in Brazil, "Trafficking in Persons and Migrant Smuggling," last visited 14 July 14.

[44] Ibid.

[45] Ibid.

[46] See, e.g., Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 133. In this report, the U.S. State Department called upon China to "implement procedures to prevent victims from being punished for acts committed as a direct result of being trafficked."

[47] Ibid. According to this report, "Chinese authorities continued to forcibly repatriate some North Korean refugees by treating them as illegal economic migrants—despite reports that many North Korean female refugees in China are trafficking victims." For more information on the Chinese government's repatriation of North Korean refugees as illegal economic migrants, see UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, paras. 452–54.

[48] "China's Sex Ratio at Birth Declines 4 Years in a Row," Xinhua, 5 March 13. Xinhua reported in March 2013 that China's sex ratio at birth in 2012 was 117.7 males for every 100 females, down from 117.78 in 2011, 117.94 in 2010, and 119.45 in 2009. Shan Juan, "Gender Imbalance Set To Ease," China Daily, 30 March 12. According to the article, "it is estimated that by 2020, China will have 24 million more men than women of marriageable age." Chinese Academy of Social Sciences, "Difficulty Finding a Wife in 10 Years: 1 Out of Every 5 Men To Be a Bare Branch" [10 nian zhihou quqi nan, 5 ge nanren zhong jiuyou 1 ge guanggun], 27 January 10. This study issued by the Chinese Academy of Social Sciences reported that, by 2020, the number of Chinese males of marriageable age may exceed the number of Chinese females of marriageable age by 30 to 40 million.

[49] Shan Juan, "Gang Busted for Illegal Gender Selection Testing," China Daily, 20 January 14. According to Zhai Zhenwu, a professor at the Renmin University School of Sociology and Population Studies, son preference is the root cause of China's skewed sex ratio, and "the preference for boys became more intense as the three-decade-old family planning policy restricted most families to just one child." See also Mikhail Lipatov et al., "Economics, Cultural Transmission, and the Dynamics of the Sex Ratio at Birth in China," Proceedings of the National Academy of Sciences, Vol. 105, No. 49 (December 2008), 19171. According to this study, "The root of the [sex ratio] problem lies in a 2,500-year-old culture of son preference."

[50] Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report 2014—China," 20 June 14, 132. According to the report, "[t]he Chinese government's birth limitation policy and a cultural preference for sons create a skewed sex ratio of 117 boys to 100 girls in China, which may serve to increase the demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion."

[51] Chinese Academy of Social Sciences, "Difficulty Finding a Wife in 10 Years: 1 Out of Every 5 Men To Be a Bare Branch" [10 nian zhihou quqi nan, 5 ge nanren zhong jiuyou 1 ge guanggun], 27 January 10.

[52] Liu Shiping, "Human Trafficking Crackdown Praiseworthy, but More Remains To Be Done," Global Times, 4 November 13; "A Hundred Victims of Human Trafficking Contact Police for Help," Eleven, 16 March 14; "Chinese Women Taught To Avoid People-Traffickers," Xinhua, reprinted in China Daily, 8 March 10.

[53] Lee Yu Kyung, "Burma: Trafficking Worsens With War's Return," Green Left Weekly, 7 April 14; Mahasti Dustmurod, "Rise in Human Trafficking in Tajikistan," IWPR Radio, 12 March 14. See also Kathleen E. McLaughlin, "Borderland: Sex Trafficking on the China-Myanmar Border," Global Post, 26 October 10; "Women Tricked, Trafficked Into China," Radio Free Asia, 4 March 11; Zhang Yan, "More Women Kidnapped for Brides," China Daily, 3 Decem-

ber 11. According to the China Daily report, "[the director of the Ministry of Public Security's anti-trafficking office] said the lack of natural barriers, such as rivers or mountains in the border areas between China and Southeast Asian countries, in addition to poverty in some regions in these countries, contribute to the rising trafficking of foreign women."

[54] Xu Yifei, "Black Room Cannot Keep Three Tricked Youths Imprisoned" [Heiwu qiu bu zhu san ge shoupian shaonian], Guangzhou Daily, 13 January 14.

[55] Ibid.

[56] Ibid.; Xu Yifei, "17-Year-Old Minor Forced Labor Situation for 8 Months, Awarded 3000 Yuan in Compensation" [17 sui shaonian bei qiangpo laodong 8 ge yue huo 3000 yuan jiuzhu jin peichang], Guangzhou Daily, reprinted in China News Service, 16 January 14.

[57] Kate Barlett, "China's One-Child Policy Creates Market for Cambodian Brides," UCA News, 22 April 14.

[58] Ibid.

[59] Ibid.

[60] Ibid.

[61] "Police Arrests [sic] Tanzanian Human Traffickers," Macau Daily Times, 7 April 14.

[62] Ibid.

[63] Ibid.

[64] Ibid.

[65] Wang Chenchen, "Huaibei, Suixi: Two Girls From Burma Trafficked, Three People Each Sentenced to Six Years" [Huaibei suixi: guaimai miandian nuhai san ren jun pan liu nian], Anhui News, 4 March 14.

[66] Ibid.

[67] Ibid.

[68] Ibid.

[69] Ibid.

Notes to Section II—North Korean Refugees in China

[1] Democratic People's Republic of Korea Ministry of State Security, People's Republic of China Ministry of Public Security, Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas, signed 12 August 86, art. 4, reprinted in North Korea Freedom Coalition. The protocol commits each side to treat as illegal those border crossers who do not have proper visa certificates, except in cases of "calamity or unavoidable factors." According to a report commissioned by the UN High Commissioner for Refugees (UNHCR) the validity of "this document cannot be authenticated, but it does not seem implausible." James D. Seymour, "China: Background Paper on the Situation of North Koreans in China," commissioned by UNHCR, Protection Information Section, January 2005, 13.

[2] UN Convention Relating to the Status of Refugees (1951 Convention), 28 July 51 by the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429(V) of 14 December 50, arts. 1, 33. Article 1 of the 1951 Convention defines a refugee as someone who, "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. . . ." Article 33 of the 1951 Convention mandates that "[n]o Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." UN Protocol Relating to the Status of Refugees (1967 Protocol), adopted by UN General Assembly resolution A/RES/2198 of 16 December 66, entry into force 4 October 67. The Chinese government acceded to the 1951 Convention and the 1967 Protocol in September 1982, but has not adopted legislation to implement the treaties.

[3] UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the UN General Assembly 10 December 84, entry into force 26 June 87, art. 3. Article 3 states that "[n]o State Party shall expel, return ('refouler') or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture." The Chinese government ratified the Convention on 4 October 88.

[4] Office of the High Commissioner for Human Rights, "North Korea: UN Commission Documents Wide-Ranging and Ongoing Crimes Against Humanity, Urges Referral to ICC," 17 February 14.

[5] UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, para. 490.

[6] UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, paras. 448–449, 1197. Highlighting evidence that Chinese officials provided North Korean authorities with information on detained refugees, including information on "the circumstances and place of their apprehension and contacts they had in China," the UN Commission found that such conduct "could amount to the aiding and abetting of crimes against humanity where repatriations and information exchanges are specifically directed towards or have the purpose of facilitating the commission of crimes against humanity in the DPRK." See also UN Human Rights Council, Report on the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, Annex II—Correspondence with China, A/HRC/25/63, 7 February 14.

[7] UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, para. 446.

[8] UN Human Rights Council, Report on the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/63, 7 February 14, para. 84.

[9] UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, para. 490.

[10] UN Human Rights Council, Report on the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, Annex II—Correspondence with China, A/HRC/25/63, 7 February 14; Hamish Macdonald, "UN Unsure How Findings on Rights Violations Will Be Received," NK News, 6 February 14.

[11] Ibid.; UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, para. 45.

[12] Ibid.

[13] UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, para. 444. In a December 2013 letter addressed to China's Deputy Permanent Representative to the United Nations Office in Geneva, Commission of Inquiry Chairman Michael Kirby drew attention to a 1995 agreement established between China and the UN Refugee Agency (UN High Commissioner for Refugees or UNHCR) that allowed for "UNHCR to conduct refugee status determination for asylum-seekers." The letter asked for clarification as to why China continued to refuse UNHCR access to areas in China where North Korean refugees are believed to reside, despite China's agreement in the 1995 accord to "allow UNHCR personnel unimpeded access to asylum seekers." See UN Human Rights Council, Report on the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, Annex II—Correspondence with China, A/HRC/25/63, 7 February 14.

[14] UN Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in the Democratic People's Republic of Korea, Marzuki Darusman, 13 June 14, para. 53.

[15] Ibid.

[16] See, e.g., Sun Haiqiang and Zhao Shuai, "Jilin Yanbian Border Defense: More Than 5,000 High-Definition Monitoring Installations Polish Police 'Technology Eyes'" [Jilin yanbian bianfang: 5000 yu ge gaoqing jiankong shebei caliang jingwu "keji shuangmou"], People's Daily, 19 November 13; "13 N. Koreans Face Repatriation From China," Chosun Ilbo, 19 November 13; "Uncovering the North Korean Border: Panmunjeon Known for Being Most Dangerous, China's Barbed Wire and Security Monitoring" [Jiemi chaoxian bianjing: banmiandian haocheng zui weixian zhongguo jia tiesiwang an jiankong], Ta Kung Pao, 21 January 14; Martin Sieff, "North Korea Continues Human Trafficking as China Tightens Border Security," Asia Pacific Defense Forum, 4 November 13.

[17] "China 'Repatriates Dozens of N. Korean Defectors,'" Chosun Ilbo, 21 November 13; Audrey Yoo, "China Arrested Dozens of North Korean Defectors, Says South Korean Media," South China Morning Post, 21 November 13.

[18] "China 'Repatriates Dozens of N. Korean Defectors,'" Chosun Ilbo, 21 November 13.

[19] Ibid.

[20] "13 N. Korean Defectors Caught in China," Yonhap, reprinted in Korean Herald, 18 November 13; Lee Sang Yong, "Capture in Kunming Causing Grave Concern," Daily NK, 18 November 13; Kim Hee-jin, "15 Defectors Nabbed by China Police in Kunming," Korea JoongAng Daily, 19 November 13; "Activists: China Arrests North Korean Defectors, Guides in Kunming," Voice of America, 18 November 13.

[21] Lee Sang Yong, "Capture in Kunming Causing Grave Concern," Daily NK, 18 November 13; "China 'Repatriates Dozens of N. Korean Defectors,'" Chosun Ilbo, 21 November 13; "13 N. Koreans Face Repatriation From China," Chosun Ilbo, 19 November 13.

[22] "Eleven North Korea Defectors Arrested by China, Face Deportation—Activist," Reuters, 2 July 14; Koo Jun Hoe, "11 Defectors in Grave Danger of Repatriation," Daily NK, 3 July 14.

[23] Koo Jun Hoe, "11 Defectors in Grave Danger of Repatriation," Daily NK, 3 July 14.

[24] "N. Korean Defectors, Helpers Arrested in China," Chosun Ilbo, 23 July 14; "Seoul Pledges To Save Defectors From Repatriation," Chosun Ilbo, 24 July 14; "20 North Korean Refugees Arrested in China Face Repatriation" [20 ming tuobeizhe zai zhongguo beibu mianlin qianfan], Voice of America, 23 July 14.

[25] "Seoul Pledges To Save Defectors From Repatriation," Chosun Ilbo, 24 July 14.

[26] "NK Defectors Nabbed Near China-Laos Border," Yonhap, reprinted in Korean Herald, 12 August 14; "Chinese Public Security Arrests 11 North Korean Refugees" [Zhongguo gongan daibu shiyi ming tuobeizhe], Radio Free Asia, 13 August 14.

[27] "China Ups Security on Northern Border," Daily NK, 12 December 13; John G. Grisafi, "China Ups Security, Conducts Military Training Near N. Korea," NK News, 11 December 13; "N. Korean Defectors' Escape Routes Blocked," Chosun Ilbo, 13 December 13; "Profile: Chang Song-thaek," BBC, 12 December 13.

[28] James Pearson and Megha Rajagopalan, "Exclusive: China Police Investigate U.S. Citizen Near Border With North Korea—Source," Reuters, 7 August 14; Megha Rajagopalan and James Pearson, "China Cracking Down on Christian Groups Along North Korea Border: Sources," Reuters, 11 August 14.

[29] Megha Rajagopalan and James Pearson, "China Cracking Down on Christian Groups Along North Korea Border: Sources," Reuters, 11 August 14.

[30] Kelly Olsen and Tom Hancock, "China Probes Canadian Christians for Alleged Spying," Agence France-Presse, reprinted in Yahoo! News, 5 August 14.

[31] James Pearson and Megha Rajagopalan, "Exclusive: China Police Investigate U.S. Citizen Near Border With North Korea—Source," Reuters, 7 August 14.

[32] Melanie Kirkpatrick and Victor Cha, "China Is Complicit in North Korea's Human Rights Abuses," Foreign Policy, 31 July 14; James Pearson and Megha Rajagopalan, "Exclusive: China Police Investigate U.S. Citizen Near Border With North Korea—Source," Reuters, 7 August 14; Megha Rajagopalan and James Pearson, "China Cracking Down on Christian Groups Along North Korea Border: Sources," Reuters, 11 August 14.

[33] "N. Korean Defectors' Escape Routes Blocked," Chosun Ilbo, 13 December 13; UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, paras. 388–89.

[34] Republic of Korea Ministry of Unification, Resource Archives: Major Statistics in Inter-Korean Relations, last visited 15 July 14; "More Than 1,500 N. Korean Defectors Arrive in S. Korea in 2013," Yonhap, 13 January 14; Jeyup S. Kwaak, "North Korean Refugee Flow Still Suppressed," Wall Street Journal, 14 January 14.

[35] Republic of Korea, Ministry of Unification, Resource Archives: Major Statistics in Inter-Korean Relations, last visited 15 July 14; Jeyup S. Kwaak, "North Korean Refugee Flow Still Suppressed," Wall Street Journal, 14 January 14.

[36] "North Korean Visitors" [Chaoxian laike], Southern Metropolitan Weekly, 20 December 13; UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, paras. 457–458.

[37] A 2013 survey by Dr. Courtland Robinson of Johns Hopkins University estimated between 80 and 90 percent of North Korean refugees in the three northeastern provinces of China were women. Courtland Robinson and Keumsoon Lee, "Population Estimation of North Korean Refugees and Migrants and Children Born to North Korean Women in Northeast China: Results From a 2012 Study in Heilongjiang Province," Korea Institute for National Unification, 12 March 13, 5; UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, paras. 394, 457.

[38] UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, para. 461; Markus Bell, "Empire and Trafficking in Northeast Asia," Foreign Policy in Focus, reprinted in Asia Times, 5 June 13.

[39] Convention on the Elimination of All Forms of Discrimination against Women, adopted and opened for signature, ratification, and accession by UN General Assembly resolution 34/180 of 18 December 79, entry into force 3 September 81, art. 6; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted and opened for signature, ratification, and accession by General Assembly resolution 55/25 of 15 November 2000, entry into force 25 December 03, arts. 6, 9.

[40] Committee on the Rights of the Child, Concluding Observations on the Combined Third and Fourth Periodic Reports of China, adopted on 29 October 13, CRC/C/CHN/CO/3–4, annex H, para. 81(a–b); Courtland Robinson and Keumsoon Lee, "Population Estimation of North Korean Refugees and Migrants and Children Born to North Korean Women in Northeast China: Results From a 2012 Study in Heilongjiang Province," Korea Institute for National Unification, 12 March 13, 6.

[41] Courtland Robinson and Keumsoon Lee, "Population Estimation of North Korean Refugees and Migrants and Children Born to North Korean Women in Northeast China: Results From a 2012 Study in Heilongjiang Province," Korea Institute for National Unification, 12 March 13, 27.

[42] Life Funds for North Korean Refugees, Stakeholder Report for the Universal Periodic Review, 4 March 13; UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, paras. 472–474.

[43] UN Convention on the Rights of the Child, adopted by the UN General Assembly resolution 44/25 of 20 November 89, entry into force 2 September 90, art. 9. Article 9 calls on state parties to "ensure that a child shall not be separated from his or her parents against their will." See also UN Human Rights Council, Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 7 February 14, para. 474.

Notes to Section II—Public Health

[1] Chai Huiqun, "'Cardiogenic Shock' in the Nurse Beating Incident in Nanjing?" ["Xin yinxing" nanjing hushi bei da shijian?], Southern Weekend, 24 April 14; "In Chaozhou, Another Incident of Doctor Surrounded, NHFPC: Violence and Injury of Medical Personnel Will Be Severely Punished According to Law" [Chaozhou you xian yisheng zao weizhu weijiwei: baoli shangyi yifa yancheng], China National Radio, 7 March 14; Zhang Jin, "Closer Look: Why Patients in China Kill Their Doctors," Caixin, 30 October 13; Didi Kirsten Tatlow, "Chinese Doctors Becoming the Targets of Patients' Anger," New York Times, Sinosphere (blog), 1 November 13.

[2] Wei Mingyan, "NHFPC Director Discusses 'Parading Doctors on the Streets': Violence & Harm to Medical Personnel Will Not Be Tolerated" [Weijiwei zhuren tan ya yisheng "youjie": baoli shangyi bu keren], Beijing News, 6 March 14.

[3] Therese Hesketh et al., "Violence Against Doctors in China," BMJ, 7 September 12; Cong Dai et al., "Re: Violence Against Doctors in China," BMJ, 1 November 13; Zhou Tian, "Doctor-Patient Conflicts Multiply, Path of New Health Care Reforms Raises Controversy (1)" [Yihuan chongtu duofa xin yigai lujing re zhengyi (shang)], Caixin, 15 March 14.

[4] Benjamin L. Liebman, "Malpractice Mobs: Medical Dispute Resolution in China," Columbia Law Review, Vol. 113(1), January 2013, 187, 243, 247.

[5] Civil Rights and Livelihood Watch (CRLW), "2013 Year-End Report on Mental Health and Human Rights in China (Forcibly Committed)" [2013 nian zhongguo jingshen jiankang yu renquan (bei jingshenbing) nianzhong baogao], 13 February 14, sec. 2. For more information on some of the cases of forcible commitment (*bei jingshenbing*) that CRLW reported in its 2013 year-end report, see the following records in the Commission's Political Prisoner Database: 2014-00121 on Zhang Haiyan; 2013-00088 on Peng Lanlan; 2014-00086 on Zhang Zhi; 2014-00094 on Gu Xianghong; 2014-00243 on Fan Miaozhen; 2014-00225 on Fang Daoming; and 2014-00226 on Tang Xuecheng. Other forcible commitment cases reported during this reporting year are covered in Rights Defense Network, "Chongqing Citizen Liu Wei Forcibly Sent to Psychiatric Hospital for Going to Beijing Before 'June Fourth'" [Chongqing gongmin liu wei yin "liu si" qian dao jing bei song jingshenbing yuan], 12 June 14. For more information on Liu Wei, see the Commission's Political Prisoner Database record 2014-00184. Rights Defense Network, "Beijing Democracy Rights Defender Zhang Wenhe Forcibly Committed to Psychiatric Hospital for 4th Time" [Beijing minzhu weiquan renshi zhang wenhe di sici guanru jingshenbing yuan], 4 April 14; Chinese Human Rights Defenders, "[CHRB]: Six Months After Mental Health Law Took Effect, Involuntary Psychiatric Commitment Continues (11/8–13, 2013)," 14 November 13.

[6] PRC Mental Health Law [Zhonghua renmin gongheguo jingshen weisheng fa], passed 26 October 12, effective 1 May 13, arts. 27, 30, 75(5), 78(1); Michael R. Phillips et al., "China's New Mental Health Law: Reframing Involuntary Treatment," American Journal of Psychiatry, 1 June 13.

[7] UN GAOR, Committee on Economic, Social and Cultural Rights, List of Issues in relation to the Second Periodic Report of China (E/C.12/CHN/2) including Hong Kong, China (E/C.12/CHN–HKG/3) and Macao, China (E/C.12/CHN–MAC/2), adopted by the Pre-Sessional Working Group at Its 51st Session, para. 33; UN GAOR, Committee on Economic, Social and Cultural Rights, List of Issues in relation to the Second Periodic Report of China (E/C.12/CHN/2), including Hong Kong, China (E/C.12/CHN–HKG/3) and Macao, China (E/C.12/CHN–MAC/2), Addendum, Replies of China to the List of Issues, 27 January 14, paras. 204–08.

[8] "China Adopts Mental Health Law, Protecting Rights," Xinhua, 26 October 12; Li Gang, "Mother and Father 'Kidnap' Daughter and Forcibly Commit Her to Psychiatric Hospital" [Fumu "bangjia" nuer qiangsong jingshenbing yuan"], Beijing Youth Daily, 17 November 13; Huang Xuetao, Liu Xiaohu, and Liu Jiajia, Equity and Justice Initiative, "The Involuntary Commitment System of China: A Critical Analysis" [Zhongguo jingshenbing shouzhi zhidu falu fenxi baogao], 10 October 10, 12–14.

[9] Sharon LaFraniere and Dan Levin, "Assertive Chinese Held in Mental Wards," New York Times, 11 November 10; Jiang Gewei, "Woman Forcibly Committed to Psychiatric Hospital for 70 Days of Treatment Due to Conflict With Colleagues" [Nuzi yin yu tongshi jiufen bei song zhi jingshengbing yuan zhenzhi 70 tian], Legal Weekly, reprinted in Sina, 30 March 13; Wang Dianxue, "Third Review of Mental Health Law Draft Being 'Forcibly Committed to Psychiatric Facility' Is Focus of Attention" [Jingshen weisheng fa caoan sanshen "bei jingshenbing" cheng guangzhu jiaodian], Southern Metropolitan Daily, 24 October 12.

[10] Sharon LaFraniere and Dan Levin, "Assertive Chinese Held in Mental Wards," New York Times, 11 November 10; Civil Rights and Livelihood Watch, "2013 Year-End Report on Mental Health and Human Rights in China (Forcibly Committed)" [2013 nian zhongguo jingshen jiankang yu renquan (bei jingshenbing) nianzhong baogao], 13 February 14, sec. 2; Chinese Human Rights Defenders, "'The Darkest Corners': Abuses of Involuntary Psychiatric Commitment in China," 6 August 12. See also CECC, 2009 Annual Report, 10 October 09, 240.

[11] Human Rights Watch, "Dangerous Meditation: China's Campaign Against Falungong," January 2002; Human Rights Watch, "Dangerous Minds: Political Psychiatry in China Today and Its Origins in the Mao Era," August 2002, 160–76.

[12] Human Rights Watch, "Dangerous Minds: Political Psychiatry in China Today and Its Origins in the Mao Era," August 2002, 2–23.

[13] International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art 9(1); Convention on the Rights of Persons with Disabilities, adopted by UN General Assembly resolution 61/106 of 13 December 06, entry into force 3 May 08, arts. 12, 14. See also Tina Minkowitz, "Why Do So Few People Know That CRPD Prohibits Forced Psychiatry?" Mad in America (blog), 14 October 12.

[14] UN Human Rights Council, Working Group on Arbitrary Detention, Opinions adopted by the Working Group on Arbitrary Detention at Its 69th Sess., No. 8/2014 (China), A/HRC/WGAD/

2014/xx, 20 May 14; Chinese Human Rights Defenders, "UN Working Group Finds China's Psychiatric Detention of Petitioner 'Arbitrary,'" 21 July 14. For more information on Xing Shiku, see the Commission's Political Prisoner Database record 2011-00093.

[15] Lin Ping, "Case of Female Engineer 'Forcibly Committed to Psychiatric Hospital' in Beijing Suing Hospital Gets Attention" [Beijing "bei jingshengbing" nu gongchengshi qisu yiyuan yinfa guanzhu], Democratic China, 13 February 14; Han Junjie and Zhang Yufu, "A Life Changed by Petitioning" [Bei shangfang gaibian de rensheng], China Youth Daily, 19 July 13; Equity and Justice Initiative, "One Person One Photo, Protect the Rights of 'Persons with Mental Health Disorders' Action Advocacy Appeal" [Yiren yizhaopian, baozhang "jingshen zhang'ai renshi" quanyi huodong changyishu], 24 April 14; Civil Rights and Livelihood Watch, "2013 Year-End Report on Mental Health and Human Rights in China (Forcibly Committed)" [2013 nian zhongguo jingshen jiankang yu renquan (bei jingshenbing) nianzhong baogao], 13 February 14.

[16] PRC Mental Health Law [Zhonghua renmin gongheguo jingshen weisheng fa], passed 26 October 12, effective 1 May 13, arts. 78, 82; Jeremy Daum, "Still Crazy After All These Years," China Law Translate (blog), 20 May 13.

[17] Han Junjie and Zhang Yufu, "A Life Changed by Petitioning" [Bei shangfang gaibian de rensheng], China Youth Daily, 19 July 13. For an English translation of the China Youth Daily article, see Dui Hua Foundation, "Petitioning Abuse Survivor Wins Forced Commitment Suit," Dui Hua Foundation Human Rights Journal, 8 August 13. For more information on Wu Chunxia, see the Commission's Political Prisoner Database record 2014-00088.

[18] Keira Lu Huang, "Woman Illegally Detained in Mental Hospital and Given Electric Shock Treatment Wins Lawsuit," South China Morning Post, 22 May 14; "Rural Woman From Henan 'Forcibly Committed to Psychiatric Facility' Wins Case Against Police" [Henan nongfu bei jingshenbing zhuanggao jingfang zhongshen huo sheng], Beijing Times, 22 May 14; Luo Jieqi, "Petitioning Rural Woman Forcibly Committed to Psychiatric Hospital for 132 Days, Verdict Is Public Security Violated the Law" [Shangfang nongfu bei jingshenbing 132 tian, gonganju bei pan weifa], Caixin, 22 May 14.

[19] Wang Ruifeng, "Lawsuit Against Government Is Rejected for Pig Seller Liu Gang Who Was 'Forcibly Put in Psychiatric Facility' Due to Petitioning" [Zhufan liu gang yin shangfang "bei jingshenbing" qisu zhengfu bei bohui], Beijing News, 31 October 13; China Public Interest Network, "Recommendations for the Selection of the 'Top Ten Public Interest Cases in 2013'" ["2013 nian zhongguo shi da gongyi susong" pingxuan tuijian anli], China Public Interest Network Blog, 21 January 14, case 16.

[20] Wang Ruifeng, "Liaoning Pig Seller 'Forcibly Committed to Psychiatric Hospital' for Petitioning Obtains 400,000 Yuan in Mediation at Second Instance Trial" [Liaoning zhufan yin shangfang "bei jingshenbing" ershen hejie huo pei 40 wan], Beijing News, 31 July 14; Wang Ruifeng, "In Response to Linyi City's Puzzling New Statement, Pig Seller Liu Gang Publicly Releases 'Mediation' Receipt" [Dui linyi shi xin biaotai bujie zhufan liu gang gongbu "hejie" shoutiao], Beijing News, 31 July 14.

[21] Zhang Wei, "First Lawsuit Under the Mental Health Law Is Finally Accepted for Filing After Seven Months" ["Jingshen weisheng fa" diyi an qisu qi ge yue hou zhong huo li'an], Legal Daily, 23 December 13; Equity and Justice Initiative, "One Person One Photo, Protect the Rights of 'Persons With Mental Health Disorders' Action Advocacy Appeal" [Yi ren yi zhaopian, baozhang "jingshen zhang'ai renshi" quanyi huodong changyishu], 24 April 14.

[22] Liu Su'nan, "Love in a Psychiatric Hospital" [Jingshenbing yuan li de aiqing], Southern Metropolitan Daily, 17 March 14; China Public Interest Network, "Recommendations for the Selection of the 'Top Ten Public Interest Cases in 2013'" ["2013 nian zhongguo shi da gongyi susong" pingxuan tuijian anli], China Public Interest Network Blog, 21 January 14, case 14.

[23] Zhang Wei, "First Lawsuit Under the Mental Health Law, Case Finally Accepted for Filing After Seven Months" ["Jingshen weisheng fa" diyi an qisu qi ge yue hou zhong huo li'an], Legal Daily, 23 December 13; Luo Jieqi, "Involuntarily Committed for 10 Years, Lawsuit Against Psychiatric Hospital Allowed To File" [Fei ziyuan zhuyuan shi nian su jingshenbing yuan huo li'an], Caixin, 24 December 13; Ouyang Chenyu, "'Mental Health Law' Still Needs More Judicial Honing" ["Jingshen weisheng fa" reng xu gengduo sifa dili], Beijing Times, 25 December 13.

[24] Civil Rights and Livelihood Watch, "Shanghai Xu Wei Case Has Faced Many Difficulties During the Year, Finally Received Long-Awaited Trial Notification" [Shanghai xu wei an yinianlai lijin qiannan, zhongyu denglai kaiting tongzhi], 4 August 14.

[25] PRC Mental Health Law [Zhonghua renmin gongheguo jingshen weisheng fa], passed 26 October 12, effective 1 May 13, art 24; National Health and Family Planning Commission, Measures for Serious Mental Disorder Onset Reporting Management (Trial) [Yanzhong jingshen zhang'ai fabing baogao guanli banfa (shixing)], 29 July 13, arts. 3, 13.

[26] "Mentally-Ill Patients To Be Placed in Database," Xinhua, 2 September 13.

[27] Wang Shiyu and Sun Xuyang, "'Proportional' Mental Illness Quotas" ["Tanpai" jingshenbing zhibiao], Southern Metropolitan Daily, 9 October 13; Patrick Boehler, "You Are Falling Short of Your 'Crazy Quota,' Zhengzhou Officials Warned," South China Morning Post, 10 October 13.

[28] Wang Shiyu and Sun Xuyang, "'Proportional' Mental Illness Quotas" ["Tanpai" jingshenbing zhibiao], Southern Metropolitan Daily, 9 October 13.

[29] See, e.g., Zhan Wancheng, "Apportioning Quota for the Mentally Ill Is Absurd 'Management by Numbers'" [Tanpai jingshenbing zhibiao shi yihua de "shuzi guanli"], Beijing News, 10 October 13; Zhou Tian, "NHFPC: Zhengzhou's Apportioning Quota of Mentally Ill Is Not Scientific" [Weijiwei: zhengzhou tanpai jingshenbing zhibiao bu kexue], Caixin, 11 October 13; Yu Chu, "Just How Absurd Is 'Apportioning Mental Illness Quota'" ["Tanpai jingshenbing zhibiao" heqi huangdan], Beijing Youth Daily, 10 October 13.

[30] "NHFPC: Zhengzhou's 'Quota To Assess Persons With Mental Illness' Is Not a Scientific Method" [Weijiwei: zhengzhou "tanpai jingshenbing ren zhibiao" zuofa bu kexue], China News Service, 10 October 13.

[31] Beijing Aizhixing Institute, "An Open Letter Regarding Former Employee Akbar Imin Who Was Arrested by the Urumqi PSB" [Guanyu qian yuangong akebai'er.yiming bei wulumuqi gong'anju jubu qingkuang de shengming], reprinted in China Free Press, 7 March 14; "Uyghur AIDS Rights Defender Arrested on Charges of 'Endangering National Security'" [Aizi weiquan ren she "weihai guojia anquan" bei bu], Radio Free Asia, 7 March 14. For more information on Akbar Imin, see the Commission's Political Prisoner Database record 2014-00115.

[32] Ibid.; Uyghur Human Rights Project, "The Uyghur Human Rights Project Condemns the Detention of AIDS Activist Akbar Imin and Calls for His Immediate Release," 13 March 14.

[33] "Uyghur AIDS Rights Defender Arrested on Charges of 'Endangering National Security'" [Aizi weiquan ren she "weihai guojia anquan" bei bu], Radio Free Asia, 7 March 14; Uyghur Human Rights Project, "The Uyghur Human Rights Project Condemns the Detention of AIDS Activist Akbar Imin and Calls for His Immediate Release," 13 March 14.

[34] "Hu Jia's Soft Detention Ends, Visits Tiananmen" [Jieshu ruanjin de hu jia, chonghui tiananmen], Deutsche Welle, 9 June 14; Ian Johnson, "'You Won't Get Near Tiananmen!': Hu Jia on the Continuing Crackdown," New York Review of Books (blog), 2 June 14. For more information on Hu Jia's case, see the Commission's Political Prisoner Database record 2004-05295.

[35] "Beijing Activist Hu Jia Attacked by 'Trained Men,'" Radio Free Asia, 17 July 14. For more information on Cao Shunli, see "Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law," Congressional-Executive Commission on China, 2 April 14.

[36] Mark MacKinnon, "Love, Dissident-Style: The Saga of Hu Jia and Zeng Jinyan," Globe and Mail, 20 April 12; CECC, 2012 Annual Report, 10 October 12, 111; CECC, 2011 Annual Report, 10 October 11, 136.

[37] "Hu Jia's Soft Detention Ends, Visits Tiananmen" [Jieshu ruanjin de hu jia, chonghui tiananmen], Deutsche Welle, 9 June 14; Stanley Lubman, "Crackdown Betrays Breadth of Beijing's Challenges," Wall Street Journal, China Real Time Report (blog), 18 March 14.

[38] Bill Smith, "China Quashes Campaign To Probe Blood-Selling Scandal," Business Recorder, 30 November 13; Yuan Wenli, "Why Deprive Me of My Right to Participation?" [Wei shenme boduo wo canyu de quanli?], reprinted in Asia Catalyst, 19 November 13.

[39] Patrick Boehler, "Sex Worker Rights Activist Ye Haiyan Says She Is Barred From Leaving China," South China Morning Post, 16 July 14; Michelle Chen, "China Bars Sex Worker Rights Activist From Traveling to International AIDS Conference," Nation, 21 July 14.

[40] Chen Bingzhong, "Five Innocent PLWHA From Ruzhou Sentenced for Petitioning" [Ruzhou 5 ming wugu ganran aizibing huanzhe shangfang bei panxing], Boxun, 10 July 14; "Government Reckoning, Five PLWHA Criminally Detained" [Zhengfu qiuhou suanzhang 5 ming aizibingren bei xingju], Radio Free Asia, 19 December 13. For more information on these five cases, see the following records in the Commission's Political Prisoner Database: 2014-00245 on Chen Shuxia, 2014-00246 on Liu Cuihong, 2014-00247 on Ma Xia, 2014-00248 on Long Huishou, and 2014-00249 on Ma Jianmin.

[41] Beijing Aizhixing Institute, "[China AIDS: 8078] Important!! Description of Aizhixing's HIV/AIDS Prevention and Rights Outreach Among Ethnic Minority Populations" ["China AIDS 8078" zhongyao!! aizhixing guanyu zai shaoshu minzu renkou zhong kaizhan aizibing fangzhi he quanyi weihu de shuoming], reprinted in China AIDS Group Blogspot, 26 March 14.

[42] "Henan Rights Lawyer Chang Boyang's Arrest Charge Change Approved, 'Crime of Illegally Operating a Business' Raises Skepticism Among All Sectors" [Henan weiquan lushi chang boyang bei genggai zuiming pibu she "feifa jingying zui" yinfa gejie zhiyi], Radio Free Asia, 7 July 14. For more information on Chang Boyang's case, see the Commission's Political Prisoner Database record 2014-00252.

[43] "Office of Zhengzhou NGO Yirenping Once Again Searched, Police Investigating Relations With Foreign Organizations" [Zhengzhou NGO yirenping bangongshi zai bei soucha jingfang diaocha yu jingwai zuzhi guanxi], Radio Free Asia, 14 July 14. For background information on Yirenping's public health advocacy at its Beijing office, see Fu Hualing, "Embedded Socio-Legal Activism in China: The Case of Yirenping," reprinted in Social Science Research Network, last visited 11 August 14.

[44] General Office of the State Council, "Promotion Plan for Special Education (2014–2016)" [Teshu jiaoyu tisheng jihua (2014–2016 nian)], Ministry of Finance, 8 January 14. The Ministries of Education, Civil Affairs, and Finance, the National Development and Reform Commission, the National Health and Family Planning Commission, and the China Federation for Disabled Persons jointly issued this special education plan.

[45] UN GAOR, Committee on Economic, Social and Cultural Rights, List of Issues in relation to the Second Periodic Report of China (E/C.12/CHN/2), Including Hong Kong, China (E/C.12/CHN–HKG/3) and Macao, China (E/C.12/CHN–MAC/2) Addendum, Replies of China to the List of Issues, 27 January 14, para. 228; Introductory Statement by H.E. Ambassador Wu Hailong, Head of Delegation of the People's Republic of China at the Review of the Second Periodic Report of China on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 8 May 14.

[46] Didi Kirsten Tatlow, "China To Allow the Blind To Take College Entrance Exams," New York Times, 21 April 14.

[47] Human Rights Watch, "China: Exams Accessible to the Blind a Breakthrough," 16 April 14; Yu Fei, "Blind Persons Earnestly Hope for the Arrival of Barrier-Free College Entrance Exams" [Mangren wu zhang'ai gaokao jipan "luodi"], China Workers Net—Workers' Daily, reprinted in Tencent, 18 April 14.

[48] Edward Wong, "Test That Can Determine the Course of Life in China Gets a Closer Examination," New York Times, 30 June 12.

[49] Yu Fei, "Blind Persons Earnestly Hope for the Arrival of Barrier-Free College Entrance Exams" [Mangren wu zhang'ai gaokao jipan "luodi"], China Workers Net—Workers' Daily, reprinted in Tencent, 18 April 14.

[50] Huang Shixin, "Open Column: The Right To Submit a Blank Exam Booklet" [Kaifang zhuanlan: jiao baijuan de quanli], Southern Metropolitan Daily, 12 June 14.

[51] Maya Wang, Human Rights Watch, "China's High Test Scores Obscure Discriminatory Education System," Global Post, reprinted in Human Rights Watch, 29 January 14. See also Men Jiedan, "Disabled Student Gets Exception and Is Admitted to University, City Residents' Performance Again Calls for Education Equality" [Canzhang kaosheng poge luqu shang daxue, shimin xingwei yishu zai hu jiaoyu pingdeng], China News Service, 13 August 13.

[52] Meng Zhaoli and Mi Yingting, "Internet News of 'Disabled Female Student With College Exam Score of 549 Enrollment Revoked,' School Says Not Convenient To Reveal Details of Physical Exam" [Wangchuan "canji nusheng gaokao 549 fen bei tuidang" xiaofang cheng bubian pilu tijian xijie], Xinhua, 4 August 14; Lin Changsheng, "Follow-Up on Disabled Student From Zhangzhou Whose College Revoked Her Admission, Education Controversy Triggered by 'Failed Physical Exam'" [Zhangzhou canji kaosheng bei gaoxiao tuidang zhuizong: "tijian bu hege" yinfa de jiaoyu fenzheng], People's Daily, reprinted in NetEase, 5 August 14.

[53] Jiang Liming, "Fujian Provincial Examination Institute Facilitates Disabled Student Liu Wanling's Admission Into Xiamen University's Jiageng Institute" [Fujian sheng kaoshiyuan xietiao xiada jiageng xueyuan luqu canji kaosheng liu wanling], Xinhua, 6 August 14.

[54] See, e.g., PRC Law on the Protection of Persons with Disabilities [Zhonghua renmin gongheguo canjiren baozhang fa], passed 28 December 90, amended 24 April 08, effective 1 July 08, arts. 3, 30–40; PRC Employment Promotion Law [Zhonghua renmin gongheguo jiuye cujin fa], passed 30 August 07, effective 1 January 08, arts. 3, 29, 30; State Council, Regulations on the Treatment and Control of HIV/AIDS [Aizibing fangzhi tiaoli], issued 29 January 06, effective 1 March 06, art. 3; State Council, Regulations on the Employment of Persons with Disabilities [Canjiren jiuye tiaoli], issued 25 February 07, effective 1 May 07, arts. 3, 8.

[55] Ministry of Human Resources and Ministry of Health, Civil Servant Recruitment Physical Examination Standards (Trial) [Gongwuyuan luyong tijian tongyong biaozhun (shixing)], 17 January 05, reprinted in National Public Servant Net, 15 September 10. See Wan Jing, "Teacher Eligibility Standards in Many Places Permit Discrimination Against Persons with Disabilities, Disabled Persons Apply for Open Information" [Duodi jiaoshi tijian biaozhun cun canzhang qishi, canzhang renshi shenqing gongkai yiju], Legal Daily, reprinted in Eastday, 5 December 13. According to Legal Daily, at least 20 provinces have physical eligibility standards for teachers that discriminate against persons with disabilities.

[56] "Second Instance Trial for First Case in Jiangsu of AIDS Employment Discrimination" [Jiangsu shouli aizi jiuye qishi an ershen], China Jiangsu Net, 19 November 13; Zhao Han, "Top Scholar in Civil Service Exam Sues Human Resources Bureau for Refusing To Hire Visually Impaired Person" [Gongwuyuan kaoshi zhuangyuan zhuanggao rensheju julu shizhang ren], Caixin, 26 May 14; Ye Yu, "Attention to International Persons With Disability Day, A Disabled Person Who Has Taught for 17 Years Not Able To Get Teacher Certificate" [Guoji canjiren ri tebie guanzhu, cong jiao 17 nian canjiren kaobulai jiaoshizheng], Eastern Daily, 3 December 13.

[57] Zhang Wei, "Civil Services Physical Examination Standards Are Suspected of Being Illegal, Directly Discriminate Against Close to 200 Million" [Gongwuyuan luyong tijian biaozhun bei zhi shexian weifa, zhijie qishi renchun jin 2 yi], Legal Daily, 26 March 14.

[58] UN GAOR, Committee on Economic, Social and Cultural Rights, Concluding Observations on the Second Periodic Report of China, Including Hong Kong, China and Macao, China, adopted at Its 52nd Session, 13 June 14, para. 18. The 1.5 percent minimum hiring quota for persons with disabilities is stipulated in State Council, Regulations on the Employment of Persons with Disabilities [Canjiren jiuye tiaoli], issued 25 February 07, effective 1 May 07, arts. 3, 8.

Notes to Section II—The Environment

[1] See, e.g., "China Suspends Officials After Lead Poisoning in Hunan Children," Radio Free Asia, 17 June 14; Cheng Lu and Li Yahong, "China Raises Alert Against Surging Cancer Crisis," Xinhua, 19 April 14; Tom Phillips, "Toxic Smog Threatens Millions of Chinese Lives," Telegraph, 18 February 14; "China Says Air Pollution Affecting Physical, Mental Health of Citizens," Agence France-Presse, reprinted in Shanghai Daily, 6 November 13; Xie Haitao and Liu Hongqiao, "Huai River Cancer" [Huaihe aizheng], Caixin, 30 September 13; "China Has Over 200 'Cancer Villages' Due to Water Pollution: Expert," Caijing, 18 September 13; "China Tackles the Health Effects of Air Pollution," Lancet, 14 December 13; Darren Wee, "Ex-Health Minister Endorses Finding China's Smog Kills 350,000 a Year," South China Morning Post, 7 January 14.

[2] Han Yuting, "Environmental Migration" [Huanjing yimin], Economic Observer, 9 February 14.

[3] Wang Yue, "Polluted Farmland Leads to Chinese Food Security Fears," Chinadialogue, 7 January 14; Didi Kirsten Tatlow, "After 'Cadmium Rice,' Now 'Lead' and 'Arsenic Rice,'" New York Times, Sinosphere (blog), 30 April 14; Liu Hongqiao, "The Polluted Legacy of China's Largest Rice-Growing Province," Chinadialogue, 30 May 14. For information on food safety and China, including the linkage between food safety and pollution and the implications for the United States, see Jason J. Czarnezki et al., Global Environmental Law: Food Safety & China, 25 Geo. Int'l Envtl. L. Rev., 261 (2013), last visited 26 June 14, 261–262, 266, 271; Forum on Health, Environment and Development, Working Group on Food Safety, "Food Safety in China: A Mapping of Problems, Governance and Research," February 2014, chap. 3.4.

[4] Ministry of Environmental Protection and Ministry of Land and Resources, "Report of the National Soil Pollution Conditions Survey" [Quanguo turang wuran zhuangkuang diaocha gongbao], 17 April 14, 1, 3; Angel Hsu and William Miao, "Soil Pollution in China Still a State Secret Despite Recent Survey," Scientific American (blog), 18 June 14. The authors explain the methodology of the sample survey and the limited nature of the data disclosed by officials.

[5] Ministry of Environmental Protection and Ministry of Land and Resources, "Report of the National Soil Pollution Conditions Survey" [Quanguo turang wuran zhuangkuang diaocha gongbao], 17 April 14, 3–5.

[6] Jin Yu, "280 Million Residents Use Unsafe Drinking Water" [2.8 yi jumin shiyong bu anquan yinyong shui], Beijing News, 15 March 14.

[7] The Ministry of Environmental Protection designates the exact number of the "key" polluting enterprises that it targets for monitoring. The number of "key" polluting enterprises varies every year. See Ministry of Environmental Protection, Circular Regarding the National 2014 List of Key Enterprises [To Be] Monitored [Guanyu yinfa 2014 nian guojia zhongdian jiankong qiye mingdan de tongzhi], issued 26 December 13; Ministry of Environmental Protection, Circular Regarding the National 2013 List of Key Enterprises [To Be] Monitored [Guanyu yinfa 2013 nian guojia zhongdian jiankong qiye mingdan de tongzhi], issued 22 March 13; Ministry of Environmental Protection, Circular Regarding the "National 2012 List of Key Enterprises [To Be] Monitored" [Guanyu yinfa 2012 nian "guojia zhongdian jiankong qiye mingdan" de tongzhi], issued 31 December 11; Ministry of Environmental Protection, Circular Regarding the "National 2011 List of Key Enterprises [To Be] Monitored" [Guanyu yinfa 2011 nian "guojia zhongdian jiankong qiye mingdan" de tongzhi], issued 25 March 11.

[8] Edward Wong, "Response to a City's Smog Points to a Change in Chinese Attitude," New York Times, 24 October 14; "Super Smog in Northern Chinese City of Harbin Closes Schools, Cancels Flights and Halts Buses," Associated Press, reprinted in Washington Post, 21 October 13; "China Cancels Flights, Closes Roads Due to Pollution," Agencia EFE, reprinted in Global Post, 6 October 13; "Third Day of Serious Smog in Beijing Forces Highway Closures," Voice of America, 7 October 13; Edward Wong, "'Airpocalypse' Smog Hits Beijing at Dangerous Levels," New York Times, Sinosphere (blog), 16 January 14; Gu Ruizhen, "Course of Events in Serious Pollution [Incidents) in Beijing, Tianjin, Hebei, and Surrounding Areas" [Jing jin ji ji zhoubian dichu fasheng kongqi zhong wuran guocheng], Xinhua, 14 April 14; "China Chases Renewable Energy as Coast Chokes on Air," Wall Street Journal, China Real Time Report (blog), 6 December 13; "Shanghai Cloaked in Smog as Air Pollution Hits Dangerous Peak," South China Morning Post, 2 December 13.

[9] David Stanway, "Complaints About Air Pollution in China's Capital Double in Five Months," Reuters, 14 June 14; Pew Research Center, "Environmental Concerns on the Rise in China, Many Also Worried About Inflation, Inequality, Corruption," 19 September 13, 1. The Pew survey found that between 2008 and 2013 citizen concern over air quality and water pollution increased by 16 and 12 percent, respectively.

[10] "US, S. Korea Voice Concerns Over Drifting Smog From China," Want China Times, 5 December 13; Jonathan Kaiman, "China's Air Pollution Leading to More Erratic Climate for US, Say Scientists," Guardian, 15 April 14. According to the Guardian article, the National Academy of Sciences found that China's air pollution may be making Pacific Ocean storms more intense.

[11] Norihiko Shirouzu and Judy Hua, "Crude Oil Leak Blamed for China Water Contamination," Reuters, 12 April 14; Yin Yue and Gao Shengke, "Lanzhou Benzene Crisis Highlights Water Safety Issues," Caijing, 23 April 14; "Wuhan Han River Ammonia Nitrate [Levels] Exceed Standards, Affects Water Use for More Than 300,000 People" [Wuhan hanjiang shuizhi andan chaobiao 30 yu wan ren yong shui shou yingxiang], Southern Weekend, 24 April 14; "Overturned Tanker Truck Leads to 'Water Crisis,' Eight Tons of Tetrachloroethane Flows Into Fuchun River" [Cao guanche ce fan yinfa "shui weiji" 8 dun si lu yiwan liuru fuchunjiang], Southern Weekend, 19 May 14.

[12] Introductory Statement by H.E. Ambassador Wu Hailong, Head of the Delegation of the People's Republic of China at the Review of the Second Periodic Report of China on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 8 May 14.

[13] Gao Jianghong, "Scholar Says Water Quality Situation Is a Disaster, but Worse Are State Secrets" [Xuezhe cheng shuizhi qingkuang hen zaogao dan duo zao shi guojia jimi], 21st Century Business Herald, reprinted in Sina, 27 April 14.

[14] Ibid.

[15] Luna Lin, "Chinese Countryside Facing More Serious Drinking Water Crisis Than Cities," Chinadialogue, 7 May 14.

[16] Jin Yu, "280 Million Residents Use Unsafe Drinking Water" [2.8 yi jumin shiyong bu anquan yinyong shui], Beijing News, 15 March 14.

[17] "Ministry of Environmental Protection: Rural Pollution Emissions Account for 'Half of the Country's' Pollution" [Huanbaobu: nongcun wuran paifang yi zhan zhongguo "banbi jiangshan"], China Youth Daily, 3 June 11. Institute of Public and Environmental Affairs (IPE) and Natural Resources Defense Council, "Open Environmental Information: Taking Stock: The 2011 Pollution Information Transparency Index (PITI), Third Annual Assessment of Environmental Transparency in 113 Chinese Cities," 16 January 12, 2. The IPE study indicates the level of information disclosure has been lower in inland and western provinces than in coastal areas. Liu Xiaoxing, "Don't Let Rural Environment Become a Forgotten Corner" [Bie rang nongcun huanjing cheng bei yiwang jiaoluo], China Environmental News, 11 March 13. According to an official cited in the China Environmental News report, only 2.8 percent of China's over 600,000 villages are included in comprehensive environmental control efforts.

[18] He Guangwei, "Special Report: The Victims of China's Soil Pollution Crisis," Chinadialogue, 30 June 14; Luna Lin, "Chinese Countryside Facing More Serious Drinking Water Crisis Than Cities," Chinadialogue, 7 May 14; Gao Jianghong, "Scholar Says Water Quality Situation Is a Disaster, but Worse Are State Secrets" [Xuezhe cheng shuizhi qingkuang hen zaogao dan duo zao shi guojia jimi], 21st Century Business Herald, reprinted in Sina, 27 April 14. This article cites official figures from 2012 that indicate a lower percentage of drinking water meets standards in rural areas than in urban areas.

[19] "China Outsourcing Smog to West Region Stirs Protest," Bloomberg, 6 March 14.

[20] Ibid.

[21] "China Jails Three Tibetans Over Anti-Mining Protest," Radio Free Asia, 23 December 13; Tibetan Centre for Human Rights and Democracy, "Diru Crackdown: Three Tibetans Sent to Prison for Up to 13 Years, Singer Gets 9 Years in Prison," 23 December 13. For more information on the protest, see CECC, Annual Report 2013, 10 October 13, 184. For more information on the individuals sentenced, see the Commission's Political Prisoner Database records 2014-00010 on Choekyab, 2014-00009 on Trinle Tsekar, and 2014-00011 on Tselha.

[22] "Two Sessions Exclusive Release: Government Work Report" [Lianghui shouquan fabu: zhengfu gongzuo baogao], Xinhua, 14 March 14. In the 2014 Government Work Report, Premier Li Keqiang emphasized that China should "declare war on pollution." Zhang Qiuliu, "2013 National Meeting of Environmental Department and Bureau Heads Concludes" [2013 nian quanguo huanbao ting juzhang huiyi bimu], China Environment News, reprinted in Ministry of Environmental Protection, 19 August 13. In a speech that reiterated the words of President Xi Jinping, Zhou Shengxian, Minister of Environmental Protection, said that China should "promote environmental protection to optimize economic development" and "use environmental protection as a mechanism to make economic structural adjustments and transform development patterns . . . ," and that "protecting the ecological environment is protecting productivity and improving the ecological environment is developing productivity."

[23] "Xinhua Insight: Why the CPC's Third Plenary Session Is Important," Xinhua, 30 August 13. According to Xinhua, traditionally, central Party officials use the third meeting of a new Party congress to issue plans for key policy changes.

[24] Chinese Communist Party Central Committee, "Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms" [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13. The Decision urged authorities to "increase the weight of resource consumption, environmental damage, ecological benefits . . . " in assessing development progress (sec. 4(14)). It also said China would "enhance the duties of local governments" in environmental protection (sec. 4(15)) and "strengthen grassroots law enforcement in . . . environmental protection" (sec. 9(31)).

[25] Ibid.

[26] Ibid. For more information on other objectives of the decision, see the Decision, secs. 5(18), 14(51–54).

[27] PRC Environmental Protection Law [Zhonghua renmin gongheguo huanjing baohu fa], passed 26 December 89, amended 24 April 14, effective 1 January 15.

[28] Benjamin Van Rooij and Alex Wang, "China's Pollution Challenge," New York Times, 19 May 14.

[29] "China Voice: New Environmental Law Needs Thorough Enforcement," Xinhua, 29 April 14; Michelle Ker and Kate Logan, "New Environmental Law Targets China's Local Officials," Chinadialogue, 28 April 14; Benjamin Van Rooij and Alex Wang, "China's Pollution Challenge," New York Times, 19 May 14; "Enforcement Key to China's Battle on Pollution," Wall Street Journal, 6 March 14; Yin Pumin, "Saving the Ecosystem," Beijing Review, 22 May 14.

[30] Barbara Finamore, "New Weapons in the War on Pollution: China's Environmental Protection Law Amendments," Switchboard Blog (Barbara Finamore's blog), 24 April 14.

[31] PRC Environmental Protection Law [Zhonghua renmin gongheguo huanjing baohu fa], passed 26 December 89, amended 24 April 14, effective 1 January 15, art. 56. In November 2013, authorities issued a revised Government Information Disclosure Guide for Construction Project Environmental Impact Assessments (provisional) that, among other items, mandated that authorities proactively disclose information about environmental impact assessment (EIA) processes and full EIA reports to the public after exclusion of information considered to be a state secret, a company secret, or information that involves state security, public safety, economic safety, and social stability. See Ministry of Environmental Protection, Government Information Disclosure Guide for Construction Project Environmental Impact Assessments (Provi-

sional) [Jianshe xiangmu huanjing yingxiang pingjia zhengfu xinxi gongkai zhinan (shixing)], 14 November 13, secs. 1(4), 4(1.6). See also Ministry of Environmental Protection (MEP), "To Promote the Reform of EIA Approval and the Functional Transformation, MEP Continuously Releases Three Documents To Delegate Approval Authorities, Intensify Information Disclosure, and Strengthen Supervision of EIA," 18 December 13.

[32] PRC Environmental Protection Law [Zhonghua renmin gongheguo huanjing baohu fa], passed 26 December 89, amended 24 April 14, effective 1 January 15, art. 55.

[33] Ibid., art. 62.

[34] Ibid., art. 6.

[35] Ibid., art. 26. For more information on the evolution of the environmental target responsibility system see, Anna Brettell, "A Survey of Environmental Deterrence in China's Evolving Regulatory Framework," in Chinese Environmental Governance: Dynamics, Challenges, and Prospects in a Changing Society, eds. Bingqiang Ren and Huisheng Shou (New York: Palgrave Macmillan, 2013), 41–47; Li Xuan, "Analysis of the '12th Five-Year' Plan Outline: '12th Five-Year' Plan Strengthens Environmental Protection Evaluation Guiding Function" ["Shierwu" guihua gangyao jiedu "shier wu" guihua huanbao kaohe yindao zuoyong], China Environmental News, 26 April 11; Alex L. Wang, "The Search for Sustainable Legitimacy: Environmental Law and Bureaucracy in China," Harvard Environmental Law Review, Vol. 37, No. 2 (2013), 386–391, 398–429.

[36] PRC Environmental Protection Law [Zhonghua renmin gongheguo huanjing baohu fa], passed 26 December 89, amended 24 April 14, effective 1 January 15, art. 44.

[37] Ibid., art. 43; Zheng Meng, "Environmental Tax on the Horizon," Caijing, 11 March 14. For more information about the ineffectiveness of pollution levies, see Li Jing, "Delays Mount for New Green Levies," South China Morning Post, 12 December 13.

[38] PRC Environmental Protection Law [Zhonghua renmin gongheguo huanjing baohu fa], passed 26 December 89, amended 24 April 14, effective 1 January 15, art. 59. For a reference to the shift to daily fines, see Barbara Finamore et al., "New Weapons in the War on Pollution: China's Environmental Protection Law Amendments," Switchboard Blog (Barbara Finamore's blog), 24 April 14.

[39] PRC Environmental Protection Law [Zhonghua renmin gongheguo huanjing baohu fa], passed 26 December 89, amended 24 April 14, effective 1 January 15, art. 58.

[40] Ouyang Yanqin, "Environmental Protection Law Revisions Passed, Limited Relaxation of Public Interest Lawsuit Restrictions" [Huanbao fa xiuding an tongguo gongyi susong youxian fangkai], Caixin, 24 April 14; "Environmental Protection Rights Defense Dilemma: High Costs of Public Interest Litigation, Resolving Disputes Are Time-Consuming" [Huanbao weiquan kunjing: gongyi susong chengben gao jiejue jiufen hao shi chang], Xinhua, reprinted in China News, 5 June 14.

[41] Barbara Finamore et al., "New Weapons in the War on Pollution: China's Environmental Protection Law Amendments," Switchboard Blog (Barbara Finamore's blog), 24 April 14; Yin Pumin, "Saving the Ecosystem," Beijing Review, 22 May 14; Christina Larson, "China Gives Teeth, Finally, to Beijing's New 'War on Pollution,'" Bloomberg, 28 April 14.

[42] Christina Larson, "China Gives Teeth, Finally, to Beijing's New 'War on Pollution,'" Bloomberg, 28 April 14; Yin Pumin, "Saving the Ecosystem," Beijing Review, 22 May 14; Geraldine Ding, "China's New Pollution Rules Help Curb Official Interference," ABC News, 26 April 14.

[43] PRC Environmental Protection Law [Zhonghua renmin gongheguo huanjing baohu fa], passed 26 December 89, amended 24 April 14, effective 1 January 15, art. 60.

[44] Ibid., arts. 55, 62. The Ministry of Environmental Protection (MEP) designates the exact number of the "key" polluting enterprises that it targets for monitoring. The number of "key" polluting enterprises varies every year. See, e.g., Ministry of Environmental Protection, Circular Regarding the National 2014 List of Key Enterprises [To Be] Monitored [Guanyu yinfa 2014 nian guojia zhongdian jiankong qiye mingdan de tongzhi], issued 26 December 13; Ministry of Environmental Protection, Circular Regarding the National 2013 List of Key Enterprises [To Be] Monitored [Guanyu yinfa 2013 nian guojia zhongdian jiankong qiye mingdan de tongzhi], issued 22 March 13; Ministry of Environmental Protection, Circular Regarding the "National 2012 List of Key Enterprises [To Be] Monitored" [Guanyu yinfa "2012 nian guojia zhongdian jiankong qiye mingdan" de tongzhi], issued 31 December 11; Ministry of Environmental Protection, Circular Regarding the "National 2011 List of Key Enterprises [To Be] Monitored" [Guanyu yinfa "2011 nian guojia zhongdian jiankong qiye mingdan" de tongzhi], issued 25 March 11.

[45] Ministry of Environmental Protection, "Announcement Regarding Ministry of Environmental Protection Delegation of Authority To Examine and Approve Environmental Impact Assessment Documents for Certain Construction Projects" [Huanjing baohubu guanyu xiafang bufen jianshe xiangmu huanjing yingxiang pingjia wenjian shenpi quanxian de gonggao], 15 November 13. This announcement states that the Ministry of Environmental Protection (MEP) will delegate authority to provincial governments to assess and approve environmental impact assessments (EIA) for certain projects. Ministry of Environmental Protection, "Government Information Disclosure Guide for Construction Project Environmental Impact Assessments (Provisional)" [Jianshe xiangmu huanjing yingxiang pingjia zhengfu xinxi gongkai zhinan (shixing)], issued 14 November 13, sec. 4(1.6). This document guides authorities' disclosure of full EIA reports and other documents. Ministry of Environmental Protection, Circular Regarding Earnestly Strengthening Environmental Impact Assessment Supervision and Administration Work [Guanyu qieshi jiaqiang huanjing yingxiang pingjia jiandu guanli gongzuo de tongzhi], issued 15 November 13. This Circular seeks to strengthen the supervision and administration of EIAs.

[46] David Stanway, "China Supreme Court Appoints Top Environmental Judge," Reuters, 30 June 14. See also "Supreme People's Court Establishes Environment and Resources Tribunal in Response to New Expectations of the Judiciary, Mainly Trying Environmental Pollution and Natural Resources Civil Cases" [Zuigao fa chengli huanzi shenpanting huiying cifa xin qidai zhu shen huanjing wuran ziran ziyuan min an], Legal Daily, 4 July 14.

[47] "12th National People's Congress Standing Committee Legislative Plan" [Shier jie quanguo renda changweihui lifa guihua], Xinhua, reprinted in National People's Congress, 31 October 13. This October report indicated that the State Council is reviewing draft revisions to the PRC Water Pollution Prevention and Control Law and the PRC Air Pollution Prevention and Control Law, and that the National People's Congress and the Natural Resources and Environmental Protection Committee are reviewing the PRC Soil Pollution Prevention and Control Law, among several other laws related to environmental protection.

[48] Zhang Ke, "Environmental Protection Super Ministry System Reform Is Steadily Advancing, Will Implement Independent and Unified Supervision" [Huanbao da buzhi gaige wenbu tuijin jiang shixing duli tongyi jianguan], First Financial Daily, reprinted in Sina, 11 February 14; "Foreign Media: China Considering Organizational Restructuring, Authority of the Ministry of Environmental Protection May Expand" [Waimei: zhongguo yunniang jigou chong zu huanbaobu huo kuo quan], China Daily, reprinted in Haiwai Net, 12 February 14.

[49] "Xinhua Insight: No Sure Cure for China's Soil Pollution," Xinhua, 29 April 14. The Xinhua article indicates authorities are drafting a soil pollution law. "Ministry of Environmental Protection Deliberated and Passed Soil Pollution Prevention and Control Action Plan, Concept Stock Soars" [Huanbaobu shenyi tongguo turang wuran fangzhi xingdong jihua gainian guwang tengfei], Securities Times, 19 March 14; Qin Feifei, "Ministry of Environmental Protection Deliberated and Passed 'Soil Pollution Prevention and Control Action Plan'" [Huanbaobu shenyi bing tongguo "turang wuran fangzhi xingdong jihua"], Shanghai Securities News, reprinted in Xinhua, 20 March 14. According to the Securities Times, Xinhua, and Shanghai Securities News articles, in March, the Ministry of Environmental Protection (MEP) passed in principle a soil pollution action plan and has forwarded the plan to the State Council for review. MEP also established six related pilot projects. Angel Hsu and Andrew Moffat, "China's Soil Pollution Crisis Still Buried in Mystery," Chinadialogue, 4 August 14. According to the Chinadialogue posting, authorities anticipate releasing the soil pollution plan by the end of the year.

[50] "Billions in Environmental Taxes Flowing, Heavy and Highly Polluting Industries Take Major Pounding" [Qian yi huanjing shui yuchu zhonggongye gao wuran gao paifang hangye shou chongji da], International Finance News, reprinted in Xinhua, 3 December 13; Zhao Jing and Yang Ye, "Environmental Taxes Enter the 'Fast Lane'" [Huanjing shui kaizheng jinru "kuai chedao"], Economic Information, 10 October 13. The October report indicated that the proposal for an environmental tax sent up to the State Council was on the "fast track."

[51] Ministry of Environmental Protection, "Chinese Citizens' Environmental and Health Literacy (Provisional)" [Zhongguo gongmin huanjing yu jiankang suyang (shixing)], September 2013.

[52] Angel Hsu, "Provinces in China Commit to Air Pollution Targets," Angel Hsu's blog, 12 February 14.

[53] Ministry of Environmental Protection, Guiding Opinion Regarding Advancing Public Participation in Environmental Protection [Guanyu tuijin huanjing baohu gongzhong canyu de zhidao yijian], reprinted in Environment and Ecology Net, issued 22 May 14; "Promoting Public Participation in Environmental Protection Innovation in Environmental Governance Models—Analysis of 'Guiding Opinion Regarding Advancing Public Participation in Environmental Protection'" [Tuidong huanbao gongzhong canyu chuangxin huanjing zhili moshi—jiedu "guanyu tuijin huanjing baohu gongzhong canyu de zhidao yijian"], China Environment News, 31 July 14.

[54] Yang Ye, "Enterprise Environmental Violations Could Face Substantive Public Accountability" [Huanjing weifa qiye huo mianling minzong shizhi wenze], Economic Information, 5 August 14. According to the Economic Information article, on August 4, authorities began drafting the Measures for Public Participation in Environmental Protection and at the earliest, may issue it at the end of the year.

[55] "Xinhua Insight: China's Pollution Permit Market Must Be Revamped," Xinhua, 7 April 14. According to Xinhua, authorities are discussing problems with the current pollution permit trading pilot projects and the Ministry of Finance announced plans to set up a national permit trading system. David Stanway and Kathy Chen, "China Mulls National Pollution Permit Trading System," Reuters, 10 January 14. According to the Reuters article, authorities will issue proposals for new pollution permit trading projects.

[56] Coco Liu, "China's Ambitious Cap-and-Trade Plan Rolls Down a Long, Bumpy Runway," Environment and Energy Publishing, ClimateWire, 23 May 14. The article notes that before the end of the decade, Chinese authorities plan to open more pilot projects in cities and provinces. Kathy Chen and David Stanway, "Update 2—China Completes Pilot Carbon Market Rollout, But Take Up Uncertain," Reuters, 19 June 14.

[57] Li Xueyu, "National Unified Carbon Market 2016 Trial Run Some Provinces and Cities To Enter Market First" [Quanguo tongyi tan shi 2016 nian shi yunxing jubu sheng shi xian ruchang], 21st Century Business Herald, 2 September 14. This article indicates that authorities plan to launch trial operation of a national unified carbon market in 2016 with some provinces and cities participating first. "World's Biggest Carbon Trading Market?" Public Radio International, Living on Earth, 5 September 14.

[58] Supreme People's Court and Supreme People's Procuratorate, "Supreme People's Court and Supreme People's Procuratorate Interpretation of Certain Issues Related to Laws Applicable in Criminal Cases of Environmental Pollution" [Zuigao renmin fayuan, zuigao renmin jianchayuan guanyu banli huanjing wuran xingshi anjian shiyong falu ruogan wenti de jieshi], issued 17 June 13, effective 19 June 13.

[59] Wang Erde, "Within Half a Year 247 Environmental Criminal Cases Filed" [Bannian nei huanjing xing'an li'an 247 qi], 21st Century Business Herald, reprinted in China Environment Net, 4 December 13.

[60] Ibid.

[61] Ibid.

[62] Kathy Chen and Stian Reklev, "China's Big Polluters Exceed Emission Limits—Report," Reuters, 16 January 14. For detailed information about the case studies examining real-time

data on emissions from key enterprises, see Institute of Public and Environmental Affairs et al., "Real-Time Disclosure Begins: Blue Sky Roadmap Report II" [Qidong shishi gongkai: lantian luxiantu II], 14 January 14, 35, 40–84. According to the Blue Sky report, researchers surveyed 2,506 of the 4,181 "key" enterprises listed for air emissions in 2013. See subsection China's Pollution Challenges and Health Concerns in the Blue Sky report for citations to the Ministry of Environmental Protection lists of key state-monitored enterprises from 2011–2014.

[63] Ministry of Environmental Protection, "Report on 2013 China Environmental Conditions" [2013 Zhongguo huanjing zhuangkuang gongbao], 27 May 14, Preface.

[64] Elizabeth Economy, "China Wakes Up to Its Environmental Catastrophe," Bloomberg Businessweek, 13 March 14; Li Jing, "Ex-Minister Blames China's Pollution Mess on Lack of Rule of Law," South China Morning Post, 21 January 13. According to Qu Geping, the former Minister of the National Environmental Protection Administration, the strategy of coordinating growth with conservation was not implemented "because there was no supervision of governments. It is because the power [sic] is still above the law." William Kazer and Kersten Zhang, "China's Environmental Protection Racket," Wall Street Journal, China Real Time Report (blog), 1 February 13; Hou Shasha, "Last Year 4,843 Government Officials at County Level or Above Were Investigated" [Qunian 4843 ming xianchu ji yishang guanyuan bei chachu], Beijing Daily, 7 January 12.

[65] An Baijie, "Thousands of Officials Punished," China Daily, 11 January 14; Lu Boan, "Guangxi He River Water Pollution Case Verdict, Former Environmental Monitoring Team Leader Sentenced to Six Years" [Guangxi hejiang shui wuran shijian an yishen huanjing jiancha yuan zhiduizhang bei pan liu nian], Xinhua, 19 March 14. The Xinhua news report cited one example. In March 2014, authorities sentenced an environmental protection official to six years' imprisonment on a corruption charge, reportedly for accepting bribes to renew a pollution permit to a mining operation and ignoring the company's role in a water pollution incident. The official also accepted a second bribe after finding out the mine caused a water pollution incident along the He River in Guangxi Zhuang Autonomous Region.

[66] For previous examples, see, e.g., Rachel E. Stern, "Poor Rural Residents in China Seen As Easy Target for Environmental Lawsuits," Chinadialogue, 24 April 13; Hu Zhonghua, "The Limitations to China's Environmental Public Interest Litigation System" [Woguo huanjing gongyi susong zhidu de xiandu], Journal of the Wuhan University of Technology (Social Science Edition), Vol. 24, No. 6, reprinted in China Environment and Resources Law Network, 26 November 12.

[67] Feng Jun, "Citizens Fight Haze" [Minjian kang mai], Southern Metropolitan Daily, 10 March 14. Li's requests were that the EPB fulfill its duty to reduce air pollution, compensate him 10,000 yuan in economic damages, and pay the court costs associated with the lawsuit.

[68] Ming Hui, "Resident of Shijiazhuang Sues Environmental Protection Bureau Over Air Pollution in First Case of Its Kind" [Shijiazhuang shimin yin kongqi wuran zhuanggao huanbaoju wei quanguo shouli], China National Radio, 25 February 14; Feng Jun, "Citizens Fight Haze" [Minjian kang mai], Southern Metropolitan Daily, 10 March 14.

[69] "Hebei Resident Sues Gov't Over Heavy Air Pollution," China Internet Information Center, reprinted in All-China Women's Federation, 25 February 14; Feng Jun, "Citizens Fight Haze" [Minjian kang mai], Southern Metropolitan Daily, 10 March 14.

[70] Feng Jun, "Citizens Fight Haze" [Minjian kang mai], Southern Metropolitan Daily, 10 March 14.

[71] Sui-Lee Wee, "China Blames France's Veolia for Tap Water Pollution," Reuters, 16 April 14; Yin Yue and Gao Shengke, "Lanzhou Benzene Crisis Highlights Water Safety Issues," Caijing, 23 April 14; Sui-Lee Wee, "Chinese Court Dismisses Water Pollution Lawsuit," Reuters, 15 April 14; Sui-Lee Wee, "Chairman of Lanzhou Veolia Apologizes After Water Pollution in China," Reuters, 23 April 14. The spill forced authorities to shut down the water supply for some residents and warn others not to drink the water.

[72] Sui-Lee Wee, "Chinese Court Dismisses Water Pollution Lawsuit," Reuters, 15 April 14; "Benzene Levels in Drinking Water Exceeded Limits for At Least Eight Days, Lanzhou Residents and Lawyer Sue Water Company" [Yinyong ben chaobiao zilaishui zhishao ba tian lanzhou shimin, lushi qisu zilaishui gongsi], Radio Free Asia, 15 April 14. For information on who is allowed to file public interest lawsuits, see PRC Civil Procedure Law, [Zhonghua renmin gongheguo minshi susong fa], passed 9 April 91, amended 28 October 07, 31 August 12, effective 1 January 13, art. 55.

[73] Wang Shichuan, "Water Pollution Incident, Public Interest Litigation Reason for Difficulties Moving Forward" [Shui wuran shijian, gongyi susong weihe buluweijian], China Youth Daily, reprinted in Xi'an Evening News, 16 April 14; "Benzene in Drinking Water Exceeded Limits for At Least Eight Days, Lanzhou Residents and Lawyer Sue Water Company" [Yinyong ben chaobiao zilaishui zhishao ba tian lanzhou shimin, lushi qisu zilaishui gongsi], Radio Free Asia, 15 April 14.

[74] Yuan Dingbo, "Supreme People's Court Responds to Refusal To Accept and Try Lanzhou Water Pollution Lawsuit, The Decision To Accept an Individual Lawsuit Rests With the Court Where a Plaintiff Files the Case" [Zuigao fa huiying lanzhou shui wuran shijian qisu wei shouli gean shouli you yuangao qisu fayuan ding], Legal Daily, 4 July 14.

[75] Luna Lin, "China's Water Pollution Will Be More Difficult To Fix Than Its Dirty Air," Chinadialogue (blog), 17 February 14; "China Outsourcing Smog to West Region Stirs Protest," Bloomberg, 6 March 14; "Chinese Anger Over Pollution Becomes Main Cause of Social Unrest," Bloomberg, 6 March 13. For a discussion of mass incidents in general, including environmental incidents, see Chen Rui, "2012 Mass Incident Research Report" [2012 nian quntixing shijian yanjiu baogao], Legal Daily, 27 December 12, sec. 3. The information presented in Legal Daily is a summary of a longer report. The Legal Daily does not provide information about the methodology and other important information in the longer report. Environmental incidents reportedly comprised a relatively small percentage of the incidents examined (8.9 percent). See also "Reported PRC Civil Disturbances in 2012," Open Source Center, 7 May 13, 12–13.

[76] "China Focus: Hangzhou Protest Tests China's Governing Capacity," Xinhua, 14 May 14.

[77] "China Arrests 53 for Environmental Protest Turned Violent," Voice of America, 12 May 14; Rights Defense Network, "The Yuhang District, Hangzhou Protest Incident Against the Building of 'Trash Incinerator': Officials Say 53 People Have Been Criminally Detained; People Say Over 100 Have Been Detained" [Hangzhou yuhang qu kangyi jian "laji fenshao dianzhan" shijian guanfang cheng 53 ren bei xingju, minjian cheng 100 duo ren bei zhuabu], 12 May 14; "Violent Protest Against Hangzhou Trash Incinerator Project Forces Its Postponement" [Hangzhou laji fenshao chang xiangmu zao baoli kangyi beipo tuichi], BBC, 11 May 14.

[78] Jennifer Duggan, "China Petrochemical Plant May Be Halted After Protests," Guardian, 1 April 14. The number of protesters on the first day was estimated to have been more than 1,000. "China: Anti-PX Protests Raise Social Tension, Impede PX Production," Open Source Center, 16 April 14. This report cited sources indicating there may have been as many as 10,000 people at one point during the protests.

[79] Ibid.; "Ten Thousand Protest Construction of PX Plant in Maoming, Suppression Leads to Bloody Clash, Authorities' Announcement Refuted" [Maoming wanren kangyi jian PX xiangmu zao zhenya niang liuxue chongtu dangju tonggao bei fanbo], Radio Free Asia, 31 March 14.

[80] Human Rights Watch, "China: Investigate Police Violence at Eco-Protests," 1 April 14; "Police Detain 18 Over China Chemical Plant Protest," Associated Press, reprinted in Washington Post, 3 April 14. According to the Associated Press article, the Maoming deputy police chief stated that the police may have unintentionally harmed bystanders.

[81] "Maoming Government Holds Closed-Door Press Conference As Thousands Protest in Front of City Government [Building], Authorities Say 15 Injured and 44 Criminal Suspects Are Being Investigated" [Maoming bimen kai xinwenhui wan ren shi fu qian kangyi dangju cheng 15 ren shoushang chachu xianfan 44 ren], Radio Free Asia, 3 April 14.

[82] "Chinese Police Fire Tear Gas in Clashes Over PX Plant," Radio Free Asia, 31 March 14.

[83] Patrick Boehler, "Violence, Arrests in Guangdong City of Maoming As Locals Rally Against Petrochemical Plant," South China Morning Post, 31 March 14; Human Rights Watch, "China: Investigate Police Violence at Eco-Protests," 1 April 14; "China's Censors Block Details on Environmental Protest," Voice of America, 4 April 14; Demetri Sevastopulo and Lucy Hornby, "Chinese Environmental Protest Broken Up," Financial Times, 31 March 14.

[84] "Maoming Government Holds Closed-Door Press Conference as Thousands Protest in Front of City Government [Building], Authorities Say 15 Injured and 44 Criminal Suspects Are Being Investigated" [Maoming bimen kai xinwenhui wanren shi zheng qian kangyi dang ju cheng 15 ren shoushang chachu xianfan 44 ren], Radio Free Asia, 03 April 14.

[85] Jennifer Duggan, "China Petrochemical Plant May Be Halted After Protests," Guardian, 1 April 14.

[86] "China's Censors Block Details on Environmental Protest," Voice of America, 4 April 14.

[87] "China: Maoming Police Violently Suppress Anti-PX Protests," Open Source Center, 2 April 14; "Minister of Education Does Not Deny Forcing Students To Support PX Project for Their Own Safety" [Wu foren bi xuesheng cheng PX jiaoyu juzhang: weihu anquan], Ming Pao, 4 April 14; Demetri Sevastopulo and Lucy Hornby, "Chinese Environmental Protest Broken Up," Financial Times, 31 March 14; "Prohibited From Leaving Campus, Forced To Sign Pledge of Support for Chemical Project, The Maoming Demonstrations Incite Students To Boycott Class" [Buzhun lixiao bi qian zhichi huagong chengnuoshu maoming shiwei yinbao xuesheng bake], Apple Daily, 3 April 14.

[88] Institute of Public and Environmental Affairs (IPE) et al., "Real-Time Disclosure Begins: Blue Sky Roadmap Report II" [Qidong shishi gongkai: lantian luxiantu II], 14 January 14, 1. For additional information about specific components of emergency notification plans and the locations that have established them, see pages 17–21 of the IPE report.

[89] Ibid., 5.

[90] Ministry of Environmental Protection, Measures for Supervision Monitoring and Information Disclosure By Key State-Monitored Enterprises (Provisional) [Guojia zhongdian jiankong qiye wuranyuan jianduxing jiance ji xinxi gongkai banfa (shixing)], issued 30 July 13, effective 1 January 14, arts. 2, 4–9. "Transparency in the Haze," Economist, 8 February 14. For more information about the classification of key enterprises, see Institute of Public and Environmental Affairs et al., "Real-Time Disclosure Begins: Blue Sky Roadmap Report II" [Qidong shishi gongkai: lantian luxiantu II], 14 January 14, 34–35.

[91] Ministry of Environmental Protection, Measures for Supervision Monitoring and Information Disclosure By Key State-Monitored Enterprises (Provisional) [Guojia zhongdian jiankong qiye wuranyuan jianduxing jiance ji xinxi gongkai banfa (shixing)], issued 30 July 13, effective 1 January 14, art. 20.

[92] Institute of Public and Environmental Affairs et al., "Real-Time Disclosure Begins: Blue Sky Roadmap Report II" [Qidong shishi gongkai: lantian luxiantu II], 14 January 14, 40–43.

[93] Ministry of Environmental Protection and Ministry of Land and Resources, "Report on National Soil Pollution Conditions Survey" [Quanguo turang wuran zhuangkuang diaocha gongbao], 17 April 14. For information on the total percentage of land contaminated, see page 1 of the report and page 3 for the percentage of arable land contaminated.

[94] Authorities refused to release the data in response to a citizen's open government information request. For information on the request and the government's response, see Li Yanjie and Xu Hao, "Lawyer Applies for Information on China's National Survey of Soil Pollution" [Lushi shenqing gongkai quanguo turang wuran qingkuang diaocha xinxi], China Business Review, reprinted in China Transparency, 3 February 13; Tania Branigan, "Chinese Pollution Study 'Blocked on Grounds of State Secrecy,'" Guardian, 26 February 13; "Ministry of Environmental Protection Indicates Methodology of Soil Pollution Survey Factor in Not Disclosing Data on Prevention and Control Measures" [Huanbaobu gaozhi turang wuran diaocha fangfa chengyin fangzhi cuoshi shuju bu gongkai], Sina Blog (Dong Zhengwei's blog), 25 February 13; "Information Disclosure Request to Ministry of Environmental Protection for National Survey Data of Soil Pollution Conditions and Prevention and Control Methods" [Shenqing huanbaobu xinxi

gongkai quanguo turang wuran zhuangkuang diaocha shuju he fangzhi fangfa], Sina Blog (Dong Zhengwei's blog), 2 February 13; "Administrative Reconsideration Requests Ministry of Environmental Protection To Disclose Information on Soil Pollution Survey Data" [Xingzheng fuyi qingqiu huanbaobu gongkai turang wuran diaocha shuju xinxi], Sina Blog (Dong Zhengwei's blog), 27 February 13. For background information on soil contamination as a state secret, see CECC, 2013 Annual Report, 10 October 13, 129.

[95] Angel Hsu and William Miao, "Soil Pollution in China Still a State Secret Despite Recent Survey," Scientific American (blog), 18 June 14. This source notes that the survey was narrow in scope and that officials disclosed only limited and general data from the survey. Officials did not disclose to the public any of the raw data collected, including full information on the sampling sites and the levels of contamination at those sites.

[96] Dan Levin, "In Beijing, Complaints About Smog Grow Louder and Retaliation Grows Swifter," New York Times, Sinosphere (blog), 25 February 14.

[97] "'Beijing Is Unfit for Human Habitation' 'Government Don't Feign Blindness' First Circulated, Then Deleted" ["Beijing bu yiju" "zhengfu bie zhuangxia" zaoyu xian zhuan hou shan], Deutsche Welle, 18 February 14; Edward Wong, "China To Reward Cities and Regions Making Progress on Air Pollution," New York Times, 13 February 14..

[98] "News Analysis: China To Accelerate Nuclear Power Development," Xinhua, 16 June 14.

[99] Tara Patel and Benjamin Haas, "Nuclear Regulators 'Overwhelmed' as China Races To Launch World's Most Powerful Reactor," Bloomberg, 19 June 14.

[100] "Four Lawyers Have Not Received Responses to the Information Requests They Sent to 31 Provinces About Pollution Control Fees" [Si lushi xiang 31 sheng shenqing zhiwufei xinxi gongkai wei de huifu], Securities Times Net, reprinted in Sina, 13 December 13. Four lawyers did not receive any responses to their information requests regarding pollution emission fees sent to 31 provincial-level environmental agencies.

[101] Kong Lingyu, "NGO Sues Hangzhou EPB for Not Making Information Public, Loses Again" [NGO su hangzhou huanbaoju xinxi bu gongkai zai bai], Caixin, 17 June 14.

[102] David Hill, "What Good Are China's Green Policies If Its Banks Don't Listen?" Guardian, 16 May 14.

[103] Ibid.

Notes to Section III—Civil Society

[1] Teng Biao, "Beyond Stability Maintenance—From Surveillance to Elimination," China Change, 22 June 14; Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 1–3, 7.

[2] Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014; Stanley Lubman, "Anxiety Trumps Law in Party's Crackdown on Activists," Wall Street Journal, China Real Time Report (blog), 4 February 14.

[3] Chinese Human Rights Defenders, "China Must Stop Excluding Civil Society From UN Human Rights Review," 7 October 13; Chinese Human Rights Defenders, "[CHRB] Activist Given 3 Years for Inciting Subversion, Tibetans Tortured to Death (2/7–13/2014)," 13 February 14; "China: At the Same Time It's Undergoing Human Rights Review, It's Arresting Human Rights Defenders" [Zhongguo: yibian jieshou renquan shenyi yibian daibu renquan renshi], Deutsche Welle, 22 October 13.

[4] "Detentions of Chinese Activists Tripled Last Year: Report," Voice of America, 3 March 14; Michael Forsythe and Chris Buckley, "Journalist Missing Ahead of Tiananmen Anniversary," New York Times, 29 April 14; Jonathan Kaiman, "China Cracks Down on Dissent Ahead of Tiananmen Anniversary," Guardian, 13 May 14; Chinese Human Rights Defenders, "152 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 30 July 14.

[5] Teng Biao, "China's Growing Human Rights Movement Can Claim Many Accomplishments," Washington Post, 18 April 14; Patrick Boehler, "Chinese Court Hands Down Harsh Jail Sentences to New Citizen Movement Activists," South China Morning Post, 19 June 14; Xiao Shu, "Why the World Needs To Roar Around the New Citizens Movement Trials," reprinted in China Change, 22 December 13.

[6] Tom Phillips, "Chinese Activists Face Jail as Crackdown Continues," Telegraph, 7 April 14; Michael Caster, "The Contentious Politics of China's New Citizens Movement," openDemocracy, 6 June 14.

[7] Xu Zhiyong, "For Freedom, Justice and Love—My Closing Statement to the Court," reprinted in China Change, 22 January 14; Teng Biao, "China's Growing Human Rights Movement Can Claim Many Accomplishments," Washington Post, 18 April 14; Elizabeth M. Lynch, "Wagging the Dog? The Chinese Government Response to the New Citizen Movement," Interview With Eva Pils (Part 2), China Law & Policy (blog), 12 May 14.

[8] Andrew Jacobs and Chris Buckley, "China Sentences Xu Zhiyong, Legal Activist, to Four Years in Prison," New York Times, 26 January 14. See also "Xu Zhiyong Tried for Advocacy of Education Equality and Official Transparency," CECC China Human Rights and Rule of Law Update, No. 1, 5 March 14; "Officials Detain Xu Zhiyong Amidst a Crackdown on Individuals Calling for Greater Government Accountability," Congressional-Executive Commission on China, 1 August 13. For more information on Xu Zhiyong, see the Commission's Political Prisoner Database record 2005-00199.

[9] Patrick Boehler, "Chinese Court Hands Down Harsh Jail Sentences to New Citizen Movement Activists," South China Morning Post, 19 June 14. For more information about Liu Ping's case, see the Commission's Political Prisoner Database record 2013-00161.

[10] Ibid. For more information about Wei Zhongping's case, see the Commission's Political Prisoner Database record 2013-00310.

[11] Didi Kirsten Tatlow, "Chinese Court Sentences 4 Activists to Jail," New York Times, Sinosphere (blog), 18 April 14. For more information about Ding Jiaxi's case, see the Commission's Political Prisoner Database record 2013-00307.

[12] "Xuzhou New Citizen Zhang Kun Criminally Detained, Two Lawyers Request To See Him But Encounter Difficulties" [Xuzhou xin gongmin zhang kun bei xingju liang lushi yaoqiu huijian zao diaonan], Radio Free Asia, 16 June 14; Josh Chin, "Tiananmen Crackdown Shaped China's Iron-Fisted Approach to Dissent," Wall Street Journal, 2 June 14; Josh Chin, "Chinese Activists Challenge Beijing by Going to Dinner," Wall Street Journal, 6 November 13. For more information on Zhang Kun, see the Commission's Political Prisoner Database record 2014-00110.

[13] Rights Defense Network, "Trial for 'Norwegian Wood' Li Huaping 'Gathering Disturbance' Begins Today, More Than 30 Citizens Denied Attendance" ["Nuowei senlin" li huaping "ju rao" an jin kaiting, 30 yu gongmin qianwang pangting bei ju], 30 July 14; Xiao Shu, "Why the World Needs To Roar Around the New Citizens' Movement Trial," reprinted in China Change, 22 December 13. For more information on Li Huaping, see the Commission's Political Prisoner Database record 2014-00085.

[14] David Wertime, "A Billionaire Activist's Brief Public Re-Emergence," Tea Leaf Nation, 30 January 14; Josh Chin, "Story of Wang Gongquan Raises Fears for Some Social Activists in China," Wall Street Journal, 23 January 14. For more information on Wang Gongquan, see the Commission's Political Prisoner Database record 2013-00302.

[15] International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, arts. 19, 21, 22. China has signed, and stated its intent to ratify the ICCPR.

[16] Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, arts. 19, 20.

[17] PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, art. 35.

[18] Understanding China's Crackdown on Rights Advocates: Personal Accounts and Perspectives, Hearing of the Congressional-Executive Commission on China, 8 April 14, Written Statement Submitted by Teng Biao, Human Rights Lawyer and Scholar.

[19] Teng Biao, "China's Growing Human Rights Movement Can Claim Many Accomplishments," Washington Post, 18 April 14; Verna Yu, "A Blow for Freedom: The Campaign in Memory of Sun Zhigang, 10 Years On," South China Morning Post, 14 May 13.

[20] Amnesty International, "China: Abolition of 'Custody and Repatriation' Welcomed, But More Needs To Be Done," 27 June 03; Keith J. Hand, "Using Law for a Righteous Purpose: The Sun Zhigang Incident and Evolving Forms of Citizen Action in the People's Republic of China," Columbia Journal of Transnational Law, Vol. 45, No. 1, 2006, 120–21.

[21] Zhu Zhe and Cui Xiaohuo, "Legal Help Group Told To Pack Up," China Daily, 18 July 09. According to China Daily, Beijing municipal authorities closed the Open Constitution Initiative (*Gongmeng*) for improper registration. See also Andrew Jacobs, "Arrest in China Rattles Backers of Legal Rights," New York Times, 9 August 09; CECC, 2009 Annual Report, 10 October 09, 204.

[22] Teng Biao, "China's Growing Human Rights Movement Can Claim Many Accomplishments," Washington Post, 18 April 14; Xu Zhiyong, "China's New Citizens' Movement" [Zhongguo xin gongmin yundong], Xu Zhiyong Collected Works (blog), 29 May 12; Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 5.

[23] Xu Zhiyong, "For Freedom, Justice and Love—My Closing Statement to the Court," translated and reprinted in China Change, 22 January 14.

[24] Human Rights in China, "New Citizens Movement Briefing Note," May 2014.

[25] "Xiao Guozhen: China's 'Same-City Dinner Gatherings' Movement Is Still Flourishing" [Xiao guozhen: zhongguo "tongcheng fanzui" yundong fanxing wei ai], Radio Free Asia, 3 September 13; Josh Chin, "Chinese Activists Challenge Beijing by Going to Dinner," Wall Street Journal, 6 November 13.

[26] New Citizens' Movement, "Standing Firm and Working Tirelessly: A Preface for the Launch of the New Citizens' Movement Web Site" [Women yiding hui jianren, women yiding hui nuli—xin gongmin yundong wangzhan fakanci], 10 April 14.

[27] Human Rights in China, "New Citizens Movement Briefing Note," May 2014. The education rights petition commenced in late 2009, technically a period prior to the start of the New Citizens' Movement. Human Rights in China, however, noted NCM participants launched and were actively involved in this advocacy initiative.

[28] During this reporting year, Chinese media reported the closure and banning of several organizations, as well as reports of fines and warnings, reflecting tightened regulatory oversight. See, e.g., Zhu Xinyu and Wei Lili, "'Chinese Montessori Society' Banned" ["Zhongguo mengtaisuoli xiehui" bei qudi], Bandao Metropolitan News, 26 October 13; Sun Zhiwen, "Qingdao Initiates Special Inspection of Social Organizations, Bans a Specific Illegal Social Organization" [Qingdao jinxing shehui zuzhi zhuanxiang jiancha qudi gebie feifa shehuizuzhi], Qilu Network, 27 October 13; Li Qiang, "Fraudulent NGOs Will Be Blacklisted" [Bu chengxin shehui zuzhi jiang ru heimingdan], Southern Daily, 2 October 13; Lai Yuchen, "60 Social Organizations in Guangzhou Fined for Fraudulent Registration and Other Reasons" [Guangzhou 60 jia shehui zuzhi yin pianqu dengji deng yuanyin shoufa], Xinhua, 9 January 14.

[29] "Kang Xiaoguang: The Cycles of 'Bureaucratization' and 'De-Bureaucratization' of the Public Interest Sector" [Kang xiaoguang: gongyi lingyu zhong de "xingzhenghua" yu "qu xingzhenghua" shuangzhong bianzou], China Foundation for Poverty Alleviation, reprinted in China Development Brief, 30 April 14.

[30] Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 7.

[31] "Are Homosexuals Against the Spirit of Civilization? Hunan Provincial Bureau of Civil Affairs Sued in Court" [Tongxinglian you bei jingshen wenming? hunan sheng minzhengting beigao shang fating], Radio Free Asia, 19 February 14.

[32] Civil Rights and Livelihood Watch, "Many NGO Members in Beijing To Convene a Legal Research Seminar Receive Police Summons" [Duoming NGO chengyuan zai jing zhaokai falu yantaohui bei jingfang chuanhuan], 7 May 14; Didi Kirsten Tatlow, "Civil Society Activists Detained as Anniversary Looms," New York Times, Sinosphere (blog), 7 May 14.

[33] Didi Kirsten Tatlow, "Civil Society Activists Detained as Anniversary Looms," New York Times, Sinosphere (blog), 7 May 14.

[34] Didi Kirsten Tatlow, "Lawyer Charged After Trying To Defend June 4 Commemorators," New York Times, Sinosphere (blog), 7 July 14.

[35] "Chang Boyang's Criminal Detention Allegedly Involves Receiving Foreign Funds: 60 People Continue To Support 'Ten Gentlemen' Outside Zhengzhou Detention Center" [Chang boyang xingju bei zhi jieshou jingwai zijin liushi ren zhengzhou kanshousuo wai xucheng "shi junzi"], Radio Free Asia, 28 July 14; "Office of Zhengzhou NGO Yirenping Once Against Searched, Police Investigating Relations With Foreign Organizations" [Zhengzhou NGO yirenping bangongshi zai bei soucha jingfang diaocha yu jingwai zuzhi guanxi], Radio Free Asia, 14 July 14.

[36] See Fu Hualing, "Embedded Socio-Legal Activism in China: The Case of Yirenping," reprinted in Social Science Research Network, last visited 11 August 14.

[37] Anti-Domestic Violence Network (Beijing Fan Bao), "Anti-Domestic Violence Network's Open Letter" [Fandui jiating baoli wangluo gongkai xin], 18 April 14; Felicia Sonmez, "China Domestic Abuse Victims Voiceless as Network Disbands," Agence France-Presse, reprinted in Sinchew, 22 July 14; "The Anti-Domestic Violence Network: An Interview With Co-Founder Feng Yuan," China Philanthropy, Social Venture Group (blog), 1 March 12.

[38] Lin Meilian, "Domestic Violence Law Too Weak To Protect Women: Advocates," Global Times, 28 June 10.

[39] Anti-Domestic Violence Network (Beijing Fan Bao), "Anti-Domestic Violence Network's Open Letter" [Fandui jiating baoli wangluo gongkai xin], 18 April 14.

[40] Li Hui and Ben Blanchard, "China Quietly Launches Probe of Foreign Non-Govt Outfits—Media," Reuters, 20 June 14; Didi Kirsten Tatlow, "New Signs That China Is Scrutinizing Foreign NGOs," New York Times, Sinosphere (blog), 27 June 14.

[41] Huang Jingjing, "Foreign-Funded NGOs Probed Amid Trojan Horse Worries," Global Times, 23 July 14; Erin Hale, "What Is Beijing Up To? Summer of Increased Harassment, Surveillance Leaves Chinese NGOs on Edge," South China Morning Post, 19 August 14.

[42] Wang Hairong, "Springtime for NGOs," Beijing Review, 8 April 13. Yu Keping, a scholar from a government think tank, has estimated approximately 3 million "unrecognized" groups. Another group of scholars has estimated up to 10 million NGOs. See Chao Guo et al., "Civil Society, Chinese Style: The Rise of the Nonprofit Sector in Post-Mao China," Nonprofit Quarterly, 25 October 12.

[43] Isabel Hilton and Meng Si, "Funding Green China," Chinadialogue, 19 May 13, 29.

[44] See Fengshi Wu and Kin-man Chan, "Graduated Control and Beyond: The Evolving Government-NGO Relations," in China Perspectives, No. 3, 2012, 10. The term "social organization" is a broad category in Chinese official parlance, according to Chinese University of Hong Kong scholars Fengshi Wu and Kin-man Chan, in that it includes organizations that also function as quasi- or semi-state-run organizations. See Yu Keping, "China's Civil Society: Concepts, Classifications, and Institutional Environment" [Zhongguo gongmin shehui: gainian, fenlei yu zhidu huanjing], Social Sciences in China, Issue No. 1, 2006. China's "people's organizations" (*renmin tuanti*) or "mass organizations" (*qunzhong tuanti*), such as the All-China Women's Federation, the All-China Federation of Trade Unions, and the Communist Youth League, are also commonly referred to as "social organizations," and sometimes describe themselves as non-governmental even though they function as quasi-governmental entities under government and Party leadership.

[45] Isabel Hilton and Meng Si, "Funding Green China," Chinadialogue, 19 May 13, 27.

[46] Deng Guosheng and Zhao Xiaoping, "GONGOs in the Development of Health Philanthropy in China," in Philanthropy for Health in China, eds. Jennifer Ryan et al. (Bloomington: Indiana University Press, 2014), 198–99, 209.

[47] Zhang Mulan, "'Charity Blue Book' Issued, Four Major Data Raise Concern" ["Cishan lanpishu" fabu si da shuju yin guanzhu], China Philanthropy Times, 20 May 14.

[48] State Council Research Office, "Second Session of the 12th National People's Congress 'Government Work Report' Study Questions & Answers" [Shier jie quanguo renda erci huiyi "zhengfu gongzuo baogao" xuexi wenda], 17 March 14, sec. 19(2).

[49] Ibid.

[50] See, e.g., CECC, 2013 Annual Report, 10 October 13, 133–34; CECC, 2012 Annual Report, 10 October 12, 122–23.

[51] Anthony J. Spires, Lin Tao, and Kin-man Chan, "Societal Support for China's Grass-Roots NGOs: Evidence From Yunnan, Guangdong and Beijing," China Journal, No. 71, January 2014, 76–77.

[52] Ibid.

[53] Deng Guosheng and Zhao Xiaoping, "GONGOs in the Development of Health Philanthropy in China," in Philanthropy for Health in China, eds. Jennifer Ryan et al. (Bloomington: Indiana University Press, 2014), 198–99, 209.

[54] Justice for All, Little Fish Labor Services, and Promise of Love, "Information Submitted by Three Chinese NGOs, Justice for All, Little Fish Labor Services and Promise of Love to the Pre-Sessional Working Group of the Committee on Economic, Social and Cultural Rights on the Occasion of the Consideration of List of Issues Related to the Second Periodic Report of the People's Republic of China during the Committee's 51st Session," March 2014, para. 3.

[55] UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, paras. 95 (Ireland), 186.35 (Mexico); UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 1, Report of the Human Rights Council on its 25th Session, A/HRC/25/2, 17 July 14, paras. 818 (Germany), 821 (Ireland).

[56] UN Committee on the Rights of the Child, Concluding Observations on the Combined Third and Fourth Periodic Reports of China, adopted by the Committee at its sixty-fourth session (16 September–4 October 2013), 29 October 13, sec. III(8).

[57] Chinese Human Rights Defenders, "'Flowers of the Country': Mistreated and Abused—A Report of the Rights of the Child in China," August 2013, 2; Justice for All, Little Fish Labor Services, and Promise of Love, "Information Submitted by Three Chinese NGOs, Justice for All, Little Fish Labor Services and Promise of Love to the Pre-Sessional Working Group of the Committee on Economic, Social and Cultural Rights on the Occasion of the Consideration of List of Issues Related to the Second Periodic Report of the People's Republic of China during the Committee's 51st Session," March 2014, para. 3; Human Rights in China, "Suggested Questions and Issues To Be Raised With the Government of the People's Republic of China in Advance of the Review of Its Second Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights," April 2013, paras. 22–25. See also Lawyers for Lawyers (L4L) and Lawyers' Rights Watch Canada (LRWC), "Joint UPR Submission: People's Republic of China," 4 March 13, paras. 14–15. L4L and LRWC asserted in March 2013 that the All China Lawyers Association—listed in China's roster of NGOs consulted during the formulation of its report for its second Universal Periodic Review—"cannot be seen as a proper independent organisation."

[58] UN GAOR, Hum. Rts. Coun., 17th Sess., National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21—China, A/HRC/WG.6/17/CHN/1, 5 August 13, annex 2; UN Committee on Economic, Social and Cultural Rights, Implementation of the International Covenant on Economic, Social and Cultural Rights, Second Periodic Reports Submitted by States Parties Under Articles 16 and 17 of the Covenant—China, E/C.12/CHN/2, 6 July 12, annex 1. According to the country report China submitted to the Committee to review its compliance with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Chinese government "convened a conference in July

2011," to which it invited 11 "civil society" organizations. See UN Committee on the Elimination of Discrimination against Women, Consideration of Reports Submitted by States Parties Under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Combined Seventh and Eighth Periodic Report of States Parties—China, CEDAW/C/CHN/7–8, 17 January 13, Introduction, para. 4.

[59] Human Rights in China, "Suggested Questions and Issues To Be Raised With the Government of the People's Republic of China in Advance of the Review of Its Second Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights," April 2013, 10–11, para. 23.

[60] Didi Kirsten Tatlow, "U.N. Investigates 'Intimidation' of Activist at Human Rights Council," New York Times, Sinosphere (blog), 21 March 14; Didi Kirsten Tatlow, "Fissures in China's Ethnic Policy," New York Times, Sinosphere (blog), 26 March 14.

[61] Ibid.

[62] Human Rights in China, "China Deploys Procedural Challenges To Control Civil Society Voices at Human Rights Council Session," 22 March 14; International Federation for Human Rights, "Mounting Attacks Against NGOs: The Human Rights Council Should Take a Firm Stand To Protect Their Right To Speak," 28 March 14; Hans Thoolen, "China in the UN Human Rights Council Manages To Silence Cao Shunli As Well As NGOs," Hans Thoolen on Human Rights Defenders (blog), 20 March 14.

[63] Human Rights in China, "China Deploys Procedural Challenges To Control Civil Society Voices at Human Rights Council Session," 22 March 14. For Commission analysis, see "Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law," Congressional-Executive Commission on China, 2 April 14.

[64] Economic and Social Council Committee on NGOs, Department of Public Information, "Committee Grants Special Consultative Status to 15 Non-Governmental Organizations, While Deferring Action on Applications of 38 Others," 23 May 14; "Veronica Yates: The Child Rights International Network," reprinted in International Service for Human Rights, 26 June 14.

[65] Economic and Social Council Committee on NGOs, Department of Public Information, "Committee on Non-Governmental Organizations, Concluding Review of Applications, Recommends Two Groups for Consultative Status," 28 May 14.

[66] "Policy Brief No. 14 (January 2014): The Third Plenum Brings a Chilly Spring for China's Civil Society," China Development Brief, 7 February 14.

[67] Chinese Communist Party Central Committee, "Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms" [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13, sec. 13(48); State Council General Office, Guiding Opinion on Government Procurement of Services From Social Forces [Guowuyuan bangongting guanyu zhengfu xiang shehui liliang goumai fuwu de zhidao yijian], reprinted in PRC Central People's Government, issued 26 September 13.

[68] Wang Jianjun, "Promoting Social Organization Reform Development Will Require Solving 10 Major Problems" [Tuijin shehui zuzhi gaige fazhan yao zhuoli jiejue shi da wenti], Journal of China Social Organizations, reprinted in Ministry of Civil Affairs NPO Bureau, 8 July 14.

[69] State Council General Office, "State Council Institutional Reform and Functional Transformation Plan" [Guowuyuan jigou gaige he zhineng zhuanbian fang'an], 28 March 13.

[70] PRC Central People's Government, "National New-Type Urbanization Plan (2014–2020) [Guojia xinxing chengzhenhua guihua (2014–2020 nian)], reprinted in Xinhua, 16 March 14, chap. 19, sec. 1.

[71] Jiang Yanxin, "Public Servants Responsible for Leading Industry Associations Will Decrease Significantly" [Gongwuyuan ren hangye xiehui lingdao jiang dafu jianshao], Beijing News, 14 March 14.

[72] Ibid.

[73] Ibid.

[74] Ibid.

[75] Ibid.

[76] Du Ke, "Administrative Reform Blue Book: Society Most Eager for Simplification and Decentralization of Government Powers" [Xingzheng gaige lanpishu: jianzheng fangquan zui wei shehui qidai], Caixin, 24 March 14.

[77] State Council General Office, "State Council Institutional Reform and Functional Transformation Plan" [Guowuyuan jigou gaige he zhineng zhuanbian fang'an], 28 March 13.

[78] He Dan, "NPO Rules Expected in 2014," China Daily, 29 December 13; Karla Simon, "Civil Society Developments in China," Alliance (blog), 4 February 14. The three key regulations include the Regulations on the Registration and Management of Social Associations [Shehui tuanti dengji guanli tiaoli], issued and effective 25 October 98; Temporary Regulations on the Registration and Management of Non-Governmental, Non-Profit Organizations [Minban fei qiye danwei dengji guanli zanxing tiaoli], issued and effective 25 October 98; and Regulations on the Management of Foundations [Jijinhui guanli tiaoli], issued 8 March 04, effective 1 June 04.

[79] He Dan, "Reforms Give NGOs a Level Playing Field," China Daily, 31 March 14; Wang Jianjun, "Promoting Social Organization Reform Development Will Require Solving 10 Major Problems" [Tuijin shehui zuzhi gaige fazhan yao zhuoli jiejue shi da wenti], Journal of China Social Organizations, reprinted in Ministry of Civil Affairs NPO Bureau, 8 July 14.

[80] Zhou Tian, "MCA Publication Explains Social Organizations and State Governance" [Minzhengbu kanwen jiedu shehui zuzhi yu guojia zhili], Caixin, 11 December 13.

[81] Wang Jianjun, "Promoting Social Organization Reform Development Will Require Solving 10 Major Problems" [Tuijin shehui zuzhi gaige fazhan yao zhuoli jiejue shi da wenti], Journal of China Social Organizations, reprinted in Ministry of Civil Affairs NPO Bureau, 8 July 14; Isabel Hilton and Meng Si, "Funding Green China," Chinadialogue, 19 May 13, 27.

[82] Jiang Yanxin, "Public Servants Responsible for Leading Industry Associations Will Decrease Significantly" [Gongwuyuan ren hangye xiehui lingdao jiang dafu jianshao], Beijing News, 14 March 14.

[83] Wang Jianjun, "Promoting Social Organization Reform Development Will Require Solving 10 Major Problems" [Tuijin shehui zuzhi gaige fazhan yao zhuoli jiejue shi da wenti], Journal of China Social Organizations, reprinted in Ministry of Civil Affairs NPO Bureau, 8 July 14.

[84] Ministry of Civil Affairs (MCA), Circular of the Ministry of Civil Affairs on Matters Relating to the Implementation of the Decision of the State Council on Canceling the Administrative Approval for the Registration of Branches and Representative Offices of National Social Groups [Minzhengbu guanyu guanche luoshi guowuyuan quxiao quanguoxing shehui tuanti fenzhi jigou, daibiao jigou dengji xingzheng shenpi xiangmu de jueding youguan wenti de tongzhi], issued 26 February 14; State Council Decision on Abolishing and Delegating to Lower Levels Administrative Approvals for Some Items [Guowuyuan guanyu quxiao he xiafang yipi xingzheng shenpi xiangmu de jueding], issued 8 November 13, items 76–78.

[85] Karla Simon, "Civil Society Developments in China," Alliance (blog), 4 February 14.

[86] Lan Fang, "Legal Studies Association Doesn't Accept Punishment and Sues MCA" [Faxue shetuan bufu chufa qisu minzhengbu], Caixin, 1 May 14. The Caixin report explains that the Chinese Society of International Economic Law refused the MCA's 2007 directive to change its professional sponsor organization from the Ministry of Justice to another national-level legal association, the China Law Society. See Chinese Society of International Economic Law Institute Introduction [Zhongguo guoji jingji faxuehui jianjie], Chinese Society of International Economic Law Web site, last visited 7 May 14.

[87] Lan Fang, "Legal Studies Association Doesn't Accept Punishment and Sues MCA" [Faxue shetuan bufu chufa qisu minzhengbu], Caixin, 1 May 14; Lan Fang, "Sequel to Social Organization's Lawsuit Against the MCA, Questions the Source of Law Society's Authority" [Shetuan gao minzhengbu xupian, zhiyi faxuehui quanli laiyuan], Caixin, 28 May 14.

[88] State Council General Office, Guiding Opinion on Government Procurement of Services From Social Forces [Guowuyuan bangongting guanyu zhengfu xiang shehui liliang goumai fuwu de zhidao yijian], reprinted in PRC Central People's Government, issued 26 September 13; "State Council General Office: Gradually Increase the Extent of the Government's Procurement of Services From Social Forces" [Guoban: zhubu jiada zhengfu xiang shehui liliang goumai fuwu de lidu], China News Service, 30 September 13.

[89] Zhu Lan, "Government Procurement of Services From Society as Driver of Social System Reform" [Zhengfu xiang shehui liliang goumai fuwu tuidong shehui tizhi gaige], in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 29.

[90] Jessica C. Teets and Marta Jagusztyn, "The Evolution of a Collaborative Governance Model: Public-Nonprofit Partnerships in China," USAID/Asia and Pepfar, 2013, 21–22. See also Zhu Lan, "Government Procurement of Services From Society as Driver of Social System Reform" [Zhengfu xiang shehui liliang goumai fuwu tuidong shehui tizhi gaige], in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 29.

[91] Zhu Lan, "Government Procurement of Services From Society as Driver of Social System Reform" [Zhengfu xiang shehui liliang goumai fuwu tuidong shehui tizhi gaige], in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 29.

[92] Lan Fang, "Beijing Stipulates Only Public Charitable Foundations Can Publicly Fundraise, All Others Are Illegal" [Beijing guiding jin gongmu jijinhui ke gongmu, qiyu feifa], Caixin, 30 December 13.

[93] Hou Xuezhu, "Shenzhen's Local Legislation 'Break That Hasn't Gone Through' Is a Difficult Labor" [Shenzhen difang lifa "tu er bu po" huo nanchan], Beijing Times, 21 October 13; Liu Haiying, "Using the Law To Establish Charity: Shenzhen's Charity Sector Advances Regulation and Makes Further Progress" [Yifa lishan: shenzhen cishan shiye cujin tiaoli you you xin jinzhan], China Development Brief, 8 January 14.

[94] "Li Jian: The Development of China's Charity Law" [Li jian: zhongguo cishan lifa de jincheng], China Development Brief, 29 September 13.

[95] Wu Nan, "Charity Donations May Become Compulsory for All Chinese Earners in Sector Overhaul," South China Morning Post, 7 March 14.

[96] "MCA Minister Li Liguo: Countdown to China's Charity Law" [Minzhengbu buzhang li liguo: woguo cishanfa jinru daojishi], China National Radio, 5 March 14.

[97] Yang Tuan, "What Should the Charity Law Do?" [Cishanfa yao zuo shenme?], Caixin, 20 May 14.

[98] Guo Jinhui, "'Charity Law' Legislation Speeding Up, Public Hopes Charity Will Return to Being Community-Based" ["Cishan fa" lifa jisu zhong pan cishan huigui minjian benwei], First Financial, 21 May 14.

[99] Hou Xuezhu, "Shenzhen's Local Legislation 'Break That Hasn't Gone Through' Is a Difficult Labor" [Shenzhen difang lifa "tu er bu po" huo nanchan], Beijing Times, 21 October 13.

Notes to Section III—Institutions of Democratic Governance

[1] International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 25; UN Office of the High Commissioner for Human Rights, General Comment No. 25: The Right To Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service, CCPR/C/21/Rev.1/Add.7, 12 July 96. Under General Comment 25 to the ICCPR, the language requires that: "Where citizens participate in the conduct of public affairs through freely chosen representatives, it is implicit in article 25 that those representatives do in fact exercise governmental power and that they are accountable through the electoral process for their exercise of that power" (para. 7); "The right to vote at elections and referenda must be established by law and may be subject only to reasonable restrictions . . . [p]arty membership should not be a condition of eligibility to vote, nor a ground of disqualification" (para. 10); "Freedom of expression, assembly and association are essential conditions for the effective exercise of the right to vote and must be fully protected . . . ." (para. 12); "The right of persons to stand for election should not be limited unreasonably by requiring candidates to be members of parties or of specific parties . . ." (para. 17); and an "independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant . . . ." (para. 20).

[2] International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76. China has signed, but has not yet ratified, the ICCPR. In the 2009–2010 National Human Rights Action Plan issued by the Chinese government in April 2009, officials stated that the "essentials" of the ICCPR were some of the "fundamental principles" on which the plan was framed, and that the government "will continue legislative, judicial and administrative reforms to make domestic laws better linked with this Covenant, and prepare the ground for approval of the ICCPR." State Council Information Office, "National Human Rights Action Plan of China (2009–2010)," reprinted in Xinhua, 13 April 09, Introduction, sec. V(1).

[3] Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 21. "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives . . . . The will of the people shall be the basis of the authority of government, this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

[4] UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, paras. 186.1–186.15, 186.17–186.19, 186.21, 186.32, 186.127.

[5] UN GAOR, Hum. Rts. Coun., 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, Addendum, Views on Conclusions and/or Recommendations, Voluntary Commitments and Replies Presented by the State Under Review, A/HRC/25/5/Add.1, 27 February 14. China rejected recommendations in paragraphs 186.1–186.2, 186.11–186.13, 186.15, 186.17–186.19, 186.21, and 186.127 regarding ratification of the ICCPR. Regarding setting a timetable for ratifying the ICCPR, China stated in paragraph 186.1: "China is now prudently carrying out its judicial and administrative reform to actively prepare for the ratification of the ICCPR. No specific timetable for the ratification of the ICCPR could be set out so far."

[6] Ibid. China accepted recommendations in paragraphs 186.3–186.10, 186.14, and 186.32 regarding ratification of the ICCPR.

[7] "Xinhua Insight: Why the CPC's Third Plenary Session Is Important," Xinhua, 30 August 14. According to Xinhua, traditionally, central Party officials use the third meeting of a new Party congress to issue plans for key policy changes.

[8] "Xi Jinping: Explanation Regarding 'Chinese Communist Party Central Committee Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms'" [Xi jinping: guanyu "zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding" de shuoming], Xinhua, 15 November 13.

[9] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13.

[10] Ibid., sec. 10, para. 1. The Decision emphasized "strengthening the system for restraining and supervising the use of power," specifically referring in part to building "a system for exercising power with scientific decision-making, resolute execution, and strong supervision, [and] completing a system for the punishment and prevention of corruption."

[11] Ibid., sec. 8. For example, section 8 stated that officials should "perfect" the people's congress system, the Party-led multiparty cooperative and the political consultative system, and the system of "autonomy" at the grassroots level. Section 8, para. 1 of the Decision also urged officials to "[a]ttach greater importance to improving the system of democracy, diversifying the forms of democracy," and expand citizens' "orderly political participation" at all levels in order to give "full play to the strength of the socialist political system."

[12] Elizabeth C. Economy, "China's Unprecedented Political Reforms," Council on Foreign Relations, Asia Unbound (blog), 16 January 14.

[13] Agatha Kratz, "Battling Interest Groups: A Case for Enlightened Despotism," China Analysis: How Far Will the NPC Go in Implementing Reform?, European Council on Foreign Relations and Asia Centre, March 2014, 3. Central authorities reportedly dismissed proposals by dozens of Chinese researchers and experts to add three items to the Third Plenum Decision: democratize the Party, standardize elections, and extend freedom of expression.

[14] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13, sec. 16.

[15] Ibid., sec. 9(30).

[16] "Formulation of Central Party Internal Rules and Regulations Five-Year Plan Summary (Full Text)" [Zhongyang dangnei fagui zhiding gongzuo wu nian guihua gangyao (quanwen)], Xinhua, 27 November 13; Cai Rupeng, "Chinese Communist Party Issues Intraparty Plan for Formulating Laws, First Time Mentioning Constitution Foremost" [Zhonggong gongbu dangnei fa zhiding shou ti xianfa wei shang], China Newsweek, 5 December 13.

[17] Cai Rupeng, "Chinese Communist Party Issues Intraparty Plan for Formulating Laws, First Time Mentioning Constitution Foremost" [Zhonggong gongbu dangnei fa zhiding shou ti xianfa wei shang], China Newsweek, 5 December 13.

[18] Chinese Communist Party Constitution [Gongchandang zhangcheng], adopted 6 September 82, amended 1 November 87, 18 October 92, 18 September 97, 14 November 02, 21 October 07, 14 November 12, General Program. The Party revised the General Program of the Party constitution to include "[t]he Party must conduct its activities within the framework of the Constitution and laws of the country."

[19] "Full Text of Hu Jintao's Report at 18th Party Congress (Chapters 5–11)" Xinhua, 17 November 12, reprinted in the Embassy of the People's Republic of China, 27 November 12. Chapter 5, paragraph 4 stated, "[a]s the Constitution and laws are adopted by the Party and the people under its leadership, the Party must act within the scope prescribed by the Constitution and laws. No organization or individual has the privilege of overstepping the Constitution and laws, and no one in a position of power is allowed in any way to take one's own words as the law, place one's own authority above the law or abuse the law." See also Choi Chi-yuk, "Xi Jinping Vows To Uphold Constitution and Rule of Law," South China Morning Post, 25 February 13.

[20] Constitution of the Communist Party of China [Gongchangdang zhangcheng], adopted 6 September 82, amended 1 November 87, 18 October 92, 18 September 97, 14 November 02, 21 October 07, General Program. For example, the 2007 version of the Chinese Communist Party Constitution General Program states: "The Party must conduct its activities within the framework of the Constitution and laws of the country." Similar statements also are included in China's state Constitution beginning with the 1982 version. See PRC Constitution, issued 4 December 82, art. 5. The 1982 Chinese state Constitution stipulated that "no organization or individual may enjoy the privilege of being above the Constitution and the law." Similar language in Article 5 is also in each of the later versions of the Constitution, including those amended on March 29, 1993; March 15, 1999; and March 14, 2004.

[21] Qian Gang, "The Uncertain Death of 'Constitutionalism,'" China Media Project, 2 September 13; Qian Gang, "Parsing the 'Public Opinion Struggle,'" China Media Project, 24 September 13; China Media Project, "'Struggling' Against Constitutionalism," 25 September 13; Joseph Fewsmith, "Debating Constitutional Government," China Leadership Monitor, Hoover Institution, Stanford University, 7 October 13; Hugo Winkler, "The Constitutional Government Controversy," China Analysis: Law and Power in Xi's China, European Council on Foreign Relations and Asia Centre, December 2013, 3–4.

[22] Alice Miller, "How Strong Is Xi Jinping," China Leadership Monitor, Hoover Institution, Stanford University, No. 43 (Spring 2014), 13 March 14; Mamta Badkar, "Here's Why People Are Calling Chinese President Xi Jinping a Mao-Style Authoritarian," Business Insider, Australia, 30 November 13. These articles lay out the debate surrounding assertions that President Xi Jinping is recentralizing power in his hands at the expense of other top leaders. Conversely, the articles also discuss the assertion that Xi is not acting alone, but is acting together with the collective leadership to recentralize power.

[23] Agatha Kratz, "Battling Interest Groups: A Case for Enlightened Despotism," China Analysis: How Far Will the NPC Go in Implementing Reform?, European Council on Foreign Relations and Asia Centre, March 2014, 3–4.

[24] Wang Yong, "Xi Jinping Takes Lead of 'Deepening Reforms Small Group'" [Xi jinping churen "shen gai xiaozu" zuzhang], Caixin, 30 December 13; Chris Buckley, "Xi Puts Himself at Center of China's Economic Makeover," New York Times, Sinosphere (blog), 20 November 13; Jeremy Page, "China's President Takes Bigger Security Role," Wall Street Journal, 24 January 14; Simon Denyer, "China's Leader, Xi Jinping, Consolidates Power With Crackdowns on Corruption, Internet," Washington Post, 3 October 13; Didi Tang, "China's Vice Crackdown Tackles Entrenched Industry," Associated Press, 21 February 14; Alice Miller, "The Road to the Third Plenum," China Leadership Monitor, Hoover Institution, Stanford University, No. 42 (Fall 2013), 7 October 13, 8.

[25] "Chinese Communist Party Central Committee Establishes Leading Small Group for Comprehensively Deepening Reforms" [Zhongyang chengli quanmian shenhua gaige lingdao xiaozu], People's Daily, 12 November 13. The Reform Leading Small Group is responsible for planning, coordinating, advancing, and monitoring the implementation of "overall reform." "Central Leading Small Group for Deepening Reforms Convenes Meeting, Premier Li Keqiang Is Deputy Head" [Zhongyang shenhua gaige lingdao xiaozu zhaokai huiyi li keqiang ren fuzuzhang], China News, reprinted in NetEase, 22 January 14.

[26] Christopher K. Johnson, Center for Strategic and International Studies, "China Announces Sweeping Reform Agenda at Plenum," 15 November 13; Chu Zhuqin, "Xi Jinping Expounds on Overall National Security Concepts, First Time System Proposed for '11 Types of Security'" [Xi jinping chanshu zongti guojia anquan guan shouci xitong tichu "11 zhong anquan"], Oriental Morning Post, 16 April 14. According to the two sources, the Central State Security Committee reportedly is a platform for resolving security problems and centralizing decisionmaking over domestic and international state security issues. In addition, the second source also notes the Central State Security Committee will concern itself with the following 11 types of security issues: political, territorial, military, economic, cultural, social, technological, information, ecological, natural resources, and nuclear. For additional information regarding the establishment of the commission, its members, and mission, see Marc Julienne, "The New Central National

Security Commission," China Analysis: How Far Will the NPC Go in Implementing Reform?, European Council on Foreign Relations and Asia Centre, March 2014, 5–8.

[27] "He Qinglian: Why Are 'Small Groups' the Evergreen of CCP Politics?" [He qinglian: "xiaozu" weihe shi zhonggong zhengzhi de changqingshu?], Voice of America, 19 March 14. According to the VOA, one of the other leading groups is called the Leading Small Group for Deepening Defense and Military Reforms. Adam Segal, "China's New Leading Small Group on Cybersecurity and Internet Management," Forbes Asia, 27 February 14; "Xi Stresses Efforts To Revolutionize Energy Sector," Xinhua, 13 June 14.

[28] Jeremy Page, "China's President Takes Bigger Security Role," Wall Street Journal, 24 January 14; Wang Yong, "Xi Jinping Takes Lead of 'Deepening Reforms Small Group'" [Xi jinping churen "shen gai xiaozu" zuzhang], Caixin, 30 December 13; Adam Segal, "China's New Leading Small Group on Cybersecurity and Internet Management," Forbes Asia, 27 February 14; "Xi Stresses Efforts To Revolutionize Energy Sector," Xinhua, 13 June 14. Xinhua stated President Xi Jinping leads the Central Leading Group on Financial and Economic Affairs.

[29] Wang Yong, "Xi Jinping Takes Lead of 'Deepening Reforms Small Group'" [Xi jinping churen "shen gai xiaozu" zuzhang], Caixin, 30 December 13; Chris Buckley, "Xi Puts Himself at Center of China's Economic Makeover," New York Times, 20 November 13; Jeremy Page, "China's President Takes Bigger Security Role," Wall Street Journal, 24 January 14.

[30] Alice Miller, "The Road to the Third Plenum," China Leadership Monitor, Hoover Institution, Stanford University, No. 42 (Fall 2013), 7 October 13, 1–7; "CPC Officials Told To Efficiently Carry Out 'Mass-Line' Campaign," Global Times, 2 October 13; Tyler Roney, "Xi's Mass Line Campaign Casts a Dark Shadow Over China," Diplomat, 2 October 13; "Mass Line Hits Xinjiang," Global Times, 21 April 14; "Consolidate and Expand Education To Realize Campaign Outcomes, Implement New Work Style Construction Requirements in Real Earnest" [Gonggu kuoda jiaoyu shixian huodong chengguo ba zuofeng jianshe xin yaoqiu luo dao shi chu], Qiushi, 16 June 14.

[31] "CPC Officials Told To Efficiently Carry Out 'Mass-Line' Campaign," Xinhua, reprinted in Global Times, 2 October 13; Tyler Roney, "Xi's Mass Line Campaign Casts a Dark Shadow Over China," Diplomat, 2 October 13.

[32] Sheng Ruowei, "More Than 60,000 Weak and Disorganized Grassroots Party Organizations Reorganized" [Liuwan duo ge ruanruo huansan jiceng dang zuzhi bei zhengdun], People's Daily, 31 May 14.

[33] Gao Lei, "At the End of 2009 Total Number of Party Members Throughout the Country Reaches 77,995,000" [Jiezhi 2009 niandi quanguo dangyuan zongshu da 7799.5 wan ming], Chinese Communist Party Information Net, 28 June 10. At the end of 2009, there were 6,629 urban street Communist Party organizations, 34,224 town organizations, 80,000 residential committees, and 598,000 village committees.

[34] Ibid. At the end of 2009, out of the country's 570,000 public institutions (*shiye danwei*), 471,000 had Party organizations.

[35] Ibid. At the end of 2009, the breakdown of the number of Party members in various organizations was as follows: Out of 13,000 eligible "social associations" (*shehui tuanti*), 12,000 had Party organizations, and out of 16,000 eligible "private, non-commercial units" or nonprofit enterprises (*minban feiqiye danwei*), 15,000 had Party organizations.

[36] Sheng Ruowei, "More Than 60,000 Weak and Disorganized Grassroots Party Organizations Reorganized" [Liuwan duo ge ruanruo huansan jiceng dang zuzhi bei zhengdun], People's Daily, 31 May 14.

[37] "Xi Urges Army's Implementation of 'Mass Line,'" Xinhua, 13 February 14.

[38] Shannon Tiezzi, "Xi Jinping's Vision for China's Courts," Diplomat, 9 January 14.

[39] "Xi Demands Greater Initiative, Innovation in Publicity Work," Xinhua, 20 August 13; Josh Chin, "Mass Re-Education for China's Reporters," Wall Street Journal, China Real Time (blog), 18 December 13; Qian Gang, "Parsing the 'Public Opinion Struggle,'" China Media Project, 24 September 13; Raymond Li, "Web 'Opinion Analyst' Class May Draw Journalism Grads, but Some Are Wary," South China Morning Post, 20 October 13; Wen Ya, "Learning the News," Global Times, 17 December 13.

[40] Mamta Badkar, "Here's Why People Are Calling Chinese President Xi Jinping a Mao-Style Authoritarian," Business Insider, Australia, 30 November 13; Alice Miller, "The Road to the Third Plenum," China Leadership Monitor, Hoover Institution, Stanford University, No. 42 (Fall 2013), 7 October 13. These articles discuss the "mass line" campaign, which includes political indoctrination and self-criticism sessions for officials.

[41] Ben Blanchard, "China Tells Police To Be Loyal to Party Amid Graft Crackdown." Reuters, 3 January 14.

[42] "Xi Demands Greater Initiative, Innovation in Publicity Work," Xinhua, 20 August 13.

[43] General Office of the Chinese Communist Party Central Committee, "Opinion Regarding Cultivating and Implementing Socialist Core Values" [Guanyu peiyu he jianxing shehuizhuyi hexin jiazhiguan de yijian], reprinted in Xinhua, 23 December 13; Teddy Ng and Li Jing, "Communist Party Orders 'Core Socialist Values' on the Curriculum," South China Morning Post, 24 December 13.

[44] Ibid., sec. 2, item 4; Teddy Ng and Li Jing, "Communist Party Orders 'Core Socialist Values' on the Curriculum," South China Morning Post, 24 December 13.

[45] General Office of the Chinese Communist Party Central Committee, "Opinion Regarding Cultivating and Implementing Socialist Core Values" [Guanyu peiyu he jianxing shehuizhuyi hexin jiazhiguan de yijian], reprinted in Xinhua, 23 December 13, sec. 3.

[46] For more in-depth information regarding the definition of "social management," see CECC, 2012 Annual Report, 10 October 12, 125–26.

[47] "Li Liguo: An Innovative Social Governance System Primarily Will Transform Mode of Social Governance" [Li liguo: chuangxin shehui zhili tizhi zhuyao ying zhuanbian shehui zhili fangshi], Xinhua, 5 December 13.

[48] Chinese Human Rights Defenders, "144 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 18 June 14. See also Human Rights in China, "Restrictions, Detentions, Disappearances, Arrests Before and Beyond June 4, 2014," 16 June 14.

[49] Chinese Human Rights Defenders, "144 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 18 June 14. Rights Defense Network, "'Rights Defense Network' Statement on Beijing Authorities' Crackdown on Participants in the 'June Fourth' Discussion Forum" ["Weiquanwang" jiu beijing dangju daya canjia "liu si" yantaohui renshi de shengming], 7 May 14. For more information on Pu Zhiqiang, see the Commission's Political Prisoner Database record 2014-00174.

[50] Human Rights in China, "Restrictions, Detentions, Disappearances, Arrests Before and Beyond June 4, 2014," 16 June 14. For more information on Qu Zhenhong, see the Commission's Political Prisoner Database record 2014-00179.

[51] Rights Defense Network, "More Than 1,200 People From All Walks of Life Sign a Joint Letter Demanding the Release of China Democracy Party Member Xu Guang" [Yiqian liangbai yu ming gejie renshi lianshu yaoqiu shifang zhongguo minzhudang ren xu guang], 10 May 14. For more information on Xu Guang, see the Commission's Political Prisoner Database record 2004-02203.

[52] Chinese Human Rights Defenders, "144 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 18 June 14. "University Student Detained for Releasing 'Return to Tiananmen' Plan, Hu Jia Looking To Hire a Lawyer on Behalf of Her Family" [Daxuesheng fabu "chonghui tiananmen" fang'an bei ju hu jia xunzhao qi jiaren yuan dai pin lushi], Radio Free Asia, 10 June 14. For more information on Zhao Huaxu, see the Commission's Political Prisoner Database record 2014-00204.

[53] Chinese Human Rights Defenders, "144 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 18 June 14; "Rights Lawyer Chang Boyang's Criminal Detention Draws Concern" [Weiquan lushi chang boyang bei xingju yin guangzhu], Voice of America, 10 June 14.

[54] Ibid.

[55] Chinese Human Rights Defenders, "144 Individuals Affected by Government Crackdown Around 25th Anniversary of Tiananmen Massacre," last visited 18 June 14.

[56] Ibid.

[57] Ibid.

[58] Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 1. According to CHRD, there were more than 220 documented criminal detentions of rights defenders in 2013, which amounts to three times the number detained in 2012.

[59] For information on Liu Benqi's case, see the Commission's Political Prisoner Database record 2013-00028.

[60] Rights Defense Network, "Qinghai Democracy Advocate Liu Benqi, Whose Residence Is Registered in Hubei, Sentenced to Three Years' Imprisonment for 'Inciting Subversion,' Sent To Serve Prison Sentence in Xining" [Hubei ji zai qinghai de minzhu renshi liu benqi bei yi "shandian zui" pan san nian, jiang wang xining fuxing], 9 February 14.

[61] Ibid.; "Zhu Yufu's 'Medical Parole' Application Refused, Wife Is Harassed; Liu Benqi's Case Sent to Court, Will Defend Himself" [Zhu yufu "baowai jiuyi" shenqing bei ju qi zao weixie, liu benqi an dao fayuan jueding zibian], Radio Free Asia, 8 May 13.

[62] "China Dissident Jailed for 42 Months Over Daughter's Schooling," Radio Free Asia, 5 September 14.

[63] Human Rights in China, "Zhejiang Activist Lu Gengsong Arrested for 'Subversion of State Power,'" 13 August 14.

[64] Civil Rights and Livelihood Watch, "Noted Dissident Qin Yongmin Escorted Back to Wuhan, House Searched and Items Confiscated, Detained for Nine Days" [Zhiming yiyi renshi qin yongmin bei ya hui wuhan zao chaojia juliu jiu tian], 2 January 14. For information on Qin Yongmin's case, see the Commission's Political Prisoner Database record 2004-02138.

[65] Rights Defense Network, "Shandong Netizen Sun Feng Criminally Detained for Holding Up 'Constitutional Governance, Democracy, Don't Forget June Fourth' Sign" [Shandong wangyou sun feng jupai "xianzheng minzhu, wuwang liu si" bei xingju], 26 January 14; "Will Fearless Sun Feng Become China's First Case of Inciting Subversion in 2014?" [Wu ju sun feng jiang chengwei 2014 nian zhongguo di yi ge shan dian zui?], Boxun, 30 January 14. For information on Sun Feng's case, see the Commission's Political Prisoner Database record 2004-03379.

[66] Chen Guangcheng and Gao Zhisheng: Human Rights in China, Hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Foreign Affairs Committee, U.S. House of Representatives, 9 April 13, Testimony of Bob Fu, Founder and President, ChinaAid. For information on Zhu Yufu's case, see the Commission's Political Prisoner Database record 2004-02253. See also "Authorities Deny Medical Treatment to Zhu Yufu; Condition Serious," Congressional-Executive Commission on China, 16 April 13.

[67] Chinese Human Rights Defenders, "Submission to UN on Cao Haibo—April 1, 2013," 3 April 13; Rights Defense Network, "Creator of Society To Strengthen China Cao Haibo Secretly Sentenced to Eight Years for 'Subversion'" [Zhenhuahui chuangshi ren cao haibo bei yi "dianfu zui" mimi panxing 8 nian], 1 November 12; "Democracy Advocate Cao Haibo Sentenced to Eight Years for Subversion," Congressional-Executive Commission on China, 4 December 12. For more information about Cao Haibo's case, see the Commission's Political Prisoner Database record 2011-00737.

[68] Gillian Wong, "China Activist Given 10 Years' Jail for Subversion," Associated Press, reprinted in Yahoo! News, 26 December 11. For more information about Chen Xi, see the Commission's Political Prisoner Database record 2008-00379.

[69] Rights Defense Network, "Liu Xianbin Case Trial Oral Sentence Announcement of 10 Years, Family and Lawyers Cannot Visit" [Liu xianbin an fating koutou xuanpan shi nian xingqi,

jiaren lushi wufa huijian], 25 March 11. For more information about Liu Xianbin, see the Commission's Political Prisoner Database record 2004-04614.

[70] Chinese Human Rights Defenders, "Chinese Government Must Be Held Accountable for Death of Activist Cao Shunli," 14 March 14; Ben Blanchard, "China Denies Dead Dissident Refused Medical Treatment," Reuters, 17 March 14. See also "Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law," Congressional-Executive Commission on China, 2 April 14.

[71] Chinese Human Rights Defenders, "Chinese Government Must Be Held Accountable for Death of Activist Cao Shunli," 14 March 14; Amnesty International, "China: Authorities Have 'Blood on Their Hands' After Activist's Death," 14 March 14; Front Line Defenders, "Chinese Government Responsible for the Death of Cao Shunli," 14 March 14; "China Denies Mistreating Activist Cao Shunli," Agence France-Presse, reprinted in Australian Broadcast Company, 18 March 14.

[72] Chinese Human Rights Defenders, "Cao Shunli & Her Legacy," 21 April 14; Chinese Human Rights Defenders, "Chinese Government Must Be Held Accountable for Death of Activist Cao Shunli," 14 March 14. For more information on Cao Shunli's case, see the Commission's Political Prisoner Database record 2009-00195. See also "Inadequate Medical Care for Cao Shunli Before Her Death Contradicts International Law," Congressional-Executive Commission on China, 2 April 14.

[73] For information on undemocratic practices and problems with village elections in 2013, see Rights Defense Network, "China Village Grassroots Democracy Watch Report (2013)" [Zhongguo nongcun jiceng minzhu guancha baogao (2013)], 7 January 14.

[74] Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 21. "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives . . . . The will of the people shall be the basis of the authority of government, this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

[75] International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 25; UN Office of the High Commissioner for Human Rights, General Comment No. 25: The Right To Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service, CCPR/C/21/Rev.1/Add.7, 7 December 96. Under General Comment 25 to the ICCPR, the language requires that: "Where citizens participate in the conduct of public affairs through freely chosen representatives, it is implicit in article 25 that those representatives do in fact exercise governmental power and that they are accountable through the electoral process for their exercise of that power" (item 7); "The right to vote at elections and referenda must be established by law and may be subject only to reasonable restrictions . . . [p]arty membership should not be a condition of eligibility to vote, nor a ground of disqualification . . . " item 10); "Freedom of expression, assembly and association are essential conditions for the effective exercise of the right to vote and must be fully protected . . . ." (item 12); "The right of persons to stand for election should not be limited unreasonably by requiring candidates to be members of parties or of specific parties . . ." (item 17); and an "independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant . . . ." (item 20).

[76] Ping Shu, "Does Wukan's Election Symbolize the Failure of Chinese Grassroots Democracy?" [Wukan xuanju xiangzheng zhongguo jiceng minzhu shibai?], BBC, 1 April 14; Wanzhou District Party Organization Bureau, Wanzhou District Bureau of Civil Affairs, "Community, Village 'Two Committees' Term Elections Work Implementation Plan" [Shequ, cun "liang wei" huanjie xuanju gongzuo shishi fang'an], Zoujiaba Street General Office (Chongqing Municipality, Wanzhou District), reprinted in Wanzhou District People's Government, 9 October 13. For example, the Wanzhou district program document provided justification for potentially interfering in elections; the plan called on officials to "discover and resolve the problem of bias in term elections."

[77] Wanzhou District Party Organization Bureau, Wanzhou District Bureau of Civil Affairs, "Community, Village 'Two Committees' Term Elections Work Implementation Plan" [Shequ, cun "liang wei" huanjie xuanju gongzuo shishi fang'an], Zoujiaba Street General Office (Chongqing Municipality, Wanzhou District), reprinted in Wangzhou District People's Government, 9 October 13; "Tenth Round Village Committee Election Measures" [Di shi jie cunweihui xuanju banfa], Ningbo City, Jiangbei District, Zicheng Township, Zihu Village Net, 3 January 14.

[78] PRC Organic Law of Village Committees (2010 Revision), National People's Congress Standing Committee, issued 4 November 98, amended 28 October 10, art. 13. According to Article 13, "Any villager who has attained the age of 18 years old shall have the right to elect and stand for election regardless of his/her ethnicity, race, gender, occupation, family background, religious beliefs, level of education, property, and time of residence, except for those who have been deprived of their political rights according to law."

[79] Zhang Wu, "Zijin Rules Eight Categories of People Are Not Suitable To Be Village Committee Candidates Including Those Who Violate Petitioning Regulations" [Zijin guiding 8 lei ren buyi houxuan cunwei han weifan xinfang tiaoli zhe], Southern Metropolitan Daily, reprinted in Sina, 8 December 13; Mapi Township People's Government, "Mapi Township's 'Two Committees' Implementation Plan for the 2014 Term Village and Community Elections' Work" [Mapi zhen 2014 nian cun, shequ, "liangwei" huanjie xuanju gongzuo shishi fang'an], 2 December 13; Shifang City People's Government, Circular Regarding Undertaking Ninth Round of Village (Community) Committee Term Election Work [Guanyu zuo hao di jiu jie cun (ju) min weiyuanhui huanjie xuanju gongzuo de tongzhi], 31 December 13; Tenth Round Village Committee Election Measures [Di shi jie cunweihui xuanju banfa], Ningbo City, Jiangbei District, Zicheng Township, Zihu Village Net, 3 January 14.

[80] Ibid.

[81] Tang Yue, "Our Province Has Begun 16,000 Village Committee Term Elections" [Wo sheng 1.6 wan cunweihui kaishi huanjie], Xinhua Daily, reprinted in Sina, 28 September 13; Wang He, "Guangdong Village Committee Term Elections Will Introduce Notary System and Will Try a New Format" [Guangdong cunwei huanjie xuanju ming nian yinru gongzhengzhi bing shixing xin xingshi], Guangzhou Daily, reprinted in People's Daily, 21 September 13; Huang Shouyu, "Suggestions Regarding Improving Our Province's 2014 Village Committee Term Elections and Supervision" [Guanyu wanshan wo sheng 2014 nian cunmin weiyuanhui huanjie xuanju he jiandu de jianyi], Rednet, 26 May 14; Wanzhou District Party Organization Bureau, Wanzhou District Bureau of Civil Affairs, "Community, Village 'Two Committees' Term Elections Work Implementation Plan" [Shequ, cun "liang wei" huanjie xuanju gongzuo shishi fang'an], Zoujiaba Street General Office (Chongqing Municipality, Wanzhou District), reprinted in Wangzhou District People's Government, 9 October 13.

[82] Wang He, "Guangdong Village Committee Term Elections Will Introduce Notary System and Will Try a New Format" [Guangdong cunwei huanjie xuanju ming nian yinru gongzhengzhi bing shixing xin xingshi], Guangzhou Daily, reprinted in People's Daily, 21 September 13.

[83] Ibid.

[84] Rights Defense Network, "China Election Monitor (2014) No. 10—Changsha City Yuelu District Government's Influence on Ballots Is Illegal" [Zhongguo xuanju guancha (2014) zhi shi—changsha shi yuelu qu zhengfu zhidao zhiding de xuanpiao yangshi shi feifa de], 10 April 14.

[85] Rights Defense Network, "China Election Monitor (2013) No. 49—Ningxia Shapotou District Government Directing Village Election Is Illegal" [Zhongguo xuanju guancha (2013) zhi sishijiu—ningxia shapotou qu zhengfu zhidao de cunweihui xuanju shi feifa de], 9 February 14; Rights Defense Network, "China Election Monitor (2014) No. 10—Changsha City Yuelu District Government's Influence on Ballots Is Illegal" [Zhongguo xuanju guancha (2014) zhi shi—changsha shi yuelu qu zhengfu zhidao zhiding de xuanpiao yangshi shi feifa de], 10 April 14; Rights Defense Network, "China Election Monitor (2014) No. 18—Hunan Province Anhua County Government Guidance of Village Elections Is Illegal" [Zhongguo xuanju guancha (2014) zhi shiba—hunan sheng anhua xian zhengfu zhidao de cunweihui xuanju shi feifa de], 3 May 14; Rights Defense Network, "China Election Monitor (2014) No. 17—Guangdong Taishi Village Committee Elections Have No Democracy To Speak of" [Zhongguo xuanju guancha (2014) zhi shiqi—Guangdong taishicun cun weihui xuanju mei you minzhu keyan], 30 April 14.

[86] Rights Defense Network, "China Election Monitor (2014) No. 10—Changsha City Yuelu District Government's Influence on Ballots Is Illegal" [Zhongguo xuanju guancha (2014) zhi shi—Changsha shi yuelu qu zhengfu zhidao zhiding de xuanpiao yangshi shi feifa de], 10 April 14.

[87] Rights Defense Network, "Election Monitor Briefing No. 22: Elected Rights Defender Not Given Representative Certificate" [Xuanju guancha jianbao zhi ershi er: dang xuan weiquan zhe ling bu dao daibiao zheng], 1 May 14.

[88] Rights Defense Network, "In Hunan, Hengyang People's Congress Election Bribery Case, Hunan and Shandong Lawyers Announce Formation of Lawyers' Group" [Hunan hengyang renda huixuan an xiang lu lushi tuan xuangao chengli], 19 March 14; Wang Shu, "Hengyang Electoral Disruption Case Involved 110 Million Yuan, Eligibility of 749 People's Congress Representatives Terminated" [Hengyang pohuai xuanju an she an 1.1 yi yuan, zhongzhi 749 ming renda daibiao zige], Beijing News, reprinted in Caijing, 18 June 14.

[89] "Hunan Hands Out Party Disciplinary Punishments and Administrative Sanctions to 409 People in Hengyang Botched Elections Case" [Hunan dui hengyang pohuai xuanju an zhong 409 ren geiyu dang ji zheng ji chufen], China News, 9 May 14; "Hunan Strictly Investigates Hengyang Botched Election Case, Elections for 56 Provincial People's Congress Representatives Nullified" [Hunan yancha hengyang pohuai xuanju an 56 ming sheng renda daibiao dang xuan wuxiao], People's Daily, reprinted in China News, 30 December 13.

[90] Wang Shu, "Hengyang Electoral Disruption Case Involved 110 Million Yuan, Eligibility of 749 People's Congress Representatives Terminated" [Hengyang pohuai xuanju an she an 1.1 yi yuan, zhongzhi 749 ming renda daibiao zige], Beijing News, reprinted in Caijing, 18 June 14; Rights Defense Network, "In Hunan, Hengyang People's Congress Election Bribery Case, Hunan and Shandong Lawyers Announce Formation of Lawyers' Group" [Hunan hengyang renda huixuan an xiang lu lushi tuan xuangao chengli], 19 March 14.

[91] "Chinese Grassroots Elections: 'Security Gates To Resist Chaos'" [Zhongguo jiceng xuanju: "diyu dongluan de anquan zhamen"], Deutsche Welle, 3 April 14.

[92] Ibid.

[93] Teddy Ng, "Suspicion Clouds Wukan Leader's 'Bribery' Arrest," South China Morning Post, 20 March 14; "Chinese Grassroots Elections: 'Security Gates To Resist Chaos'" [Zhongguo jiceng xuanju: "diyu dongluan de anquan zhamen"], Deutsche Welle, 3 April 14; Rights Defense Network, "2014 China Election Watch No. 6—Guangdong's Wukan Village 'Big Election' (No. 2)—Lufeng City Government's Guidance of Wukan's Elections Is Illegal" [Zhongguo xuanju guancha (2014) (zhi liu)—guangdong wukan cun "da xuan" (zhi er)—lufeng shi zhengfu zhidao de wukan cun xuanju shi feifa de], 25 March 14; "Wukan Votes in New Election Amid Fears of Government 'Pressure,'" Radio Free Asia, 31 March 14; Ping Shu, "Does Wukan's Election Symbolize the Failure of Chinese Grassroots Democracy?" [Wukan xuanju xiangzheng zhongguo jiceng minzhu shibai?], BBC, 1 April 14; Rights Defense Network, "2014 China Election Watch No. 3—Guangdong's Wukan Village 'Big Election' (No. 1)—Decision of Shanwei City Chinese Communist Party Committee Is Contrary to the Spirit of Central Authorities" [Zhongguo xuanju guancha (2014) zhisan—guangdong wukan cun "daxuan" (zhi yi)—zhonggong shanwei shiwei de jueding yu zhongyang jingshen xiangbei], 18 March 14.

[94] Thomas Lum, Congressional Research Service, "Human Rights in China and U.S. Policy: Issues for the 113th Congress," 19 June 13, 5; "Wukan: After the Uprising," Al Jazeera, 26 July 13.

[95] Echo Hui, "Wukan Protest Leader Yang Semao Arrested, Accused of Taking Bribes," South China Morning Post, 14 March 14; "Chinese Grassroots Elections: 'Security Gates To Resist

Chaos'" [Zhongguo jiceng xuanju: "diyu dongluan de anquan zhamen"], Deutsche Welle, 3 April 14.

[96] Teddy Ng, "Suspicion Clouds Wukan Leader's 'Bribery' Arrest," South China Morning Post, 20 March 14; "Chinese Village Official's Detention Sparks Fears of Poll Rigging," Radio Free Asia, 17 March 14; "Second Wukan Leader Held Ahead of Closed-Door Elections," Radio Free Asia, 20 March 14. The March 20, 2014, RFA article reported that people spoke to Hong Ruichao "to warn him not to take part in the elections."

[97] "Original Wukan Committee Member Seeks Asylum in America; Once Was Called 'Wukan's Biggest Troublemaker'" [Yuan wukan cunwei zhuang liehong zhiliu meiguo xunqiu zhengzhi bihu ceng bei cheng "wukan shouhai"], Global Times Net, reprinted in Observer, 27 March 14.

[98] Echo Hui, "Wukan Protest Leader Yang Semao Arrested, Accused of Taking Bribes," South China Morning Post, 15 March 14; "Chinese Village Official's Detention Sparks Fears of Poll Rigging," Radio Free Asia, 17 March 14; Lin Meilian, "Wukan Mired in Infighting Two Years After Landmark Election" Global Times, 7 April 14; Echo Hui, "Wukan Village's Future Under Threat as Ex-Cadres Retake Party Reins," South China Morning Post (SCMP), 4 March 14. According to the village chief quoted in the March 4, 2014, SCMP article, villages should hold four assembly meetings each year.

[99] Liang Saiyu et al., "Wukan's Winding Path to China's Democratic Reform," Xinhua, reprinted in People's Daily, 1 April 14; Lin Meilian, "Wukan Mired in Infighting Two Years After Landmark Election," Global Times, 7 April 14.

[100] "Chinese Village Official's Detention Sparks Fears of Poll Rigging," Radio Free Asia, 17 March 14; Liang Saiyu et al., "Wukan's Winding Path to China's Democratic Reform," Xinhua, reprinted in People's Daily, 1 April 14.

[101] "Second Wukan Leader Held Ahead of Closed-Door Elections," Radio Free Asia, 20 March 14.

[102] Echo Hui, "Deputy Wukan Chief Secures New Term Despite Graft Claims," South China Morning Post, 2 April 14.

[103] "Second Wukan Leader Held Ahead of Closed-Door Elections," Radio Free Asia, 20 March 14; Xu Zhiyuan, "A Person From Wukan in Flushing" [Falasheng de wukan ren], Financial Times, 24 April 14; "Special Topic: Wukan's Democratic Enlightenment, Need Revised Laws To Challenge Election Results" [Zhuanti: wukan minzhu qishi xu xiu fa tiaozhan xuanju jieguo], Radio Free Asia, 1 May 14.

[104] For more information about Zhuang Liehong and his role in the 2011 Wukan demonstrations, see "Wukan Youth: Zhang Jianxing," China Digital Times, 19 June 14.

[105] "Original Wukan Committee Member Seeks Asylum in America; Once Was Called 'Wukan's Biggest Troublemaker'" [Yuan wukan cunwei Zhuang liehong zhiliu meiguo xunqiu zhengzhi bihu ceng bei cheng "wukan shouhai"], Global Times Net, reprinted in Observer, 27 March 14; "Wukan Votes in New Election Amid Fears of Government 'Pressure,'" Radio Free Asia, 31 March 14.

[106] For information on the earlier phases of the anticorruption campaign, see Alice Miller, "The Road to the Third Plenum," China Leadership Monitor, Hoover Institution, Stanford University, No. 42 (Fall 2013), 7 October 13, 8–10.

[107] See, e.g., Central Committee of the Communist Party General Office, State Council General Office, Regulations Promoting Frugality and Curbing Waste in Party and Government Agencies [Dangzheng jiguan lixing jieyue fandui langfei tiaoli], reprinted in Xinhua, issued and effective 25 November 13; Central Committee of the Communist Party General Office, State Council General Office, Party and Government Agencies' Domestic Official Receptions Management Provisions [Dangzheng jiguan guonei gongwu jiedai guanli guiding], reprinted in Xinhua, issued and effective 8 December 13; Ministry of Finance et al., Central and State Agency Meeting Funds Management Measures [Zhongyang he guojia jiguan huiyi fei guanli banfa], reprinted in People's Daily, issued 13 September 13, effective 1 January 14; Ministry of Supervision et al., Provisions on Punishments for Granting Allowances and Subsidies in Violation of Regulations [Weigui fafang jintie butie xingwei chufen guiding], reprinted in Chinese Communist Party Information Net, issued 13 June 13, effective 1 August 13; Central Discipline Inspection Commission and Central Party Mass Line Education and Implementation Campaign Leading Small Group, Circular Regarding Implementing the Spirit of the Central Government's Eight Rules and Resolutely Halting the Use of Public Funds To Purchase Gifts During Mid-Autumn Festival and National Day Among Other Unhealthy Tendencies [Guanyu luoshi zhongyang baxiang guiding jingshen jianjue shazhu zhongqiu guoqing qijian gongkuan songli deng buzhengzhifeng de tongzhi], reprinted in Xinhua, 3 September 13; "Central Discipline Inspection Commission: Strictly Prohibits Use of Public Funds To Purchase Merchandise Such as Fireworks and Firecrackers To Present as Gifts on New Year's Day and During the Spring Festival" [Zhongyang jiwei: yanjin yuandan chunjie qijian gongkuan goumai zengsong yanhua baozhu deng], Xinhua, reprinted in PRC Central People's Government, 21 November 13.

[108] "CCP Organization Department Issues Notification Regarding Moving Forward and Doing Better Reporting Work on Relevant Personal Matters by Leading Cadres" [Zhong zu bu yinfa tongzhi jin yibu zuohao lingdao ganbu baogao geren youguan shixiang gongzuo], Xinhua, 29 December 13. The Party reportedly issued a notification on December 7, 2013, to strengthen oversight of asset reporting by officials. The full text of the notification, however, does not appear to be available to the public. It reportedly will require random checks of reports submitted by officials. Chinese Communist Party Central Organization Department, Comprehensive Measures for Compiling Data on Reporting of Relevant Personal Matters by Leading Cadres [Lingdao ganbu geren youguan shixiang baogao cailiao huizong zonghe banfa], issued and effective 4 September 13. The Party Organization department issued related measures to standardize the compilation and analysis of reports filed by officials about their finances.

[109] "2013–2017 Work Plan: Highlight of New Anti-Corruption Plan Is In Reforming the Disciplinary Inspection System" [2013–2017 nian gongzuo jihua: xin fanfu guihua de liangdian zaiyu gaige jijian tizhi], Hubei Internet, Radio and Television, 30 August 13.

[110] Chinese Communist Party Central Organization Department, Measures for the Administration of Postings for State Personnel With Spouses Residing Abroad [Pei'ou yi yiju guo (jing) wai de guojia gongzuo renyuan renzhi gangwei guanli banfa], reprinted in Hunan Legal Services Net, issued 2014, art. 3. The Commission could not locate a copy of these Measures indicating its date of issuance. "CCP Defines Five Types of 'Naked Officials' Needing Investigation, 10 Provinces Already Examining 'Naked Officials'" [Zhonggong dingyi 5 lei luo guan xu qingli 10 sheng qidong diaocha qingli luoguan], Radio Free Asia, 15 July 14. RFA asserted the Measures were issued in 2013. See also "National Probe Into Officials Closes, At the Earliest, Personnel Changes Will Be Complete By Month's End" [Quanguo luoguan modi jieshu zuikuai yue di wancheng diao gang], Beijing News, reprinted in People's Daily, 6 August 14. According to Beijing News, to avoid being demoted, dismissed, or disciplined, an official must accept being reassigned or their spouse must renounce their status in the foreign country.

[111] "National Probe Into Officials Closes, At the Earliest, Personnel Changes Will Be Complete By Month's End" [Quanguo luoguan modi jieshu zuikuai yue di wancheng diao gang], Beijing News, reprinted in People's Daily, 6 August 14.

[112] Zhou Dongxu, "Market Reforms, Fight Against Corruption Go Hand in Hand, Expert Says," Caixin, 22 July 14.

[113] Ting Shi, "China Orders More Than 200 Top Officials To Quit Company Jobs," Bloomberg, 23 July 14.

[114] "China Fights Corruption Through Stricter Audits," Xinhua, 5 February 14.

[115] "Supreme People's Procuratorate: To Establish Database of Graft Suspects at Large" [Zuigaojian: jianli zai tao zhiwu fanzui xianyiren xinxi shujuku], Procuratorial Daily, reprinted in Legal Daily, 28 March 14.

[116] Central Discipline Inspection Commission and Ministry of Supervision, "Weekly Report: Central Discipline Inspection Commission and Ministry of Supervision Investigate and Punish 220 Classic Cases of Violating the Spirit of the Central Party Eight Rules" [Mei zhou tongbao: geji jijian jiancha jiguan chachu 220 jian weifan zhongyang ba xiang guiding jingshen dianxing anjian], 14 April 14; Central Discipline Inspection Commission and Ministry of Supervision, "Exposure Platform—Central Discipline Inspection Commission" [Baoguangtai–zhongyang jiwei], last visited 22 April 14.

[117] "Li Keqiang: Speech at the Second State Council Clean Government Work Meeting" [Li keqiang: zai guowuyuan di erci lianzheng gongzuo huiyi shang de jianghua], Xinhua, 23 February 14. In February 2014, Premier Li Keqiang reported on several achievements of the campaigns including a halt to construction of government buildings, a 5 percent reduction in central agencies' expenditures, a 52 percent reduction in the number of government meetings, and a 35 percent reduction in the "three public" expenditures.

[118] "Disciplinary Inspections Reveal Problems in Anti-Decadence Campaign," Xinhua, 16 June 14.

[119] "China's Phony War on Corruption," Wall Street Journal, 18 September 13. The Wall Street Journal reported that Xi's anticorruption campaign may not have a lasting effect and noted a new motto of officials, "to eat quietly, to take gently and to play secretly."

[120] Zhao Enuo, "Report Says Top One Percent of the Country's Families Hold More Than One-Third of the Nation's Wealth" [Baogao cheng woguo dingduan 1% de jiating zhanyou quanguo san fenzhi yi yi shang caichan], People's Daily, 25 July 14.

[121] Pew Research Center, "Environmental Concerns on the Rise in China, Many Also Worried About Inflation, Inequality, Corruption," 19 September 14, 2. A 2013 Pew survey found that 53 percent of Chinese citizens surveyed were concerned about corruption, a 14 percent increase from 2008.

[122] See, e.g., Yu Ning and He Xin, "Inquiry Reveals Tangled Web of Graft Linking Officials and Businessmen," Caixin, 5 May 14; Central Discipline Inspection Commission, Ministry of Supervision, "Investigation Organized for Henan Province, Zhumadian City's Party Secretary Liu Guoqing" [Henan sheng zhumadian shiwei shuji liu guoqing shou zuzhi diaocha], reprinted in Legal Daily, 25 April 14; Josh Chin, "Communist Party Strips China Resources Chairman of Leadership Position," Wall Street Journal, 19 April 14; Josh Chin, "Corruption Case Cracks Door on China's Internet Police," Wall Street Journal, China Real Time (blog), 18 April 14; Fayen Wong, "Senior Official From China's Sichuan Under Graft Probe: Xinhua," Reuters, 13 April 14; "This Year, Six Provincial and Ministerial-Level Officials Have Been Investigated" [Jinnian yi bei diaocha de 6 ming shengbuji guanyuan bei diaocha], Dahe Net, 14 April 14; "Chinese Vice Governor in Corruption Investigation," Associated Press, reprinted in Washington Post, 18 February 14; "2013 Main Cases Investigated" [2013 chachu da'an yaoan], Chinese Communist Party Information Net, last visited 1 June 14; Yimo Lee, "Communist Party Expels Former Executive at China Mobile Parent," Reuters, 14 January 14; "China Investigates Vice Minister of Public Security," Xinhua, 20 December 13; Chris Buckley, "Mayor of Chinese City Is Held by Communist Party Investigators," New York Times, 16 October 13; Chris Buckley, "China's Antigraft Push Snares an Ex-General," New York Times, 30 June 14.

[123] Keith Zhai, "Communist Party Seeks To Reform Its 'Shuanggui' Anti-Corruption Investigations," South China Morning Post, 22 November 13.

[124] "Chinese Government Punishes 20,000 'Extravagant' Officials," Guardian, 2 December 13.

[125] Zhang Xiaosong, "China Gave 84,000 Officials Disciplinary Sanctions During the First Half of This Year, Up 30 Percent From Last Year" [Jinnian shang ban nian zhongguo geiyu dangji zhengji chufen 8.4 wan ren tongbi zengyu 30%], Xinhua, 14 August 14.

[126] Huo Xiaoguang and Yang Weihan, "Bo Xilai Case Second Instance Judgment Pronounced, Shandong High Court Decides To Uphold First Instance Judgment of Life Imprisonment" [Bo xilai an er shen xuanpan shandong gaoyuan caiding weichi yi shen wuqi tuxing panjue], Xinhua, 25 October 13. The Shandong High People's Court upheld the first instance judgment of life imprisonment and other punishments against Bo Xilai pronounced in September 2012. For more information on Bo's case, see "Judgment in First Instance Trial of Bo Xilai for Bribery, Embezzlement, and Abuse of Power (Full Text)" [Bo xilai shouhui, tanwu, lanyong zhiquan an yishen

panjueshu (quanwen)], People's Daily, reprinted in China News Service, 22 September 13; "Transcript Summary of Bo Xilai's Trial for Bribery, Embezzlement, and Abuse of Power," People's Daily, 26 August 13; "Trial of Bo Xilai: Evidence, Charges and Defense," China Daily, 28 August 13;

[127] Donald Clarke, "The Bo Xilai Trial and China's 'Rule of Law': Same Old, Same Old," Atlantic, 21 August 13. See also CECC, 2013 Annual Report, 10 October 13, 80–84. Bo reported that his confession was made under pressure. "Lawyer Gu Yushu Says Not Allowed To Represent Bo Xilai," Reuters, reprinted in South China Morning Post, 8 August 13. Authorities reportedly also denied him counsel while he was held in *shuanggui* detention and denied permission for a lawyer retained by his family to represent him in court. Jerome A. Cohen, "Criminal Justice in China: From the Gang of Four to Bo Xilai," Human Rights Watch, 25 July 13.

[128] Henry Sanderson, "China Investigates Ex-Security Chief Zhou Yongkang, NYT Says," Bloomberg, 16 December 13; Benjamin Kang Lim and Ben Blanchard, "China Seizes $14.5 Billion in Assets From Family, Associates of Former Security Chief," Washington Post, 30 March 14; Jeremy Page, "China Reins in New Security Boss's Clout," Wall Street Journal, 20 November 12; "Zhou Yongkang, Former Security Tsar Linked to Bo Xilai, Faces Corruption Probe," South China Morning Post, 30 August 13.

[129] Benjamin Kang Lim and Ben Blanchard, "China Seizes $14.5 Billion in Assets From Family, Associates of Former Security Chief," Washington Post, 30 March 14.

[130] Jerome A. Cohen, "Zhou Yongkang Case Shows China's Rule of Law Still Good Only in Theory," South China Morning Post, 18 August 14; Carrie Gracie, "China Bares Its Claws for 'Caged Tiger' Zhou Yongkang," BBC, 29 July 14; Chang Ping, "Zhou Yongkang Case Has Nothing to Do With Anti-Corruption Resolve," Apple Daily, 6 December 13, reprinted in China Change, 17 December 13.

[131] "Communist Party Central Committee Decides To Open Investigation Into Zhou Yongkang on Suspicion of Serious Disciplinary Violations" [Zhonggong zhongyang jueding dui zhou yongkang yanzhong weiji wenti li'an shencha], Xinhua, 29 July 14.

[132] Keith Zhai, "Communist Party Seeks To Reform Its 'Shuanggui' Anti-Corruption Investigations," South China Morning Post, 22 November 13.

[133] Leon Watson, "Limbs Broken, Spoon-Fed Excrement and Forced To Smoke Ten Cigarettes Simultaneously: Former Chinese Official Reveals How He Was Tortured for Six Months in Corruption Probe," Daily Mail, 11 March 14; "Hunan Bureau Chief With Broken Leg Exposes Torture in Shuanggui Retaliated Against by Having His 'Food Cut Off'" [Hunan duantui juzhang pilu shuanggui xingnue zao "duanliang" baofu], Radio Free Asia, 10 March 14.

[134] Gillian Wong, "China Ex-Officials See Reprisals for Baring Abuses," Associated Press, 22 July 14.

[135] Ibid.; Chinese Human Rights Defenders, "[CHRB]: Details of Torture Emerge, Official Order Blocks Detainees' Access to Lawyers (8/7–14/2014)," 14 August 14.

[136] "54 Officials Die Unnatural Deaths in 2013, More Than 40 Percent Were Suicides" [2013 nian yilai 54 ming guanyuan fei zhengchang siwang chao sicheng shi zisha], China Youth Daily, reprinted in Legal Daily, 11 April 14. Fifty-four officials reportedly died in unusual circumstances between January 2013 and April 2014, including 23 who reportedly committed suicide.

[137] Benjamin Kang Lin and Megha Rajagopalan, "China's Xi Purging Corrupt Officials To Put Own Men in Place—Sources," Reuters, 17 April 14; Simon Denyer, "China's Leader, Xi Jinping, Consolidates Power With Crackdowns on Corruption, Internet," Washington Post, 3 October 13; Didi Tang, "China's Vice Crackdown Tackles Entrenched Industry," Associated Press, 21 February 14.

[138] "Central Discipline Inspection Commission Official Web Site: Corrupt Officials Very Nervous, There Is No 'Selective Anti-Corruption'" [Zhong jiwei guanwang: tanguan gaodu jinzhang bu cunzai "xuanzexing fanfu"], Beijing Times, reprinted in Caijing, 17 April 14.

[139] For additional information on the detention and imprisonment of anticorruption and transparency advocates, see "Xi's Anticorruption Drive: Trials for Transparency Advocates, New Rules for Officials," CECC China Human Rights and Rule of Law Update, No. 1, March 2014, 2; "Combating Corruption in China: Advances and Problems and Suppression of Advocates," CECC China Human Rights and Rule of Law Update, No. 2, December 2013, 2.

[140] Sui-Lee Wee, "China Convicts Two Anti-Graft Activists in Crackdown," Reuters, 29 January 14; Chris Buckley, "In China, A Week Full of Trials Over Dissent," New York Times, Sinosphere (blog), 21 January 14; Jonathan Kaiman, "China Jails Four More New Citizens' Movement Activists," Guardian, 18 April 14. According to these sources, authorities charged Yuan and Zhang with "gathering a crowd to disturb order in a public place." For more information, see the Commission's Political Prisoner Database records 2013-00131 on Yuan Dong and 2013-00132 on Zhang Baocheng.

[141] Jonathan Kaiman, "China Jails Four More New Citizens' Movement Activists," Guardian, 18 April 14. Authorities sentenced Ding on the charge of "gathering a crowd to disturb order in a public place." For more information, see the Commission's Political Prisoner Database record 2013-00307 on Ding Jiaxi.

[142] Beijing Municipal Haidian District People's Procuratorate, "Indictment of Ding Jiaxi and Li Wei by Beijing Municipal Haidian District People's Procuratorate," reprinted in China Change, 21 December 13.

[143] Jonathan Kaiman, "China Jails Four More New Citizens' Movement Activists," Guardian, 18 April 14. Authorities charged Zhao and Li with "gathering a crowd to disturb order in a public place." For more information, see the Commission's Political Prisoner Database records 2013-05226 on Zhao Changqing, and 2004-00308 on Li Wei.

[144] Rights Defense Network, "Democracy Rights Activist Zhao Changqing Indictment Sent to Haidian Court (Image)" [Minzhu weiquan renshi zhao changqing bei qisu dao haidian fayuan (tu)], 20 December 13; Beijing Municipal Haidian District People's Procuratorate, "Indictment

of Ding Jiaxi and Li Wei by Beijing Municipal Haidian District People's Procuratorate," reprinted in China Change, 21 December 13.

[145] Josh Chin, "China Hands Out Harsh Sentences to Anticorruption Activists," Wall Street Journal, 19 June 14. Authorities sentenced Liu, Wei, and Li for "picking quarrels and provoking trouble," and in addition, sentenced Liu and Wei with the additional charges of "gathering a crowd to disturb order in a public place" and "using a cult to undermine implementation of the law." Rights Defense Network, "Rights Defense Network Statement: Strongly Protests Jiangxi, Xinyu Authorities' Heavy Sentences for Liu Ping, Wei Zhongping, and Li Sihua" [Weiquanwang shengming: qianglie kangyi jiangxi xinyu dangju zhong pan liu ping, wei zhongping, li sihua], 19 June 14. According to Rights Defense Network, officials initially arrested Liu for "inciting subversion of state power." Rights Defense Network, "Liu Ping, Wei Zhongping, Li Sihua Court of Second Instance Refuses To Hold Court Hearing and Upholds Original Verdict, Liu Ping Sent to Jiangxi Women's Prison" [Liu ping, wei zhongping, li sihua jin er shen jue bu kaiting weichi yuan pan liu ping ru jiangxi sheng nu jian], 11 August 14.

[146] Human Rights in China, "Two New Charges for Asset Transparency Advocate Liu Ping," 29 August 13; Patrick Boehler, "Chinese Activist Detained 'For Inciting Subversion of State Power,'" South China Morning Post, 8 May 13; Rights Defense Network, "Jiangxi Rights Advocates Liu Ping, Wei Zhongping and Li Sihua Will Be Tried for Their 'Crimes' on July 18th" [Jiangxi weiquan renshi liu ping, wei zhongping, li sihua bei sanyi zuiming, 18 hao jiang chuting shoushen], 11 July 13; Rights Defense Network, "'Rights Defense Network' Strongly Protests Detention of Citizens 'Demanding Disclosure of Officials' Assets' by Beijing and Jiangxi Authorities" ["Weiquanwang" yanzheng kangyi beijing he jiangxi dangju jubu "yaoqiu guanyuan gongbu caichan" de gongmin], 8 May 13. According to Rights Defense Network, authorities denied Liu access to a lawyer.

[147] Rights Defense Network, "Rights Defense Network Statement: Strongly Protests Jiangxi, Xinyu Authorities' Heavy Sentences for Liu Ping, Wei Zhongping, and Li Sihua" [Weiquanwang shengming: qianglie kangyi jiangxi xinyu dangju zhong pan liu ping, wei zhongping, li sihua], 19 June 14. According to Rights Defense Network, authorities tried Liu and Wei on the charges of "picking quarrels and provoking trouble," "gathering a crowd to disturb public order," and "using a cult to undermine implementation of the law." For additional information on the cases of Liu, Wei, and Li, see Human Rights in China, "Two New Charges for Asset Transparency Advocate Liu Ping," 29 August 13; Patrick Boehler, "Chinese Activist Detained 'For Inciting Subversion of State Power,'" South China Morning Post, 8 May 13.

[148] "Huang Wenxun (CPPC Number: 00069)" [Huang wenxun (CPPC bianhao: 00069)], China Political Prisoner of Concern (blog), 10 March 14.

[149] Chinese Human Rights Defenders, "Prisoner of Conscience—Yuan Xiaohua," 9 April 14.

[150] Chinese Human Rights Defenders, "Prisoner of Conscience—Yuan Fengchu," 9 April 14.

[151] "Liu Jiacai (CPPC Number: 00074)" [Liu jiacai (CPPC bianhao: 00074)], China Political Prisoner of Concern (blog), 16 March 14.

[152] Jiang Yanxin, "Units Receiving Government Allocations Must Disclose All Budgets and Financial Accounts" [Caizheng bokuan danwei yu jue suan xu quan gongkai], Beijing News, 19 March 14.

[153] "Zhang Dejiang: Strengthen Legislative Procedure Propaganda, Announcements Through China NPC Net" [Zhang dejiang: jiaqiang lifa quan cheng xuanchuan tongguo zhongguo renda wang gongbu], China News Service, 9 March 14.

[154] Liu Rong, "First Major Revision of the Legislation Law: Plan To Give 233 New Cities Legislative Authority" [Lifa fa chuci da xiu: nixin zeng 233 ge chengshi de difang lifa quan], People's Daily, 25 August 14; National People's Congress Standing Committee, Legislation Law Amendment (Draft) Provisions [Lifa fa xiuzheng an (caoan) tiaowen], 31 August 14. Article 35 of the original Law on Legislation stipulated that the NPC Standing Committee decided which draft laws could be made available for public review and comment. Article 37 of the draft amendment stipulated that draft laws on the calendar of the Standing Committee shall be announced through the Internet and the media and suggestions solicited, except those exempted by the NPC Standing Committee.

[155] US-China Business Council, "USCBC 2013 China Business Environment Survey Results," 10 October 13.

[156] State Council General Office, Opinion Regarding Advancing and Strengthening Open Government Information in Response to Society's Concerns and To Enhance Public Trust in Government [Guanyu jin yi bu jiaqiang zhengfu xinxi gongkai huiying shehui guanqie tisheng zhengfu gong xin li de yijian], 1 October 13.

[157] State Council, Implementing Regulations for the PRC Law on the Protection of State Secrets [Zhonghua renmin gonghe guo baoshou guojia mimi fa shishi tiaoli], issued 17 January 14, effective 1 March 14.

[158] Ibid., art. 5.

[159] "China's New State Secret Classification Standards Unclear" [Zhongguo xin baomi fa jimi biaozhun dingyi buming], Voice of America, 5 February 14; Shi Rui, "New State Secrets Law Details Issued, Scholars Say Watching Implementation Will Be Key" [Xin baomi fa xize gongbu xuezhe cheng guanjian kan zhixing], Caixin, 8 February 14; Richard Silk, "China's Secret Anti-Secrecy Act," Wall Street Journal, China Real Time (blog), 3 February 14; Bingna Gao et al., O'Melveny & Myers LLP, "China Releases New Implementation Regulations for State Secrecy Law," 5 March 14.

[160] "State Council General Office Issues 2014 Open Government Information Key Work Points (Full Text)" [Guowuyuan bangongting fabu 2014 nian zhengfu xinxi gongkai gongzuo yaodian (quanwen)], People's Daily, 1 April 14, secs. 3–6.

[161] Ibid., sec. 1.

[162] Wang Dianxue and Wu Bin, "Open Government Information Request Cases Rise Sharply, Majority of Plaintiffs Lose" [Shenqing xinxi gongkai anjian jizeng yuangao baisu ju duo], Southern Metropolitan Daily, 16 October 13.

[163] UN GAOR, Hum. Rts. Coun., 17th Sess., Summary prepared by the Office of the High Commissioner for Human Rights, In Accordance with Paragraph 15 (b) of the Annex to Human Rights Council Resolution 5/1 and Paragraph 5 of the Annex to Council Resolution 16/21, People's Republic of China (Including Hong Kong and Macao Special Administrative Regions (HKSAR) (MSAR)) National Report—China, A/HRC/WG.6/17/CHN/3, 30 July 13, para. 45.

[164] "'Government Transparency Statistical Report' Issued: Proactive Disclosure Still Not Ideal" ["Zhengfu touming du zhishu baogao" fabu: zhudong gongkai reng bu lixiang], China Economic Net, reprinted in People's Daily, 24 February 14.

[165] Ibid.

[166] Wang Dianxue and Wu Bin, "Open Government Information Request Cases Rise Sharply, Majority of Plaintiffs Lose" [Shenqing xinxi gongkai anjian jizeng yuangao baisu ju duo], Southern Metropolitan Daily, 16 October 13.

[167] Ibid.

[168] Shanghai Municipal People's Government, "2013 Shanghai Municipality Open Government Information Work Annual Report" [2013 nian shanghaishi zhengfu xinxi gongkai gongzuo niandu baogao], March 2014.

[169] Beijing Municipal People's Government, "2013 Beijing Municipality Open Government Information Work Annual Report" [2013 nian beijingshi zhengfu xinxi gongkai gongzuo niandu baogao], March 2014, 12–13.

[170] Guangzhou Municipal People's Government, "2013 Guangzhou Municipal Open Government Information Annual Report" [2013 nian guangzhoushi zhengfu xinxi gongkai niandu baogao], March 2014.

Notes to Section III—Commercial Rule of Law

[1] See World Trade Organization, "Protocols of Accession for New Members Since 1995, Including Commitments in Good and Services," last visited 28 July 14. China became a member of the World Trade Organization (WTO) on December 11, 2001. A list of members and their dates of membership is available on the WTO Web site.

[2] Information on China's participation in the World Trade Organization (WTO), including principal accession documents, schedules, trade policy reviews, and dispute case documents, can be found on the WTO Web site. China's commitments are outlined in these documents, as well as in WTO agreements applicable to all members, including the General Agreement on Tariffs and Trade (GATT 1947) and the Trade-Related Aspects of Intellectual Property Rights. See World Trade Organization, "WTO Legal Texts," last visited 28 July 14; World Trade Organization, WTO Agreement, Marrakesh Agreement, Establishing the World Trade Organization, Annex 1A, General Agreement on Tariffs and Trade 1994, 15 April 1994, art. X. Transparency requirements include those under Article X of GATT: "Laws, regulations, judicial decisions and administrative rulings of general application, . . . , shall be published promptly in such a manner as to enable governments and traders to become acquainted with them." See, e.g., Sijie Chen, "China's Compliance With WTO Transparency Requirements: Institution-Related Impediments," Amsterdam Law Forum, Vol. 4, No. 4 (Fall 2012), 25.

[3] World Trade Organization, Report on the Working Party on the Accession of China, WT/ACC/CHN/49, 1 October 01, 34. See also Claustre Bajona and Tianshu Chu, "China's WTO Accession and Its Effect on State-Owned Enterprises," East-West Center, No. 70, April 2004, 16.

[4] See World Trade Organization, "Protocols of Accession for New Members Since 1995, Including Commitments in Goods and Services," last visited 28 July 14. See also U.S. Chamber of Commerce, "China's Approval Process for Inbound Foreign Direct Investment: Impact on Market Access, National Treatment and Transparency," 11 November 12, 4, 19, 29–30, 39, 41; Trade Lawyers Advisory Group, "China's Compliance With WTO Commitments and Obligations: 2005–2007 Update," reprinted in U.S.-China Economic and Security Review Commission, September 2007, 6–8.

[5] See World Trade Organization, WTO Agreement, Marrakesh Agreement, Establishing the World Trade Organization, Annex 1C, Agreement on Trade-Related Aspects of Intellectual Property Rights, 15 April 94.

[6] See Donald C. Clarke, "China's Legal System and the WTO: Prospects for Compliance," Washington University Global Studies Law Review, Vol. 2, No. 1 (2003), 113–15.

[7] U.S. Government Accountability Office, "U.S.-China Trade: United States Has Secured Commitments in Key Bilateral Dialogues, but U.S. Agency Reporting on Status Should Be Improved," February 2014, 6.

[8] U.S. International Trade Commission, Interactive Tariff and Trade DataWeb, last visited 1 July 14; China's Compliance with the World Trade Organization and International Trade Rules, Hearing of the Congressional-Executive Commission on China, 15 January 14, Written Statement Submitted by Elizabeth J. Drake, Partner, Stewart and Stewart, 1.

[9] Daniel H. Rosen and Thilo Hanemann, Rhodium Group and U.S. Chamber of Commerce, "New Realities in the US-China Investment Relationship," April 2014, 5. See also Bureau of Economic and Business Affairs, U.S. Department of State, "2014 Investment Climate Statement China," June 2014, 26–27.

[10] Thilo Hanemann and Cassie Gao, Rhodium Group, "Chinese FDI in the US: 2013 Recap and 2014 Outlook," 7 January 14.

[11] Office of the U.S. Trade Representative, "2013 Report to Congress on China's WTO Compliance," December 2013; Chris Wilson, Office of the United States Trade Representative, "United States Statement at the World Trade Organization Trade Policy Review of the People's Republic of China," 1 July 14.

[12] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13, secs. 1(2), 2(intro); Chris Wilson, Office of the U.S. Trade Representative, "United States Statement at the World Trade Organization Trade Policy Review of the People's Republic of China," 1 July 14; Knowledge@Wharton, Wharton School, University of Pennsylvania, "Road to the Chinese Dream? Xi Jinping's Third Plenum Reform Plan," 10 December 13.

[13] Shanghai Municipal People's Government, Measures for the Administration of China (Shanghai) Pilot Free Trade Zone (Municipal Decree No. 7) [Zhongguo (shanghai) ziyou maoyi shiyan qu guanli banfa (shi zhengfu ling di 7 hao)], issued 29 September 13, effective 1 October 13.

[14] PRC Trademark Law [Zhonghua renmin gongheguo shangbiao fa], passed 23 August 82, amended 22 February 93, 27 October 01, 30 August 13, effective 1 May 14.

[15] Ministry of Finance, "2014 January to June State-Owned Enterprise and State-Controlled Enterprise Economic Situation" [2014 nian 1–6 yue guoyou ji guoyou kongqu qiye jingjing yunxing qingkuang], 17 July 14. The term SOE is often used, including by the Chinese government, to refer to both state-owned and state-controlled enterprises.

[16] Charlene Barshefsky and Long Yongtu, "A Win-Win Possibility for China-U.S. Trade Bilateral Investment Strategy Talk on July 9–10 Could Pay Big Dividends," Wall Street Journal, 30 June 14; Andrew Batson, "The SOE Irritant in U.S.-China Relations," Wall Street Journal, 7 July 13.

[17] World Trade Organization, Report on the Working Party on the Accession of China, WT/ACC/CHN/49, 1 October 01, 34.

[18] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13, secs. 1(2), 2(intro).

[19] See, e.g., Joseph Sternberg, "The Day the Chinese SOE Went to Court," Wall Street Journal, 26 March 14.

[20] American Chamber of Commerce in the People's Republic of China, "2014 China Business Climate Survey Report," 2014, 10.

[21] "List of Central State-Owned Enterprises" [Yangqi minglu], State-Owned Assets Supervision and Administration Commission of the State Council, last visited 1 July 14.

[22] Note that SOEs includes state-owned enterprises together with state-controlled enterprises. See "China Focus: China Pledges Further Reform for State-Dominated Sectors," Xinhua, 24 October 12; "All-Round Reform," China Daily, 13 November 13; Dong Zhang and Owen Freestone, Australian Government, The Treasury, "China's Unfinished State-Owned Enterprise Reforms," Economic Roundup, Issue 2, 2013.

[23] Zhao Lingling and Yang Kai, "92 State-Owned Enterprises Shine on Fortune 500 List" [92 jia guoyou qiye shanyao shijie 500 qiang bangdan], China State-Owned Assets Report, 15 July 14.

[24] Dong Zhang and Owen Freestone, Australian Government, The Treasury, "China's Unfinished State-Owned Enterprise Reforms," Economic Roundup, Issue 2, 2013.

[25] KPMG, "State-Owned Entities: From Centrally-Planned Origins to Hybrid Market Competitors," June 2013, 4–5; Gao Yu and Wang Heyan, "How the Hammer Falls as China Nails Corruption," Caixin, 24 July 14; James T. Areddy and Laurie Burkitt, "China Communist Party Ousts Chairman of Major State-Owned Firm," Wall Street Journal, 22 April 14.

[26] KPMG, "State-Owned Entities: From Centrally-Planned Origins to Hybrid Market Competitors," June 2013, 3–4; Richard McGregor, The Party: The Secret World of China's Communist Rulers (New York: Harper Collins, 2010), 34–69; Richard McGregor, "China's Private Party," Wall Street Journal, 15 May 10.

[27] Daniel C.K. Chow, "China's Indigenous Innovation Policies and the World Trade Organization," Northwestern Journal of International Law & Business, Vol. 34, Issue 1 (Fall 2013), 81, 84.

[28] Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jueding], reprinted in Xinhua, 15 November 13, sec. 2(6); Zheng Yangpeng, "Private Firms Shy Away From SOEs," China Daily, 10 April 14; Meng Jing, "Feelings Are Mixed Over Mixed-Ownership Model," China Daily, 13 March 14.

[29] Office of the U.S. Trade Representative, "2013 Report to Congress on China's WTO Compliance," December 2013, 46; Daniel C.K. Chow, "China's Indigenous Innovation Policies and the World Trade Organization," Northwestern Journal of International Law & Business, Vol. 34, Issue 1 (Fall 2013), 81, 84.

[30] Daniel C.K. Chow, "China's Indigenous Innovation Policies and the World Trade Organization," Northwestern Journal of International Law & Business, Vol. 34, Issue 1 (Fall 2013), 81, 84.

[31] Ministry of Science and Technology, Department of Policies, Laws, and Regulations, "Determination and Administration of New and High Technology Companies: Policy Questions and Answers" [Gao xin jishu qiye rending guanli zhengce wenda], October 2013, 2, 4–6; Office of the United States Trade Representative, "2014 Special 301 Report," April 2014, 35.

[32] Office of the U.S. Trade Representative, "2013 Report to Congress on China's WTO Compliance," December 2013, 3, 76.

[33] Ibid., 46–47.

[34] American Chamber of Commerce in the People's Republic of China, "2014 China Business Climate Survey Report," 2014, 12; Simon Denyer, "U.S. Companies Feel a Chill in China, Even as Many Still Rake in Profits," Washington Post, 4 July 14; Benjamin Shobert, "Three Ways To Understand GSK's China Scandal," Forbes, 4 September 13.

[35] Chris Wilson, Office of the U.S. Trade Representative, "United States Statement at the World Trade Organization Trade Policy Review of the People's Republic of China," 1 July 14; Angelos Pangratis, Mission to the World Trade Organization, European Union, "European Union Statement on 5th Trade Policy Review of China," reprinted in China Trade Extra, 1 July 14.

[36] Ibid.

[37] US-China Business Council, "China 2014 Regulatory Transparency Scorecard," March 2014, 4.

[38] U.S. Department of the Treasury, Office of Public Affairs, Joint U.S.-China Fact Sheet Fourth U.S.-China Strategic Economic Dialogue, 18 June 08, sec. IV.

[39] PRC Trademark Law [Zhonghua renmin gongheguo shangbiao fa], passed 23 August 82, amended 22 February 93, 27 October 01, 30 August 13, effective 1 May 14.

[40] Jack Chang, "New Trademark Rules Leave Owners Unprotected," China Law & Practice, July–August 2014; Helen Sloan, "Inside Track: Fighting the Fakes in China," World Trademark Review, August–September 2011; Ron Cai and Amanda Wu, Davis Wright Tremaine LLP, "Chinese Government Issues the Third Amendment to the Trademark Law To Strengthen Trademark Protection," 27 January 14.

[41] Transparency International, "Transparency in Corporate Reporting: Assessing Emerging Market Multinationals," 16 October 13, 35–37.

[42] "China Companies Rank Lowest in Survey of Transparency Reporting," Bloomberg, 17 October 13.

[43] See, e.g., China's Treatment of Foreign Journalists, Staff Roundtable of the Congressional-Executive Commission on China, 11 December 13, Written Statement of The New York Times, Submitted by Jill Abramson, Executive Editor, New York Times, Presented by Edward Wong, Correspondent, New York Times; Michael Forsythe, "As China's Leader Fights Graft, His Relatives Shed Assets," New York Times, 17 June 14; Kim Hjelmgaard, "'Guardian' Says Website Blocked in China for No Reason," USA Today, 8 January 14; William Wan, "China Blocks New York Times Web Site After Report on Leader's Wealth," Washington Post, 26 October 12.

[44] Matt Schiavenza, "What's at Stake in Bloomberg's China Coverage," Atlantic, 20 November 13; Edward Wong, "Bloomberg News Is Said To Curb Articles That Might Anger China," New York Times, 8 November 13.

[45] Michael Forsythe, "As China's Leader Fights Graft, His Relatives Shed Assets," New York Times, 17 June 14; Kathy Chu and William Launder, "U.S. Media Firms Stymied in China," Wall Street Journal, 6 December 13; China's Treatment of Foreign Journalists, Staff Roundtable of the Congressional-Executive Commission on China, 11 December 13, Written Statement of The New York Times, Submitted by Jill Abramson, Executive Editor, New York Times, Presented by Edward Wong, Correspondent, New York Times.

[46] U.S. Securities and Exchange Commission, In the Matter of BDO China Dahua CPA Co., Ltd., et al., Initial Decision (Public), File NOS 3–14872, 3–15116, Release No. 553 Administrative Proceeding File, 22 January 14, 3.

[47] Ibid., 10, 13; Brian V. Breheny et al., Skadden, Arps, Slate, Meagher & Flom LLP, "SEC Judge Issues Initial Decision Regarding Chinese Affiliates of the Big Four Accounting Firms," 23 January 14; Nathaniel B. Edmonds et al., Paul Hastings LLP, "Accounting Firms in Settlement Negotiations Over SEC Decision: Implications for Doing Business in China," Stay Current, June 2014.

[48] Susanne J. Harris et al., Mayer Brown JSM, "China: PRC Laws No Excuse for Non-Compliance With SFC Requests," reprinted in Mondaq, 9 June 14.

[49] American Chamber of Commerce in China (AmCham), "2014 China Business Climate Survey Report," 2014, 11. According to the AmCham survey, 56 percent of the companies surveyed reported that Internet censorship negatively or somewhat negatively affected their business in China, and 66 percent of the companies surveyed reported that the blocking of Internet search engines negatively or somewhat negatively affected their business.

[50] Ibid., 12. According to the AmCham survey, 73 percent of the companies surveyed identified "difficulty of obtaining credible data" as the biggest obstacle for pursuing mergers and acquisitions in China.

[51] James T. Areddy, "China's Transparency Standards, U.S. Investor Expectations Collide," Wall Street Journal, 27 August 13.

[52] Ana Swanson, "China's Chilling Crackdown on Due-Diligence Companies," Atlantic, 23 October 13.

[53] Ibid.; Peter Humphrey, "How Fraud Investigations Just Got Harder in China," Fraud Examiner, Association of Certified Fraud Examiners, May 2013; Zou Wei, "Shanghai Public Security Knocks Out First Illegal Investigation Company in China Started by a Foreigner" [Shanghai gongan dadiao shou ge waiguoren zai hua kaiban de feifa diaocha gongsi], Xinhua, 27 August 13.

[54] Ana Swanson, "China's Chilling Crackdown on Due-Diligence Companies," Atlantic, 23 October 13.

[55] Shanghai No. 1 Intermediate People's Court, Weibo post, 8 August 14, 10:57 p.m. The Shanghai No. 1 Intermediate People's Court sentenced Yu Yingzeng to two years in prison and fined her 150,000 yuan (US$24,000). Peter Humphrey was sentenced to two years and six months in prison, fined 200,000 yuan (US$32,000), and will be deported upon completion of his sentence.

[56] World Trade Organization, Trade Policy Review, Trade Policy Review Body, Report By China, WT/TPR/G/300, 27 May 14, 23.

[57] US-China Business Council, "USCBC 2013 China Business Environment Survey Results," 10 October 13, 2.

[58] American Chamber of Commerce in the People's Republic of China, "American Business in China 2014 White Paper," 2014, 9, 14.

[59] European Union Chamber of Commerce in China and Roland Berger Strategy Consultants, "European Business in China: Business Confidence Survey 2014," May 2014, 14.

[60] Ibid.

[61] Ibid., 43.

[62] Michael Schuman, "China Escalates Its War on American Tech Firms," Time, 5 June 14; Michael Kan, "China Cuts Access to Dropbox," 19 June 14; Kathy Chu and William Launder, "U.S. Media Firms Stymied in China," Wall Street Journal, 6 December 13; Michael Forsythe, "As China's Leader Fights Graft, His Relatives Shed Assets," New York Times, 17 June 14.

[63] Central Government Procurement Center, Important Circular of the Central Government Agencies Government Procurement Center [Zhongyang guojia jiguan zhengfu caigou zhongxin zhongyao tongzhi], 16 May 14; "China Excludes Windows 8 From Government Computers," Xinhua, 20 May 14; Simon Denyer, "As Cyber Rift Deepens, China Bans Use of Windows 8 on Government Computers," Washington Post, 21 May 14.

[64] Jamil Anderlini, "China Clamps Down on US Consulting Groups," Financial Times, 25 May 14.

[65] U.S. Department of the Treasury, Press Center, "Updated: U.S.-China Joint Fact Sheet Sixth Meeting of the Strategic and Economic Dialogue," 11 July 14.

[66] Yao Jing, "China Aims To Open Up Procurement Market," China Daily, 11 January 14.

[67] Shanghai Municipal People's Government, Administrative Measures for the China (Shanghai) Pilot Free Trade Zone [Zhongguo (shanghai) ziyou maoyi shiyan qu guanli banfa], issued 29 September 13, effective 1 October 13.

[68] World Trade Organization, Trade Policy Review, Trade Policy Review Body, Report By the Secretariat, WT/TPR/S/300, 27 May 14, 51.

[69] "Shanghai Trims List of Restrictions on Foreign Investment," Reuters, reprinted in New York Times, 1 July 14; "FTZ Needs Predictable Reforms," China Daily, 17 June 14.

[70] Peggy Sito, "Pause in China's Trade Zones Unlikely To Dim Mood for Pacesetters," South China Morning Post, 9 June 14.

[71] Office of the U.S. Trade Representative, "2013 Report to Congress on China's WTO Compliance," December 2013.

[72] United States v. Wang Dong, Sun Kailiang, Wen Xinyu, Huang Zhenyu and Gu Chunhui, Western District of Pennsylvania, Criminal No. 14–118, 1 May 14, 3; U.S. Department of Justice, Office of Public Affairs, "U.S. Charges Five Chinese Military Hackers for Cyber Espionage Against U.S. Corporations and a Labor Organization for Commercial Advantage," 19 May 14.

[73] U.S. Department of Justice, Office of Public Affairs, "U.S. Charges Five Chinese Military Hackers for Cyber Espionage Against U.S. Corporations and a Labor Organization for Commercial Advantage," 19 May 14.

[74] U.S. Department of Justice, Office of Public Affairs, "Sinovel Corporation and Three Individuals Charged in Wisconsin With Theft of Amsc Trade Secrets," 27 June 13; U.S. Federal Bureau of Investigation, "Press Release: Chinese National Arrested for Conspiring To Steal Trade Secrets," 2 July 14; "Chinese Woman Charged in Trade Secrets Theft Case," Associated Press, reprinted in Washington Post, 2 July 14.

[75] U.S. Department of Justice, Office of Public Affairs, "U.S. Charges Five Chinese Military Hackers for Cyber Espionage Against U.S. Corporations and a Labor Organization for Commercial Advantage," 19 May 14.

[76] "China Suspends Cyber Working Group Activities With US To Protest Cyber Theft Indictment," Xinhua, reprinted in China Daily, 20 May 14.

[77] U.S. Embassy, Beijing, "Ambassador Baucus's Speech to the Business Community," 25 June 14; Michael Martina, "U.S. Ambassador Baucus Says China Hacking Threatens National Security," Reuters, 25 June 14.

[78] John Eligon and Patrick Zuo, "Designer Seed Thought To Be Latest Target By Chinese," New York Times, 4 February 14; U.S. Department of Justice, U.S. Attorney Nicholas A. Klinefeldt, Southern District of Iowa, "Chinese National Arrested for Conspiring To Steal Trade Secrets," 12 December 13; U.S. Department of Justice, U.S. Attorney's Office, District of Kansas, "Two Agricultural Scientists From China Charged With Stealing Trade Secrets," 12 December 13.

[79] U.S. Department of Justice, U.S. Attorney's Office, Southern District of Iowa, "Chinese National Arrested for Conspiring To Steal Trade Secrets," 12 December 13.

[80] U.S. Department of Justice, U.S. Attorney's Office, Southern District of Iowa, "Chinese National Arrested for Conspiring To Steal Trade Secrets," 2 July 14.

[81] "Chinese Woman in Seed Corn Case Released on Bond," Associated Press, 22 July 14.

[82] U.S. Department of Justice, U.S. Attorney's Office, District of Kansas, "Two Agricultural Scientists From China Charged With Stealing Trade Secrets," 12 December 13.

[83] PRC Trademark Law [Zhonghua renmin gongheguo shangbiao fa], passed 23 August 82, amended 22 February 93, 27 October 01, 30 August 13, effective 1 May 14; PRC Trademark Law Implementing Regulations [Zhonghua renmin heguo shangbiao fa shishi tiaoli], issued 29 April 14, effective 1 May 14.

[84] Trademark Office, Trademark Review and Adjudication Board of State Administration of Industry and Commerce, "Annual Development Report on China's Trademark Strategy 2013," 25 March 14, 1; Supreme People's Court, Intellectual Property Protection by Chinese Courts in 2013 [2013 nian zhongguo fayuan zhishichanquan sifa baohu zhuangkuang], reprinted in China Court Network, 26 April 14; Office of the U.S. Trade Representative, "2014 Special 301 Report," April 2014, 10, 30–31.

[85] Office of the U.S. Trade Representative, "2014 Special 301 Report," April 2014, 30–31; American Chamber of Commerce in the People's Republic of China (AmCham), "2014 China Business Climate Survey Report 2014," 2014, 20. According to the AmCham's survey, 68 percent of respondents characterized intellectual property enforcement in China as ineffective (54 percent) or totally ineffective (14 percent).

[86] Office of the U.S. Trade Representative, "2014 Special 301 Report," April 2014, 31, 33.

[87] BSA, The Software Alliance, "The Compliance Gap: BSA Global Software Survey," June 2014, 4.

[88] James R. Hagerty and Shira Ovide, "Microsoft Pursues New Tack on Piracy," Wall Street Journal, 16 March 14.

[89] U.S.-China Business Council, "Recommendations for Strengthening Trade Secret Protection in China," September 2013.

[90] Ma Xueling and Kan Feng, "Supreme People's Court Publishes 10 Innovative Intellectual Property Model Cases" [Zuigaofa gongbu 10 da chuangxinxing zhishi chanquan anli], China News Net, reprinted in China Intellectual Property Protection Network, 22 October 13; Christine Yiu and Yijun Ge, Bird & Bird LLP, "Eli Lilly v. Huang: Shanghai Court Issues Interlocutory Injunction Against Breach of Trade Secret," 21 August 13; Mark Cohen, "IPR Model Cases: Part of the Long Journey Towards IPR Case Law With 'Chinese Characteristics?'" China IPR (blog), 10 November 13.

[91] Ma Xueling and Kan Feng, "Supreme People's Court Publishes 10 Innovative Intellectual Property Model Cases" [Zuigaofa gongbu 10 da chuangxinxing zhishi chanquan anli], China News Net, reprinted in China Intellectual Property Protection Network, 22 October 13.

[92] AMSC, "China's Supreme People Court Decides in Favor of AMSC on Jurisdictional Matters," 19 February 14; Justin Doom, "China Supreme Court Ruling Favors AMSC in Two Sinovel Suits," Bloomberg, 19 February 14.

[93] U.S. Department of Justice, "Sinovel Corporation and Three Individuals Charged in Wisconsin With Theft of Amsc Trade Secrets," 27 June 13.

[94] Guangdong Province High Court Civil Decision No. 305 (2013) [2013 yue gaofa minsan zhongzi di 305 hao], Huawei Technology Co. Ltd. v. InterDigital Technolgy Corporation [Huawei jishu youxian gongsi su jiaohu shuzi jishu gongsi], 16 October 13; Michael Han and Kexin Li, Freshfields Bruckhaus Deringer LLP, Beijing, "Huawei v. InterDigital: China at the Crossroads of Antitrust and Intellectual Property, Competition and Innovation," Competition Policy International, 28 November 13.

[95] Michael Han and Kexin Li, Freshfields Bruckhaus Deringer LLP, Beijing, "Huawei v. InterDigital: China at the Crossroads of Antitrust and Intellectual Property, Competition and Innovation," Competition Policy International, 28 November 13.

[96] PRC Trademark Law Implementing Regulations [Zhonghua renmin gongheguo shangbiao fa shishi tiaoli], issued 3 August 02, amended 29 April 14, effective 1 May 14; PRC Trademark Law [Zhonghua renmin gongheguo shangbiao fa], passed 23 August 82, amended 22 February 93, 27 October 01, 30 August 13, effective 1 May 14, art. 63; PRC Trademark Law [Zhonghua renmin gongheguo shangbiao fa], passed 23 August 82, amended 22 February 93, 27 October 01, art. 56.

[97] Rouse LLP, "China IP Litigation Analysis," CIELA, last visited 7 May 14.

[98] State Administration for Industry and Commerce, "Anti-Unfair Competition Law Revision Official Launch" [Fan buzhengdang jingzheng fa xiufa keti zhengshi qidong], 3 March 14; Laney Zhang, "Protection of Trade Secrets: China," Library of Congress, August 2013, last visited 28 February 14.

[99] Ministry of Commerce, "MOFCOM Holds a Special Press Conference on Anti-Monopoly," 4 March 14; Sue Hao and John Lenhart, "China's 'Golden Year' of Antimonopoly Investigations," China Business Review, 12 December 13; Lian Hongyang, "Diluting Monopolies Is a Fundamental Antimonopoly Measure" [Xishi longduan quanwei fanlongduan fudi chouxin], Guangzhou Daily, 26 November 13.

[100] PRC Antimonopoly Law [Zhonghua renmin gonghe guo fan longduan fa], passed 30 August 07, effective 1 August 08, art. 7; Peter Wang, Jones Day, "New Chinese Anti-Monopoly Law," October 2007; Hu Shuli, "China Must Rein in Its State-Owned Monopolies," South China Morning Post, 29 August 13.

[101] Ministry of Commerce, "MOFCOM Holds a Special Press Conference on Anti-Monopoly," 4 March 14.

[102] Ministry of Commerce, "Ministry of Commerce on the Prohibition of Maersk, Mediterranean Shipping Company, CMA CGM To Establish Concentrated Business Network Operations Antimonopoly Review Decision" [Shangwu bu guanyu jinzhi mashiju, dizhonghai hangyun, da fei sheli wangluo zhongxin jingying zhe jizhong fan longduan shencha jueding de gonggao], 17 June 14.

[103] U.S. Federal Maritime Commission, "P3 Network Vessel Sharing Agreement, FMC Agreement No. 012230," 20 March 14.

[104] "Maersk Line and P3 Partners Receive European Commission Affirmation," Maersk Press Release, 6 June 14.

[105] PRC Antimonopoly Law [Zhonghua renmin gongheguo fan longduan fa], passed 30 August 07, effective 1 August 08, art. 27(5); Tom Mitchell, "Domestic Factors Key in China's Shipping Rejection," Financial Times, 18 June 14; Bradley S. Lui and Lei Ouyang, Morrison Foerster LLP, "China: China's MOFCOM Blocks P3 Alliance," reprinted in Mondaq, 7 July 14.

[106] Tom Mitchell, "Domestic Factors Key in China's Shipping Rejection," Financial Times, 18 June 14; Bradley S. Lui and Lei Ouyang, Morrison Foerster LLP, "China: China's MOFCOM Blocks P3 Alliance," reprinted in Mondaq, 7 July 14.

[107] Ministry of Commerce, "Ministry of Commerce Spokesman Yao Jian on Coca-Cola's Acquisition of Huiyuan Antitrust Review Decision Press Conference" [Shangwu bu xinwen fayan ren yao jian jiu kekoukele gongsi shougou huiyuan gongsi fan longduan shencha jueding da jizhe wen], 24 March 09; Valerie Bauerlein and Gordon Fairclough, "Beijing Thwarts Coke's Takeover Bid," 19 March 09; Tom Mitchell, "Domestic Factors Key in China's Shipping Rejection," Financial Times, 18 June 14.

[108] Sue Hao and John Lenhart, "China's 'Golden Year' of Antimonopoly Investigations," China Business Review, 12 December 13.

[109] Paul Carsten, "China Regulator Announces Anti-Monopoly Probe of Microsoft," Reuters, 29 July 14; European Union Chamber of Commerce in China, "European Chamber Releases Statement on China AML-Related Investigations," 13 August 14.

[110] Peter Carsten and Michael Martina, "China Regulator Determines Qualcomm Has Monopoly: State-Run Newspaper," Reuters, 24 July 14.

[111] Shira Ovide, "China Raids Microsoft Offices," Wall Street Journal, 29 July 14.

[112] "Beijing vs. Foreign Capitalist Roaders," Wall Street Journal, 14 August 14.

[113] US-China Business Council, "Competition Policy and Enforcement in China," September 2014, 11.

[114] American Chamber of Commerce in the People's Republic of China, "Challenges and Opportunities in China's Investment Environment: 2014," September 2014, Chairman's Message; US-China Business Council, "Competition Policy and Enforcement in China," September 2014, 1; European Union Chamber of Commerce in China, "European Chamber Releases Statement on China AML-Related Investigations," 13 August 14.

[115] U.S. Chamber of Commerce, "Competing Interests in China's Competition Law Enforcement," September 2014, ii, 6.

[116] Decision of the Standing Committee of the National People's Congress To Revise the "Law of the People's Republic of China on Protecting the Marine Environment" Among Seven Laws [Quanguo renda changwei hui guanyu xiugai "haiyang huanjing baohu fa" deng qi bu falu de jueding], reprinted in Xinhua, 28 December 13; Laney Zhang, "China: Company Law Revised To Remove Registered Capital Requirements," Global Legal Monitor, Library of Congress, 12 March 14.

[117] PRC Company Law [Zhonghua renmin gongheguo gongsi fa], passed 29 December 93, amended 25 December 99, 28 August 04, 27 October 05, 28 December 13, effective 1 March 14, arts. 26, 28; Laney Zhang, "China: Company Law Revised To Remove Registered Capital Requirements," Global Legal Monitor, Library of Congress, 12 March 14; Bryan Chan and Eva Wang, Linklaters LLP, "China's New Company Registration Regime," February 2014; Hogan Lovells, "China Announces Significant Amendments to the PRC Company Law: But What Is In It for Foreign Investors?" Corporate China Brief, January 2014, 1–4.

[118] "China's New Companies Surge on Business Registration Reform," Xinhua, 7 July 14.
[119] Leo Zhou Liang, "China's Simplified (and Cheaper) Company Registration Process," Dacheng Law Office, 13 May 14.
[120] Office of the U.S. Trade Representative, "2013 Report to Congress on China's WTO Compliance," December 2013, 2.
[121] Ibid., 3.
[122] Keith Bradsher, "Retaliatory Attacks, Online," New York Times, 20 May 14.
[123] Office of the U.S. Trade Representative, "WTO Dispute Settlement Proceeding Regarding Certain Methodologies and Their Application to Anti-Dumping Proceedings Involving China," Federal Register, 8 April 14.
[124] World Trade Organization, "Disputes by Country/Territory," last visited 1 July 14.
[125] Ibid.
[126] World Trade Organization, DS471, United States—Certain Methodologies and Their Application to Anti-Dumping Proceedings Involving China, Dispute Settlement, last visited, 1 July 14; Office of the U.S. Trade Representative, "WTO Dispute Settlement Proceeding Regarding Certain Methodologies and Their Application to Anti-Dumping Proceedings Involving China," Federal Register, 8 April 14.
[127] World Trade Organization, DS431, China—Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum, Dispute Settlement, last visited 15 August 14; World Trade Organization, DS440, China—Anti-Dumping and Countervailing Duties on Certain Automobiles From the United States, Dispute Settlement, last visited 15 August 14.
[128] World Trade Organization, DS431, China—Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum, Dispute Settlement, last visited 15 August 14.
[129] Ibid.; Office of the U.S. Trade Representative, "U.S. Trade Representative Michal Froman Announces U.S. Victory in Challenge to China's Rare Earth Export Restraints," 7 August 14.
[130] World Trade Organization, DS440, China—Anti-Dumping and Countervailing Duties on Certain Automobiles From the United States, Dispute Settlement, last visited 28 July 14; Office of the U.S. Trade Representative, "United States Wins Trade Enforcement Case Against China on Autos," May 2014.
[131] Office of the U.S. Trade Representative, "United States Wins Trade Enforcement Case Against China on Autos," May 2014.
[132] Ibid.
[133] World Trade Organization, DS414, China—Countervailing and Anti-Dumping Duties on Grain Oriented Flat-Rolled Electrical Steel From the United States, Dispute Settlement, last visited 15 August 14.
[134] Derek M. Scissors, American Enterprise Institute, "China Invests (Somewhat) More in the World," January 2014.
[135] Thilo Hanemann and Cassie Gao, Rhodium Group, "Chinese FDI in the US: 2013 Recap and 2014 Outlook," 7 January 14. The U.S. Department of State Bureau of Economic and Business Affairs described the Rhodium Group as "a leading private consultancy focused on U.S.-China investment." See U.S. Department of State, Bureau of Economic and Business Affairs, "2014 Investment Climate Statement—China," June 2014.
[136] Thilo Hanemann and Cassie Gao, Rhodium Group, "Chinese FDI in the US: 2013 Recap and 2014 Outlook," 7 January 14.
[137] Thilo Hanemann, Rhodium Group, "Chinese FDI in the United States: Q1 2014 Update," 8 May 14.
[138] David McLaughlin and Alex Barinka, "Lenovo-IBM Deal Probed by U.S. Over Servers at Pentagon," Bloomberg, 4 April 14.
[139] IBM, "Lenovo Plans To Acquire IBM's x86 Server Business," 23 January 14; Lenovo, "Lenovo To Acquire Motorola Mobility From Google," 29 January 14.
[140] Charlie Osborne, "Lenovo: IBM, Motorola Deals To Close by 2015," CNET, 2 July 14; David McLaughlin and Alex Barinka, "Lenovo-IBM Deal Probed by U.S. Over Servers at Pentagon," Bloomberg, 4 April 14.
[141] Bien Perez, "Lenovo Expects All-Clear for IBM, Motorola Mobility Deals," South China Morning Post, 3 July 14.
[142] Nick Timiraos, "Chinese Lead Way as Foreigners Step Up Purchases of U.S. Homes," Wall Street Journal, 8 July 14; Lingling Wei, "CCTV Accuses Bank of China of Money Laundering," Wall Street Journal, 9 July 14.
[143] "CCTV Reports on Fraudulent Money Laundering: Foreign Currency Controls Almost Nonexistent" [Yang shi baodao cheng zhonghang gongran zao jia xi hei qian waihui guanzhi xing tong tong xu she], CCTV, reposted on Sina, 9 July 14; "CCTV Exposes Fraud and Money Laundering: Employee Says Lots of Dirty Money Can Be Cleaned" [Yangshi puguang zhongxing zaojia xi heiqian yuangong cheng duo hei de qian dou neng xi bai], CCTV, reprinted in Xinhua, 9 July 14; Bank of China, "Bank of China Explains 'Special Exchange Channel'" [Zhongguo yinghang guangyu "you huitong" yewu de shouming], 9 July 14; Didi Kirsten Tatlow, "Battle Between Two State Giants, CCTV and Bank of China, Unravels," New York Times, Sinosphere (blog), 10 July 14.
[144] U.S. Department of the Treasury, Office of International Affairs, "Report to Congress on International Economic and Exchange Rate Policies," 15 April 14, 15–16.
[145] World Bank, "China Economic Update," June 2014, 13.
[146] U.S. Department of the Treasury, Office of International Affairs, "Report to Congress on International Economic and Exchange Rate Policies," 15 April 14, 14.
[147] Robert E. Scott, Economic Policy Institute, "Stop Currency Manipulation and Create Millions of Jobs," EPI Briefing Paper No. 372, 26 February 14, 3.
[148] U.S. Department of the Treasury, Office of International Affairs, "Report to Congress on International Economic and Exchange Rate Policies," 15 April 14, 4.

[149] "China's Forex Reserves Rise to $4 Trillion," Xinhua, reprinted in China Daily, 12 June 14; Wayne Arnold and Ken Brown, "Currency Reserves Swell in Asia," Wall Street Journal, 8 July 14.

[150] Robert E. Scott, Economic Policy Institute, "Stop Currency Manipulation and Create Millions of Jobs," EPI Briefing Paper No. 372, 26 February 14, 3.

[151] "Chinese Gov't Urges Food Safety," China Daily, 27 May 14; Yanzhong Huang, "The 2008 Milk Scandal Revisited," Council on Foreign Relations, Asia Unbound (blog), 16 July 14.

[152] See "Chinese Herbs: Elixir of Health or Pesticide Cocktail?" Greenpeace, 2013, 12.

[153] See Zhou Wenting, "Banned Substances Found in Vet Drugs," China Daily, 12 August 13.

[154] See Li Jing, "Preserved Egg Companies Shut in Toxic Chemical Scandal," South China Morning Post, 16 June 13.

[155] John Balzano, "China Focuses Regulatory Enforcement on Expired Food and Village Markets," Forbes, 24 March 14.

[156] See Michael Riggs, "China's Frightening, Unpleasant Cooking-Oil Scandal," Atlantic, 30 October 13.

[157] See Laurie Burkitt, "Wal-Mart Recalls Donkey Meat in China," Wall Street Journal, 2 January 14.

[158] Pew Research Center, Pew Research Global Attitudes Project, "Environmental Concerns on the Rise in China," 19 September 13.

[159] Mao Weihao et al., "Certification or Recognize Money?—A Xinhua Reporter's Undercover Investigation of the Certification Market" [Renzheng, haishi renqian?—xinhua she jizhe diaocha anfang renzhen shichang], Xinhua, 15 June 14.

[160] Mandy Zuo, "Mainland Industries Bribing Their Way to Quality-Control Certification: Xinhua," South China Morning Post, 16 June 14.

[161] Gail Sullivan, "Wal-Mart To Triple Food Safety Spending in China After Donkey Meat Disaster," Washington Post, Morning Mix (blog), 17 June 14.

[162] Laurie Burkitt, "Wal-Mart Recalls Donkey Meat in China," Wall Street Journal, 2 January 14.

[163] Sophia Yan, "China Scare Snares Burger King, Papa John's," CNN Money, 22 July 14.

[164] National People's Congress, Food Safety Law (Draft Revisions) Full Text [Shipin anquan fa (xiuding caoan) quanwen], 30 June 14; "Local Watchdogs Empowered in Food Safety Shake-Up," Xinhua, 26 January 14; "Chinese Law Makers Review Food Safety Law," CCTV, 26 June 14.

[165] For example, during a June 2014 hearing, Dr. Daniel Engeljohn, Assistant Administrator for the Food Safety Inspection Service, U.S. Department of Agriculture, explained that poultry processed in China will not be labeled as being from China if it is repackaged in the United States. See Pet Treats and Processed Chicken from China: Concerns for American Consumers and Pets, Hearing of the Congressional-Executive Commission on China, 17 June 14, Written Statement of Dr. Daniel Engeljohn, Assistant Administrator, Office of Field Operations, Food Safety and Inspection Service, U.S. Department of Agriculture, 4.

[166] U.S. Food and Drug Administration, "Questions and Answers Regarding Jerky Pet Treats," last visited 16 May 14.

[167] Jolie Lee, "PetSmart, Petco To Stop Selling Dog and Cat Treats Made in China," USA Today, 21 May 14.

[168] U.S. Food and Drug Administration, Number of Import Alerts by Country/Area, last visited 1 July 14.

[169] U.S. Department of Agriculture, Food Safety and Inspection Service, "Final Report of an Audit Conducted in the People's Republic of China, March 4–19, 2013," 30 August 13.

[170] Pet Treats and Processed Chicken from China: Concerns for American Consumers and Pets, Hearing of the Congressional-Executive Commission on China, 17 June 14, Written Statement of Dr. Daniel Engeljohn, Assistant Administrator, Office of Field Operations, Food Safety and Inspection Service, U.S. Department of Agriculture, 4.

[171] Adam Minter, "Is China Blocking FDA Inspectors?" Bloomberg, 28 February 14.

Notes to Section III—Access to Justice

[1] Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 8.

[2] International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 2. China signed the ICCPR in 1998 and the government has repeatedly stated its intent to ratify it. During the UN Human Rights Council's Universal Periodic Review of the Chinese government's human rights record in October 2013, China stated it is "making preparations for the ratification of ICCPR and will continue to carry out legislative and judicial reforms." UN GAOR, Hum. Rts. Coun. 25th Sess., Agenda Item 6, Universal Periodic Review, Report of the Working Group on the Universal Periodic Review—China, A/HRC/25/5, 4 December 13, para. 153.

[3] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(32–34).

[4] Ibid., sec. 9(32); Xing Shiwei, "Six Provinces and Municipalities To Serve as Pilot Sites for Judicial Reforms Aimed at 'Localization'" [Liu sheng shidian sixiang sifa gaige jianzhi "sifa difanghua"], Beijing News, 16 June 14; "Judicial Reform Pilots," China Law Translate (blog), 16 June 14; Cao Yin, "Xi Promotes Judicial Reform, IP Tribunals," China Daily, 27 June 14. See also Jerome A. Cohen, "Struggling for Justice: China's Courts and the Challenge of Reform," World Politics Review, 14 January 14; Hugo Winckler, "Rule of Law: A Game Plan for the Economy," China Analysis: How Far Will the NPC Go in Implementing Reform? European Council on Foreign Relations, March 2014, 8–10.

[5] "Core Content of People's Courts' 'Fourth Five-Year Reform Plan' Released" [Renmin fayuan "si wu gaige gangyao" hexin neirong fabu], Xinhua, 9 July 14; "More Information on the Courts' 4th 5-Yr Plan," China Law Translate (blog), 26 July 14; Stanley Lubman, "A Key Move To Protect Courts in China," Wall Street Journal, China Real Time Report (blog), 30 July 14.

[6] Stanley Lubman, "A Key Move To Protect Courts in China," Wall Street Journal, China Real Time Report (blog), 30 July 14.

[7] Jeffrey Wasserstrom, "Trials and Errors: A Roundtable on Law, Reform, and Repression in China," Dissent, 20 February 14; Stanley Lubman, "A Key Move To Protect Courts in China," Wall Street Journal, China Real Time Report (blog), 30 July 14; Xing Shiwei, "Six Provinces and Municipalities To Serve as Pilot Sites for Judicial Reforms Aimed at 'Judicial Localization'" [Liu shengshi shidian sixiang sifa gaige jianzhi "sifa difanghua"], Beijing News, 16 June 14; "China's Chief Justice Warns of Weakness in Court System," Xinhua, reprinted in China Daily, 3 March 14; "Judicial Reform Pilots," China Law Translate (blog), 16 June 14; "China Rethinks Its Judicial System," New York Times, 17 March 14; Li Hui and Megha Rajagopalan, "China Looks for Justice Reform, but Party To Retain Control," Reuters, 16 June 14; Randall Peerenboom, China's Long March Toward Rule of Law, (Cambridge: Cambridge University Press, 2002), 399.

[8] "With Legal Reforms, China Wants Less Interfering in Cases, Fewer Death Penalty Crimes," Reuters, reprinted in South China Morning Post, 9 March 14; Shannon Tiezzi, "China's Legal Reform: A Balancing Act," Diplomat, 12 March 14; Li Hui and Megha Rajagopalan, "China Looks for Justice Reform, but Party To Retain Control," Reuters, 16 June 14.

[9] "Global Times: Judicial Reform Will Not Fall Into Liberals' Semantic Trap" [Huanqiu shibao: sifa gaige bu hui diaoru ziyoupai yujing], Global Times, 17 June 14.

[10] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(33).

[11] Kelly Buchanan, "China: Courts Required To Publish All Effective Opinions on One Website," Global Legal Monitor, Library of Congress, 31 December 13; Zhou Qiang, "Report on the Work of the Supreme People's Court" [Zuigao renmin fayuan gongzuo baogao], reprinted in China Court Net, 8 May 14, sec. IV. The official English translation of the Supreme People's Court Work Report refers to the Web site as the "China Written Judgments Network," but the English name on the Web site itself is "Judicial Opinions of China."

[12] Zhou Qiang, "Report on the Work of the Supreme People's Court" [Zuigao renmin fayuan gongzuo baogao], reprinted in China Court Net, 8 May 14, sec. IV; Judicial Opinions of China Web Site [Zhongguo caipan wenshu wang], last visited 2 July 14.

[13] "Core Content of People's Courts 'Fourth Five-Year Reform Plan' Released" [Renmin fayuan "si wu gaige gangyao" hexin neirong fabu], Xinhua, 9 July 14; "More Information on the Courts' 4th 5-Yr Plan," China Law Translate (blog), 26 July 14.

[14] Ibid.

[15] Benjamin L. Liebman, "A Populist Threat to China's Courts?" in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 293–94, note 131; Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34). The official English translation of the Third Plenum Decision uses "judicial relief" as the translation for sifa jiuzhu. In order to avoid confusion with "judicial remedies," the Commission has translated the term as "judicial assistance."

[16] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 9(34).

[17] Zhou Qiang, "Report on the Work of the Supreme People's Court" [Zuigao renmin fayuan gongzuo baogao], reprinted in China Court Net, 8 May 14, sec. III; "SPC and MOJ Jointly Issue Opinion on State Compensation Legal Aid; In Urgent Circumstances First Provide Legal Aid, Later Handle Procedures" [Zuigaofa sifabu lianhe chutai guojia peichang falu yuanzhu yijian jinji qingkuang ke xian falu yuanzhu hou bu shouxu], 27 January 14. See also "Top Procurator

in Beijing: Each Year Approximately Two Million Crime Victims Unable To Obtain Compensation" [Beijing jianchazhang: zhongguo meinian yue 200 wan xingshi beihairen huo pei wumen], Radio Free Asia, 11 March 14.

[18] Zhou Qiang, "Report on the Work of the Supreme People's Court" [Zuigao renmin fayuan gongzuo baogao], reprinted in China Court Net, 8 May 14, sec. III.

[19] Cao Jianming, "Report on the Work of the Supreme People's Procuratorate," [Zuigao renmin jianchayuan gongzuo baogao], Procuratorial Daily, reprinted in Supreme People's Procuratorate Net, 10 March 14.

[20] Wang Shu, "'Two Supremes' Receive 'Most Attractive Report Cards' in Seven Years" [Liang gao jiao 7 nian lai "zui jing chengji dan"], Beijing News, 17 March 14; Susan Finder, "The Supreme People's Court: Reforming the Chinese Courts the Party Way," Supreme People's Court Monitor (blog), 8 May 13.

[21] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 13(49). For information about the reform documents, see "General Offices of CCP Central Committee and State Council Issue Opinion on 'Handling Law and Litigation-Related Petitions According to Law,'" Xinhua, reprinted in State Bureau for Letters and Calls, 20 March 14; "State [Bureau] of Letters and Calls Measures for Further Standardizing Procedures for Handling Petitioning Matters and Guiding Petitioners To Follow the Proper Progression When Petitioning" [Guojia xinfangju guanyu jinyibu guifan xinfang shixiang shouli banli chengxu yindao laifangren yifa zhuji zoufang de banfa], Xinhua, reprinted in State Bureau of Letters and Calls, 23 April 14. For an English translation of the measures, see China Law Translate (blog), 24 April 14; Qian Haoping, "Data From the State Bureau of Letters and Calls: 71 Percent of Petitions Are Reasonable, 60 Percent Are Repeats" [Guojia xinfangju shuju: 71% shangfang youli 60% que yao chongfang], Southern Weekend, 12 December 13; Susan Finder, "The Supreme People's Court's New Petitioning Measures," Supreme People's Court Monitor (blog), 2 March 14; "Supreme Court Allows Online Petitions," Xinhua, reprinted in China Daily, 28 February 14. For a description of the *xinfang* system, see, e.g., CECC, 2013 Annual Report, 10 October 13, 158–59; CECC, 2009 Annual Report, 10 October 09, 238.

[22] Benjamin L. Liebman, "A Populist Threat to China's Courts?" in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 274 (noting that he uses "petitioning, protesting, and the letters and visits system interchangeably"). See also CECC, 2013 Annual Report, 10 October 13, 158–59; CECC, 2009 Annual Report, 10 October 09, 238.

[23] Qian Haoping, "Data From the State Bureau of Letters and Calls: 71 Percent of Petitions Are Reasonable, 60 Percent Are Repeats" [Guojia xinfangju shuju: 71% shangfang youli 60% que yao chongfang], Southern Weekend, 12 December 13. Litigation-related petitions may also include matters such as land disputes and forced evictions. See Benjamin L. Liebman, "A Populist Threat to China's Courts?" in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 282.

[24] Chinese Communist Party Central Committee, Decision on Some Major Issues Concerning Comprehensively Deepening the Reform, reprinted in China Internet Information Center, 16 January 14, sec. 13(49). The Third Plenum Decision addressed petitioning in the subsection titled "Innovating systems that can effectively prevent and solve social conflicts." See also Wu Chao and Liu Erwei, "The Reform and Innovation in Letter-Call Petition System in China" [Zhongguo xinfang zhidu de gaige he chuangxin] in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 191; Samantha Hoffman, "China's New Petitioning Guidelines and Social Governance Policy," China Policy Institute Blog, 3 March 14; Benjamin L. Liebman, "A Populist Threat to China's Courts?" in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 305–6. One judge who was interviewed stated that "'[T]he policy is stability'; thus, courts do whatever is necessary to maintain stability. Courts, like other party-state institutions, are committed to this policy, even if short-term concerns about stability risk undermining the courts' authority in the long term."

[25] Hualing Fu, "Mediation and the Rule of Law: The Chinese Landscape," in Dispute Resolution: Alternatives to Formalization, eds. Joachim Zekoll et al. (Leiden: Brill, 2014), 9–11, reprinted in Social Sciences Research Network, last visited 28 June 14; Stability in China: Lessons From Tiananmen and Implications for the United States, Hearing of the U.S.-China Economic and Security Review Commission, 15 May 14, Written Statement Submitted by Steve Hess, Assistant Professor of Political Science, College of Public and International Affairs, University of Bridgeport, 6; CECC, 2009 Annual Report, 10 October 09, 238–41.

[26] See, e.g., "China Strictly Bans Confinement of Petitioners," Xinhua, 19 March 14; "General Offices of Central Committee and State Council's Opinion on Innovative Methods of Working With Masses To Resolve Prominent Petitioning Issues" [Zhonggong zhongyang bangongting guowuyuan bangongting yinfa "guanyu chuangxin qunzhong gongzuo fangfa jiejue xinfang tuchu wenti de yijian"], Xinhua, 25 February 14; "Petition Reform Takes Its Last Stand," Global Times, 24 April 14; "State Bureau of Letters and Calls' Vice Minister Zhang Enxi: Let the Reasonable and Lawful Demands of the Masses Be Timely Resolved On the Spot" [Guojia xinfangju fu juzhang zhang enxi: rang qunzhong heli hefa suqiu dedao jishi jiudi jiejue], Xinhua, reprinted in State Bureau for Letters and Calls, 24 April 14; Jonathan Kaiman, "Chinese Hotel Becomes Focal Point in Standoff Over Country's Petition System," Guardian, 14 April 14.

[27] "Petition Reform Takes Its Last Stand," Global Times, 24 April 14.

[28] "State Council Information Office Holds Press Conference on Situation of Petitioning System Reform" [Guoxinban juxing xinfang gongzuo zhidu gaige qingkuang xinwen fabuhui], State Council Information Office, 28 November 13.

[29] Stability in China: Lessons From Tiananmen and Implications for the United States, Hearing of the U.S.-China Economic and Security Review Commission, 15 May 14, Written Statement Submitted by Steve Hess, Assistant Professor of Political Science, College of Public and International Affairs, University of Bridgeport, 6; CECC, 2012 Annual Report, 10 October 12, 143.

[30] See, e.g., Rahul Jacob and Zhou Ping, "China's Ancient Petition System Goes Online," Financial Times, 30 September 11; CECC, 2013 Annual Report, 10 October 13, 159; CECC, 2009 Annual Report, 10 October 09, 238–39; CECC, 2007 Annual Report, 10 October 07, 149–51.

[31] "China Voice: Rule of Law Essential for Faith in Petition System," Xinhua, 24 April 14.

[32] Zhang Hong, "Beijing Bans Petitioners Seeking Redress From Appealing Directly to Higher Authorities," South China Morning Post, 24 April 14; State [Bureau] of Letters and Calls, Measures for Further Standardizing Procedures for Handling Petitioning Matters and Guiding Petitioners To Follow the Proper Progression When Petitioning [Guojia xinfangju guanyu jinyibu guifan xinfang shixiang shouli banli chengxu yindao laifangren yifa zhuji zoufang de banfa], Xinhua, reprinted in State Bureau of Letters and Calls, effective 1 May 14, arts. 3, 4. For an unofficial English translation of the Measures, see "Measures for Standardizing Petitioning," China Law Translate (blog), 24 April 14.

[33] Russell Leigh Moses, "Beijing's Struggle To Keep People in Their Place," Wall Street Journal, 25 April 14; Zhang Hong, "Beijing Bans Petitioners Seeking Redress From Appealing Directly to Higher Authorities," South China Morning Post, 24 April 14; "State Council Information Office Holds Press Conference on Situation of Petitioning System Reform" [Guoxinban juxing xinfang gongzuo zhidu gaige qingkuang xinwen fabuhui], State Council Information Office, 28 November 13.

[34] "State Council Information Office Holds Press Conference on Situation of Petitioning System Reform" [Guoxinban juxing xinfang gongzuo zhidu gaige qingkuang xinwen fabuhui], State Council Information Office, 28 November 13; State [Bureau] of Letters and Calls, Measures for Further Standardizing Procedures for Handling Petitioning Matters and Guiding Petitioners To Follow the Proper Progression When Petitioning [Guojia xinfangju guanyu jinyibu guifan xinfang shixiang shouli banli chengxu yindao laifangren yifa zhuji zoufang de banfa], Xinhua, reprinted in State Bureau of Letters and Calls, effective 1 May 14, arts. 3, 4. For an unofficial English translation of the Measures, see "Measures for Standardizing Petitioning," China Law Translate (blog), 24 April 14.

[35] "The Political Legal System Wants To End 'Believing in Petitioning, Not Believing in Law'; Judges Must Be Held Responsible for Flaws in Court Cases That Result in Petitioning" [Zhengfa xitong yu po "xin fang bu xin fa"; shenpan xiaci yin shangfang yao zhui ze], Guangming Daily, reprinted in Legal Daily, 1 April 14; "State Council Information Office Holds Press Conference on Situation of Petitioning System Reform" [Guoxinban juxing xinfang gongzuo zhidu gaige qingkuang xinwen fabuhui], State Council Information Office, 28 November 13.

[36] Zhou Bin and Wang Kaiguang, "Ministry of Justice's Seven Work Mechanisms To Advance Law and Litigation-Related Petitioning Reform" [Sifabu qi xiang gongzuo jizhi tuijin shefa shesu xinfang gaige], Legal Daily, 11 April 14; "China Voice: Rule of Law Essential for Faith in Petition System," Xinhua, 24 April 14; CECC, 2012 Annual Report, 10 October 12, 143; Wu Chao and Liu Erwei, "The Reform and Innovation in Letter-Call Petition System in China" [Zhongguo xinfang zhidu de gaige he chuangxin] in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 188.

[37] "State Council Information Office Holds Press Conference on Situation of Petitioning System Reform" [Guoxinban juxing xinfang gongzuo zhidu gaige qingkuang xinwen fabuhui], State Council Information Office, 28 November 13; "Data From the State Bureau of Letters and Calls: 71 Percent of Petitions Are Reasonable, 60 Percent Are Repeats" [Guojia xinfangju shuju: 71% shangfang youli 60% que yao chongfang], Southern Weekend, 13 December 13; "China Strictly Bans Confinement of Petitioners," Xinhua, 19 March 14; "CPC Central Committee Notice: 'Blocking and Intercepting' Petitioners Not Allowed" [Zhonggong zhongyang tongzhi: jinzhi "lan ka du jie" shangfang renyuan], Radio Free Asia, 20 March 14; "Beijing Reiterates Call To End Petitioner Abuses," China Digital Times, 20 March 14.

[38] Zhang Yang, "With Respect to Petitioning, Plan Is To Promote Submission of Petitions Online and Handling of Them Offline (State Council Information Office Press Conference)" [Xinfang, ni tui wangshang shouli wangxia banli (zai guoxinban fabu huishang)], People's Daily, 29 November 13.

[39] See, e.g., Wu Chao and Liu Erwei, "The Reform and Innovation in Letter-Call Petition System in China" [Zhongguo xinfang zhidu de gaige he chuangxin] in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 188; CECC, 2012 Annual Report, 10 October 12, 144; CECC, 2011 Annual Report, 10 October 11, 187; CECC, 2009 Annual Report, 10 October 09, 95–96, 239.

[40] PRC Administrative Litigation Law [Zhonghua renmin gongheguo xingzheng susong fa], passed 4 April 89, effective 1 October 90.

[41] Shangxi Chenqiao, "Scope of Change in Administration Litigation Law Amendments Exceeds One-Half; Draft Adds 23 Articles and Amends 36 Articles" [Xingzheng susong fa xiugai dong fudu guoban, caoan zeng 23 tiao xiugai 36 tiao], Beijing Times, 24 December 13; "New Version of 'Guide for People Suing Officials' Infographic Explaining Administrative Litigation Law Revisions" [Xinban "min gao guan zhinan" tujie xingzheng susong fa xiugai], Beijing News, 24 December 13; CECC, 2009 Annual Report, 10 October 09, 237.

[42] Ibid.; CECC, 2009 Annual Report, 10 October 09, 237; Susan Finder, "The Supreme People's Court Encourages the Masses To Leave the Streets and Go Into the Courtroom: Week Ending 27 December," Supreme People's Court Monitor (blog), 28 December 13.

[43] Hualing Fu, "Mediation and the Rule of Law: The Chinese Landscape," in Dispute Resolution: Alternatives to Formalization, eds. Joachim Zekoll et al. (Leiden: Brill, 2014), 9–11, re-

printed in Social Sciences Research Network, last visited 28 June 14; Benjamin L. Liebman, "A Populist Threat to China's Courts?" in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 280–82.

[44] Benjamin L. Liebman, "A Populist Threat to China's Courts?" in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 278; Wu Chao and Liu Erwei, "Reform and Innovation in Letter-Call Petition System in China" [Zhongguo xinfang zhidu de gaige he chuangxin] in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 188.

[45] Shangxi Chenqiao, "Scope of Change in Administration Litigation Law Amendments Exceeds One-Half; Draft Adds 23 Articles and Amends 36 Articles" [Xingzheng susong fa xiugai dong fudu guoban, caoan zeng 23 tiao xiugai 36 tiao], Beijing Times, 24 December 13; "China Proposes Legislation To Resolve the Difficulty in Filing Administrative Litigation Cases, Expands Scope of People Suing Officials" [Zhongguo ni lifa jiejue xingzheng susong li'an nan, kuoda min gao guan fanwei], People's Daily, reprinted in Legal Daily, 19 February 14.

[46] Shangxi Chenqiao, "Scope of Change in Administration Litigation Law Amendments Exceeds One-Half; Draft Adds 23 Articles and Amends 36 Articles" [Xingzheng susong fa xiugai dong fudu guoban, caoan zeng 23 tiao xiugai 36 tiao], Beijing Times, 24 December 13.

[47] Ibid.; "New Version of 'Guide for People Suing Officials' Infographic Explaining Administrative Litigation Law Revisions" [Xinban "min gao guan zhinan" tujie xingzheng susong fa xiugai], Beijing News, 24 December 13.

[48] Shangxi Chenqiao, "Scope of Change in Administration Litigation Law Amendments Exceeds One-Half; Draft Adds 23 Articles and Amends 36 Articles" [Xingzheng susong fa xiugai dong fudu guoban, caoan zeng 23 tiao xiugai 36 tiao], Beijing Times, 24 December 13; "China Proposes Legislation To Resolve the Difficulty in Filing Administrative Litigation Cases, Expands Scope of 'People Suing Officials'" [Zhongguo ni lifa jiejue xingzheng susong li'an nan, kuoda min gao guan fanwei], People's Daily, reprinted in Legal Daily, 19 February 14.

[49] Susan Finder, "The Supreme People's Court Encourages the Masses To Leave the Streets and Go Into the Courtroom: Week Ending 27 December," Supreme People's Court Monitor (blog), 28 December 13; "China Proposes Legislation To Resolve the Difficulty in Filing Administrative Litigation Cases, Expands Scope of People Suing Officials" [Zhongguo ni lifa jiejue xingzheng susong li'an nan, kuoda min gao guan fanwei], People's Daily, reprinted in Legal Daily, 19 February 14; "Amendment to Administrative Procedure [sic] Law Hailed in China," Xinhua, 24 December 13.

[50] Shangxi Chenqiao, "Scope of Change in Administration Litigation Law Amendments Exceeds One-Half; Draft Adds 23 Articles and Amends 36 Articles" [Xingzheng susong fa xiugai dong fudu guoban, caoan zeng 23 tiao xiugai 36 tiao], Beijing Times, 24 December 13; Susan Finder, "The Supreme People's Court Encourages the Masses To Leave the Streets and Go Into the Courtroom: Week Ending 27 December," Supreme People's Court Monitor (blog), 28 December 13; "China Proposes Legislation To Resolve the Difficulty in Filing Administrative Litigation Cases, Expands Scope of People Suing Officials" [Zhongguo ni lifa jiejue xingzheng susong li'an nan, kuoda min gao guan fanwei], People's Daily, reprinted in Legal Daily, 19 February 14.

[51] "Ma Huaide: Problems With, and Proposed Revisions to the 'Administrative Litigation Law'" [Ma huaide: "xingzheng susong fa" cunzai de wenti ji xiugai jianyi], Aisixiang, 12 February 12, sec. 5, para. 1; Xing Shiwei, "Six Provinces and Municipalities To Pilot Four Judicial Reforms Aimed at 'Judicial Localization'" [Liu shengshi shidian si xiang sifa gaige jianzhi "sifa difanghua"], Beijing News, 16 June 14; "Judicial Reform Pilots," China Law Translate (blog), 16 June 14. See also Susan Finder, "The Supreme People's Court Encourages the Masses To Leave the Streets and Go Into the Courtroom: Week Ending 27 December," Supreme People's Court Monitor (blog), 28 December 13; Jeffrey Wasserstrom, "Trials and Errors: A Roundtable on Law, Reform, and Repression in China," Dissent, 20 February 14; "China Rethinks Its Judicial System," New York Times, 17 March 14.

[52] Zhou Qiang, "Report on the Work of the Supreme People's Court" [Zuigao renmin fayuan gongzuo baogao], reprinted in China Court Net, 8 May 14, secs. III, VII.

[53] See, e.g., Zhou Qiang, "Report on the Work of the Supreme People's Court" [Zuigao renmin fayuan gongzuo baogao], reprinted in China Court Net, 8 May 14, secs. III, VII; Benjamin L. Liebman, "A Populist Threat to China's Courts?" in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 311–13; "CPC Central Committee Notice: 'Blocking and Intercepting' Petitioners Not Allowed" [Zhonggong zhongyang tongzhi: jinzhi "lan ka du jie" shangfang renyuan], Radio Free Asia, 20 March 14; Wu Chao and Liu Erwei, "Reform and Innovation in Letter-Call Petition System in China" [Zhongguo xinfang zhidu de gaige he chuangxin] in The Blue Book of Social Institution: Report on Social Institutional Reform in China [Shehui tizhi lanpishu: zhongguo shehui tizhi gaige baogao], eds. Gong Weibin and Zhao Qiuying (Beijing: Social Sciences Academic Press, 2014), No. 2, 188.

[54] Chinese Human Rights Defenders, "[CHRB] Nearly 100 Detained, Restricted in Movement Around 25th Anniversary (5/30–6/5/2014)," Chinese Human Rights Briefing, 5 June 14.

[55] Willy Lam, Jamestown Foundation, "Forgetting Tiananmen, and What Came Before It," China Brief, Vol. 14, No. 11, 4 June 14.

[56] Ibid. See also Elizabeth Lynch, "Reform or Regression? The Corruption Inquiry of Zhou Yongkang," Interview With Professor Eva Pils (Part 3), China Law & Policy (blog), 13 May 14.

[57] Chinese Human Rights Defenders, "A Nightmarish Year Under Xi Jinping's 'Chinese Dream': 2013 Annual Report on the Situation of Human Rights Defenders in China," March 2014, 11; Elizabeth Lynch, "Reform or Regression? The Corruption Inquiry of Zhou Yongkang," Interview With Professor Eva Pils (Part 3), China Law & Policy (blog), 13 May 14; Eva Pils, Remarks on China's Domestic Policy and Human Rights Webcast, 2014 Bernstein China Sympo-

sium, Panel 1, U.S.-Asia Law Institute, New York University Law School, 3 April 14; "Chinese Rights Lawyers Sign Aid Pledge Amid Growing Crackdown," Radio Free Asia, 2 June 14.

[58] "Lawyers for Detained Church Leader Assaulted," Associated Press, 13 December 13; Rights Defense Network, "Chinese Human Rights Lawyers Group Statement on Nanle's Severe Violation of Lawyers' Professional Rights" [Zhongguo renquan lushituan guanyu nanle yanzhong qinfan lushi zhiyequan de shengming], 13 December 13.

[59] "Joint Statement by Four Lawyers Detained in Jiansanjiang After Their Release" [Jiansanjiang bei ju si lushi huoshi hou de lianhe shengming], Boxun, 13 April 14. See also the Commission's Political Prisoner Database, records 2011-00180 on Tang Jitian, 2011-00179 on Jiang Tianyong, 2014-00122 on Wang Cheng, and 2014-00139 on Zhang Junjie for more information on these cases.

[60] Ibid.; Teng Biao, "What is a 'Legal Education Center' in China," China Change, 3 April 14.

[61] Austin Ramzy, "Family of Dissident Lawyer Fears for His Health After Prison," New York Times, Sinosphere (blog), 14 August 14. For more information on Gao Zhisheng, see the Commission's Political Prisoner Database record 2005-00291.

[62] Freedom Now, "Media Release: Gao Zhisheng Tortured in Custody; Wife Pleads for U.S. Help To Get Him Urgent Medical Care," 13 August 14; Austin Ramzy, "Family of Dissident Lawyer Fears for His Health After Prison," New York Times, 14 August 14; "Geng He Doesn't Recognize the CCP's Verdict of Gao Zhisheng; Returning Home Is Gao Zhisheng's Right" [Geng he: bu chengren zhonggong dui gao zhisheng de panxing, huijia shi gao zhisheng de quanli], Radio Free Asia, 12 August 14.

[63] Freedom Now, "Media Release: Gao Zhisheng Tortured in Custody; Wife Pleads for U.S. Help To Get Him Urgent Medical Care," 13 August 14; "Wife Updates Gao Zhisheng's Condition Since Release From Prison," China Change, 1 September 14.

[64] "Wife Updates Gao Zhisheng's Condition Since Release From Prison," China Change, 1 September 14; Teng Biao, "A Chinese Activist: Out of Prison but Not Free," Washington Post, 7 September 14.

[65] Shan Renping, "Shan Renping: Why Is the Released 'Rights Lawyer' So Popular in the West?" [Shan renping: xifang weihe repeng huoshi de "weiquan lushi"], Global Times, 8 August 14.

[66] For more information, see the Commission's Political Prisoner Database record 2014-00174 on Pu Zhiqiang. "Pu Zhiqiang Arrested on Crimes of Suspicion of Picking Quarrels and Provoking Trouble, and Illegally Obtaining Citizen Information" [Pu zhiqiang shexian xunxin zishi, feifa huoqu gongmin xinxi zui bei daibu], China New Service, 13 June 14; "Families 'Shocked' Over Subversion Charge for Chinese Rights Lawyers," Radio Free Asia, 23 June 14.

[67] "Chinese Authorities Now Targeting Lawyers' Lawyers," Radio Free Asia, 9 June 14; Tania Branigan, "Chinese Rights Lawyers Warn of Crackdown After Arrest of Pu Zhiqiang," Guardian, 17 June 14; Human Rights Watch, "China: End Nationwide Crackdown on Activists," 29 June 14. For more information on these cases, see the Commission's Political Prisoner Database records 2014-00197 on Chang Boyang and 2014-00199 on Ji Laisong.

[68] Human Rights Watch, "China: End Nationwide Crackdown on Activists," 29 June 14; "Families 'Shocked' Over Subversion Charge for Chinese Rights Lawyers," Radio Free Asia, 23 June 14; "Chinese Rights Lawyers Sign Aid Pledge Amid Growing Crackdown," Radio Free Asia, 2 June 14. For more information on these cases, see the Commission's Political Prisoner Database records 2011-00255 on Tang Jingling, 2014-00221 on Yuan Xinting, and 2014-00180 on Wang Qingying.

[69] "Chinese Rights Lawyers Sign Aid Pledge Amid Growing Crackdown," Radio Free Asia, 2 June 14; "Chinese Authorities Now Targeting Lawyers' Lawyers," Radio Free Asia, 9 June 14; Elizabeth Lynch, "Reform or Regression? The Corruption Inquiry of Zhou Yongkang," Interview With Professor Eva Pils (Part 3), China Law & Policy (blog), 13 May 14.

[70] Rights Defense Network, "Mainland Lawyers Issue Public Announcement Regarding Formation of the Chinese Lawyers Group for the 'Protection of Human Rights'" [Dalu lushi fabu zhongguo "baozhang renquan" lushi fuwutuan chengli gonggao], 14 September 13.

[71] Rights Defense Network, "Chinese Human Rights Lawyers' Group Statement on Nanle's Severe Violation of Lawyers' Professional Rights" [Zhongguo renquan lushituan guanyu nanle yanzhong qinfan lushi zhiyequan de shengming], 13 December 13.

[72] "Chinese Rights Lawyers Sign Aid Pledge Amid Growing Crackdown," Radio Free Asia, 2 June 14.

[73] Lu Chen, "China's Bar Association Tells Lawyers To Shut Up," Epoch Times, 18 June 14; Li Hui and Ben Blanchard, "China Plan To Gag Lawyers Online Denounced as Insult," Reuters, 18 June 14; Keira Lu Huang et al., "Lawyers Slam Draft Code To Muzzle Those Who Publicise Cases Online," South China Morning Post, 18 June 14; "Realigning Justice," Economist, 16 August 14.

[74] "ACLA Explanation of Reforms to the Lawyers Code of Conduct" [Guanyu "lushi zhiye xingwei guifan" (xiuding caoan zhengqiu yijian gao) de shuoming], China Law Translate (blog), 22 June 14; Keira Lu Huang et al., "Lawyers Slam Draft Code To Muzzle Those Who Publicise Cases Online," South China Morning Post, 18 June 14; Lu Chen, "China's Bar Association Tells Lawyers To Shut Up," Epoch Times, 18 June 14; Li Hui and Ben Blanchard, "China Plan To Gag Lawyers Online Denounced as Insult," Reuters, 18 June 14.

[75] New Citizens' Movement, "Joint Letter Strongly Condemning the All China Lawyers Association's Unlawful 'Revision of the Lawyers' Code of Conduct' and 'ACLA Members Disciplinary Rules (Provisional)'" [Qianglie qianze luxie weifa xiuding "lushi zhiye xingwei guifan" he "luxie huiyuan weigui xingwei chufen guize (shixing)" de lianming xin], 18 June 14.

Notes to Section IV—Xinjiang

[1] Edward Wong, "Chinese Governor Signals Crackdown on Separatists," New York Times, 7 March 14; "Xinjiang Chairman Pledges Firm Crackdown on Terrorism," Xinhua, 5 March 14; "Xinjiang To Fight Terror," Global Times, 24 March 14; "Senior Official Calls for Xinjiang Stability," Xinhua, 31 March 14; Liu Ziyang, "During Nationwide Public Security Video Conference Guo Shengkun Stresses: Enhance Abilities, Strengthen Measures and Take Strict Responsibility for Thorough and Solid Anti-Terror and Stability Work" [Guo shengkun zai quanguo gongan jiguan shipin huiyi shang qiangdiao: tisheng nengli qianghua cuoshi yan'ge zeren shenru zhashi zuohao fankong weiwen gongzuo], Legal Daily, 16 June 14; Yang Ping, "Xinjiang Destroys More Than 330,000 Illegal Religious Publications To Curb Illegal Religious Activities" [Xinjiang xiaohui 33 wan yu jian feifa chubanwu ezhi feifa zongjiao huodong], Xinjiang Daily, reprinted in China News Service, 25 April 14.

[2] Uyghur American Association, "State Violence and Intimidation of Uyghurs Will Exacerbate, Not Ease, Tensions in East Turkestan," 28 May 14; James Millward, "China's Two Problems With the Uyghurs," Los Angeles Review of Books, 28 May 14; Uyghur American Association, "UAA Condemns State Violence Against Uyghur Civilians in Elishku Township," 29 July 14; "Uighur Congress Disputes Beijing's Account of Xinjiang Clash," Deutsche Welle, 30 July 14; Barbara Demick, "Dozens Die in Mass Attack in China's Troubled Xinjiang Province," Los Angeles Times, 29 July 14; "China Controls Narrative of Violence in Tense West," Associated Press, reprinted in Washington Post, 4 August 14.

[3] Human Rights Watch, "China: Xinjiang Bombing an Atrocity, Restraint Needed," 23 May 14; Scott Radnitz and Sean Roberts, "Why the Carrot Isn't Working, Either," Foreign Policy, 11 November 13; Enze Han et al., "Are Ethnic Tensions on the Rise in China?" ChinaFile, 13 February 14; "China's Terrorism Problem," Wall Street Journal, 5 May 14; Michael Forsythe, "Q & A: Nicholas Bequelin on Why Tensions Are Rising in Xinjiang and Beyond," New York Times, 2 May 14.

[4] Human Rights Watch, "China: Xinjiang Bombing an Atrocity, Restraint Needed," 23 May 14; Tania Branigan, "China Detains More Than 200 Suspected Separatists in Xinjiang, State Media Says," Guardian, 26 May 14; Tom Phillips, "Beijing Assembles People's Army To Crush China Terrorists With an Iron Fist," Telegraph, 20 July 14; Dui Hua Foundation, "Xinjiang Obscures State Security Stats, Trials Likely Up 10 Percent," Dui Hua Human Rights Journal, 10 February 14; Ellen Bork, "In China, an Irrational Indictment," Weekly Standard (blog), 1 August 14.

[5] Evan Osnos, "Tiananmen Mystery: Can China Hold an Open Terror Trial?" New Yorker, 31 October 13; Paul Mooney, "The Tiananmen Square Car Crash: Terrorism or Accident?" Forbes, 31 October 13; Barbara Demick, "Tiananmen Square Attack Sows Terror in Spiritual Heart of China," Los Angeles Times, 28 October 13; David Wertime, "Horrific Day for Tiananmen Tourists Is Banner Day for Chinese Censors," Tea Leaf Nation, 28 October 13; John Sudworth, "China Tries To Block Xinjiang Blast Memorial," BBC, 24 May 14; Julie Makinen, "China Silent on Deadly Knife Attack in Kunming Railway Station," Los Angeles Times, 19 April 14; Parameswaran Ponnudurai, "China's Holding Back of Terrorism Evidence Seen as Baffling," Radio Free Asia, 12 June 14; Emily Rauhala, "China: Dozens Dead or Injured in Xinjiang 'Terror,' but Facts Are Few and Far Between," Time, 30 July 14; Kim Soon-hi, "Chinese Police Block Way to Hometown of Suspect in Deadly Crash," Asahi Shimbun, 31 October 13; Andrew Jacobs, "China Says Nearly 100 Are Killed in Week of Unrest in Xinjiang," New York Times, 3 August 14; Kim Soon-hi, "Chinese Police Block Entry to Attack Site in Xinjiang Uighur Autonomous Region," Asahi Shimbun, 31 July 14; Emily Rauhala, "China Now Says Almost 100 Were Killed in Xinjiang Violence," Time, 4 August 14.

[6] "China Targets Uyghurs Amid Nationwide 'Anti-Terror' Drive," Radio Free Asia, 2 May 14; William Wan, "Chinese Police Say Tiananmen Square Crash Was 'Premeditated, Violent, Terrorist Attack,'" Washington Post, 30 October 13; "More Than 100 Relatives of Urumqi Bomber Detained," Radio Free Asia, 9 May 14.

[7] "China Deports Hundreds of Uyghur Residents From Yunnan," Radio Free Asia, 12 March 14; Ross Perlin, "China's Westward Expansion and Its Discontents," Al Jazeera, 31 March 14.

[8] Didi Kirsten Tatlow, "In Xinjiang, a Call To Report Extremism—and Long Beards," New York Times, Sinosphere (blog), 30 April 14; "Authorities' Discriminatory Management of Uyghur Students and Lawyers" [Dangju qishixing guanli weizu xuesheng ji lushi], Radio Free Asia, 14 November 13.

[9] "Uygurs Facing New Police Scrutiny in Beijing," Associated Press, reprinted in South China Morning Post, 30 October 13; "China Targets Uyghurs Amid Nationwide 'Anti-Terror' Drive," Radio Free Asia, 2 May 14; Andrew Jacobs, "Train Station Rampage Further Strains Ethnic Relations in China," New York Times, 3 March 14; Brian Spegele, "China Puts Remote Area on Watch," Wall Street Journal, 31 October 13; J.M., "Tightening the Screws," Economist, 4 November 13.

[10] Michael Martina, "China Rights Advocates Rally for Uighurs After Knife Attack," Reuters, 10 March 14; Andrew Jacobs, "Train Station Rampage Further Strains Ethnic Relations in China," New York Times, 3 March 14; Tom Hancock, "Suspicion and Discrimination Facts of Daily Life, Say Uighurs," Agence France-Presse, reprinted in Google, 31 October 13.

[11] Wenxin Fan, "China's Uighurs Fear More Prejudice After Kunming Killings," Bloomberg, 5 March 14; "China's Uighur Minority Targeted After Deadly Knife Attack," France 24, 6 March 14; "China Targets Uyghurs Amid Nationwide 'Anti-Terror' Drive," Radio Free Asia, 2 May 14.

[12] Yang Jingjie, "Xinjiang To See 'Major Strategy Shift,'" Global Times, 9 January 14.

[13] Cui Jia and Gao Bo, "Xinjiang Doubles Terror Fight Budget," China Daily, 17 January 14.

[14] Zhang Hong, "President Xi Jinping Delivers Tough Message to 'Frontline of Terror' on Visit to Xinjiang," South China Morning Post, 30 April 14; Shannon Tiezzi, "Counterterrorism, 'Ethnic Unity' the Focus as Xi Visits Xinjiang," Diplomat, 29 April 14.

[15] "Beijing's Pivotal Plenum," Wall Street Journal, 13 November 13.

[16] Wen-Ti Sung, "China's New State Security Committee," Diplomat, 25 November 13; Teddy Ng, "Xinjiang To Work With National Security Commission To Curb Violence, Zhang Chunxian Says," South China Morning Post, 7 March 14.

[17] Shi Rui, "China's National People's Congress To Formulate Anti-Terror Law" [Zhongguo renda jiang zhiding fankong fa], Caixin, 11 March 14; Teddy Ng, "New Anti-Terror Laws Must Protect Human Right [sic], Say Legal Experts," South China Morning Post, 13 March 14; Bai Jie and Cui Qingxin, "National People's Congress To Formulate Anti-Terrorism Law According to Real Needs of Anti-Terrorism Work [Renda jiang genju fankong gongzuo shiji xuyao zhiding fankong fa], Xinhua, 9 March 14.

[18] Teddy Ng, "New Anti-Terror Laws Must Protect Human Right [sic], Say Legal Experts," South China Morning Post, 13 March 14.

[19] World Uyghur Congress, "World Uyghur Congress Urges Calm and Caution After Beijing Incident on October 28, 2013," 29 October 13; Sean R. Roberts, "Tiananmen Crash: Terrorism or Cry of Desperation?" CNN, 31 October 13; Julie Makinen, "China Silent on Deadly Knife Attack in Kunming Railway Station," Los Angeles Times, 19 April 14.

[20] John Sudworth, "China Tries To Block Xinjiang Blast Memorial," BBC, 24 May 14; Simon Denyer, "China Censors News of an SUV Plowing Into a Crowd in Tiananmen Square, Killing Five," Washington Post, 28 October 13; Reporters Without Borders, "Massive Censorship of Tiananmen Square "Traffic Incident," 29 October 13; "Officials Prohibit Unauthorized Reporting on Tiananmen Jeep Crash, Six Reporters Are Detained" [Guanfang jin shan bao jipuche chongzhuang tiananmen 6 jizhe yidu bei kou], Duowei, 28 October 13.

[21] Kim Soon-hi, "Chinese Police Block Way to Hometown of Suspect in Deadly Crash," Asahi Shimbun, 31 October 13; Andrew Jacobs, "China Says Nearly 100 Are Killed in Week of Unrest in Xinjiang," New York Times, 3 August 14; Kim Soon-hi, "Chinese Police Block Entry to Attack Site in Xinjiang Uighur Autonomous Region," Asahi Shimbun, 31 July 14; Emily Rauhala, "China Now Says Almost 100 Were Killed in Xinjiang Violence," Time, 4 August 14.

[22] China Digital Times, "Information Tightly Controlled After Tiananmen Jeep Crash," 28 October 13; Keith Zhai, "Chinese Police Launch Manhunt for Eight After Tiananmen Jeep Crash," South China Morning Post, 30 October 13; Andrew Jacobs, "Beijing Crash May Be Tied to Unrest in Xinjiang," New York Times, 28 October 13; William Ide, "China Censors Web Posts Following Xinjiang Unrest Rumors," Voice of America, 29 July 14; William Ide, "Knife Attack Kills Dozens in China's Xinjiang," Voice of America, 29 July 14.

[23] China Digital Times, "Minitrue: Jeep Crash in Tiananmen Square," 30 October 13; China Digital Times, "Minitrue: Deadly Clash in Xinjiang," 16 December 13; China Digital Times, "Minitrue: Uyghur Youth Killed by Police in Aksu," 14 April 14.

[24] For background on the July 2009 demonstrations and riots in Urumqi, see CECC, 2009 Annual Report, 10 October 09, 249–53.

[25] Feng Jin and Yao Tong, "XUAR Provides Information Regarding the Case of a Murdered Patriotic Religious Figure in Kashgar City" [Zizhiqu tongbao kashi shi aiguo zongjiao renshi bei hai an qingkuang], Xinjiang Daily, reprinted in Tianshan Net, 31 July 14; Cui Jia, "Man, 18, Accused of Being Mastermind in Imam's Murder," China Daily, 24 August 14.

[26] Islamic Association of China, Association Introduction [Xiehui jianjie], last visited 8 September 14.

[27] Nathan VanderKlippe, "The Long Campaign To Silence Uighur Voice of Dissent," Globe and Mail, 31 July 14; Christopher Bodeen, "China Says Pro-Government Imam Murdered in NW," Associated Press, reprinted in Yahoo! News, 31 July 14; "Xinjiang City Bans Islamic Dress on Public Transport," BBC, 6 August 14.

[28] Damian Grammaticas, "Urumqi Attack Kills 31 in China's Xinjiang Region," BBC, 23 May 14; "Xi Urges Anti-Terrorism 'Nets' for Xinjiang," Xinhua, 29 May 14.

[29] "Xinjiang Is the Battlefront in Yearlong Crackdown on Violent Terrorism" [Yanda baokong yi nian yi xinjiang wei zhu zhanchang], Jinghua News, 26 May 14; "With Xinjiang as the Main Battleground, China Launches a One-Year Crackdown Special Operation on Violence and Terrorism" [Yi xinjiang wei zhu zhanchang zhongguo kaizhan weiqi yi nian yanda baokong zhuanxiang xingdong], China News Service, 25 May 14.

[30] Jamil Anderlini and Tom Mitchell, "China Puts Security First in Xinjiang After Rail Station Attacks," Financial Times, 11 May 14; Emily Rauhala, "The Capital of China's Xinjiang Region Is in Lockdown After a Deadly Blast," Time, 22 May 14; "China Sends Arms Trainers to Xinjiang," Xinhua, 13 May 14; Austin Ramzy, "Extensive Security Displays Follow Attacks in China," New York Times, 30 May 14; "Shanghai 300,000 'Citizen Volunteers' Bolster Xi Security Forum," Bloomberg, 16 May 14; Tom Phillips and Malcolm Moore, "China Shuts Bomb Factories as 'People's War' on Terror Begins," Telegraph, 27 May 14; Barbara Demick and Julie Makinen, "China Rearms Beijing Beat Police After Series of Stabbing Attacks," Los Angeles Times, 12 May 14.

[31] "Xi Urges Anti-Terrorism 'Nets' for Xinjiang," Xinhua, 29 May 14.

[32] "Xinjiang's Party Chief Wages 'People's War' Against Terrorism," Xinhua, reprinted in People's Daily, 26 May 14; Feng Jin and Yao Tong, "Zhang Chunxian: Mobilize the Masses To Fight the People's War on Anti-Terrorism and Maintaining Stability in Xinjiang" [Zhang chunxian: quanmin dongyuan dahao xinjiang fankong weiwen renmin zhanzheng], People's Daily, 26 May 14.

[33] Barbara Demick, "Dozens Die in Mass Attack in China's Troubled Xinjiang Province," Los Angeles Times, 29 July 14.

[34] William Ide, "China Censors Web Posts Following Xinjiang Unrest Rumors," Voice of America, 29 July 14; William Ide, "Knife Attack Kills Dozens in China's Xinjiang," Voice of America, 29 July 14; Barbara Demick, "Dozens Die in Mass Attack in China's Troubled Xinjiang Province," Los Angeles Times, 29 July 14; "Dozens of Uyghurs Shot Dead in Riots in Xinjiang's Yarkand County," Radio Free Asia, 29 July 14; Uyghur American Association, "UAA Condemns State Violence Against Uyghur Civilians in Elishku Township," 29 July 14.

[35] Andrew Jacobs, "China Says Nearly 100 Are Killed in Week of Unrest in Xinjiang," New York Times, 3 August 14; Kim Soon-hi, "Chinese Police Block Entry to Attack Site in Xinjiang Uighur Autonomous Region," Asahi Shimbun, 31 July 14; Emily Rauhala, "China Now Says Almost 100 Were Killed in Xinjiang Violence," Time, 4 August 14.

[36] "Serious Violent Terrorist Attack Occurs in Shache County, Xinjiang" [Xinjiang shache xian fasheng yiqi yanzhong baoli kongbu xiji an], Xinhua, 29 July 14; Andrew Jacobs, "China's Account of Bloodshed in Far West Is Disputed," New York Times, 29 July 14.

[37] "China Central TV Reveals Xinjiang Terror Attack Footage," Xinhua, reprinted in Global Times, 8 August 14; "Xinjiang Villagers Condemn Terror Ringleader," Global Times, 8 August 14; Guan Qingfeng, "Minister of Public Security Guo Shengkun Traveled to Xinjiang Three Times This Year To Investigate Counter-Terrorism [Efforts]" [Gongan buzhang guo shengkun jinnian yi san fu xinjiang diaoyan fankong], Beijing News, 6 August 14.

[38] Uyghur American Association, "UAA Condemns State Violence Against Uyghur Civilians in Elishku Township," 29 July 14; Barbara Demick, "Deadly Clash in China: An Ambush by Uighurs or a Government Massacre?" Los Angeles Times, 7 August 14; Gabriel Dominguez, "Uighur Congress Disputes Beijing's Account of Xinjiang Clash," Deutsche Welle, 30 July 14; Barbara Demick, "Dozens Die in Mass Attack in China's Troubled Xinjiang Province," Los Angeles Times, 29 July 14.

[39] "Xinjiang Police Open Fire at Protest Against Clampdown on Islamic Dress," Radio Free Asia, 20 May 14; "Bloody Repression of Uyghurs in Xinjiang as Number of People Are Shot Dead and Dozens Are Detained" [Xinjiang xuexing zhenya weizu ren zao qiangji shusi shushi ren beibu], Radio Free Asia, 21 May 14.

[40] "Over 100 Detained After Xinjiang Police Open Fire on Protesters," Radio Free Asia, 23 May 14; "Xinjiang Police Open Fire at Protest Against Clampdown on Islamic Dress," Radio Free Asia, 20 May 14; "Bloody Repression of Uyghurs in Xinjiang as Number of People Are Shot Dead and Dozens Are Detained" [Xinjiang xuexing zhenya weizu ren zao qiangji shusi shushi ren beibu], Radio Free Asia, 21 May 14.

[41] "Over 100 Detained After Xinjiang Police Open Fire on Protesters," Radio Free Asia, 23 May 14.

[42] "Xinjiang Police Open Fire at Protest Against Clampdown on Islamic Dress," Radio Free Asia, 20 May 14.

[43] "Over 100 Detained After Xinjiang Police Open Fire on Protesters," Radio Free Asia, 23 May 14.

[44] Gillian Wong, "China Train Station Blast Seen as Suicide Attack," Associated Press, 2 May 14; J.M., "Holes in the Iron Wall," Economist, 1 May 14; "China Says Two Religious Extremists Carried Out Train Station Attack, an Apparent Suicide Blast," Associated Press, reprinted in Washington Post, 1 May 14.

[45] "President Xi Vows Intense Pressure on Terrorism," Xinhua, 26 April 14; Michael Forsythe, "China's Leader Warns of Long-Term Terror Fight After Blast," New York Times, 1 May 14; Gillian Wong, "China Points to Suicide Blast in Urumqi Attack," Associated Press, reprinted in Salon, 1 May 14.

[46] For more information on these clashes and attacks, see "Chinese Police Shoot Dead Seven Uyghurs in Kashgar: Group," Radio Free Asia, 7 October 13; "Police Shoot and Kill Five Uyghurs in Shache, Xinjiang" [Xinjiang shache jingcha zai jibi 5 weiren], Radio Free Asia, 14 October 13; "Five Uyghurs Killed in Third Straight Week of Fatal Shootings in Xinjiang County," Radio Free Asia, 14 October 13; "On Islamic Holiday, Mosques Become Key Point for Stability Maintenance, 100 People Are Arrested in Shache and Five Uyghurs Are Killed" [Yisilan zongjiao jie qingzhensi cheng weiwen zhongdian shache zhuapu bai ren zai you wu weiren bei dasi], Radio Free Asia, 16 October 13; "More Details Revealed About the Recent Incidents of Bloodshed in Shache County, Kashgar Prefecture, Xinjiang" [Xinjiang kashi diqu shache xian jinqi duoqi liuxue shijian geng duo xijie puguang], Radio Free Asia, 24 October 13; "Uyghurs Killed in Police Raids Part of 'Separatist Bomb Plot,'" Radio Free Asia, 24 October 13; "Eleven Killed in Raid on Police Station in Xinjiang," Radio Free Asia, 16 November 13; Brian Spegele, "Violence in China's Ethnically Divided Xinjiang Leaves 11 Dead," Wall Street Journal, 17 November 13; "First Incident of Violence in Xinjiang Since the Third Plenum Occurs in Bachu With Death Toll of 11 Caused by Authorities Gunning Down Young Uyghur" [Sanzhong quanhui hou xinjiang shou zong baoli xiji you xian bachu 11 si you dangju qiangsha weizu qingnian yinfa], Radio Free Asia, 17 November 13; "East Turkestan Flag Found Among Bodies of Uyghur Attackers in Xinjiang," Radio Free Asia, 19 November 13; Uyghur American Association, "Eyewitnesses Give Alternative Account of Incident in Siriqbuya on November 16," 20 November 13; "Government Account of Violence at Xinjiang Police Station Questioned," Radio Free Asia, 20 November 13; "Chinese Police Deployed Unarmed Uyghurs To Halt Attack," Radio Free Asia, 22 November 13; Zhou Zunyou, "America's Double Standards on Terrorism," South China Morning Post, 6 January 14; Raffaello Pantucci, Jamestown Foundation, "Tiananmen Attack: Islamist Terror or Chinese Protest?" China Brief, Vol. 14, No. 1, 9 January 14; "Uyghur Attack on Police Station Leaves Three Dead, Two Injured," Radio Free Asia, 22 January 14; Michael Martina, "China Official Seeks Tougher Rules on Religion After Xinjiang Blasts," Reuters, 27 January 14; "Police Reveal Details of Xinjiang Terrorist Attack," Xinhua, 27 January 14; "Uyghur Official Murdered, Man Killed in Xinjiang," Radio Free Asia, 3 February 14; "Officials Say Wushi (Uchturpan) County Attack Was Organized and Premeditated" [Guanfang zhi wushi xian kongxi shi you zuzhi ji yumou], Radio Free Asia, 17 February 14; "Chinese Police Say Attack Work of Extremists," Associated Press, reprinted in Washington Post, 16 February 14; "Urumqi: Violent Assault Against Police Officer" [Wulumuqi fasheng baoli xijing shijian], Voice of America, 19 March 14; "Armed Urumqi Suspect Who Attacked Policeman Is Killed, a Uyghur Policeman Sacrifices [His Life]" [Wulumuqi chixie xijing an xianfan bei jibi 1 ming weizu minjing xisheng], China News, Net, reprinted in Legal Daily, 19 March 14; "Three Han Chinese Officials Murdered in Xinjiang During President Xi's Trip," Radio Free Asia, 14 May 14; Bi Zimo, "A Number of Violent Incidents Took Place in Yecheng, Kashgar Last Month, With Seven People Believed

Killed" [Kashi yecheng shangyue ceng fasheng shuqi baoli shijian yi 7 ren siwang], Radio Free Asia, 14 May 14; Andrew Jacobs, "Three Officials Were Killed in Xinjiang During Chinese President's Visit, Report Says," New York Times, Sinosphere (blog), 15 May 14; "Two Uyghurs Shot Dead After Bombing Raid on Xinjiang Police Station," Radio Free Asia, 17 May 14; "Two Uyghur Teens Shot Dead After Kashgar Knife Attack," Radio Free Asia, 28 May 14; "Four Killed in New Violence, Nine Sentenced to Death in Xinjiang," Radio Free Asia, 5 June 14; "Another Bloody 'Veil Removal' Incident Occurs in Xinjiang, Five Dead and Two Injured" [Xinjiang zai fasheng "jie miansha" liuxue shijian 5 si 2 shang], Radio Free Asia, 11 June 14; "Six Killed, Two Injured in Fresh Xinjiang Clashes," Radio Free Asia, 11 June 14; "13 Dead, 3 Injured in Xinjiang Police Station Attack," Xinhua, 21 June 14; Yang Fan, "Explosion Attack Takes Place in Yecheng County, Kashgar, Xinjiang, Police Kill 13 People on the Spot" [Xinjiang kashi yecheng xian fasheng baozha xiji jingfang dangchang jibi 13 ren], Radio Free Asia, 21 June 14; "Five Police Officers Killed in Attack on Xinjiang Security Checkpoint," Radio Free Asia, 22 June 14; "One Killed and One Injured in Attack on Police in Shache, Kashgar, Xinjiang Severely Punishes Uyghur Cadres and Teachers Who Violate Regulations" [Kashi shache jingcha zaodao xiji liangren sishang xinjiang yancheng weigui weizu ganbu ji jiaoshi], Radio Free Asia, 25 June 14; "Five Uyghurs Killed in Connection With Raid on Xinjiang Suspect," Radio Free Asia, 7 July 14; "Six Han Chinese Farmers Stabbed to Death in Xinjiang," Radio Free Asia, 14 July 14; Andrew Jacobs, "Six Farmers Killed in Attack in Xinjiang," New York Times, Sinosphere (blog), 14 July 14; "Uyghur Judicial Official, Five Han Chinese Traders Murdered in Xinjiang," Radio Free Asia, 8 August 14; "Township Justice Bureau Chief Stabbed to Death in Xinjiang" [Xinjiang yi xiang sifa suozhang bei cisi], Radio Free Asia, 8 August 14; "Wife of Party Official Killed in Xinjiang 'Revenge Attack,'" Radio Free Asia, 30 July 14; "Imam of Grand Kashgar Mosque Murdered in Xinjiang Violence," Radio Free Asia, 30 July 14; Feng Jin and Yao Tong, "XUAR Provides Information Regarding the Case of a Murdered Patriotic Religious Figure in Kashgar City" [Zizhiqu tongbao kashi shi aiguo zongjiao renshi bei hai an qingkuang], Xinjiang Daily, reprinted in Tianshan Net, 31 July 14; "More Terrorist Suspects Killed, Captured in Xinjiang," Xinhua, 1 August 14; Didi Kirsten Tatlow, "Amateur 'Terrorist Hunters' Offered Millions in Cash in Xinjiang," New York Times, Sinosphere (blog), 4 August 14; "Farmer's Murder Raises New Concerns Among Uyghurs in Xinjiang," Radio Free Asia, 11 August 14.

[47] See, e.g., Brian Spegele, "Violence in China's Ethnically Divided Xinjiang Leaves 11 Dead," Wall Street Journal, 17 November 13; "Uyghur Attack on Police Station Leaves Three Dead, Two Injured," Radio Free Asia, 22 January 14; "Police Reveal Details of Xinjiang Terrorist Attack," Xinhua, 27 January 14; Michael Martina, "China Official Seeks Tougher Rules on Religion After Xinjiang Blasts," Reuters, 27 January 14; "Chinese Police Say Attack Work of Extremists," Associated Press, reprinted in Washington Post, 16 February 14; "Officials Say Wushi (Uchturpan) County Attack Was Organized and Premeditated" [Guanfang zhi wushi xian kongxi shi you zuzhi ji yumou], Radio Free Asia, 17 February 14; "Three Han Chinese Officials Murdered in Xinjiang During President Xi's Trip," Radio Free Asia, 14 May 14; Andrew Jacobs, "Three Officials Were Killed in Xinjiang During Chinese President's Visit, Report Says," New York Times, Sinosphere (blog), 15 May 14; "Six Han Chinese Farmers Stabbed to Death in Xinjiang," Radio Free Asia, 14 July 14; Andrew Jacobs, "Six Farmers Killed in Attack in Xinjiang," New York Times, Sinosphere (blog), 14 July 14; "Uyghur Judicial Official, Five Han Chinese Traders Murdered in Xinjiang," Radio Free Asia, 8 August 14; "Township Justice Bureau Chief Stabbed to Death in Xinjiang" [Xinjiang yi xiang sifa suozhang bei cisi], Radio Free Asia, 8 August 14; "Wife of Party Official Killed in Xinjiang 'Revenge Attack,'" Radio Free Asia, 30 July 14; "Imam of Grand Kashgar Mosque Murdered in Xinjiang Violence," Radio Free Asia, 30 July 14; Feng Jin and Yao Tong, "XUAR Provides Information Regarding the Case of a Murdered Patriotic Religious Figure in Kashgar City" [Zizhiqu tongbao kashi shi aiguo zongjiao renshi bei hai an qingkuang], Xinjiang Daily, reprinted in Tianshan Net, 31 July 14; "Farmer's Murder Raises New Concerns Among Uyghurs in Xinjiang," Radio Free Asia, 11 August 14.

[48] See, e.g., "Chinese Police Shoot Dead Seven Uyghurs in Kashgar: Group," Radio Free Asia, 7 October 13; "Five Uyghurs Killed in Third Straight Week of Fatal Shootings in Xinjiang County," Radio Free Asia, 14 October 13; "Six Women Among Uyghurs Shot Dead in Xinjiang Violence," Radio Free Asia, 18 December 13; "Uyghur Student Motorcyclist Who Beat Traffic Light Shot Dead," Radio Free Asia, 13 April 14; "13 Shot Dead After Attacking Police in West China," Associated Press, reprinted in Washington Post, 21 June 14.

[49] Andrea Chen, "Four Suspects in Deadly Kunming Station Attack Charged With Terror Offences," South China Morning Post, 30 June 14; "'East Turkistan' Forces Flags Found at Chinese Station After Terrorist Attack," Xinhua, reprinted in CRI English, 3 March 14; Paul Carsten and Ben Blanchard, "China Charges Four Surviving Suspects of Kunming Attack," Reuters, 29 March 14.

[50] "Police Crack 'October 28th' Violent Terrorist Attack Case," [Jingfang pohuo "10–28" baoli kongbu xiji anjian], Xinhua, 30 October 13; Teddy Ng, "Five Held for Tiananmen Square Terror Attack, All Uygurs From Xinjiang," South China Morning Post, 30 October 13; Cui Jia, "Tian'anmen Jeep Crash a Terror Attack," China Daily, 31 October 13.

[51] "23 Terror, Religious Extremism Groups Busted in Xinjiang," Xinhua, reprinted in People's Daily, 26 May 14; "China Says Five Terror Suspects Detained," Associated Press, reprinted in Washington Post, 27 May 14; Sui Yunyan, "Xinjiang Police Crack Down on Violent Terrorist Activities, Special Operation Again Achieves Great Victory" [Xinjiang jingfang yanda baoli kongbu huodong zhuanxiang xingdong zai huo zhongda zhanguo], Xinjiang Daily, reprinted in Tianshan Net, 27 May 14; Cathy Wong, "232 Held for Spread of Terrorism in Xinjiang," Global Times, 12 May 14; Michael Martina, "China's Crackdown in Restive Xinjiang Nets 400 Suspects," Reuters, 7 July 14; Pan Congwu, "Xinjiang Mobilizes the Masses so All Residents Fight Terror, Through People's Reports More Than 10 Violent Terror Gangs Uncovered, More Than 100 Suspects Detained" [Xinjiang fadong qunzhong quanmin fankong jing qunzhong jubao pohuo baokong tuanho shi yu ge zhuahuo bai yu xianfan], Legal Daily, 7 July 14; Cao Bin and Du Gang, "18 People Suspected of Having Taken Part in Serious Violent Terrorist Attack in Shache

County, Xinjiang, Give Themselves Up" [Yi you 18 ming canyu xinjiang shache xian yanzhong baokong xiji an xianfan touan zishou], Xinhua, 10 August 14; William Ide, "More Than 800 Arrested in China's Widening Xinjiang Crackdown," Voice of America, 15 August 14.

[52] Edward Wong and Chris Buckley, "32 Terrorist Groups Smashed in Xinjiang, China Says," New York Times, 23 June 14; Ben Blanchard, "China Detains 380 in Month-Long Xinjiang Terror Sweep," Reuters, 23 June 14; Christopher Bodeen, "China Sentences 81 in Xinjiang for Terrorism," Associated Press, reprinted in Yahoo! News, 5 June 14; Sui Yunyan, "Our Region Jointly Sentences in 16 Criminal Cases Involving the Spread of Violent Terrorist Audiovisual Materials" [Woqu jizhong xuanpan 16 qi she chuanbo baoli kongbu yinshipin fanzui anjian], Xinjiang Court Net, 21 May 14; Michael Forsythe, "Three Sentenced to Death Over Tiananmen Attack," New York Times, Sinosphere (blog), 16 June 14; Cao Zhiheng and Yu Tao, "Verdict Announced in First Instance Trial of 'October 28th' Violent Terrorist Attack Case" ["10–28" baoli kongbu xiji anjian yishen gongkai xuanpan], Xinhua, reprinted in Tianshan Net, 16 June 14; Chen Chen, "Jiashi County Publicly Arrests and Sentences 53 Criminal Suspects and Criminals" [Jiashi xian gong ju gong bu gong pan 53 ming fanzui xianyi ren he fanzui fenzi], Jiashi County Government, 14 June 14; "Nine Jailed for Terror Crimes as Xinjiang Holds Latest Public Sentencing," Reuters, reprinted in South China Morning Post, 26 June 14; "Xinjiang Kashgar Publicly Sentences 113 People Involved in 69 Violent Terrorist Cases" [Xinjiang kashi gongkai xuanpan 69 jian she baokong anjian 113 ren bei panxing], Tianshan Net, reprinted in People's Daily, 29 June 14; "China's West Jails 32 People for Terror Content," Associated Press, reprinted in Washington Post, 11 July 14; Zhang Weisheng, "XPCC First Division Intermediate People's Court First Instance Public Trial of a Case of Violent Terrorism" [Bingtuan yi shi zhong yuan yi shen gongshen yiqi she baokong anjian], People's Court Daily, 12 August 14.

[53] Sui Yunyan, "13 People Involved in 7 Violent Terrorist Cases in Xinjiang Executed" [Xinjiang she baokong 7 an 13 ren bei zhixing sixing], Xinjiang Daily, reprinted in Tianshan Net, 16 June 14.

[54] Amnesty International, "China: Shameful Stadium 'Show Trial' Is Not Justice," 29 May 14; Uyghur American Association, "State Violence and Intimidation of Uyghurs Will Exacerbate, Not Ease, Tensions in East Turkestan," 28 May 14; "China Executes 13 for Xinjiang Attacks," Al Jazeera, 16 June 14; "High-Pressure Crackdown in Xinjiang Fast and Strict, Experts Worried About Fragile Judicial Protections" [Xinjiang gaoya yanda congkuai congyan zhuanjia danxin sifa baozhang cuiruo], Voice of America, 5 June 14; "China Holds Hundreds of Uyghurs as 'Anti-Terror' Campaign Spreads," Radio Free Asia, 8 July 14.

[55] "Xi Jinping Issues Important Instructions Regarding May 22nd Violent Terrorist Incident in Urumqi Xinjiang" [Xi jinping dui xinjiang wulumuqi shi "5–22" baoli kongbu an zuochu zhongyao pishi], Xinhua, reprinted in Tianshan Net, 22 May 14; Feng Jin, "Zhang Chunxian: Using Methods and Measures of Zero Tolerance and Zero Slack, Resolutely Crush the Brazenness of Violent Terrorists" [Zhang chunxian: yi ling rongren ling xiedai de cuoshi he shouduan jianjue ba baokong fenzi de xiaozhang qiyan daxiaqu], Xinjiang Daily, reprinted in Tianshan Net, 23 May 14.

[56] Li Xin'an, "Yili, Xinjiang Holds Open Sentencing for 55 Violent Terrorist Criminals" [Xinjiang yili zhou dui 55 ming baokong fanzui fenzi jinxing gongkai xuanpan], Xinhua, reprinted in People's Daily, 27 May 14.

[57] Ibid.

[58] Ibid.

[59] Ibid.

[60] For a discussion of the importance of the *Nikah* to Uyghur Muslims' wedding traditions, see Uyghur Human Rights Project, "Briefing: China Attempts To Criminalize Every Aspect of Uyghur Religious Belief and Practice," 8 May 14.

[61] Dui Hua Foundation, "Xinjiang Obscures State Security Stats, Trials Likely Up 10 Percent," Dui Hua Human Rights Journal, 10 February 14; Radio Free Asia, "State Security Trials on the Rise in Xinjiang," 11 February 14. Endangering State Security (ESS) crimes are defined in Articles 102–113 of the PRC Criminal Law to include acts such as splitting the state, subversion, espionage, and armed rebellion. Many ESS crimes carry the possibility of life imprisonment and capital punishment. For Commission Analysis, see "Number of State Security Cases Tried in Xinjiang Decreases in 2010; Number of Longer Prison Sentences Increases," Congressional-Executive Commission on China, 3 February 11.

[62] CECC, 2009 Annual Report, 10 October 09, 244, 253–54. For the Chinese legal definition of Endangering State Security, see PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts. 102–13. Following its 2005 visit to China, the UN Working Group on Arbitrary Detention (WGAD) noted that the vague definition of crimes of endangering national security, splitting the state, subverting state power, and supplying state secrets "leaves their application open to abuse particularly of the rights to freedom of religion, speech, and assembly." WGAD recommended that political crimes "that leave large discretion to law enforcement and prosecution authorities such as 'endangering national security,' 'subverting State power,' 'undermining the unity of the country,' 'supplying of State secrets to individuals abroad,' etc. should be abolished." Manfred Nowak, Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Mission to China, E/CN.4/2006/6/Add.6, 10 March 06, paras. 34, 82(s).

[63] "Annual Work Report of Xinjiang's Courts (2013)" [Xinjiang fayuan gongzuo niandu baogao (2013 nian)], Xinjiang Court Net, 17 January 14.

[64] Dui Hua Foundation, "Xinjiang Obscures State Security Stats, Trials Likely Up 10 Percent," Dui Hua Human Rights Journal, 10 February 14.

[65] Ibid.

[66] Ibid.

[67] "Separatist Uygur Teacher Jailed for Life," Xinhua, 23 September 14; Steven Jiang, "China Sentences Prominent Uyghur Scholar to Life in Prison for 'Separatism,'" CNN, 24 September 14.

[68] Tania Branigan, "Chinese Police Detain Leading Uighur Academic Ilham Tohti," Guardian, 16 January 14. For more information on Ilham Tohti, see the Commission's Political Prisoner Database record 2009-00315.

[69] "No News on Ilham Tohti, One Student Is Detained in Urumqi" [Yilihamu reng wu yinxun yi xuesheng bei guan wulumuqi], Radio Free Asia, 29 January 14.

[70] Rights Defense Network, "Uyghur Professor Ilham Tohti Arrested on Charges of Inciting State Separatism" [Weizu jiaoshi yilihamu bei kong shexian fenlie guojia zui daibu], 25 February 14; Ben Blanchard, "China Charges Prominent Uighur Professor With Separatism," Reuters, 25 February 14.

[71] "Uyghur Student Mutellip Arrested, Ilham Tohti's Bank Accounts Frozen" [Weizu liuxuesheng mutalipu bei daibu yilihamu yinhang zhanghu zao dongjie], Radio Free Asia, 31 March 14; "Uyghur Exchange Student Mutellip's Case Turned Over to the Procuratorate, Ilham Tohti, Detained for Three Months, Is Still Being Investigated" [Weizu liuxuesheng mutalipu an zhuan jianchayuan yilihamu bei ju zheng san yue reng zai zhencha], Radio Free Asia, 14 April 14. For more information on Mutellip Imin, see the Commission's Political Prisoner Database record 2013-00347.

[72] "Three Students of Uyghur Scholar Ilham Tohti Formally Arrested," Radio Free Asia, 26 February 14. For more information on Perhat Halmurat, see the Commission's Political Prisoner Database record 2014-00100.

[73] Ibid. For more information on Shohret Tursun, see the Commission's Political Prisoner Database record 2014-00133. According to sources quoted in the RFA report, Halmurat and Tursun have been charged with "separatism." Under Articles 103 and 105 of the PRC Criminal Law, Halmurat and Tursun likely face punishments of 3 to 10 years' imprisonment if convicted of "separatism." PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts. 103, 105.

[74] Ibid. For more information on Abduqeyum Ablimit, see the Commission's Political Prisoner Database record 2014-00134. According to sources quoted in the RFA report, Ablimit was charged with "revealing state secrets." The maximum sentence that CL Article 398 provides for a person who "intentionally or negligently divulges state secrets" is 7 years, but Article 111 provides a 10-year minimum sentence in cases where "circumstances are especially serious." PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, arts. 111, 398.

[75] For more information on Akbar Imin, see the Commission's Political Prisoner Database record 2014-00115.

[76] Michael Martina and Megha Rajagopalan, "China Detains Uighur AIDS Activist Amid Crackdown," Reuters, 10 March 14; "Uyghur Rights Advocate Akbar Arrested on Same Day Ilham Taken Away and for Similar Charge" [Weizu weiquan renshi akebaier bei bu yu yue yu yilihamu tongri bei daizou kongzui xiangtong], Radio Free Asia, 9 March 14; "Beijing Aizhixing Issues Statement Regarding Arrest of Uyghur Akbar Imin" [Beijing aizhixing jiu weizu ren yiming bei bu fabiao shengming], Radio Free Asia, 7 March 14.

[77] "Uyghur Language Activist To Be Tried in March," Radio Free Asia, 27 February 14; "Investigations Into Case of Jailed Uyghur Language Activist Extended," Radio Free Asia, 31 January 14; Andrew Jacobs, "A Devotion to Language Proves Risky," New York Times, 11 May 14.

[78] "Uyghur Language Activist Formally Charged, Thrown in Notorious Prison," Radio Free Asia, 20 June 14.

[79] "Uyghur Linguist, Two Associates Sentenced After One Year Detention," Radio Free Asia, 26 August 14.

[80] "Separatist Uygur Teacher Jailed for Life," Xinhua, 23 September 14; Steven Jiang, "China Sentences Prominent Uyghur Scholar to Life in Prison for 'Separatism,'" CNN, 24 September 14.

[81] "Separatist Uygur Teacher Jailed for Life," Xinhua, 23 September 14.

[82] "Ilham Tohti Charged With Separatism," Global Times, 31 July 14; "Former Minzu University Lecturer Ilham [Tohti] Indicted on the Crime of Splitting the Nation" [Zhongyang minda yuan jiangshi yilihamu she fenlie guojia zui bei tiqi gongsu], People's Daily, 30 July 14.

[83] "Ilham Meets With Lawyer, Will Plead Not Guilty, Eight People Suspected of Splitting the State in Same Case" [Yilihamu huijian lushi jiang zuo wuzui zibian she fenlie guojia zui gong ba ming tong an], Radio Free Asia, 5 August 14; Adrian Wan, "Uygur Scholar Ilham Tohti Accused of Leading Group of Students in Trying To Split Chinese State," South China Morning Post, 6 August 14.

[84] See, e.g., Office of the Press Secretary, The White House, "Statement by the Press Secretary on the Conviction and Sentencing of Ilham Tohti," 23 September 14; Office of the Spokesperson, U.S. Department of State, "Conviction and Sentencing of Ilham Tohti," 23 September 14; UK Foreign and Commonwealth Office, United Kingdom, "Foreign Office Concerned at Sentence of Ilham Tohti," 24 September 14; European Union External Action, European Union, "Statement by the Spokesperson on the Sentencing of Respected Uighur Academic Ilham Tohti," 23 September 14; Uyghur American Association, "Uyghur American Association Condemns Harsh Sentencing of Ilham Tohti," 23 September 14; Amnesty International, "China: Deplorable Life Sentence for Uighur Academic," 23 September 14; Rights Defense Network, "Rights Defense Network Editorial: Uyghur Scholar Ilham Tohti's Life Sentence Tramples on Conscience, Rule of Law, and Human Rights" [Weiquan wang shelun: dui weizu xuezhe yilihamu de wuqituxing panjue shi dui liangzhi, fazhi he renquan de jianta], 23 September 14.

[85] Ting Shi and Shai Oster, "Uighur Scholar Tohti Jailed for Life for Inciting Separatism," Bloomberg, 23 September 14.

[86] Human Rights Watch, "China: End Nationwide Crackdown on Activists," 29 June 14; Amnesty International, "Document—China: Further Information: Uighur Scholar at Risk of Death Sentence: Ilham Tohti," 26 February 14; Scholars at Risk, "Scholars at Risk Calls for Letters on Behalf of Imprisoned Chinese Economist, Professor Ilham Tohti," reprinted in Universities Ireland, 21 January 14.

[87] Human Rights Watch, "China: Baseless Charge Against Uighur Scholar," 30 July 14; Andrew Jacobs, "Jailed Uighur Scholar Rejects China's Separatism Charges as 'Distorted,'" New York Times, 6 August 14; "Defense Lawyer for Detained Uyghur Scholar 'Forced To Quit,'" Radio Free Asia, 1 August 14.

[88] "Defense Lawyer for Detained Uyghur Scholar 'Forced To Quit,'" Radio Free Asia, 1 August 14; Andrew Jacobs, "Jailed Uighur Scholar Rejects China's Separatism Charges as 'Distorted,'" New York Times, 6 August 14; "International Community Urges China To Release Ilham [Tohti], Because of Pressure From Authorities, Lawyer Representing [Him], Wang Yu, Forced To Withdraw" [Guoji shehui duncu zhongguo shifang yilihamu dangju shiya daili lushi wang yu yi bei po tuichu], Radio Free Asia, 31 July 14.

[89] Wu Yu, "Ilham Meets With Lawyers, Writes Self Defense" [Lushi huijian, yilihamu zheng zhuanxie zibian shu], Deutsche Welle, 5 August 14.

[90] "Lawyer for Uyghur Scholar Denied Evidence Ahead of Trial," Radio Free Asia, 13 August 14.

[91] "Jailed Uyghur Academic's Salary Stopped, Wife Says," Radio Free Asia, 16 May 14. See also "Daughter of Jailed Academic Says China Deaf to Uyghur Grievances," Radio Free Asia, 8 April 14.

[92] "Jailed Uyghur Academic's Salary Stopped, Wife Says," Radio Free Asia, 16 May 14.

[93] "Authorities Bar Lawyer From Meeting With Detained Uyghur Scholar's Wife," Radio Free Asia, 28 February 14.

[94] "Faster Than a Speeding Bullet," Economist, 9 November 13; "China Focus: Xinjiang Braces for First High-Speed Railway," Xinhua, 4 June 14; Michelle FlorCruz, "Chinese High-Speed Railway Test Promises Fast Access to Xinjiang, Growth, and Stability," International Business Times, 9 June 14.

[95] Lily Kuo, "China Says Its $450 Million Desert Expressway Will Bring Peace and Riches—But Peace Looks Unlikely," Quartz, 13 December 13.

[96] Richard Lourie, "The US Pivots East, China Marches West," Al Jazeera, 8 January 14; "Policy Innovation To Drive China's Opening Up Westward," Xinhua, reprinted in China News Service, 27 March 14; Lauren Dickey, Jamestown Foundation, "China Takes Steps Toward Realizing Silk Road Ambitions," China Brief, 4 June 14.

[97] "NDRC Gears Up To Support Xinjiang Development," Xinhua, 4 June 14; Michael Forsythe, "Politburo Vows To Improve Living Standards in Xinjiang," New York Times, Sinosphere (blog), 27 May 14.

[98] Jiang Chunyuan, "NDRC: Specially Establish and Promote a Development Plan for Southern Xinjiang and Other Regions," Xinhua, reprinted in Tianshan Net, 10 June 14; Gao Bo, "Plans on the Horizon To Speed Up Development in Southern Xinjiang," China Daily, reprinted in People's Daily, 12 June 14.

[99] Scott Radnitz and Sean Roberts, "Why the Carrot Isn't Working, Either," Foreign Policy, 11 November 13; Takahiro Suzuki, "Ethnic Uygurs Shackled by Poverty in South Xinjiang," Yomiuri Shimbun, 9 November 13; Elizabeth Economy, "China's Xinjiang Problem," CNN, Global Public Square (blog), 5 November 13.

[100] "Politburo: Adopt Special Measures To Support Development in Southern Xinjiang" [Zhengzhiju: caiqu teshu cuoshi zhichi nanjiang fazhan], Xinhua, reprinted in Beijing News, 27 May 14; "Central Government Researches How To Advance Xinjiang Counterterrorism Work" [Zhongyang yanjiu tuijin xinjiang fankong gongzuo], Xinhua, 26 May 14.

[101] "Xinjiang Students To Benefit From Free Education Policy," Xinhua, 11 June 14; Gao Bo, "Plans on the Horizon To Speed Up Development in Southern Xinjiang," China Daily, reprinted in People's Daily, 12 June 14.

[102] Aynur, "Xinjiang Introduces New Regulations: New Hires by Xinjiang-Based SOEs [Must Be] Comprised of No Less Than 70 Percent Local Labor Force" [Xinjiang chutai xingui: zhujiang qiye xinzeng yonggong dangdi laodongli bu diyu qicheng], Xinhua, 31 May 14; Minnie Chan, "State Enterprises in Xinjiang Ordered To Hire 25pc of New Staff From Local Minorities," South China Morning Post, 1 June 14.

[103] Cui Jia, "Textiles Fuel Push for Jobs in Xinjiang," China Daily, 19 March 14; Zhu Kaili and Li Min, "Xinjiang Delegation Recommends Promoting Development of Xinjiang Textile and Clothing Industry To Promote a Million Jobs" [Xinjiang daibiaotuan jianyi tuijin xinjiang fangzhi fuzhuang chanye fazhan cujin baiwan ren jiuye], Tianshan Net, 11 March 14.

[104] James Leibold, Jamestown Foundation, "Xinjiang Work Forum Marks New Policy of 'Ethnic Mingling,'" China Brief, 19 June 14; Michael Forsythe, "Politburo Vows To Improve Living Standards in Xinjiang," New York Times, Sinosphere (blog), 27 May 14; Tom Phillips and Malcolm Moore, "China Shuts Bomb Factories as 'People's War' on Terror Begins," Telegraph, 27 May 14; Megha Rajagopalan, "China Struggles To Assure People of Stability in Wake of Violent Attacks," Reuters, 12 June 14.

[105] James Leibold, Jamestown Foundation, "Xinjiang Work Forum Marks New Policy of 'Ethnic Mingling,'" China Brief, 19 June 14; Ting Shi, "Xi's Gloves-Off Xinjiang Strategy Challenged by Rising Violence," Bloomberg, 22 May 14; Adrian Wan, "Pouring Money Into Xinjiang Infrastructure Won't Solve Problems, Experts Warn," South China Morning Post, 17 June 14; William Ide, "China Pushes Assimilation To Calm Xinjiang Unrest," Voice of America, 10 June 14; Michael Forsythe, "Politburo Vows To Improve Living Standards in Xinjiang," New York Times, Sinosphere (blog), 27 May 14.

[106] "Xi Jinping Delivers an Important Speech at the Second Central Xinjiang Work Forum" [Xi jinping zai di er ci zhongyang xinjiang gongzuo zuotanhui shang fabiao zhongyao jianghua], People's Daily, 30 May 14; Edward Wong, "China Moves To Calm Restive Xinjiang Region," New York Times, 30 May 14.

[107] See, e.g., Guan Qiaoqiao and Ren Hua, "'The Four Identifies': New 'Pragmatic' Model of Ethnic Unity" ["Sige rentong": minzu tuanjie jiaoyu "wushi" xin moshi], Xinhua, 25 July 10; Wu Jing and Zhao Chao, "Ministry of Education Requires Primary and Secondary Schools To Establish Specialized Ethnic Unity Education Courses" [Jiaoyu bu yaoqiu zhong xiao xue yao shezhi zhuanmen de minzu tuanjie jiaoyu kecheng], Xinhua, reprinted in PRC Central People's Government, 15 December 08. For Commission analysis, see "Xinjiang 'Ethnic Unity' Regulation Imposes Party Policy, Restricts Free Expression," CECC China Human Rights and Rule of Law Update, No. 3, 16 March 10, 2.

[108] "Xi Jinping Delivers an Important Speech at the Second Central Xinjiang Work Forum" [Xi jinping zai di er ci zhongyang xinjiang gongzuo zuotan hui shang fabiao zhongyao jianghua], People's Daily, 30 May 14.

[109] Ibid.

[110] Jiang Jie, "Xinjiang To Foster Grass Roots," Global Times, 18 February 14; "Mass Line Hits Xinjiang," Global Times, 21 April 14; Li Min, "In Xinjiang, 200,000 Cadres Go 'Down to Grassroots' and Live in Ten Thousand Villages" [Xinjiang 20 wan ming jiguan ganbu xia jiceng zhu wan cun], Tianshan Net, 14 February 14.

[111] "Unified Legal Standards Can Help Battle Terror," Global Times, 11 March 14; "Mass Line Hits Xinjiang," Global Times, 21 April 14; Lin Meilian, "Winning Uyghurs' Hearts," Global Times, 11 May 14.

[112] "Unified Legal Standards Can Help Battle Terror," Global Times, 11 March 14.

[113] See, e.g., Wang Hong, "Xinjiang Village Cadre's Diary: Only With Both Feet in the Mud Can You Realize the Truth" [Xinjiang ganbu zhucun riji: shuangjiao zhan zai nitu li cai you zhenxin zhenqing], Yaxin Net, reprinted in Tianshan Net, 10 March 14; Ye'erbaoli Mawuken, "Xinjiang Altay Prefecture Agricultural Bureau Grassroots Working Group Establishes 'Income Fields'" [Xinjiang aletai diqu nongyeju zhucun gongzuozu jianli "zengshoutian"], Tianshan Net, 20 May 14; Jinghe Wind (Jinghe Zhifeng), Sina Weibo post, 16 June 14, 10:39 a.m.; Quality Xinjiang (Zhiliang Xinjiang), Sina Weibo post, 9 June 14, 11:39 a.m.

[114] Bethany Allen-Ebrahimian, "Mild, Mild West," Foreign Policy, Tea Leaf Nation, 18 March 14.

[115] Zhang Jie et al., "Xinjiang Grassroots Working Group Leader Discusses Grassroots Work" [Xinjiang zhucun gongzuozu zuzhang tan zhucun gongzuo], Xinjiang Daily, reprinted in Tianshan Net, 18 March 14; Chen Xuanbo (lg—xingyuncao), Tianya BBS post, 17 April 14, 10:42 p.m.

[116] Chen Xuanbo (Xingyun cao), Weixin post, 4 June 14.

[117] "Diary of Living in the Village: Xinjiang Kashgar Prefecture Village Assistance Cadre Thoroughly Studies Government Policies and Regulations" [Zhucun riji: xinjiang kashi diqu zhucun ganbu shenru xuexi zhengce guiding], Xinjiang Daily, reprinted in Tianshan Net, 8 April 14.

[118] "Mass Line Hits Xinjiang," Global Times, 21 April 14.

[119] Jiang Jie, "Xinjiang To Foster Grass Roots," Global Times, 18 February 14.

[120] Liam Powers, "Kashgar's Redevelopment Is About More Than Anti-Uyghur Sentiment," openDemocracy, 28 March 14.

[121] Uyghur Human Rights Project, "Living on the Margins: The Chinese State's Demolition of Uyghur Communities," 2 April 12; Dan Levin, "China Remodels an Ancient Silk Road City, and an Ethnic Rift Widens," New York Times, 5 March 14.

[122] Liam Powers, "Kashgar's Redevelopment Is About More Than Anti-Uyghur Sentiment," openDemocracy, 28 March 14; Dan Levin, "China Remodels an Ancient Silk Road City, and an Ethnic Rift Widens," New York Times, 5 March 14.

[123] For general background on the project, see "Demolition of Kashgar's Old City Draws Concerns Over Cultural Heritage Protection, Population Resettlement," CECC China Human Rights and Rule of Law Update, No. 3, 2009, 2.

[124] Liang Chen, "Kashi Economic Zone Plans Approved," Global Times, 5 September 13; Zhu Jingchao, "Representative Says Kashgar, Xinjiang Will Become Economic Hub for Central, Western, and Southern Asia" [Daibiao cheng xinjiang kashi jiang cheng zhong xi nan ya jingji quan zhongxin], China News Service, reprinted in Eastday, 7 March 13.

[125] Cui Jia, "Ancient, Modern Under Same Roof," China Daily, 6 November 13.

[126] Michael Sainsbury, "Uighur Tensions Persist as Kashgar's Old City Is Demolished," Australian, 6 January 10.

[127] Dan Levin, "China Remodels an Ancient Silk Road City, and an Ethnic Rift Widens," New York Times, 5 March 14.

[128] Nick Holdstock, "The Death of Old Kashgar," Unmapped No. 6, last visited 24 January 14; Global Heritage Network, "Site Conservation Assessment (SCA) Report," 1 January 10.

[129] Andrew Jacobs, "Uighurs in China Say Bias Is Growing," New York Times, 7 October 13; Michael Martina, "In China's Xinjiang, Poverty, Exclusion Are Greater Threat Than Islam," Reuters, 3 November 13.

[130] See, e.g., CECC, 2013 Annual Report, 10 October 13, 167; CECC, 2012 Annual Report, 10 October 12, 154; CECC, 2011 Annual Report, 10 October 11, 203.

[131] See, e.g., Circular Regarding Recruitment of Temporary Staff Members at Wenquan County Reservoir Management Station [Guanyu zhaopin wenquanxian shuiku guanli zhan linshi gongzuo renyuan de tongzhi], Xinjiang Human Resources Testing Net, reprinted in Offcn, 9 April 14; "Kuqa County, Aksu Prefecture, Xinjiang No. 3 Middle School 2014 Staff Recruitment Schedule" [Xinjiang akesu diqu kuche xian di san zhongxue 2014 nian rencai yinjin jihuabiao], Harbin Normal University Employment Information Network, 20 March 14; "2014 Shule County, Kashgar Prefecture, Xinjiang Administrative Work Unit Selection Table for 65 Open Posi-

tions" [2014 nian xinjiang kashi diqu shule xian xingzheng shiye danwei linxuan 65 ming gangwei biao], 6say.com, 10 April 14. For Chinese legal provisions that forbid ethnic discrimination, see PRC Constitution, issued 4 December 82, amended 12 April 88, 29 March 93, 15 March 99, 14 March 04, art. 4; PRC Regional Ethnic Autonomy Law [Zhonghua renmin gongheguo minzu quyu zizhi fa], issued 31 May 84, effective 1 October 84, amended 28 February 01, art. 9; PRC Labor Law [Zhonghua renmin gongheguo laodong fa], issued 5 July 94, effective 1 January 95, amended 10 October 01, art. 12; PRC Employment Promotion Law [Zhonghua renmin gongheguo jiuye cujin fa], issued 30 August 07, effective 1 January 08, art. 28. See also "Governments in Xinjiang Continue To Sponsor, Sanction Job Recruitment That Discriminates Against Ethnic Minorities," CECC China Human Rights and Rule of Law Update, No. 2, 2009.

[132] "2014 Yengisar County, Kashgar Prefecture County-Level Agencies, Work Unit Staff Member Selection Table (Work Unit)" [2014 nian kashi diqu yingjisha xian xianzhi jiguan, shiye danwei linxuan gongzuo renyuan zhiwei biao (shiye danwei)], Civil Service Exam Information Network, 11 March 14; "2014 Shule County, Kashgar Prefecture, Xinjiang Administrative Work Unit Selection Table for 65 Open Positions" [2014 nian xinjiang kashi diqu shule xian xingzheng shiye danwei linxuan 65 ming gangwei biao], 6say.com, 10 April 14; "Xinjiang Ali International Cultural Communications Co. Ltd. Is Recruiting" [Xinjiang ali guoji wenhua chuanbo youxian gongsi zhaopin], Xinjiang Ganji Net, 14 April 14; "Xinjiang Yashi Creative Technology Co. Ltd./Job: Assistant to Chairman, Male" [Xinjiang yashi chuangneng keji youxian gongsi/chengpin: dongshizhang zhuli yiming, nanxing], Xinjiang Human Resources Net, 21 April 14.

[133] See, e.g., "Sensitive Words: May Thirty-Fifth and More," China Digital Times, 27 May 14; China Digital Times, "Minitrue: Condemn Violence, Stress Ethnic Cooperation," 4 May 14; China Digital Times, "Minitrue: Uyghur Youth Killed by Police in Aksu," 14 April 14; "Xinjiang Counterterror Measures Change Daily, Microblogs and QQ Disabled in Hotan" [Xinjiang fankong huayang rixin weixin QQ hetian jinyong], Radio Free Asia, 28 May 14; "More Explosions and Field Disconnection Chats, Barricades To Stop Morning and Night Markets in Urumqi" [You you baozhao hetian qieduan liaotian gongju wushi she luzhang ting zao yeshi], Radio Free Asia, 27 May 14; "Minitrue: Comparing Xinjiang to Chechnya," China Digital Times, 27 May 14; John Sudworth, "China Tries To Block Xinjiang Blast Memorial," BBC, 24 May 14; "China Controls Narrative of Violence in Tense West," Associated Press, reprinted in Washington Post, 4 August 14.

[134] "Information Tightly Controlled After Tiananmen Jeep Crash," China Digital Times, 28 October 13; Keith Zhai, "Chinese Police Launch Manhunt for Eight After Tiananmen Jeep Crash," South China Morning Post, 30 October 13; Andrew Jacobs, "Beijing Crash May Be Tied to Unrest in Xinjiang," New York Times, 28 October 13; Simon Denyer, "China Censors News of an SUV Plowing Into a Crowd in Tiananmen Square, Killing Five," Washington Post, 28 October 13; "Minitrue: Uyghur Youth Killed by Police in Aksu," China Digital Times, 14 April 14; "Minitrue: Take No Liberties When Covering Violence," China Digital Times, 18 June 14; "Xinjiang Counterterror Measures Change Daily, Microblogs and QQ Disabled in Hotan" [Xinjiang fankong huayang rixin weixin QQ hetian jinyong], Radio Free Asia, 28 May 14.

[135] Cui Jia, "Tian'anmen Jeep Crash a Terror Attack," China Daily, 31 October 13; Michael Forsythe, "Three Sentenced to Death Over Tiananmen Attack," New York Times, Sinosphere (blog), 16 June 14.

[136] Simon Denyer, "China Censors News of an SUV Plowing Into a Crowd in Tiananmen Square, Killing Five," Washington Post, 28 October 13; Reporters Without Borders, "Massive Censorship of Tiananmen Square 'Traffic Incident,'" 29 October 13; "Officials Prohibit Unauthorized Reporting on Tiananmen Jeep Crash, 6 Reporters Are Detained" [Guanfang jin shan bao jipuche chongzhuang tiananmen 6 jizhe yidu bei kou], Duowei, 28 October 13.

[137] William Ide, "China Tightens Media Controls After Tiananmen Crash," Voice of America, 4 November 13; Andrew Jacobs, "Uighur Scholar in Ugly Confrontation With Security Agents," New York Times, Sinosphere (blog), 4 November 13; Rui Di, "Ilham Tohti: Beijing Explosion Incident May Worsen the Situation of the Uyghurs" [Yilihamu: beijing de baozha shijian keneng ehua weizu ren de chujing], Radio France Internationale, 29 October 13; Andrew Jacobs, "China Focuses on an Ethnic Minority in a Car Explosion," New York Times, 29 October 13; Yu Han, "Uyghur Scholar Discusses Tiananmen Attack Incident" [Weizu xuezhe tan tiananmen xiji shijian], Deutsche Welle, 30 October 13. For further analysis, see "Officials Tightly Control the Narrative Surrounding Tiananmen Square Vehicle Crash," CECC China Human Rights and Rule of Law Update, No. 2, 23 December 13.

[138] Hannah Beech, "The Internet Helped Cause the Kunming Terrorist Attack, Says China," Time, 6 March 14; Philip Wen, "Internet Behind Terrorism in China, Including Kunming Railway Massacre: Xinjiang Leader," Sydney Morning Herald, 7 March 14; Teddy Ng, "Xinjiang To Work With National Security Commission To Curb Violence, Zhang Chunxian Says," South China Morning Post, 7 March 14.

[139] Wen Ya, "Hundreds Targeted in Online Blitz," Global Times, 9 October 13. See also Megha Rajagopalan and Ben Blanchard, "China Police Target Online 'Jihad' Talk Amid Rumour Crackdown," Reuters, 8 October 13.

[140] "One Xinjiang Official Investigated for Ambiguous Attitude Toward Violent Terrorism, One Official Double Expelled for Illegal Transmissions" [Xinjiang 1 guanyuan dui baokong taidu aimei bei cha 1 ganshi feifa chuanbo bei shuangkai], People's Daily, 27 May 14; "Politburo Studies Anti-Terrorism Countermeasures, Officials With 'Ambiguous Attitude' Toward Violence and Terrorism Investigated" [Zhengzhiju yanjiu fankong duice dui baokong "taidu aimei" guanyuan bei diaocha], Radio Free Asia, 27 May 14.

[141] Sui Yunyan, "Our Region Jointly Sentences in 16 Criminal Cases Involving the Spread of Violent Terrorist Audiovisual Materials" [Woqu jizhong xuanpan 16 qi she chuanbo baoli kongbu yinshipin fanzui anjian], Xinjiang Court Net, 21 May 14; "China Jails 39 in Far West for Terror Materials," Associated Press, reprinted in Washington Post, 21 May 14.

[142] Uyghur Human Rights Project, "Trapped in a Virtual Cage: Chinese State Repression of Uyghurs Online," 16 June 14, 2–3, 44–51, 61, 69–80. For background on the July 2009 demonstrations and riots in Urumqi, see CECC, 2009 Annual Report, 10 October 09, 249–53.

[143] Ibid., 2, 11. See also David Bamman et al., "Censorship and Deletion Practices in Chinese Social Media," First Monday, Vol. 17, No. 3 (2012).

[144] For information on various legal restrictions on Islamic practices in the XUAR, see CECC, 2013 Annual Report, 10 October 13, 169–70.

[145] Dilmurat Kasim, "Religious Extremist Ideology Is a Malignant Tumor Seriously Affecting Social Stability in Xinjiang" [Zongjiao jiduan sixiang shi yanzhong yingxiang xinjiang shehui wending de duliu], Xinjiang Daily, reprinted in China National Radio, 10 December 13; Jonathan Kaiman, "Xinjiang Steps Up Fight Against Religious Extremists in China," Guardian, 17 January 14; "Xinjiang Chairman Vows To Stop Religious Extremism," Xinhua, 7 April 14; Michael Martina, "China Official Seeks Tougher Rules on Religion After Xinjiang Blasts," Reuters, 27 January 14; Parezhati, "Xinjiang Launches Campaign To Deal With Illegal Religious Activities, Attack Religious Extremist Illegal Crimes" [Xinjiang kaizhan zhili feifa zongjiao huodong daji zongjiao jiduan weifa fanzui], People's Daily, reprinted in Xinhua, 11 February 14; "Islamists Threaten Xinjiang Stability, Says Chinese Newspaper," Reuters, reprinted in Guardian, 29 November 13; Cui Jia and Gao Bo, "Xinjiang Doubles Terror Fight Budget," China Daily, 17 January 14.

[146] Hotan Prefecture People's Government, "Regional Bureau of Quality Supervision Launches Special Action To Combat Religious Extremist Illegal Crimes According to Laws on Dealing With Illegal Religious Activities and To Comprehensively Deal With Illegal Activities in the Area of Weddings" [Diqu zhijianju zhashi kaizhan yifa zhili feifa zongjiao huodong daji zongjiao jiduan weifa fanzui ji zonghe zhili hunyin lingyu weifa xingwei zhuanxiang xingdong], 3 March 14; Didi Kirsten Tatlow, "In Xinjiang, a Call To Report Extremism—and Long Beards," New York Times, Sinosphere (blog), 30 April 14.

[147] Jiang Jie and Fang Yang, "Xinjiang County Awards 50,000 Yuan for Tip-Offs," Global Times, 24 April 14; "Uyghur Civil Servants Forced To Sign Pledge Regarding Political Stance" [Weizu gongwuyuan beipo qian zhengzhi biaotai chengnuoshu], Radio Free Asia, 7 January 14.

[148] "China Bans Xinjiang Officials From Observing Ramadan Fast," BBC, 2 July 14; "Kashgar College in Xinjiang Threatens Fasting Muslim Students With Expulsion," Radio Free Asia, 8 July 14; Didi Kirsten Tatlow, "Xinjiang Hospital Asks Staff Not To Fast During Ramadan," New York Times, Sinosphere (blog), 5 June 14; Yining County Health Bureau, Sina Weibo post, 4 June 14, 10:26 a.m.

[149] Hotan Prefecture People's Government, "Regional Bureau of Quality Supervision Launches Special Action To Combat Religious Extremist Illegal Crimes According to Laws on Dealing With Illegal Religious Activities and To Comprehensively Deal With Illegal Activities in the Area of Weddings" [Diqu zhijianju zhashi kaizhan yifa zhili feifa zongjiao huodong daji zongjiao jiduan weifa fanzui ji zonghe zhili hunyin lingyu weifa xingwei zhuanxiang xingdong], 3 March 14; Yusujiang Yusuyin and Ruziquli Tuerhong, "Xinjiang: Shache Highway Bureau Arranges Deployment of Security and Stability Work" [Xinjiang: shache gonglu fenju anpai bushu anquan wending gongzuo], Chinahighway.com, 3 January 14; Brian Spegele, "China Puts Remote Area on Watch," Wall Street Journal, 31 October 13; "New Hotan City Party Secretary: Religious Repression Will Be More Stringent" [Hetian shi xinren shuji: zongjiao yazhi jiang hui gengjia yange], Uyghur Online, 14 January 14; "Xinjiang Uses Economic Means To Oppress the Faith of Welfare Recipients" [Xinjiang yi jingji shouduan yapo dibao renshi xinyang], Radio Free Asia, 4 December 13; "Authorities' Discriminatory Management of Uyghur Students and Lawyers" [Dangju qishixing guanli weizu xuesheng ji lushi], Radio Free Asia, 14 November 13; Michael Martina, "China Pressures Muslim Uighur Lawyer Families on Burqas, Beards," Reuters, 13 November 13; Turpan Prefecture Bureau of Justice Lawyers' Branch, Xinjiang Judicial Affairs Department, "Turpan Prefecture Lawyers Sign Pledge To Resist Extremist Religious Ideology" [Tulufan diqu lushi qianding dizhi zongjiao jiduan sixiang chengnuoshu], 12 November 13; "Kashgar Promotes 'Three Kinds of Illegal Behavior Model Responsibility Pledge' Signing Activity" [Kashi tuixing qianshu 'san zhong feifa xingwei guifan zeren chengnuo shu' huodong], Uyghur Online, 15 January 14; "Uyghur Civil Servants Forced To Sign Pledge Regarding Political Stance" [Weizu gongwuyuan beipo qian zhengzhi biaotai chengnuoshu], Radio Free Asia, 7 January 14; "New Year's Crackdown in Xinjiang Suppresses Religion Among Uyghur Civil Servants, More Than 10 Men and Women in Korla Arrested, Creating Panic Among Uyghurs" [Xinjiang xinnian yanda kongzhi weizu gongzhi renyuan yazhi zongjiao ku'erle shi duo nannu beibu zaocheng weiren konghuang], Radio Free Asia, 9 January 14.

[150] Jiang Jie and Fang Yang, "Xinjiang County Awards 50,000 Yuan for Tip-Offs," Global Times, 24 April 14; Te-Ping Chen, "Spot Beard, Get Paid: China Offers Money for Informants in Xinjiang," Wall Street Journal, China Real Time Report (blog), 25 April 14; "Shaya County, Xinjiang Quietly Removes Announcement of Reward Incentives" [Xinjiang shaya xian qiaoran chechu jiangli jubao gonggao], Deutsche Welle, 28 April 14; Uyghur Human Rights Project, "Briefing: China Attempts To Criminalize Every Aspect of Uyghur Religious Belief and Practice," 8 May 14.

[151] Tian Huaying, "'Five Types of People' Prohibited From Taking Public Transportation" ["Wu zhong renyuan" jinzhi cheng gongjiao], Karamay Daily, 4 August 14; Alexa Olesen, "In One Xinjiang City, Beards and Muslim Headscarves Banned From Buses," Foreign Policy, 5 August 14.

[152] "Xinjiang Uses Economic Means To Oppress the Faith of Welfare Recipients" [Xinjiang yi jingji shouduan yapo dibao renshi xinyang], Radio Free Asia, 4 December 13; "Authorities' Discriminatory Management of Uyghur Students and Lawyers" [Dangju qishixing guanli weizu xuesheng ji lushi], Radio Free Asia, 14 November 13; Michael Martina, "China Pressures Muslim Uighur Lawyer Families on Burqas, Beards," Reuters, 13 November 13; Turpan Prefecture Bureau of Justice Lawyers' Branch, Xinjiang Judicial Affairs Department, "Turpan Prefecture Lawyers Sign Pledge To Resist Extremist Religious Ideology" [Tulufan diqu lushi qianding dizhi

zongjiao jiduan sixiang chengnuoshu], 12 November 13; "Kashgar Promotes 'Three Kinds of Illegal Behavior Model Responsibility Pledge' Signing Activity" [Kashi tuixing qianshu 'san zhong feifa xingwei guifan zeren chengnuo shu' huodong], Uyghur Online, 15 January 14; "Uyghur Civil Servants Forced To Sign Pledge Regarding Political Stance" [Weizu gongwuyuan beipo qian zhengzhi biaotai chengnuoshu], Radio Free Asia, 7 January 14; "New Year's Crackdown in Xinjiang Suppresses Religion Among Uyghur Civil Servants, More Than 10 Men and Women in Korla Arrested, Creating Panic Among Uyghurs" [Xinjiang xinnian yanda kongzhi weizu gongzhi renyuan yazhi zongjiao ku'erle shi duo nannu beibu zaocheng weiren konghuang], Radio Free Asia, 9 January 14.

[153] "New Year's Crackdown in Xinjiang Suppresses Religion Among Uyghur Civil Servants, More Than 10 Men and Women in Korla Arrested, Creating Panic Among Uyghurs" [Xinjiang xinnian yanda kongzhi weizu gongzhi renyuan yazhi zongjiao ku'erle shi duo nannu beibu zaocheng weiren konghuang], Radio Free Asia, 9 January 14; "Uyghur Civil Servants Forced To Sign Pledge Regarding Political Stance" [Weizu gongwuyuan beipo qian zhengzhi biaotai chengnuoshu], Radio Free Asia, 7 January 14.

[154] Altay Prefecture Education Bureau, "100 Questions and Answers, Deepening Understanding, Teachers and Students Study Together, Creating Harmony Together—Prefectural Normal Schools Launch Training Activity on Religious Regulations and Policies" [Bai ti wenda shenhua renshi shisheng gongxue tongchuang hexie—diqu shifan xuexiao kaizhan zongjiao fagui zhengce peixun jiaoyu huodong], 28 November 13; Lu Zhiyan, "Stay Away From Illegal Religious [Activities], Uphold Ethnic Unity" [Yuanli feifa zongjiao, weihu minzu tuanjie], Karamay City No. 19 Elementary School, 3 December 13; Akqi County People's Government, "Halaqi Township Conducts Mobile Propaganda Education Guidance Activities for Rural Winter Vacation Returnee Students" [Halaqi xiang dui ge cun hanjia fanxiang huijia xuesheng jinxing xunhui xuanchuan jiaoyu yindao huodong], 8 February 14; Liu Yabei, "Regional Education System Student Representatives' 'Worship the Spirit of Science, Resist the Infiltration of Religious Extremist Thought' Forum Successfully Convenes" [Zizhiqu jiaoyu xitong xuesheng daibiao "chongxiang kexue jingshen, dizhi zongjiao jiduan sixiang shentou" zuotanhui chenggong juxing], Xinjiang Education Bureau, 5 November 13.

[155] Shule County Women's Federation, "Autonomous Region Women's Federation 'Improve Mothers' Quality, Display a Beautiful Life' Propaganda Team Comes to Shule County To Speak" [Zizhiqu fulian "tigao muqin suzhi zhanshi liangli rensheng" xuanjiang tuan lai shule xian xuanjiang], reprinted in Shule County People's Government, 22 April 14; Hami Prefecture Women's Federation, "Hami Prefecture Women's Federation Leadership Class 2013 Annual Debriefing Report" [Hami diqu fulian lingdao banzi 2013 niandu shuzhi shulian baogao], reprinted in East Tianshan Net, 1 November 13; Xie Fan, "Be a Beautiful Woman and Display the Great Beauty of Xinjiang" [Zuo liangli nuxing zhan xinjiang damei], Yaxin Net, reprinted in China Ethnicity and Religion Net, 14 August 13; "Prefectural Women's Federation Chairman Debriefing Report" [Qu fulian zhuxi shuzhi shulian baogao], Learning World, 6 November 13; "Covering the Face, We Cannot Accept" [Mengmian, women bu neng jieshou], Hongshan Net, 26 November 13; Ayixiamu Hejia, "2013 Leading Cadres Individual Debriefing Reports on Virtue and Honesty" [2013 nian lingdao ganbu geren shuzhi shude shulian baogao], Hami Prefecture Women's Federation, reprinted in East Tianshan Net, 1 November 13. For information on earlier steps to increase regulation of *büwi* and place them under state control, see "Xinjiang Authorities Tighten Controls Over Muslim Women," CECC China Human Rights and Rule of Law Update, No. 5, 4 June 10, 2; "Xinjiang Authorities Train, Seek To Regulate Muslim Women Religious Figures," CECC China Human Rights and Rule of Law Update, No. 4, 2009, 2.

[156] Shule County Women's Federation, "Autonomous Region Women's Federation 'Improve Mothers' Quality, Display a Beautiful Life' Propaganda Team Comes to Shule County To Speak" [Zizhiqu fulian "tigao muqin suzhi zhanshi liangli rensheng" xuanjiang tuan lai shule xian xuanjiang], reprinted in Shule County People's Government, 22 April 14; Hami Prefecture Women's Federation, "Hami Prefecture Women's Federation Leadership Class 2013 Annual Debriefing Report" [Hami diqu fulian lingdao banzi 2013 niandu shuzhi shulian baogao], reprinted in East Tianshan Net, 1 November 13; Xie Fan, "Be a Beautiful Woman and Display the Great Beauty of Xinjiang" [Zuo liangli nuxing zhan xinjiang damei], Yaxin Net, reprinted in China Ethnicity and Religion Net, 14 August 13; "Prefectural Women's Federation Chairman Debriefing Report" [Qu fulian zhuxi shuzhi shulian baogao], Learning World, 6 November 13; "Covering the Face, We Cannot Accept" [Mengmian, women bu neng jieshou], Hongshan Net, 26 November 13; Ayixiamu Hejia, "2013 Leading Cadres Individual Debriefing Reports on Virtue and Honesty" [2013 nian lingdao ganbu geren shuzhi shude shulian baogao], Hami Prefecture Women's Federation, reprinted in East Tianshan Net, 1 November 13.

[157] For representative examples, see the following records in the Commission's Political Prisoner Database: 2009-00328 on Kurbanjan Semet, 2009-00314 on Merdan Seyitakhun, 2011-00549 on Qurbanjan Abdusemet, and 2008-00014 on Alimjan Yimit.

[158] For more information on Abdukiram Abduveli, see the Commission's Political Prisoner Database record 2005-00054.

[159] "Uyghur Political Prisoner Who Has Served 23 Years in Prison Has Sentence Extended by Five Years, Goes on Hunger Strike in Prison To Protest, Is Now in Life-Threatening Condition" [Weizu zhengzhi fan fuxing 23 nian hou jiaxing wu nian yuzhong jueshi kangyi xingming weidai], Radio Free Asia, 11 April 14; Amnesty International, "China: End Persecution of Detained Uighur Religious Leader After Prison Term Increased for Fifth Time" 23 April 14; Amnesty International, "Urgent Action: Hunger Striking Uighur Prisoner Critically Ill," 23 April 14; "Uyghur Religious Leader on Hunger Strike After Fifth Jail Term," Radio Free Asia, 25 April 14.

[160] CECC, 2013 Annual Report, 10 October 13, 169.

[161] "China Bans Xinjiang Officials From Observing Ramadan Fast," BBC, 2 July 14;, "Kashgar College in Xinjiang Threatens Fasting Muslim Students With Expulsion," Radio Free Asia, 8 July 14; Didi Kirsten Tatlow, "Xinjiang Hospital Asks Staff Not To Fast During Ramadan," New

York Times, Sinosphere (blog), 5 June 14; Yining County Health Bureau, Sina Weibo post, 4 June 14, 10:26 a.m.

[162] "China Steps Up 'Anti-Terrorism' Measures Targeting Ramadan," Radio Free Asia, 26 June 14.

[163] Zhang Zhe, "How My Uyghur 'Nationalism' Was Formed" [Wode weiwu'er "minzuzhuyi" shi zenyang xingchengde], New York Times, 3 July 14; World Uyghur Congress, "Movement for Uyghur Mother Language Based Education," February 2014, 36, 38; Graham Adams, "The Xinjiang Perspective: Part III," Diplomat, China Power (blog), 8 November 12.

[164] For additional analysis, see "Xinjiang Authorities Accelerate Promotion of Mandarin-Focused Bilingual Education," Congressional-Executive Commission on China, 10 May 11.

[165] Ibid.

[166] "Xi Jinping Delivers an Important Speech at the Second Central Xinjiang Work Forum" [Xi jinping zai di er ci zhongyang xinjiang gongzuo zuotanhui shang fabiao zhongyao jianghua], People's Daily, 30 May 14.

[167] Zhang Lei, "State Issues More Than 500 Million in Funds To Support Bilingual Education in Our Region" [Guojia xiada 5 yi yu yuan zijin zhichi woqu shuangyu jiaoyu], Xinjiang Daily, 18 June 14.

[168] "Four Uyghur Women Forced To Abort Their Babies in Xinjiang," Radio Free Asia, 30 December 13; "Uyghur Woman Forced To Abort Six-Month Pregnancy While Ill," Radio Free Asia, 13 January 14.

[169] Ibid.

[170] "Uyghur Woman Forced To Abort Six-Month Pregnancy While Ill," Radio Free Asia, 13 January 14.

Notes to Section V—Tibet

[1] Office of His Holiness the Dalai Lama, "Press Statement," 25 January 10. According to the January 25 press statement, the Dalai Lama's envoys would arrive in China "tomorrow" (i.e., January 26, 2010).

[2] "Press Conference on Central Govt's Contacts With Dalai Lama (Text)," China Daily, 11 February 10. After the ninth round of dialogue, Zhu Weiqun referred to the gap between the eighth and ninth rounds as "the longest interval after we resumed contact and talks in 2002."

[3] For more information on the Tibetan autonomous areas of China, see "Special Topic Paper: Tibet 2008–2009," Congressional-Executive Commission on China, 22 October 09, 22–24. In China there are 1 provincial-level area of Tibetan autonomy, 10 prefectural-level areas of Tibetan autonomy, and 2 county-level areas of Tibetan autonomy. The area of the Tibet Autonomous Region (TAR) (approximately 1.2 million square kilometers), the 10 Tibetan Autonomous Prefectures (TAPs) (approximately 1.02 million square kilometers), and the 2 Tibetan autonomous counties (TACs) (approximately 0.019 million square kilometers) totals approximately 2.24 million square kilometers. The 10 TAPs make up approximately 46 percent of the TAR/TAP/TAC total area. Steven Marshall and Susette Cooke, Tibet Outside the TAR: Control, Exploitation and Assimilation: Development With Chinese Characteristics (Washington, DC: Self-published CD–ROM, 1997), Table 7, citing multiple Chinese sources. Table 7 provides the following information. Tibet Autonomous Region (1.2 million square kilometers, or 463,320 square miles). Qinghai province: Haibei (Tsojang) TAP (52,000 square kilometers, or 20,077 square miles), Hainan (Tsolho) TAP (41,634 square kilometers, or 16,075 square miles), Haixi (Tsonub) Mongol and Tibetan AP (325,787 square kilometers, or 125,786 square miles), Huangnan (Malho) TAP (17,901 square kilometers, or 6,912 square miles), Guoluo (Golog) TAP (78,444 square kilometers, or 30,287 square miles), and Yushu (Yushul) TAP (197,791 square kilometers, or 76,367 square miles). Gansu province: Gannan (Kanlho) TAP (45,000 square kilometers, or 17,374 square miles) and Tianzhu (Pari) TAC (7,150 square kilometers, or 2,761 square miles). Sichuan province: Ganzi (Kardze) TAP (153,870 square kilometers, or 59,409 square miles), Aba (Ngaba) Tibetan and Qiang AP (86,639 square kilometers, or 33,451 square miles), and Muli (Mili) TAC (11,413 square kilometers, or 4,407 square miles). Yunnan province: Diqing (Dechen) TAP (23,870 square kilometers, or 9,216 square miles). The table provides areas in square kilometers; conversion to square miles uses the formula provided on the Web site of the U.S. Geological Survey: 1 square kilometer = 0.3861 square mile. For population data, see Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Tables 10–1, 10–4. According to China's 2000 census data, the Tibetan population of the TAR (approximately 2.43 million persons), the 10 TAPs (approximately 2.47 million persons), and the 2 TACs (approximately 0.11 million persons) totaled approximately 5.01 million Tibetans. The Tibetan population of the 10 TAPs made up approximately 49 percent of the TAR/TAP/TAC total Tibetan population as of 2000. See also Tabulation on the 2010 Population Census of the People's Republic of China, National Bureau of Statistics, Department of Population and Employment Statistics, Population Census Office Under the State Council, 23 April 13, Table 2–1. The table titled "Population by Age, Sex, and Nationality" listed the national Tibetan population as 6,282,187. As of June 2014, the Commission had not observed detailed data based on the 2010 census for ethnic population in provincial-, prefectural-, and county-level administrative areas.

[4] The Commission has posted under the Special Topics section of the Resources tab of its Web site (www.cecc.gov) a series of lists of Tibetan self-immolations. See "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 22 April 14. The summary contains a list showing that self-immolations numbered 51–116 took place from September 2012–August 2013.

[5] The Commission has posted under the Special Topics section of the Resources tab of its Web site (www.cecc.gov) a series of lists of Tibetan self-immolations. See "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 22 April 14. The summary contains a list showing that self-immolations numbered 117–126 took place from September 2013–August 2014. The summary shows that self-immolation number 126 took place on April 15, 2014.

[6] For reports providing specific detail on self-immolators' protests during the period beginning on September 28, 2013 (in chronological order), see, e.g., International Campaign for Tibet, "Tibetan Father of Two Sets Fire to Himself and Dies in Ngaba," 29 September 13 (Shichung "set himself . . . and ran along the road shouting in protest against the Chinese authorities"); Free Tibet, "Tibetan Farmer Self-Immolates and Dies at Prayer Festival," 29 September 13 (prior to self-immolation, Shichung "lit butter lamps in front of a photo of [the Dalai Lama]"); "Tibetan Protester Dies of His Burns," Radio Free Asia, 12 November 13 (prior to death, Tsering Gyal "stated that he was sacrificing his body for the sake of the unity of Tibetans"); International Campaign for Tibet, "Tibetans Gather at Monastery in Golok After Self-Immolation of Young Monk," 11 November 13 (Tsering Gyal "was heard calling the name of the Dalai Lama"); International Campaign for Tibet, "Tibetan Father of Two Sets Fire to Himself in Ngaba," 4 December 13 (Konchog Tseten "was heard . . . calling for the long life of the Dalai Lama, [and his] return to Tibet"); Tibetan Centre for Human Rights and Democracy, "Tibetan Monk Dies of Self-Immolation, Calls for Unity Among Tibetans in Last Note," 19 December 13 (Tsultrim Gyatso died "calling for unity among Tibetans and the return of the [Dalai Lama]"); International Campaign for Tibet, "Security Intensified in Ngaba After Former Kirti Monk Self-Immolates," 14 February 14 (as police drove Lobsang Dorje away, "he sat up and joined his palms"); Phuntsok Yangchen, "Tibetan Self-Immolator Lobsang Palden Dies," Phayul, 23 March 14 (prior to self-immolating Lobsang Palden left a text message calling for, among other things, "unity among Tibetans"); "Tibetan Self-Immolation Protesters Die of Their Burns," Radio Free Asia, 25 March

14 (Jigme Tenzin "died shortly after self-immolating on a path circling the local Sonag monastery").

[7] For Commission analysis of Chinese government regulatory intrusion upon Tibetan Buddhist affairs, see, e.g., "Special Report: Tibetan Monastic Self-Immolations Appear To Correlate With Increasing Repression of Freedom of Religion," CECC China Human Rights and Rule of Law Update, No. 1, 24 January 12, 1; "Tibetan Buddhist Affairs Regulations Taking Effect in Tibetan Autonomous Prefectures," Congressional-Executive Commission on China, 10 March 11; "New Legal Measures Assert Unprecedented Control Over Tibetan Buddhist Reincarnation," Congressional-Executive Commission on China, 22 August 07. For measures issued by China's central government, see, e.g., State Administration for Religious Affairs, Measures for Evaluating the Credentials of and Appointing Monastic Teachers in Tibetan Buddhism [Zangchuan fojiao simiao jingshi zige pingding he pinren banfa], issued and effective 3 December 12; State Administration for Religious Affairs, Management Measures for Tibetan Buddhist Monasteries [Zangchuan fojiao simiao guanli banfa], issued 30 September 10, effective 1 November 10; State Administration for Religious Affairs, Measures on the Management of the Reincarnation of Living Buddhas in Tibetan Buddhism [Zangchuan fojiao huofo zhuanshi guanli banfa], issued 18 July 07, effective 1 September 07.

[8] During the 2014 reporting year, the Commission did not observe indications that dialogue between the Chinese government and the Dalai Lama's representatives might soon resume.

[9] The Commission has posted under the Special Topics section of the Resources tab of its Web site (www.cecc.gov) a series of lists of Tibetan self-immolations. See "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 22 April 14. As of April 15, 2014, 126 Tibetan self-immolations reported or believed to focus on political and religious issues took place in the following 10 prefectural-level areas of Tibetan autonomy (arranged in descending order by number of self-immolations): Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, Sichuan province, 55 self-immolations; Gannan (Kanlho) Tibetan Autonomous Prefecture (TAP), Gansu province, 27 self-immolations; Huangnan (Malho) TAP, Qinghai province, 18 self-immolations; Ganzi (Kardze) TAP, Sichuan, 7 self-immolations; Yushu (Yulshul) TAP, Qinghai, 5 self-immolations; Naqu (Nagchu) prefecture, Tibet Autonomous Region (TAR), 4 self-immolations; Lhasa municipality, TAR, 3 self-immolations; Guoluo (Golog) TAP, Qinghai, 3 self-immolations; Changdu (Chamdo) prefecture, TAR, 1 self-immolation; and Haixi (Tsonub) Mongol and Tibetan Autonomous Prefecture, Qinghai, 1 self-immolation. In addition, 2 Tibetans self-immolated in Haidong prefecture, Qinghai, which is not an area of Tibetan autonomy. (The preceding information does not include Yushu TAP self-immolation property protests by females Dekyi Choezom and Pasang Lhamo on June 27 and September 13, 2012, respectively, and an unidentified woman in March 2013; and the April 6, 2012, deaths of a Tibetan Buddhist abbot, Athub, and a nun, Atse, in a Ganzi TAP house fire initially reported as accidental and later as self-immolation. The Commission continues to monitor reports on their deaths.)

[10] The Commission has posted under the Special Topics section of the Resources tab of its Web site (www.cecc.gov) a series of lists of Tibetan self-immolations. See "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 22 April 14. A total of 10 self-immolations numbered 117–126 took place from September 2013–August 2014: Aba Tibetan and Qiang Autonomous Prefecture, Sichuan province (117, 119, 122–123); Ganzi Tibetan Autonomous Prefecture (TAP), Sichuan (125–126); Huangnan TAP, Qinghai province (121, 124); Gannan TAP, Gansu province (120); and Guoluo TAP, Qinghai (118).

[11] For information on the February 27, 2009, self-immolation of Kirti Monastery monk Tashi (or Tabe), see, e.g., "Xinhua Insight: Who Can Put an End to Self-Immolation Tragedy?" Xinhua, 22 June 12 (Open Source Center, 22 June 12); "Tibetan Monk Admits Spreading Shooting Rumors," Xinhua, reprinted in China Daily, 5 March 09; Tendar Tsering, "Tabey Is Alive but Crippled: Woeser," Phayul, 17 December 11; International Campaign for Tibet, "Monk in Tibet Sets Himself on Fire; Shot by Police During Protest," 27 February 09. See also "Special Report: Tibetan Monastic Self-Immolations Appear To Correlate With Increasing Repression of Freedom of Religion," CECC China Human Rights and Rule of Law Update, No. 1, 24 January 12, 1.

[12] See, e.g., "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 22 April 14. Of the self-immolations numbered 1–13 spanning the period February 2009–December 2011, all 13 were current or former monks or nuns; 12 of the 13 took place in Sichuan province. For information on the shift during 2012 of the profile of Tibetan self-immolations, see "Special Report: Tibetan Self-Immolation—Rising Frequency, Wider Spread, Greater Diversity," Congressional-Executive Commission on China, 22 August 12. To track self-immolation developments, the Commission has posted under the Special Topics section of the Resources tab on its Web site (www.cecc.gov) a series of summaries of information on Tibetan self-immolations. The summaries include a breakdown by gender, location, and occupation type.

[13] See, e.g., "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 23 January 13. In the first of a series of summaries of information on Tibetan self-immolation, the update states: "51 of the 95 self-immolators reportedly were laypersons; 44 were current or former monks or nuns"; and "52 of the 95 self-immolations reportedly took place in Qinghai and Gansu provinces and the Tibet Autonomous Region; 43 took place in Sichuan province." For additional information on the shift during 2012 of the profile of Tibetan self-immolations, see "Special Report: Tibetan Self-Immolation—Rising Frequency, Wider Spread, Greater Diversity," Congressional-Executive Commission on China, 22 August 12.

[14] "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 22 April 14. The update contains a list of self-immolations. The six monastics who self-immolated during the 12-month period September 2013–August 2014 were: monk Tsering Gyal (November 11, 2013; Akyong Monastery, Qinghai province); monk Tsultrim Gyatso (December 19, 2013; Achog Monastery, Gansu province); monk Lobsang Dorje (February 13, 2014; Kirti Monastery, Sichuan province); monk Lobsang Palden (March 16, 2014; Kirti Monastery, Sichuan); monk Jigme Tenzin (March 16, 2014; Sonag Monastery, Qinghai); and nun Drolma (March 29, 2014; unidentified nunnery, Sichuan).

[15] Ibid. The update contains a list of self-immolations. The four laypersons who self-immolated during the 12-month period September 2013–August 2014 were: male Shichung (September 28, 2013; Sichuan province); male Konchog Tseten (December 3, 2013; Sichuan); male Phagmo Samdrub (February 5, 2014; Qinghai province); and male Trinle Namgyal (Trinley Namgyal, April 15, 2014; Sichuan).

[16] Ibid. The update contains a list of self-immolations. The six self-immolations in Sichuan province during the 12-month period September 2013–August 2014 were: male Shichung (September 28, 2013); male Konchog Tseten (December 3, 2013); monk Lobsang Dorje (February 13, 2014; Kirti Monastery); monk Lobsang Palden (March 16, 2014; Kirti Monastery); nun Drolma (March 29, 2014; unidentified nunnery); and male Trinle Namgyal (Trinley Namgyal, April 15, 2014).

[17] Ibid. The update contains a list of self-immolations. The four self-immolations in Qinghai or Gansu province during the 12-month period September 2013–August 2014 were: monk Tsering Gyal (November 11, 2013; Akyong Monastery, Qinghai province); monk Tsultrim Gyatso (December 19, 2013; Achog Monastery, Gansu province); male Phagmo Samdrub (February 5, 2014; Qinghai); and monk Jigme Tenzin (March 16, 2014; Sonag Monastery, Qinghai).

[18] See, e.g., "CECC Update: Tibetan Self-Immolations," Congressional-Executive Commission on China, 22 April 14. The summary reported that of 126 self-immolators, 68 were laypersons and 58 were current or former monks or nuns. Of the 126 self-immolations, 64 took place in Qinghai and Gansu provinces and the Tibet Autonomous Region; 62 took place in Sichuan province.

[19] CECC, 2013 Annual Report, 10 October 13, 174–78; CECC, 2012 Annual Report, 10 October 12, 157–60.

[20] See, e.g., International Campaign for Tibet, "Tibetan Father of Two Sets Fire to Himself and Dies in Ngaba," 29 September 13; Free Tibet, "Tibetan Farmer Self-Immolates and Dies at Prayer Festival," 29 September 13; "Chinese Authorities Order Self-Immolator's Ashes 'Thrown in River,'" Radio Free Asia, 30 September 13.

[21] See, e.g., "Tibetan Protester Dies of His Burns," Radio Free Asia, 12 November 13; International Campaign for Tibet, "Tibetans Gather at Monastery in Golok After Self-Immolation of Young Monk," 11 November 13; "Tibetan Monk Succumbs to His Burns in the Latest Self-Immolation in Tibet," Voice of America, 12 November 13.

[22] See, e.g., International Campaign for Tibet, "Tibetan Father of Two Sets Fire to Himself in Ngaba," 4 December 13; "Tibetan Youth Self-Immolates in Ngaba Raising the Toll to 124," Voice of America, 4 December 13; "Tibetan Father of Two Self-Immolates in Ngaba," Radio Free Asia, 4 December 13.

[23] See, e.g., Tibetan Centre for Human Rights and Democracy, "Tibetan Monk Dies of Self-Immolation, Calls for Unity Among Tibetans in Last Note," 19 December 13; "Tibetan Monk From Sangchu Dies After Setting Himself on Fire," Voice of America, 19 December 13; "Respected Tibetan Monk Burns Himself to Death in Gansu," Radio Free Asia, 19 December 13; International Campaign for Tibet, "Monks Gather To Pray After Self-Immolation of Respected Tibetan Monk in Amchok," 20 December 13.

[24] See, e.g., International Campaign for Tibet, "Self-Immolation of Tibetan Father of Two in Tsekhog," 7 February 14; "Tibetan Man Carries Out Self-Immolation Protest," Voice of America, 6 February 14; "Tibetan Man Sets Himself Ablaze in First Burning Protest This Year," Radio Free Asia, 6 February 14.

[25] See, e.g., "Latest Tibetan Self-Immolation Protester Dies," Radio Free Asia, 17 February 14; International Campaign for Tibet, "Security Intensified in Ngaba After Former Kirti Monk Self-Immolates," 14 February 14; "Ngaba Self-Immolator Lobsang Dead, Cremated Without Family's Consent," Phayul, 18 February 14.

[26] See, e.g., Phuntsok Yangchen, "Tibetan Self-Immolator Lobsang Palden Dies," Phayul, 23 March 14; "Two Tibetan Monks Self-Immolate on Crackdown Anniversary," Radio Free Asia, 16 March 14; "Two Tibetan Monks Self-Immolate," Voice of America, 17 March 14.

[27] See, e.g., "Monk Self-Immolates in NW China," Xinhua, 16 March 14, reprinted in China Internet Information Center (provides name of monastery as "Shaderi"); "Tibetan Self-Immolation Protesters Die of Their Burns," Radio Free Asia, 25 March 14 (provides alternate name for Sonag Monastery as "Shador"); "Tsekhog Self Immolator Died Hours After Self Immolation: Sources," Phayul, 26 March 14; "Two Tibetan Monks Self-Immolate on Crackdown Anniversary," Radio Free Asia, 16 March 14; Free Tibet, "March 16 Self-Immolation Protester Identified as Jigme Tenzin," 25 March 14.

[28] See, e.g., International Campaign for Tibet, "Tibetan Nun Sets Fire to Herself Outside Monastery in First Self-Immolation in Bathang," 31 March 14 ("survived after receiving emergency medical treatment at the hospital"); "Tibetan Nun Self-Immolator Identified," Radio Free Asia, 31 March 14; "Tibetan Nun Immolates Self in Kham Bathang," Phayul, 30 March 14.

[29] See, e.g., "Tibetan Man Burns Himself to Death in Eastern Tibet," Tibet Express, 16 April 14; "Tibetan Immolates Self in Tawu," Phayul, 15 April 14 ("body was . . . later handed over to his family"); "Tibetan Man Self-Immolates in Kham Tawu," Voice of America, 15 April 14.

[30] Ruo'ergai County People's Government, Notice of Interim Anti-Self-Immolation Provisions [Guanyu fan zifen gongzuo zanxing guiding de tongzhi], 8 April 13, reprinted and translated in China Digital Times, "Community Punished for Self-Immolations," 18 February 14. See also Human Rights Watch, "China: Tibetan Immolations, Security Measures Escalate," 29 November 12. The HRW report included a translation of a November 14, 2012, notice issued jointly by the Communist Party and the local government in Huangnan (Malho) Tibetan Autonomous Prefecture, Qinghai province, that included collective punishment.

[31] Tibetan Centre for Human Rights and Democracy, "China Announces Unprecedented Harsh Measures To Deter Self-Immolations in Tibet's Dzoege County," 14 February 14; China Digital Times, "Community Punished for Self-Immolations," 18 February 14; International Campaign for Tibet, "'Absurd and Terrifying' New Regulations Escalate Drive To Criminalize Self-Immolations by Targeting Family, Villagers, Monasteries," 24 February 14.

[32] Ruo'ergai County People's Government, Notice of Interim Anti-Self-Immolation Provisions [Guanyu fan zifen gongzuo zanxing guiding de tongzhi], 8 April 13, arts. 1–3, 9–11, 13, reprinted and translated in China Digital Times, "Community Punished for Self-Immolations," 18 February 14.
[33] Ibid., arts. 4, 6, 10.
[34] Ibid., arts. 5–9, 13.
[35] Ibid., arts. 5–8, 13–15.
[36] Ibid., arts. 13–14.
[37] Ibid., art. 4.
[38] Ibid., art. 9.
[39] Ibid., art. 9.
[40] Ibid., art. 1.
[41] Ibid., art. 10. The provisions contain no definition or description of an "active participant."
[42] Ibid., art. 10.
[43] Ibid., art. 15.
[44] Ibid., art. 10.
[45] Ibid., art. 6.
[46] Ibid., art. 7. Article 7 also stipulates that if another self-immolation occurs, the security deposit would be placed in the national treasury and payment of an additional security deposit would be required.
[47] Ibid., art. 5.
[48] Ibid., art. 5.
[49] Ibid., art. 14; Dzoege County People's Government, Notice of Provisional Anti-Self-Immolation Regulations, art. 14, translated in International Campaign for Tibet, "'Absurd and Terrifying' New Regulations Escalate Drive To Criminalize Self-Immolations by Targeting Family, Villagers, Monasteries," 24 February 14.
[50] Ruo'ergai County People's Government, Notice of Interim Anti-Self-Immolation Provisions [Guanyu fan zifen gongzuo zanxing guiding de tongzhi], 8 April 13, art. 13, reprinted and translated in China Digital Times, "Community Punished for Self-Immolations," 18 February 14.
[51] Ibid., art. 13.
[52] Ibid., art. 12.
[53] Tibetan Centre for Human Rights and Democracy, "China Holds Tibetan Livelihood to Ransom To Secure Political Stability," 30 July 14. The TCHRD report provided the following translation for the title on the cover of the document: "Information Handbook for the Enforcement of Two Separate Regulations Issued by Diru County People's Government" ['Bri-ru rdzong mi-dmangs srid-gzhung gi—"gtan-'bebs khag gnyis" kyi—dril-bsgrags lag-deb]. The date "June 2014" is on the cover.
[54] Ibid. According to TCHRD's partial translation of the incomplete document, Articles 2 and 3, which address attending the "Great Prayer Festival," a reference to the Dalai Lama's July 2014 Kalachakra teaching in India, according to TCHRD, contain language banning individuals who traveled to the event and "their parents, spouses, [and] children" from gathering *cordyceps sinensis* ("caterpillar fungus") for a period of three to five years.
[55] Ibid. According to TCHRD's partial translation of the incomplete document, Articles 2 to 6 address attendance of the "Great Prayer Festival," a reference to the Dalai Lama's July 2014 Kalachakra teaching in India, according to TCHRD.
[56] Ibid. According to TCHRD's partial translation of the incomplete document, Article 16 defines "illegal acts of religious education" as when "religious professionals, and those people who engage in religious pursuits in the society without any permanent status, as well as general masses who travel on their own to areas outside one's locality without getting permission from the United Front and Religious Bureau office of their respective localities."
[57] Ibid. According to TCHRD's partial translation of the incomplete document, "having strong nationalistic fervor" is included in the first of eight categories of "illegal activities" listed in Article 10.
[58] Ibid. According to TCHRD's partial translation of the incomplete document, Article 11 includes using the Internet to spread "harmful information."
[59] Ibid. According to TCHRD's partial translation of the incomplete document, "propagating videos or songs in praise of the 14th Dalai and his separatist organization" is the fifth of eight categories of "illegal activities" in Article 10.
[60] Ibid. According to TCHRD's partial translation of the incomplete document, Article 22 addresses "[those] who fail to hoist the Chinese national flag within the specific period."
[61] Ibid. According to TCHRD's partial translation of the incomplete document, Articles 10, 11, and 22 stipulate an individual prohibition on harvesting "caterpillar fungus" for periods of "more than one year," two years, and one year, respectively.
[62] Ibid. According to TCHRD's partial translation of the incomplete document, Articles 2 and 3 stipulate a three- to five-year prohibition on harvesting "caterpillar fungus" by an individual and that person's "parents, spouses, and children." In the case of a minor (age 16 or below) who "[indulged] in making and propagating rumors or spreading harmful information on the Internet," Article 14 stipulates a one-year prohibition on harvesting "caterpillar fungus" for the minor as well as the persons "responsible for looking after" the minor.
[63] For reports on the value and economic importance of *cordyceps sinensis* to Tibetans in some areas, see, e.g., Huang Jingjing, "Physicians Challenge Craze for Exorbitantly Priced TCM Fungus," Global Times, 30 July 14; Daniel Winkler, "Yartsa Gunbu (Cordyceps sinensis) and the Fungal Commodification of Tibet's Rural Economy," Economic Botany, Vol. 62, No. 3 (2008), 291; Jonathan Watts, "Fungus Gold Rush in Tibetan Plateau Rebuilding Lives After Earthquake," Guardian, 16 June 10; Human Rights Watch, "'They Say We Should Be Grateful'—Mass Rehousing and Relocation Programs in Tibetan Areas of China," 27 June 13.
[64] Tibetan Centre for Human Rights and Democracy, "China Holds Tibetan Livelihood to Ransom To Secure Political Stability," 30 July 14. According to TCHRD's partial translation of the

incomplete document, Articles 2–4, 10–11, 17, and 22 include cancellation of welfare benefits. Of those, Articles 2–3 appear to involve collective punishment of family members.

[65] Ibid. According to TCHRD's partial translation of the incomplete document, Articles 3 and 6 provide for cancellation of household registration.

[66] Ibid. According to TCHRD's partial translation of the incomplete document, Articles 2, 9–11, 14, 18, and 22 include periods of legal education ranging from two to six months. Of those, Articles 2 and 14 appear to involve collective punishment of family members.

[67] Ibid. According to TCHRD's partial translation of the incomplete document, Articles 4 and 17 provide for the expulsion of monks and nuns from monasteries and nunneries, the revocation of certificates permitting them to engage in religious study, and cancellation of their welfare benefits.

[68] "Ensure Absolute Security in the Ideological Field—Fourth Discussion on Earnestly Implementing the Spirit of the Regional Propaganda and Ideological Work Conference" [Quebao yishixingtai lingyu juedui anquan—si lun renzhen guanche quanqu xuanchuan sixiang gongzuo huiyi jingshen], Tibet Daily, 3 October 13 (translated in Open Source Center, 6 October 13); Wang Zuo'an, "Religious-Related Work Is by Nature Mass Work" [Zongjiao gongzuo benzhi shang shi qunzhong gongzuo], People's Daily, 26 November 13 (translated in Open Source Center, 15 January 14). Director Wang Zuo'an of the State Administration for Religious Affairs called for the government's "religious-related work" to be "placed in a more important position to further bring the relationship between the Party and religious people closer," and said that the "rule of law" must guide religious leaders "to correctly view the relationship between religious doctrine and national laws."

[69] "Ensure Absolute Security in the Ideological Field—Fourth Discussion on Earnestly Implementing the Spirit of the Regional Propaganda and Ideological Work Conference" [Quebao yishixingtai lingyu juedui anquan—si lun renzhen guanche quan qu xuanchuan sixiang gongzuo huiyi jingshen], Tibet Daily, 3 October 13 (translated in Open Source Center, 6 October 13). Tibet Autonomous Region Communist Party Secretary Chen Quanguo characterized "the Dalai" as "the biggest obstacle to the establishment of normal order in Tibetan Buddhism."

[70] Internet Encyclopedia of Philosophy, "Tibetan Philosophy," last visited 23 April 14. The Dalai Lama is the principal teacher of the Gelug tradition of Tibetan Buddhism, the dominant tradition from the 17th century (i.e., from the time of the Fifth Dalai Lama). The Nyingma, Sakya, and Kagyu traditions predate the Gelug and have their own spiritual leaders. Office of His Holiness the Dalai Lama, "The Dalai Lamas," last visited 23 April 14. The Dalai Lama's official Web site provides the dates 1617–1682 for the Fifth Dalai Lama.

[71] Chen Quanguo, "Ensuring Ideological Security in Tibet With the Spirit of Daring To Go Into Battle—Earnestly Studying the Thorough Implementation of the Spirit of General Secretary Xi Jinping's Important Speech at the National Propaganda and Ideology Work Conference" [Yi ganyu liang jian de jingshen quebao xizang yishixingtai lingyu anquan—renzhen xuexi guanche xi jinping zongshuji zai quanguo xuanchuan sixiang gongzuo huiyi shang de zhongyao jianghua jingshen], Seeking Truth, 1 November 13 (translated in Open Source Center, 12 November 13). Tibet Autonomous Region Communist Party Secretary Chen Quanguo called for "cadres and masses . . . to separate the tradition of Tibetan Buddhism and the 14th Dalai Lama and to separate the 14th Dalai Lama and the traditional title of Dalai Lama."

[72] "While Inspecting Tibet, Yu Zhengsheng Emphatically Says That It Is Necessary To Adhere to a Development Path With Chinese Characteristics and Tibetan Features, Promote Leap-Forward Economic and Social Development and Long-Lasting Stability in Tibet" [Yu zhengsheng zai xizang kaocha diaoyan shi qiangdiao—jianchi zou you zhongguo tese xizang tedian de fazhan luzi, cujin xizang jingji shehui kuayueshi fazhan he changzhi jiu'an], Tibet Daily, 8 August 13 (translated in Open Source Center, 14 August 13). According to Tibet Daily, Yu Zhengsheng, member of the Standing Committee of the Political Bureau of the Communist Party Central Committee, and Chairman of the National Committee of the Chinese People's Political Consultative Conference, stated, "Only when the motherland becomes strong, our society develops, and the people improve their living condition, can Tibetan Buddhism enjoy healthy development."

[73] Ai Feng, "Tibet Supervision Head: For the First Time in Tibet's History, Work Teams Are Stationed in Every Village" [Xizang jiancha zhang: xizang lishi shang shouci suoyou cun dou paizhu gongzuodui], China Net, 8 March 12, reprinted in Phoenix Net.

[74] Li Yuan and Wen Tao, "Tibet Sends More Than 60,000 Cadres to the Grassroots Over Two Years, the Most Extensive in 60 Years" [Xizang liang nian xuanpai yu 6 wan ganbu xia jiceng—wei 60 nian lai zui da guimo], Xinhua, 10 September 13. According to the article, since October 2011, the TAR government and Party had sent "more than 60,000 cadres" to the TAR's "5,459 villages and 1,877 temples."

[75] Ai Feng, "Tibet Supervision Head: For the First Time in Tibet's History, Work Teams Are Stationed in Every Village" [Xizang jiancha zhang: xizang lishi shang shouci suoyou cun dou paizhu gongzuodui], China Net, 8 March 12, reprinted in Phoenix Net. According to the article, "NPC delegate and Supervision Department Head" Weise (Oezer, Woeser) said, "A total of 21,000 cadres were dispatched for the activity, going to a total of 5,451 villages throughout Tibet, and this is the first time that work teams have been posted to every village in Tibet." China Directory 2012 (Tokyo: Radiopress, 2011), 435. According to China Directory 2012, Weise was Director of the TAR Supervision Department.

[76] Li Yuan and Wen Tao, "Tibet Sends More Than 60,000 Cadres to the Grassroots Over Two Years, the Most Extensive in 60 Years" [Xizang liang nian xuanpai yu 6 wan ganbu xia jiceng—wei 60 nian lai zui da guimo], Xinhua, 10 September 13. According to the article, Tibet Autonomous Region People's Congress Deputy Director, Mazi Bishui, made the remark. For different perspectives on the People's Liberation Army invasion of what would later be named the Tibet Autonomous Region, see, e.g., Elliot Sperling, The Tibet-China Conflict: History and Polemics (Washington, DC: East-West Center Washington, 2004), xiii–ix, 23, 32–33; International Campaign for Tibet, "History, Politics, Legal Situation," last visited 22 April 14; "Peaceful Liberation of Tibet," China Tibet Online, 21 January 11.

[77] Tibetan Centre for Human Rights and Democracy, "China Expands New Measures To Directly Control Tibetan Monasteries," 18 May 14 (on Yushu (Yulshul) Tibetan Autonomous Prefecture (TAP)); "Chinese Authorities Impose New Restrictions on Restive Tibetan County," Radio Free Asia, 20 May 14 (on Guoluo (Golog) TAP).

[78] Yushu Tibetan Autonomous Prefecture Tibetan Buddhist Affairs Regulations [Yushu zangzu zizhizhou zangchuan fojiao shiwu tiaoli], issued and effective 11 September 13. The Yushu regulations were under preparation by late 2009 and were listed as part of the Qinghai Province People's Congress Standing Committee legislative agenda in 2010. "Qinghai People's Congress Standing Committee 2010 Legislation Program" [Qinghai sheng renda changweihui 2010 nian lifa jihua], 14 December 09, reprinted in Qinghai Province People's Congress Standing Committee, 3 March 10. The Commission has no information on why the regulations were not issued and effective until September 2013. For additional information on Tibetan Buddhist affairs regulations that took effect in other Tibetan autonomous prefectures, see CECC, Annual Report 2011, 10 October 11, 209–12; "Tibetan Buddhist Affairs Regulations Taking Effect in Tibetan Autonomous Prefectures," Congressional-Executive Commission on China, 10 March 11.

[79] Tibetan Centre for Human Rights and Democracy, "China Expands New Measures To Directly Control Tibetan Monasteries," 18 May 14. According to a TCHRD source, officials in Chenduo (Tridu) county ordered the replacement of "monastic staff and management committee members with government and party appointees by 7 June 2014." The Commission has not observed information on whether or not such activity was underway in other Yushu counties.

[80] Regulatory measures on Tibetan Buddhist affairs took effect in Guoluo in September 2010. Guoluo Tibetan Autonomous Prefecture Tibetan Buddhist Affairs Regulations [Guoluo zangzu zizhizhou zangchuan fojiao shiwu tiaoli], issued and effective 30 September 10. For additional information on Tibetan Buddhist affairs regulations that took effect in other Tibetan autonomous prefectures, see CECC, Annual Report 2011, 10 October 11, 209–12; "Tibetan Buddhist Affairs Regulations Taking Effect in Tibetan Autonomous Prefectures," Congressional-Executive Commission on China, 10 March 11.

[81] "Chinese Authorities Impose New Restrictions on Restive Tibetan County," Radio Free Asia, 20 May 14. According to the RFA report, officials conducted the campaign in Banma (Pema) county. The Commission has not observed information on whether or not such activity was underway in other Guoluo counties.

[82] "Chinese Authorities Detain 16 Tibetans Rallying for Religious Leader's Release," Radio Free Asia, 26 December 13. According to an RFA source, "Another monk, Gyurme Tsultrim, who was taken away from Takna monastery in Nangchen on Nov. 29, has been released from detention but placed under house arrest." (Tagna Monastery is in Nangqian (Nangchen) county, Yushu (Yushul) Tibetan Autonomous Prefecture, Qinghai province.) "China Detains Two Senior Tibetan Monks," Radio Free Asia, 17 December 13. According to an RFA source, "Local Tibetans suspect he was detained because of a speech he gave during a prayer festival in Nangchen in which he urged the promotion of Tibetan Buddhism, the Tibetan language, and moral ethics." For more information on Gyurme Tsultrim, see the Commission's Political Prisoner Database record 2014-00015.

[83] Tsering Woeser, "Weise: Cross-Province Arrest of Khenpo Karma Tsewang," [Weise: zao kuasheng zhuabu de nangqian kanbu gama caiwang], Invisible Tibet (blog), 8 January 14; "China Detains Two Senior Tibetan Monks," Radio Free Asia, 17 December 13; "Hundreds of Tibetan Protesters Demand Release of Detained Monks," Radio Free Asia, 16 January 14. The January 16, 2014, RFA report described Karma Tsewang as "well-respected among Tibetans for his work to protect and promote the Tibetan language, culture, and religion." International Campaign for Tibet, "Rare Vigil Outside Prison To Support Popular Tibetan Monk," 17 January 14. ICT characterized Karma Tsewang as "well-known for his community initiatives to preserve Tibetan language, including teaching the language to young Tibetans." "Jailed Tibetan Religious Leader in Failing Health, Meets With Lawyer," Radio Free Asia, 11 March 14. An RFA source stated that officials "specifically accused [Karma Tsewang] of harboring fugitive monks from Chamdo's Karma monastery at his own Japa [or Gongya] monastery," and that lawyer "Tang Tian Hao" (Tang Tianhao) "rejected as unrealistic" the charges. For more information on Karma Tsewang, see the Commission's Political Prisoner Database record 2014-00014.

[84] "Driru Area Tibetans Sentenced in Secret," Radio Free Asia, 1 April 14; "Chantleader of Drongna Monastery in Driru Sentenced to Eighteen Years," Phayul, 1 April 14. According to the Phayul report, chant master Thardoe Gyaltsen of Drongna Monastery in Biru (Driru) county, Naqu (Nagchu) prefecture, Tibet Autonomous Region, possessed "pictures of the Tibetan leader the Dalai Lama and recordings of his speeches and teachings." Officials reportedly closed Drongna in November 2013 and detained the monastery's "debate master," Kalsang Dondrub. For more information, see the Commission's Political Prisoner Database records 2014-00141 on Thardoe Gyaltsen and 2014-00056 on Kalsang Dondrub.

[85] Mandala, "What Is a Geshe?" April–May 2007. According to the article, a Geshe degree is "a scholastic degree in large monastic universities that can take two decades or more to complete."

[86] "Senior Tibetan Monk Beaten to Death in Chinese Police Custody," Radio Free Asia, 19 December 13. According to RFA sources, Ngawang Jamyang was titled Geshe and taught at Tarmoe Monastery, located in Biru (Driru) county, Naqu (Naqchu) prefecture, Tibet Autonomous Region. Tibetan Centre for Human Rights and Democracy, "Diru Crackdown: Senior Tibetan Buddhist Scholar Beaten to Death in Police Custody," 19 December 13. According to a TCHRD source, "It was clear that Ngawang Jampel was beaten to death while in secret detention. He was a healthy, robust man when he left his monastery to visit Lhasa." For more information on Ngawang Jamyang, see the Commission's Political Prisoner Database record 2008-00570.

[87] Phuntsok Yangchen, "Abbot Among Five Tibetans Arrested," Phayul, 17 April 14; "Monks Among Five Held in Tibet on Suspicion of Challenging Chinese Rule," Radio Free Asia, 16 April 14. The RFA report cited a source from the area who described the prayers as on behalf of Tibetans who "sacrificed their lives for the Tibetan cause." For more information on Khedrub, see

the Commission's Political Prisoner Database record 2014-00146. Based on Commission monitoring and analysis, such language used from 2011 onward is likely to refer principally to Tibetan self-immolators. The Commission has posted under the Special Topics section of the Resources tab on its Web site (www.cecc.gov) a series of summaries of information on Tibetan self-immolations. The summaries include a breakdown by gender, location, and occupation type.

[88] State Administration for Religious Affairs, Measures on the Management of the Reincarnation of Living Buddhas in Tibetan Buddhism [Zangchuan fojiao huofo zhuanshi guanli banfa], issued 18 July 07, effective 1 September 07. For more information on the measures, see CECC, 2007 Annual Report, 10 October 07, 196–97; "New Legal Measures Assert Unprecedented Control Over Tibetan Buddhist Reincarnation," Congressional-Executive Commission on China, 5 May 08; "Dalai Lama Rejects Communist Party 'Brazen Meddling' in Tibetan Buddhist Reincarnation," CECC China Human Rights and Rule of Law Update, No. 1, 24 January 12, 1.

[89] Tibetan Centre for Human Rights and Democracy, "Ancient Tibetan Monastery Under Siege Over Reincarnation Issue; Mother of Two Attempts Suicide Protest," 10 September 13. According to the TCHRD report, the name of the teacher who Tibetans believe reincarnates is Rongpo Choeje (often used with the honorific "Rinpoche").

[90] Ibid. According to the TCHRD report, the mother, Drolma Yangkyi ("Dolma Yangkey"), tried to kill herself by attempting to crash her motorcycle at high speed; instead, she fell off and injured herself seriously.

[91] Ibid. According to the TCHRD report, the court sentenced Dawa Khyenrab Wangchug "on charges that he contacted His Holiness the Dalai Lama during the search for [the reincarnation];" "at least one" TCHRD source reported that Dawa Khyenrab Wangchug had been released on medical parole. Phurbu Thinley, "Religious Oppression Forces Senior Monk To Commit Suicide," Phayul, 27 July 10. For more information on Dawa Khyenrab Wangchug, see the Commission's Political Prisoner Database record 2010-00263.

[92] "Chinese Authorities Allow Tibetan Spiritual Teacher To Return to Monastery," Radio Free Asia, 13 August 14; "China Allows Banned Tibetan Lama To Visit His Monastery," Tibet Express, 11 August 14; Tibetan Centre for Human Rights and Democracy, "Ancient Tibetan Monastery Under Siege Over Reincarnation Issue; Mother of Two Attempts Suicide Protest," 10 September 13. See also "Government Policy on Tibetan Reincarnation Leads to Expulsions, Detentions, Suicide," CECC China Human Rights and Rule of Law Update, No. 8, 9 November 10, 2.

[93] International Campaign for Tibet, "China Tightens Control, Prevents Pilgrimage, Before Major Dalai Lama Teaching in Exile," 12 June 14.

[94] Ibid. The 15th day of the 4th lunar month traditionally marks the birth, death ("paranirvana"), and enlightenment of the historical Buddha. For a Tibetan calendar, see Men-Tsee-Khang, "Calendar," last visited 3 September 14.

[95] "Happy Tibetan New Year," Nine Ways (blog), 2 March 14 (regarding Wood Horse year); "A New Beginning: Happy Losar," Nine Ways (blog), 10 February 13 (regarding 60-year cycle).

[96] International Campaign for Tibet, "China Tightens Control, Prevents Pilgrimage, Before Major Dalai Lama Teaching in Exile," 12 June 12.

[97] "Ensure Absolute Security in the Ideological Field—Fourth Discussion on Earnestly Implementing the Spirit of the Regional Propaganda and Ideological Work Conference" [Quebao yishixingtai lingyu juedui anquan—si lun renzhen guanche quanqu xuanchuan sixiang gongzuo huiyi jingshen], Tibet Daily, 3 October 13 (translated in Open Source Center, 6 October 13).

[98] Chen Quanguo, "Ensuring Ideological Security in Tibet With the Spirit of Daring To Go Into Battle—Earnestly Studying the Thorough Implementation of the Spirit of General Secretary Xi Jinping's Important Speech at the National Propaganda and Ideology Work Conference" [Yi ganyu liang jian de jingshen quebao xizang yishixingtai lingyu anquan—renzhen xuexi guanche xi jinping zongshuji zai quanguo xuanchuan sixiang gongzuo huiyi shang de zhongyao jianghua jingshen], Seeking Truth, 1 November 13 (translated in Open Source Center, 12 November 13). For more information on the Tibet Autonomous Region village-level deployment of Communist Party cadres, which began in 2011, see Li Yuan and Wen Tao, "Tibet Sends More Than 60,000 Cadres to the Grassroots Over Two Years, the Most Extensive in 60 Years" [Xizang liang nian xuanpai yu 6 wan ganbu xia jiceng—wei 60 nian lai zui da guimo], Xinhua, 10 September 13.

[99] "Ensure Absolute Security in the Ideological Field—Fourth Discussion on Earnestly Implementing the Spirit of the Regional Propaganda and Ideological Work Conference" [Quebao yishixingtai lingyu juedui anquan—si lun renzhen guanche quanqu xuanchuan sixiang gongzuo huiyi jingshen], Tibet Daily, 3 October 13 (translated in Open Source Center, 6 October 13). According to Tibet Daily, Chen Quanguo stated: "We must extensively carry out thematic educational activities, deeply carry out patriotic educational activities, implement the 'patriotic revolutionary history and culture exploration project,' and build a network of patriotic educational bases that covers the entire region; we must deeply conduct education on comparison between the new and old Tibets and carry out the 'new and old Tibets comparison historical records exploration project' to educate the masses of all ethnic groups, especially the younger generation; . . . ."

[100] "Ensure Absolute Security in the Ideological Field—Fourth Discussion on Earnestly Implementing the Spirit of the Regional Propaganda and Ideological Work Conference" [Quebao yishixingtai lingyu juedui anquan—si lun renzhen guanche quanqu xuanchuan sixiang gongzuo huiyi jingshen], Tibet Daily, 3 October 13 (translated in Open Source Center, 6 October 13). For an explanation of "the three inseparables," see Yang Jing and Yang Chuantang, "Great Progress in Ethnic Minority Relations," Seeking Truth Journal, Vol. 2, No. 1 (2010), updated 19 September 11. According to the article, "[The third generation of the central collective leadership of the CPC with Jiang Zemin at the core] advocated the important idea that 'the Han ethnic group cannot be separated from the minority ethnic groups, the minority ethnic groups cannot be separated from the Han ethnic group and no minority ethnic group can be separated from the others (This became known as the 'three inseparables' in Chinese),' stressing that all ethnic

groups should share a common fate, should all be of one mind and should continuously work to strengthen the cohesive force of the Chinese nation."

[101] For information on reports observed during the Commission's 2014 reporting year of Tibetan detentions linked to promoting "unity" among Tibetans, see, e.g., the Commission's Political Prisoner Database records: (arranged in descending chronological order by date of detention): records 2014-00193 on Gebhe, 2014-00016 on Phuntsog Namgyal, 2014-00017 on Pema Tsultrim, 2014-00018 on Dorje Lodroe, 2014-00019 on Yungdrung, 2014-00020 on Tatob, 2014-00021 on Tashi Namgyal, 2014-00022 on Dorje Rigzin, 2014-00023 on Sonam, 2014-00012 on Gonpo Tenzin, 2014-00009 on Trinle Tsekar, and 2013-00377 on Tamdrin.

[102] "Tibetans Clash With Police Over Chinese Flag Campaign," Radio Free Asia, 2 October 13; Tibetan Centre for Human Rights and Democracy, "Beatings, Detention, Threats After Tibetans Reject China's 'Mass Line' Policy in Diru," 5 October 13; Tibetan Centre for Human Rights and Democracy, "Diru Under Lockdown: One Tibetan Sentenced; More Injured by Gunshots and Disappeared," 8 October 13.

[103] As of September 1, 2014, the Commission's Political Prisoner Database contained the following 58 records of detention or imprisonment linked to the Biru (Driru) county crackdown (arranged in descending chronological order by date of detention): records 2014-00068 on Konchog Dragpa, 2014-00141 on Thardoe Gyaltsen, 2014-00070 on Tsultrim Nyandrag, 2014-00061 on Choedron, 2014-00060 on Yangchen, 2014-00059 on Bumchog, 2014-00010 on Choekyab, 2014-00011 on Tselha, 2014-00012 on Gonpo Tenzin, 2014-00062 on Sonam Tobgyal, 2014-00137 on Ngangdrag, 2014-00135 on Rigsal, 2014-00024 on Kalsang Choglang, 2008-00570 on Ngawang Jamyang, 2014-00055 on Pasang Tashi, 2014-00009 on Trinle Tsekar, 2014-00056 on Kalsang Dondrub, 2014-00047 on Konchog Choephel, 2014-00054 on Lobsang Choeying, 2014-00064 on Drolma Tsephel, 2013-00355 on Gabug, 2013-00360 on Jigme Phuntsog, 2013-00354 on Kundrag, 2013-00361 on Lamsang, 2013-00348 on Sarkyi, 2013-00358 on Sota, 2013-00353 on Tador, 2013-00357 on Thubchen, 2014-00063 on Trinle Palmo, 2013-00351 on Tsering, 2013-00359 on Tsering Jangchub, 2013-00352 on Tsering Phuntsog, 2013-00356 on Tsering Tenpa, 2013-00362 on Tsewang Lhakyab, 2013-00349 on Tsophan, 2013-00350 on Yangkyi, 2014-00067 on Dargye, 2014-00066 on Konchog Jinpa, 2014-00046 on Tobden, 2013-00329 on Dorgyal, 2013-00331 on Kalsang Namdrol, 2013-00330 on Lhamo, 2013-00332 on Mengyal, 2013-00328 on Shodar, 2013-00327 on Tenzin Rangdrol, 2013-00323 on Jampa Legshe, 2013-00324 on Kalnam, 2013-00325 on Dawa Lhundrub, 2013-00326 on Jampa, 2013-00368 on Chogsar, 2013-00366 on Sonam Dondrub, 2013-00367 on Tsering Tashi, 2013-00319 on Yulgyal, 2013-00321 on Kalsang, 2013-00318 on Tsultrim Gyaltsen, 2010-00456 on Dorje Dragtsal, 2013-00317 on Tsering Gyaltsen, and 2013-00294 on Dayang.

[104] As of September 1, 2014, the Commission's Political Prisoner Database contained the following 15 records of imprisonment linked to the Biru (Driru) county crackdown (arranged in descending order by sentence length and date of detention): records 2014-00141 on Thardoe Gyaltsen (18 years), 2014-00010 on Choekyab (13 years), 2013-00318 on Tsultrim Gyaltsen (13 years), 2010-00456 on Dorje Dragtsal (11 years), 2014-00137 on Ngangdrag (10 years), 2014-00135 on Rigsal (10 years), 2014-00024 on Kalsang Choglang (10 years), 2013-00319 on Yulgyal (10 years), 2014-00070 on Tsultrim Nyandrag (9 years), 2014-00009 on Trinle Tsekar (9 years), 2014-00047 on Konchog Choephel (6 years), 2014-00046 on Tobden (5 years), 2013-00327 on Tenzin Rangdrol (5 years), 2014-00011 on Tselha (3 years), and 2013-00294 on Dayang (2 years and 6 months).

[105] See, e.g., "Tibetans Clash With Police Over Chinese Flag Campaign," Radio Free Asia, 2 October 13 ("Internet and other communication channels in the area are now blocked"); "Chinese Police Fire on Unarmed Tibetan Protesters in Driru," Radio Free Asia, 7 October 13 ("confiscated Tibetans' cell phones and blocked communications by phone and the Internet"); Tibetan Centre for Human Rights and Democracy, "China Disappears More Tibetans in Diru as Crackdown Spreads," 19 October 13 ("all communication channels remain blocked"); "Three More Arrests in Driru," Phayul, 2 December 13 ("strictly monitoring all movements in and out of Driru, intercepting all communication lines"); Tibetan Centre for Human Rights and Democracy, "Repression Escalates in Tibet's Diru County: Tibetan Youth Beaten to Death, Two Others Given Heavy Sentences and Another Disappeared," 7 February 14 ("fate of many more remain unknown due to restrictions on communication lines").

[106] "Elderly Tibetan Severely Beaten for Questioning Chinese 'Political Education,'" Radio Free Asia, 11 September 13. For more information on Dayang, see the Commission's Political Prisoner Database record 2013-00294.

[107] "Elderly Tibetan Beaten and Jailed for Seeking Freedom," Radio Free Asia, 8 October 13. The RFA report did not identify the criminal charge against Dayang. For more information on Dayang, see the Commission's Political Prisoner Database record 2013-00294.

[108] "Tibetans Clash With Police Over Chinese Flag Campaign," Radio Free Asia, 2 October 13.

[109] Tibetan Centre for Human Rights and Democracy, "China Disappears a Father of Three, Arrests 10 Others in Ongoing Crackdown in Diru," 21 October 13. An image in the TCHRD report provides a clear view of People's Armed Police in Xiachu (Shagchu) township, Biru (Driru) county, Naqu (Nagchu) prefecture, Tibet Autonomous Region, with what appear to be anti-riot guns slung across their backs, possibly on October 19, 2013. The image provides a basis for inferring that similar weaponry may have been used in other Biru communities.

[110] Tibetan Centre for Human Rights and Democracy, "Beatings, Detention, Threats After Tibetans Reject China's 'Mass Line' Policy in Diru," 5 October 13. According to the TCHRD report, the "open confrontation" involved Tibetans who "used sticks and stones to respond to the firing from Chinese security forces."

[111] Tibetan Centre for Human Rights and Democracy, "Diru Under Lockdown: One Tibetan Sentenced; More Injured by Gunshots and Disappeared," 8 October 13; "Tibetan Man Critical, Severely Beaten for Protesting Chinese Flag Campaign," Tibet Express, 7 October 13. For more information on Tsering Gyaltsen, see the Commission's Political Prisoner Database record 2013-00317.

[112] "Chinese Police Fire on Unarmed Tibetan Protesters in Driru," Radio Free Asia, 7 October 13 ("Dorje Draktsel"); Tibetan Centre for Human Rights and Democracy, "Diru Under Lockdown: One Tibetan Sentenced; More Injured by Gunshots and Disappeared," 8 October 13 ("Dorje Dragtsel"). For more information on Dorje Dragtsal, see the Commission's Political Prisoner Database record 2010-00456.

[113] Tibetan Centre for Human Rights and Democracy, "China Disappears a Father of Three, Arrests 10 Others in Ongoing Crackdown in Diru," 21 October 13. An image in the TCHRD report provides a clear view of People's Armed Police in Xiachu (Shagchu) township, Biru (Driru) county, Naqu (Nagchu), Tibet Autonomous Region, with what appear to be anti-riot guns slung across their backs, possibly on October 19, 2013. The image provides a basis for inferring that similar weaponry may have been used in other Biru communities.

[114] "Chinese Police Fire on Unarmed Tibetan Protesters in Driru," Radio Free Asia, 7 October 13; Tibetan Centre for Human Rights and Democracy, "Diru Under Lockdown: One Tibetan Sentenced; More Injured by Gunshots and Disappeared," 8 October 13; "Chinese Forces Fire Live Bullets at Tibetans in Nagchu," Tibet Express, 7 October 13. See also Tibetan Centre for Human Rights and Democracy, "China Disappears a Father of Three, Arrests 10 Others in Ongoing Crackdown in Diru," 21 October 13. An image in the TCHRD report provides a clear view of People's Armed Police in Xiachu (Shagchu) township, Biru (Driru) county, Naqu (Nagchu), Tibet Autonomous Region, with what appear to be anti-riot guns slung across their backs, possibly on October 19, 2013. The image provides a basis for inferring that similar weaponry may have been used in other Biru communities.

[115] "Chinese Police Fire on Unarmed Tibetan Protesters in Driru," Radio Free Asia, 7 October 13.

[116] "Four Tibetans Shot Dead as Protests Spread in Driru County," Radio Free Asia, 11 October 13.

[117] "WeChat Leads to Tibetan Woman's Arrest in Driru," Phayul, 17 October 13; Tibetan Centre for Human Rights and Democracy, "China Disappears More Tibetans in Diru as Crackdown Spreads," 19 October 13 ("Kelsang"). According to the TCHRD report, the "exact details" of accusations against Kalsang were unclear. For more information on Kalsang, see the Commission's Political Prisoner Database record 2013-00321.

[118] Tibetan Centre for Human Rights and Democracy, "Crackdown in Diru Widens: Tibetan Writer and a Former Policeman Detained," 14 October 13. According to the TCHRD report, officials also accused Tsultrim Gyaltsen of "[disrupting] social stability by spreading rumours." For more information on Tsultrim Gyaltsen, see the Commission's Political Prisoner Database record 2013-00318.

[119] International Campaign for Tibet, "New Images of Deepening Crackdown in Nagchu, Tibet," 15 October 13. For more information on Tsultrim Gyaltsen, see the Commission's Political Prisoner Database record 2013-00318.

[120] Tibetan Centre for Human Rights and Democracy, "Crackdown in Diru Widens: Tibetan Writer and a Former Policeman Detained," 14 October 13 ("Yugyal"). According to the TCHRD report, officials also accused Yulgyal of "spreading rumours to harm social stability." For more information on Yulgyal, see the Commission's Political Prisoner Database record 2013-00319.

[121] Tibetan Centre for Human Rights and Democracy, "China Disappears More Tibetans in Diru as Crackdown Spreads," 19 October 13 ("Lhundup"). See also PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 111. Based on TCHRD's report, officials may have suspected Jampa and Dawa Lhundrub of sharing "state secrets or intelligence" with "an organ, organization or individual outside the territory of China." For more information, see the Commission's Political Prisoner Database records 2013-00326 on Jampa and 2013-00325 on Dawa Lhundrub.

[122] Tibetan Centre for Human Rights and Democracy, "China Disappears More Tibetans in Diru as Crackdown Spreads," 19 October 13 ("Jampa Lekshay and Kelnam"). See also PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 111. Based on TCHRD's report, officials may have suspected monks Jampa Legshe and Kalnam of sharing "state secrets or intelligence" with "an organ, organization or individual outside the territory of China." For more information, see the Commission's Political Prisoner Database records 2013-00323 on Jampa Legshe and 2013-00324 on Kalnam.

[123] Tibetan Centre for Human Rights and Democracy, "China Disappears a Father of Three, Arrests 10 Others in Ongoing Crackdown in Diru," 21 October 13 ("Tenzin Rangdol"). According to TCHRD, Tibetans sought Tenzin Rangdrol's release by criticizing "the Chinese government's entrenched practice of criminalising Tibetan people's peaceful means of expressing their grievances." For more information on Tenzin Rangdrol, see the Commission's Political Prisoner Database record 2013-00327.

[124] "Tibetan Arrested in Driru, Hundreds Confront Police," Phayul, 21 October 13; Tibetan Centre for Human Rights and Democracy, "China Disappears a Father of Three, Arrests 10 Others in Ongoing Crackdown in Diru," 21 October 13. For more information on Tenzin Rangdrol, see the Commission's Political Prisoner Database record 2013-00327.

[125] Ibid. The Phayul and TCHRD reports are inconsistent on the initial and eventual size of the protest. According to Phayul, "Forty Tibetans from Gochu arrived outside the administrative building and demanded the release of Rangdol. They were later joined by hundreds others . . . ." According to TCHRD, "The protest was staged by about 40 Tibetans from Gochu Village and about a hundred other Tibetans from surrounding villages . . . ." For more information on Tenzin Rangdrol, see the Commission's Political Prisoner Database record 2013-00327.

[126] Tibetan Centre for Human Rights and Democracy, "China Disappears a Father of Three, Arrests 10 Others in Ongoing Crackdown in Diru," 21 October 13 ("Tenzin Rangdol"). For more

information, see the Commission's Political Prisoner Database record 2013-00327 on Tenzin Rangdrol.

[127] "Tibetan Arrested in Driru, Hundreds Confront Police," Phayul, 21 October 13.

[128] Tibetan Centre for Human Rights and Democracy, "China Disappears a Father of Three, Arrests 10 Others in Ongoing Crackdown in Diru," 21 October 13 ("Tenzin Rangdol"). For more information, see the Commission's Political Prisoner Database record 2013-00327 on Tenzin Rangdrol.

[129] "China Sentences Tibetan Writer and Ex Cop Up to Thirteen Years in Prison," Phayul, 1 April 14 ("Yougyal"). The Phayul report did not identify the court, the criminal charge(s) against the men, or provide information on the short interval between detention and sentencing. For more information, see the Commission's Political Prisoner Database records 2013-00318 on Tsultrim Gyaltsen and 2013-00319 on Yulgyal. For information on Tsultrim Gyaltsen's and Yulgyal's detention, see Tibetan Centre for Human Rights and Democracy, "Crackdown in Diru Widens: Tibetan Writer and a Former Policeman Detained," 14 October 13.

[130] "Fifteen Tibetans Detained for Pushing for Writer's Release," Radio Free Asia, 8 November 13; Tibetan Centre for Human Rights and Democracy, "No Let-Up in Diru Crackdown: 17 Tibetans Detained as Party Officials Greet Armed Police," 8 November 13.

[131] "China Arrests Woman in Driru, Releases 12 of 15," Phayul, 25 November 13 (lists names of 12 of the 15 detainees); "Tibetan Man Arrested in Driru, Five Released," Phayul, 18 December 13 (lists names of the remaining 3 detainees). For more information, see the Commission's Political Prisoner Database records 2013-00348 on Sarkyi, 2013-00349 on Tsophan, 2013-00350 on Yangkyi, 2013-00351 on Tsering, 2013-00352 on Tsering Phuntsog, 2013-00353 on Tador, 2013-00354 on Kundrag, 2013-00355 on Gabug, 2013-00356 on Tsering Tenpa, 2013-00357 on Thubchen, 2013-00358 on Sota, 2013-00359 on Tsering Jangchub, 2013-00360 on Jigme Phuntsog, 2013-00361 on Lamsang, and 2013-00362 on Tsewang Lhakyab.

[132] Tibetan Centre for Human Rights and Democracy, "Diru Crackdown: Three Tibetans Sent to Prison for up to 13 Years, Singer Gets 9 Years in Prison," 23 December 13. According to TCHRD, police detained Choekyab ("Choekyap") and Tselha in the third week of November 2013 and Trinle Tsekar ("Trinley Tsekar") on November 20.

[133] Tibetan Centre for Human Rights and Democracy, "Diru Crackdown: Three Tibetans Sent to Prison for up to 13 Years, Singer Gets 9 Years in Prison," 23 December 13. According to the TCHRD report, the three men were "charged of instigating one of [2013's] largest protests against Chinese mining activities at the sacred Naglha Dzamba Mountain in Diru County"; the TCHRD report links the quoted text to a May 28, 2013, Radio Free Asia report that states: "As many as 5,000 Tibetans have protested against Chinese mining operations at a site considered sacred by local residents." "Thousands of Tibetans Protest Against Mine," Radio Free Asia, 28 May 13. For more information on the protest, see CECC, Annual Report 2013, 10 October 13, 184. For more information, see the Commission's Political Prisoner Database records 2014-00010 on Choekyab, 2014-00009 on Trinle Tsekar, and 2014-00011 on Tselha.

[134] "China Jails Three Tibetans Over Anti-Mining Protest," Radio Free Asia, 23 December 13 (RFA source: "sentenced for their roles in the protest against Chinese mining activities"); Tibetan Centre for Human Rights and Democracy, "Diru Crackdown: Three Tibetans Sent to Prison for up to 13 Years, Singer Gets 9 Years in Prison," 23 December 13 (TCHRD: sentenced for "allegedly 'attempting to split the Chinese nation'"). The TCHRD report of sentencing for charges related to "separatist activities" may be inaccurate since the case was tried before the Biru (Driru) County People's Court which, by law, cannot try a case involving state security such as separatism. PRC Criminal Procedure Law [Zhonghua renmin gongheguo xingshi susong fa], passed 1 July 79, amended 17 March 96, 14 March 12, effective 1 January 13, art. 20. Article 20 requires an intermediate people's court to "have jurisdiction as courts of first instance" in cases including "cases endangering State security." PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 103 ("splitting the State or undermining unity of the country"). For more information, see the Commission's Political Prisoner Database records 2014-00010 on Choekyab, 2014-00009 on Trinle Tsekar, and 2014-00011 on Tselha.

[135] Tibetan Centre for Human Rights and Democracy, "China Sentences Two Tibetan Village Leaders to 10 Years' Imprisonment in Diru County," 3 April 14; "Tibetan Village Leaders Sentenced for Anti-Flag Campaign," Radio Free Asia (RFA), 4 April 14. Neither the TCHRD or RFA report identified the court or criminal charge(s) against the men. For more information, see the Commission's Political Prisoner Database records 2014-00137 on Ngangdrag and 2014-00135 on Rigsal.

[136] State Council Information Office, "White Paper on Progress in China's Human Rights in 2013," reprinted in Xinhua, 26 May 14.

[137] See United Nations, "International Mother Language Day: 21 February," last visited 29 May 14. According to the UN Web site, the United Nations Educational, Scientific, and Cultural Organization (UNESCO) established International Mother Language Day in November 1999 in order "to promote the preservation and protection of all languages used by peoples of the world." International Mother Language Day has been observed on February 21 since 2000.

[138] "Tibetan Language Promotion Event Blocked by China," Radio Free Asia, 22 April 14. According to the RFA report, the event was to have been held in Songpan (Zungchu) county, Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture, Sichuan province.

[139] "Authorities Concerned Over Popular Tibetan Language, Religious Classes," Radio Free Asia, 21 May 14. According to the RFA report, which used present progressive verb tenses to describe events underway in May 2014, the programs were operating in Ganzi (Kardze) county, Ganzi Tibetan Autonomous Prefecture, Sichuan province.

[140] "Authorities Concerned Over Popular Tibetan Language, Religious Classes," Radio Free Asia, 21 May 14.

[141] "Tibetan Private School Ordered Shut in China's Qinghai Province," Radio Free Asia, 8 May 14. According to the RFA report, the school was located in Jianzha (Chentsa) county, Huangnan (Malho) Tibetan Autonomous Prefecture, Qinghai province. The report implied a link between the alleged political imprisonment of a teacher, Phagpa, and the school's shutdown, but does not provide any details about Phagpa's alleged crime or the reason for the school's closure.

[142] "Tibetan Private School Ordered Shut in China's Qinghai Province," Radio Free Asia, 8 May 14.

[143] "Tibetan Singer Held After Belting Out Song Calling for Language Protection, Radio Free Asia, 26 May 14. According to the RFA report, the concert where Gebe (or Gebhe) performed took place in Songpan (Zungchu) county, Aba (Ngaba) Tibetan and Qiang Autonomous Prefecture. For more information, see the Commission's Political Prisoner Database record 2014-00193 on Gebe.

[144] Amy Qin, "Tibetan Protest Singer Is Said To Be Under Arrest," New York Times, 28 May 14. The New York Times article provides a translation of the song that allegedly resulted in the detention of Gebe (or Gebhe) and cites the translation to Free Tibet. Free Tibet, "Gaybay," last visited 29 May 14. For more information, see the Commission's Political Prisoner Database record 2014-00193 on Gebe.

[145] "While Inspecting Tibet, Yu Zhengsheng Emphatically Says That It Is Necessary To Adhere to a Development Path With Chinese Characteristics and Tibetan Features, Promote Leap-Forward Economic and Social Development and Long-Lasting Stability in Tibet" [Yu zhengsheng zai xizang kaocha diaoyan shi qiangdiao—jianchi zou you zhongguo tese xizang tedian de fazhan luzi—cujin xizang jingji shehui kuayueshi fazhan he changzhi jiu'an], Tibet Daily, 8 August 13 (translated in Open Source Center, 14 August 13). According to Tibet Daily, Yu Zhengsheng, member of the Standing Committee of the Political Bureau of the Communist Party Central Committee, and Chairman of the National Committee of the Chinese People's Political Consultative Conference, stressed that Party members should, among other things, "make more contributions to promoting leap-forward economic and social development and long-lasting stability in Tibet." Xu Wenhui et al., "Theoretical Meanings of the Strategic Thinking of Managing Borders, Stabilizing Tibet" [Zhi bian wen zang zhanlue sixiang de lilun yiyun], Tibet Daily, 17 August 13 (translated in Open Source Center, 26 August 13). The article calls on the Party to ". . . correctly handle the relationship among reform, development, and stability, handle well the relationship among the resource environment, the masses' interests, and economic development, step up social construction efforts, regard livelihoods construction as the top priority in economic and social development, ..."

[146] See, e.g., "Tibetan Mine Protesters Detained in Palyul," Radio Free Asia, 24 April 14; "Tibetans Renew Protest Over Land Seized for Highway," Radio Free Asia, 2 April 14; "Hundreds of Tibetans Protest Land Seizure Over Gold Mining Activities," Radio Free Asia, 22 March 14; "China Jails Three Tibetans Over Anti-Mining Protest," Radio Free Asia, 23 December 13.

[147] See, e.g., "Officials in Tibetan Protest Area Block Investigation by Beijing," Radio Free Asia, 7 November 13; "Chinese Mine Spill Kills Animals, Pollutes Water in Tibetan Area," Radio Free Asia, 18 October 13; "Tibetans Clash with Chinese Poachers in a Protected Zone," Radio Free Asia, 27 August 13.

[148] See, e.g., "China Detains Two Tibetan Activists, Frees Jailed Writer," Radio Free Asia, 14 January 14; "China Jails Three Tibetans Over Anti-Mining Protest," Radio Free Asia, 23 December 13.

[149] "China Detains Four Tibetans for Refusing To Sell Land," Tibet Express, 25 April 14; "Tibetan Mine Protesters Detained in Palyul," Radio Free Asia, 24 April 14; "Tibetans Renew Protest Over Land Seized for Highway," Radio Free Asia, 2 April 14; "Hundreds of Tibetans Protest Land Seizure Over Gold Mining Activities," Radio Free Asia, 22 March 14.

[150] "Hundreds of Tibetans Protest Land Seizure Over Gold Mining Activities," Radio Free Asia, 22 March 14; "Officials in Tibetan Protest Area Block Investigation by Beijing," Radio Free Asia, 7 November 13; "Chinese Mine Spill Kills Animals, Pollutes Water in Tibetan Area," Radio Free Asia, 18 October 13; "Tibetans Clash with Chinese Poachers in a Protected Zone," Radio Free Asia, 27 August 13.

[151] Tibetan Centre for Human Rights and Democracy, "Repression Escalates in Tibet's Diru County: Tibetan Youth Beaten to Death, 2 Others Given Heavy Sentences and Another Disappeared," 7 February 14; "Young Tibetan Mining Protester Dies in Prison After Torture," Radio Free Asia, 6 February 14. The TCHRD and RFA reports cite sources linking Konchog Dragpa's December 2013 detention and death in custody to his protests against environmental damage linked to mining. For more information on Konchog Dragpa, see the Commission's Political Prisoner Database record 2014-00068. Tibetan Centre for Human Rights and Democracy, "Diru Crackdown: Three Tibetans Sent to Prison for up to 13 Years, Singer Gets 9 Years in Prison," 23 December 13; "China Jails Three Tibetans Over Anti-Mining Protest," Radio Free Asia, 23 December 13. The TCHRD and RFA reports cite sources linking the imprisonment of Choekyab, Trinle Tsekar (or "Trinley"), and Tselha to "opposing mining operations deemed harmful to the environment." For more information, see the Commission's Political Prisoner Database records 2014-00010 on Choekyab, 2014-00009 on Trinle Tsekar, and 2014-00011 on Tselha.

[152] "China Detains Two Tibetan Activists, Frees Jailed Writer," Radio Free Asia, 14 January 14. According to the report, public security officials detained Tseten Dondrub on September 18, 2013, and Dzumga on December 25, allegedly because they "opposed Chinese mining operations over environmental concerns." For more information, see the Commission's Political Prisoner Database records 2014-00048 on Tseten Dondrub and 2014-00049 on Dzumga.

[153] "Tibetans Renew Protest Over Land Seized for Highway," Radio Free Asia, 2 April 14; "Hundreds of Tibetans Protest Land Seizure Over Gold Mining Activities," Radio Free Asia, 22 March 14. According to the March RFA report, which cited local sources, Tibetans in Xiahe (Sangchu) county, Gannan (Kanlho) Tibetan Autonomous Prefecture, reportedly protested against "the seizure of farm land for the construction of highways catering to state-linked gold mining and industrial activities that are polluting the environment and destroying livestock."

[154] "China Detains Four Tibetans for Refusing To Sell Land," Tibet Express, 25 April 14; "Tibetan Mine Protesters Detained in Palyul," Radio Free Asia, 24 April 14. According to the RFA report, citing local and exiled sources, on April 21, 2014, public security officials detained four village leaders in Baiyu (Palyul) county, Ganzi (Kardze) Tibetan Autonomous Prefecture, after villagers refused "to sell land to Chinese miners for the excavation of gold in the area." For more information, see the Commission's Political Prisoner Database records 2014-00155 on Thubga, 2014-00156 on Gade, 2014-00157 on Kyamo, and 2014-00158 on Jamyang.

[155] "Tibetan Women Attacked, Beaten at Anti-Mine Rally," Radio Free Asia, 2 July 14. According to the RFA report, "armed police and paramilitary forces" beat "a group of Tibetan women" who were protesting against copper mining on land they regarded as "sacred." Phuntsok Yangchen, "Nine Arrested in Anti-Mining Protests in Dechen County," Phayul, 2 July 14. According to the Phayul report, "around two hundred policemen" came to the protest site and "several Tibetans" were injured; some Tibetans reportedly alleged that the mining was "illegal."

[156] "Tibet Starts Building 5th Civil Airport," Xinhua, 30 April 09. According to the report, "Construction on the 11-billion-yuan [US$1.61 billion] Qinghai-Tibet railway's extension line started in 2008 and was expected to be completed in 2010."

[157] "Xinhua Insight: Tibet's Second Railway Line Opens," Xinhua, 15 August 14. The August 15 Xinhua report stated that the first passenger train to Shigatse ("Xigaze," Rikaze) would depart on "Saturday" (August 16). See also "China Finishes Railway Connecting Lhasa to Shigatse," Xinhua, 13 August 14. The August 13 Xinhua report described the railway as "completed" and stated, "Testing on the line . . . is set to begin soon." (Information was unavailable on whether passenger service was planned to begin before testing was completed.)

[158] "Qinghai-Tibet Railway Ready for Operation on July 1," Xinhua, 29 June 06. According to the Xinhua report, "The Qinghai-Tibet railway stretches 1,956 km from Xining, capital of Qinghai Province, to Lhasa, capital of Tibet Autonomous Region. The 814 km section from Xining to Golmud began operation in 1984." Zhu Zhensheng, the vice director of an office managing the railway, reportedly stated that the railway startup is one year ahead of schedule due to "good construction, environment, and safety conditions."

[159] "Callers Decry Impact of Tibet Railway," Radio Free Asia, 31 July 07 (RFA callers: "wherever you go, you get the impression of overcrowding"; "Chinese migrants were moving fast into formerly Tibetan neighborhoods and businesses"); Tibetan Centre for Human Rights and Democracy, "Tibetan People in Lhasa Reel Under Influx of Chinese Migrants," reprinted in Phayul, 3 August 07 ("thousands of unemployed migrants roamed Lhasa looking for work"; "pressure on the local Tibetans and their day-to-day livelihood"). See also CECC, 2007 Annual Report, 10 October 07, 203–204; "Qinghai-Tibet Railway Statistics Add to Confusion, Mask Impact on Local Population," CECC China Human Rights and Rule of Law Update, February 2008, 4.

[160] See box on "TAR Statistics Show Little Increase in Non-Tibetan Population After Qinghai-Tibet Railway Startup" in Special Topic Paper: Tibet 2008–2009, Congressional-Executive Commission on China, 22 October 09, 45–46.

[161] According to Commission analysis, "Nearly all (89 percent) of TAR population growth from 2005 to 2007 was made up of Tibetans, according to the 2008 TAR yearbook." Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3–4, "Population Nationality," 33. According to Table 3–4, in the period from 2005 to 2007, Tibetan population increased from 2,549,293 to 2,602,788, an increase of 53,495 Tibetans; Han population increased from 104,647 to 110,429, an increase of 5,782 Han. The total TAR population increased by 60,347 persons in the period from 2005 to 2007. Tibetans made up 53,495 (89 percent) of the increase. See Special Topic Paper: Tibet 2008–2009, Congressional-Executive Commission on China, 22 October 09, 45–46.

[162] The national census and provincial annual statistical yearbooks do not use the same method of enumeration. Provincial annual statistical yearbooks rely on data compiled by the local public security bureau. See, e.g., Sichuan Statistical Yearbook 2005 (Beijing: China Statistics Press, 2005), Table 3–1, "Population and Its Composition," 41. A note appended to Table 3–1 states: "Data in this table were taken from the annual reports of the Bureau of Public Security, which were different than from that of permanent residents."

[163] The national census and provincial annual statistical yearbooks do not use the same method of enumeration. The national census uses a method of enumeration (see below) that attempts to record more of the population as present in the locations where they actually are, rather than at the location recorded on their permanent residence registration certificates. See National Bureau of Statistics of China, "Measures for Fifth National Population Census," 23 April 02, chap. 2, art. 7. Article 7 includes instructions that the following persons should be enumerated in the places where they are: "those who have resided in the townships, towns and street communities for more than half a year but the places of their permanent household registration are elsewhere"; "those who have resided in the townships, towns and street communities for less than half a year but have been away from the place of their permanent household registration for more than half a year"; and "those who live in the townships, towns and street communities during the population census but the places of their household registration have not yet settled."

[164] Tabulation on Nationalities of 2000 Population Census of China, Department of Population, Social, Science and Technology Statistics, National Bureau of Statistics, and Department of Economic Development, State Ethnic Affairs Commission (Beijing: Ethnic Publishing House, September 2003), Table 10–1. According to Table 10–1, in 2000, the national census recorded 158,570 Han in the TAR. Tibet Statistical Yearbook 2008 (Beijing: China Statistics Press, June 2008), Table 3–4, "Population Nationality," 33. According to Table 3–4, in 2007 there were 110,429 Han in the TAR.

[165] Commission staff verified that Tibet Statistical Yearbooks did not contain county-level population statistics after the 2009 edition.

[166] In addition to the 385 Tibetans detained on or after March 10, 2008, whom courts sentenced to imprisonment, are 8 Tibetans believed charged with a crime (and who may face trial);

6 Tibetans believed charged and tried (and who may have been sentenced); and 1 Tibetan who was charged and released.

[167] In addition to the 621 Tibetan political prisoners believed or presumed to be currently detained or imprisoned and who were detained on or after March 10, 2008, the Commission's Political Prisoner Database recorded, as of September 1, 2014, another 1,112 Tibetan political prisoners detained or imprisoned on or after March 10, 2008, who are believed or presumed to have been released, or who reportedly escaped or died.

[168] Tibetan Buddhists believe that a *trulku* is a teacher who is a part of a lineage of teachers that are reincarnations.

[169] Of the 167 fixed terms of imprisonment, 165 were judicial sentences ranging from 1 year and 6 months to 20 years, and 2 were periods of reeducation through labor of 2 years.

[170] PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 50. A sentence of death with a two-year reprieve may be commuted to life imprisonment upon expiration of the two-year reprieve if a prisoner "commits no intentional crime" during the reprieve. If a prisoner "has truly performed major meritorious service," then the sentence may be commuted to a fixed-term sentence of 25 years upon expiration of the two-year reprieve. If the prisoner "has committed an intentional crime" during the period of suspension, the death penalty "shall be executed upon verification and approval of the Supreme People's Court."

Notes to Section VI—Developments in Hong Kong and Macau

[1] Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, passed 4 April 90, effective 1 July 97, arts. 2 ("high degree of autonomy"), 27 (freedoms of speech and assembly), 32 (freedom of religion), 39 (applicability of ICCPR).

[2] Ibid., arts. 45 (Chief Executive), 68 (Legislative Council).

[3] Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, passed 4 April 90, effective 1 July 97, art. 45, annex I, Instrument 2.

[4] Ibid., art. 45, annex I, Instrument 2; Legislative Council of the Hong Kong Special Administrative Region, Legislative Council Ordinance, reprinted in Department of Justice Bilingual Laws Information Systems, 1 October 12, chap. 542, sec. 20; Tanna Chong, "Legco Election 2016: How a Handful of Voters Elect 30 Hong Kong Lawmakers," South China Morning Post, 6 February 14.

[5] Freedom House, "Freedom in the World 2014—Hong Kong," last visited 6 September 14. See also Te-Ping Chen, "Beijing Debate Stirs Hong Kong Poll," Wall Street Journal, 6 September 12; "Hong Kong's Pro-Democracy Parties Fail To Capitalize on Anti-Beijing Mood in Key Vote," Associated Press, reprinted in Washington Post, 10 September 12.

[6] Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, passed 4 April 90, effective 1 July 97, art. 68, annex II; Tanna Chong, "Legco Election 2016: How a Handful of Voters Elect 30 Hong Kong Lawmakers," South China Morning Post, 6 February 14; Stuart Lau, "Can Trade-Based Seats Continue To Function?" South China Morning Post, 8 February 14.

[7] Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, passed 4 April 90, effective 1 July 97, art. 45.

[8] Gary Cheung, "Chief Executive Voting Method Could Change After 2017, Says Mainland Expert," South China Morning Post, 11 March 14; Jeffie Lam et al., "Scholars Call for Bigger Nominating Committee That Would Represent More Voters," South China Morning Post, 30 April 14.

[9] CY Leung, Chief Executive of the Hong Kong Special Administrative Region, "Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on Whether There Is a Need To Amend the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region in 2017 and for Forming the Legislative Council of the Hong Kong Special Administrative Region in 2016," 15 July 14, sec. 11(v); Chris Buckley and Alan Wong, "Hong Kong Leader Says 'Mainstream' Opposes Democracy Activists' Key Proposal," New York Times, 15 July 14; Carrie Lam, "The Rules for Hong Kong Electoral Reform," Wall Street Journal, 27 July 14.

[10] Jeffie Lam, "Beijing's Reform Guidelines May Set Out Definition of 'Democratic,' Candidate Numbers," South China Morning Post, 17 July 14; Tanna Chong, "Let's Do a Deal, FTU Chief Tells Pan-Dems," South China Morning Post, 31 May 14; Jeffie Lam, "Universal Suffrage Without Genuine Choice Is Meaningless, Says Democracy Academic Larry Diamond," South China Morning Post, 27 March 14.

[11] Jeffie Lam et al., "Scholars Call for Bigger Nominating Committee That Would Represent More Voters," South China Morning Post, 30 April 14.

[12] Alliance for True Democracy, "Chief Executive Election Plan," last visited 15 August 14.

[13] James Pomfret, "China Parliament Head Warns of Western-Style Democracy for Hong Kong," Reuters, 6 March 14; Tony Cheung and Tanna Chong, "Beijing's Words Will Not Halt Occupy Central's Plan, Says Organiser Benny Tai," South China Morning Post, 10 March 14.

[14] "State Council Hong Kong-Macau Office Chief: Chief Executive Loving the Country and Hong Kong is Basic Political Principle" [Guowuyuan gang'ao ban zhuren: teshou ai guo ai gang shi jiben zhengzhi lunli], People's Daily, 15 April 14. See also Gary Cheung, "Beijing 'Set To Take Hard Line on Hong Kong's 2017 Chief Executive Election,'" South China Morning Post, 14 August 14.

[15] Fanny Fung, "HK$13.8m Buys 'Successful Future' Calligraphy by Beijing's Top Representative in Hong Kong," South China Morning Post, 17 April 14.

[16] State Council Information Office, "White Paper on the Practice of 'One Country, Two Systems' in Hong Kong (Full Text)" ["Yiguo liangzhi" zai gang shijian baipishu (quanwen)], reprinted in Xinhua, 10 June 14; Hong Kong Information Services Department, "High Degree of Autonomy Assured: CE," 10 June 14; Chester Yung, "China Reminds Hong Kong of Its Control," Wall Street Journal, 10 June 14.

[17] CY Leung, Chief Executive of the Hong Kong Special Administrative Region, "Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on Whether There Is a Need To Amend the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region in 2017 and for Forming the Legislative Council of the Hong Kong Special Administrative Region in 2016," 15 July 14, sec. 11(v); Chris Buckley and Alan Wong, "Hong Kong Leader Says 'Mainstream' Opposes Democracy Activists' Key Proposal," New York Times, 15 July 14.

[18] Chris Buckley and Alan Wong, "Hong Kong Leader Says 'Mainstream' Opposes Democracy Activists' Key Proposal," New York Times, 15 July 14; "Hong Kong's Report to Beijing on Democracy Sparks Anger," Radio Free Asia, 15 July 14; Michael C. Davis, "Public Opinion Hijacked in CY Leung's Electoral Reform Report," South China Morning Post, 17 July 14.

[19] Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016, reprinted in Xinhua, adopted 31 August 14.

[20] Michael Martina and James Pomfret, "Hong Kong Braces for Protests as China Rules Out Full Democracy," Reuters, 31 August 14; Chris Buckley and Michael Forsythe, "China Restricts Voting Reforms for Hong Kong," New York Times, 31 August 14; Tania Branigan, "Hong Kong Activists Vow To Take Over Financial Centre in Election Protest," Guardian, 31 August 14.

[21] Chris Buckley and Michael Forsythe, "China Restricts Voting Reforms for Hong Kong," New York Times, 31 August 14; Tania Branigan, "Hong Kong Activists Vow To Take Over Financial Centre in Election Protest," Guardian, 31 August 14; Joyce Ng et al., "Pan-Democratic Parties Threaten To Boycott Electoral Reform Consultation," South China Morning Post, 6 September 14.

[22] Michael Martina and James Pomfret, "Hong Kong Braces for Protests as China Rules Out Full Democracy," Reuters, 31 August 14; "Official Statement of Occupy Central with Love and Peace in Response to the Decision of the National People's Congress Standing Committee on Hong Kong's Constitutional Reform" [Heping zhan zhong huiying renda changweihui dui xianggang zheng gai de jueding], Occupy Central with Love and Peace, 31 August 14; Michael Forsythe and Chris Buckley, "Democracy Backers in Hong Kong Face Tough Choices," New York Times, 1 September 14.

[23] Michael Davis, "Beijing Has Failed To Honour Its Promise to Hong Kong," South China Morning Post, 4 September 14; Jeffie Lam, "'A Sad Day for Hong Kong and Democracy': Scholar Slams Beijing's Reform Plan," South China Morning Post, 2 September 14; Joyce Ng, "Barristers Question Legality of Beijing's Model for Reform," South China Morning Post, 3 September 14.

[24] Joyce Ng et al., "Pan-Democratic Parties Threaten To Boycott Electoral Reform Consultation," South China Morning Post, 6 September 14.

[25] Ada Lee et al., "Legal Sector Plans March To Protest Against Beijing's 'Worrying' White Paper," South China Morning Post, 19 June 14; "Lawyers To Hold 'Silent March,'" Radio Television Hong Kong, 19 June 14; Edward Ngai and Chester Yung, "Hong Kong Lawyers March for Judicial Independence," Wall Street Journal, 27 June 14.

[26] Michael Forsythe et al., "In Hong Kong, an Unofficial Election Draws Beijing's Ire," New York Times, 20 June 14; Tony Cheung et al., "Alliance for True Democracy Proposal Wins Occupy Central Poll as Nearly 800,000 Hongkongers Vote," South China Morning Post, 30 June 14.

[27] Jeffie Lam, "Occupy Central's Third 'Deliberation Day' Slated for May 6," South China Morning Post, 4 April 14; "Hackers Frantically Attack Simulation of Referendum App" [Heike fengkuang gongji moni toupiao App], Apple Daily, 16 June 14; "Hackers Paralyse Web Voting Platform," Radio Television Hong Kong, 17 June 14; Jeffie Lam, "Electoral Reform Referendum Voting Hours To Be Extended After Cyberattacks," South China Morning Post, 18 June 14; Tony Cheung et al., "Alliance for True Democracy Proposal Wins Occupy Central Poll as Nearly 800,000 Hongkongers Vote," South China Morning Post, 30 June 14; Chris Buckley, "Hong Kong Poll Turnout Buoys Democracy Activists," New York Times, 29 June 14.

[28] Tony Cheung and Tanna Chong, "Beijing's Words Will Not Halt Occupy Central's Plan, Says Organiser Benny Tai," South China Morning Post, 10 March 14.

[29] "Annual March Biggest in Recent Years, With the Focus Democracy in 2017," South China Morning Post, 2 July 14; Chester Yung et al., "Hong Kong Democracy Protest: Thousands March Through City," Wall Street Journal, 1 July 14.

[30] Emily Tsang and Jessie Lau, "Police Accused of Heavy-Handed Treatment of Protesters Arrested After July 1 March," South China Morning Post, 2 July 14; "In Clearing Area, Police Recklessly Grab Necks and Heads, Bend Wrists—Police: No Other Choice" [Jing qingchang siyi gu jing zhua tou qu shou jingfang: bie wu xuanze], Apple Daily, 2 July 14.

[31] Edward Ngai, "Hong Kong's Pro-Beijing Crowd Occupies Itself With Own March," Wall Street Journal, China Real Time Report (blog), 17 August 14.

[32] Ibid.; Alan Wong, "After Hong Kong March, Speculation Over Payments and Motivations," New York Times, Sinosphere (blog), 18 August 14; "Mainlanders Take to Streets in Hong Kong Looking for Money" [Neidi ren lai gang shangjie wen qian], Apple Daily, 18 August 14; "Group Exposed in Paying Marchers 250 Dollar Travel Allowance" [Tuanti bei jie xiang youxingzhe pai 250 chemafei], i-Cable, 17 August 14.

[33] See, e.g., Hong Kong Journalists Association, "First Hong Kong Press Freedom Index Announced," 23 April 14; Sarah Hoffman, PEN American Center, "Attacks and Censorship in Hong Kong," 25 March 14; International Federation of Journalists, "Back to a Maoist Future: Press Freedom in China 2013," January 2014, 38–39, 41–42, 44–47; Michael Forsythe and Neil Gough, "Hong Kong Media Worries Over China's Reach as Ads Disappear," New York Times, 11 June 14; Lin Yi and Li Zhen, "Heat Turned Up on Hong Kong's Apple Daily, as Advertisers Withdraw," Epoch Times, 29 January 14.

[34] Reporters Without Borders, "World Press Freedom Index 2014," February 2014; Stuart Lau, "Beijing Blamed as Hong Kong's Press Freedom Declines," South China Morning Post, 13 February 14.

[35] Phila Siu, "One in Two Believe Hong Kong's News Is Censored, as Faith in Media Hits New Low," South China Morning Post, 6 November 13; Public Opinion Programme, University of Hong Kong, "HKU POP Releases People's Appraisal of Local News Media," 22 April 14.

[36] Chris Buckley and Gerry Mullany, "Hong Kong Paper Ousts Top Editor, Stirring Concern," New York Times, 30 January 14.

[37] Clifford Lo et al., "Former Ming Pao Editor Kevin Lau Fights for Life After Triad-Style 'Hit' in Sai Wan Ho," South China Morning Post, 26 February 14; Te-Ping Chen and Chester Yung, "Hong Kong Journalist's Condition Stabilized Day After Attack," Wall Street Journal, 27 February 14; Juliana Liu, "Is Hong Kong's Media Under Attack?" BBC, 11 March 14.

[38] Austin Ramzy, "Assault on Hong Kong Media Executives Adds to Press Freedom Concerns," New York Times, 20 March 14.

[39] Phila Siu and Lo Wei, "Attack on Ming Pao Editor Latest of Several on Hong Kong Journalists," South China Morning Post, 27 February 14; Te-Ping Chen and Chester Yung, "Hong Kong Journalist's Condition Stabilized Day After Attack," Wall Street Journal, 27 February 14.

[40] Tsoi Tung-ho, "House News" [Zhuchang xinwen], House News, 26 July 14; Shirley Zhao and Gary Cheung, "Pro-Democracy Website House News Closes, Citing Political Pressure, Low Revenue," South China Morning Post, 27 July 14.

[41] Ibid.; "HK Pro-Democracy News Site Folds, Citing Pressure," Associated Press, 28 July 14.

[42] Jeffie Lam, "Beijing Trying To Curb Press Freedom, Says AM730 Founder Shih Wing-ching," South China Morning Post, 15 January 14; Jeffie Lam, "AM730 Says Paper Will Suffer if All Mainland-Backed Firms Pull Adverts," South China Morning Post, 17 January 14; Lin Yi and Li Zhen, "Heat Turned Up on Hong Kong's Apple Daily, as Advertisers Withdraw," Epoch Times, 29 January 14; Li Xueying, "Hong Kong Media Gives Beijing Poor Press," Straits Times, 29 January 14; Stuart Lau, "Media Pundits Form Free Speech Group," South China Morning Post, 21 February 14; Michael Forsythe, "Q. and A.: Anson Chan on Beijing's Pressure Tactics in Hong Kong," New York Times, Sinosphere (blog), 12 June 14; Michael Forsythe and Neil Gough, "Hong Kong Media Worries Over China's Reach as Ads Disappear," New York Times, 11 June 14.

[43] Committee to Protect Journalists, "Journalists in Hong Kong and Taiwan Battle Beijing's Influence," last visited 19 June 14; Asia Sentinel, "Hong Kong: China's Obstreperous Adoptee," 7 April 14.

[44] Stuart Lau et al., "Former Commercial Radio Host Li Wei-ling Blames CY Leung for Her Dismissal," South China Morning Post, 14 February 14; Stuart Lau, "Commercial Radio Refutes Sacked Host Li Wei-ling's Political Pressure Claim," South China Morning Post, 15 February 14; Tanna Chong, "Commercial Radio Boss Plays Down Threat To 'Fire' Presenter Li Wei-ling," South China Morning Post, 13 February 14; Stuart Lau, "No Backing Down for Fiery Radio Host Amid Reshuffle," South China Morning Post, 9 December 13.

[45] Office of the Ombudsman, "The Access to Information Regime in Hong Kong," March 2014, 2; Office of the Ombudsman, "Public Records Management in Hong Kong," March 2014, 2.

[46] Ibid.

[47] Basic Law of the Macao Special Administrative Region of the People's Republic of China, passed 31 March 93, effective 20 December 99, art. 40 (". . . the provisions of International Covenant on Civil and Political Rights [. . .] as applied to Macao shall remain in force and shall be implemented through the laws of the Macao Special Administrative Region"); International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 25. Although Macau made a reservation to Article 25(b) of the ICCPR, which guarantees the rights "to vote and to be elected . . . by universal and equal suffrage . . .," the UN Human Rights Committee urged Macau "to consider steps leading to withdrawing the reservation." See UN Human Rights Committee, International Covenant on Civil and Political Rights, Concluding Observations on the Initial Report of Macao, China, Adopted by the Committee at its 107th Session (11–28 March 2013), CCPR/C/CHN–MAC/CO/1, 29 April 13, para. 15; UN Human Rights Committee, Concluding Observations on the Initial Report of Macao, China, Addendum, Information Received from Macao, China on Follow-up to the Concluding Observations, CCPR/C/CHN–MAC/CO/1/Add.1, 9 April 14, para. 1.

[48] UN Human Rights Committee, Concluding Observations on the Initial Report of Macao, China, adopted by the Committee at its 107th Session (11–28 March 2013), CCPR/C/CHN–MAC/CO/1, 29 April 13, para. 7.

[49] International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2220A (XXI) of 16 December 66, entry into force 23 March 76, art. 19(2); UN Human Rights Committee, Concluding Observations on the Initial Report of Macao, China, Adopted by the Committee at its 107th Session (11–28 March 2013), CCPR/C/CHN–MAC/CO/1, 29 April 13, para. 15; New Macau Association, "Human Rights Issues in Macau 2013," December 2013, 2–4; Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, "Country Report on Human Rights Abuses—2013, China (Includes Tibet, Hong Kong, and Macau)," 27 February 14; International Federation of Journalists, "Back to a Maoist Future: Press Freedom in China 2013," January 2014, 51–53; "TDM Presenters Reprimanded for Wearing Black Clothing" [Ao shi zhuchi chuan hei yi zao zhao fei], Apple Daily, 6 June 14.

[50] "Beijing Gives Political Reform the Thumbs Up," Macau Business, 2 July 12.

[51] Ibid.; Viviana Sequi, "Electoral Laws Get Final Approval," Macau Daily Times, 30 August 12.

[52] International Foundation for Electoral Systems Election Guide, "Macau Legislative Council 2013," 15 September 13; "Democrats Lose Out in Macau Elections," Agence France-Presse, reprinted in Fox News, 16 September 13.

[53] "Campaign for Electoral College Members Kicks Off June 14," Macau Daily Times, 4 June 14; "Oath of Fairness on CE Election," Macau Daily Times, 1 April 14; Stuart Lau, "Macau's Fernando Chui Re-Elected Chief Executive in Unopposed Poll," South China Morning Post, 1 September 14.

[54] "CE Election: Chui Sai On Running Uncontested," Macau Daily Times, 1 August 14; "Beijing Gives Political Reform the Thumbs Up," Macau Business, 2 July 12.

[55] Electoral Affairs Commission on the Civil Referendum on Chief Executive Election 2014, "Public Consultation on the Implementation of the Civil Referendum 2014 on Chief Executive Election," last visited 7 July 14; Farah Master, "Now Macau Activists Plan Democracy Poll in New Headache for China," Reuters, 8 July 14; Jeffie Lam, "Occupy-Style Public Vote on Universal Suffrage To Be Held in Macau," South China Morning Post, 8 July 14.

[56] Macau Government Information Bureau, "SAR Government Issues Stern Statement on So-Called 'Referendum'" [Tequ zhengfu jiu suowei "gongtou" zuochu yanzheng shengming], 8 July 14; "Referendum 'Violates Basic Law,' Says Zhang Dejiang" [Referendo "viola lei básica," diz zhang dejiang], Jornal Tribuna de Macau, 30 July 14; André Jegundo and Viviana Chan, "Liaison Office Rejects 'Right' to 'Referendum Regime'" [Gabinete de ligação rejeita "direito" a "regime de referendo"], Jornal Tribuna de Macau, 10 July 14; "Florinda Chan Emphasizes That 'Laws of Macau Do Not Permit Referendum'" [Florinda chan frisa que "leis de macau não permitem referendo"], Jornal Tribuna de Macau, 11 July 14.

[57] "Referendum 'Violates Basic Law,' Says Zhang Dejiang" [Referendo "viola lei básica," diz zhang dejiang], Jornal Tribuna de Macau, 30 July 14.

[58] Catarina Pinto and João Pedro Lau, "Jason Chao and Referendum Volunteers Detained Over Alleged Privacy Breach," Macau Daily Times, 25 August 14; Stephanie Lai, "Pro-Democrats Detained," Macau Business Daily, 25 August 14; "Macau Police Arrest 5 Over Informal Democracy Poll," Associated Press, 25 August 14.

[59] Edward Ngai, "Five Arrested After Macau Attempts Hong Kong-Style Democracy Poll," Wall Street Journal, China Real Time (blog), 25 August 14; João Pedro Lau, "GPDP Roasted for Explanation of Alleged Law Violation," Macau Daily Times, 25 August 14.

[60] International Federation of Journalists, "Political Motive Suggested in Arrest of Macau Journalists," 3 September 14; Viviana Chan, "Jason Chao Is Also Suspect in 'Macau Concealers' Case" [Jason Chao também é suspeito no caso "macau concealers"], Jornal Tribuna de Macau, 2 September 14. As cause for the journalists' detentions, the Judiciary Police cited the posting to Facebook of a photograph of a Judiciary Police (PJ) officer's ID card (with the name not visible) in front of the civil referendum Web site and a statement from the unnamed PJ officer in support of the referendum.

[61] Viviana Chan, "Jason Chao Is Also Suspect in 'Macau Concealers' Case" [Jason chao também é suspeito no caso "macau concealers"], Jornal Tribuna de Macau, 2 September 14; Catarina Pinto, "Unofficial Referendum: 'I Don't Think I'm Safe in Macau,' Says Jason Chao," Macau Daily Times, 3 September 14.

[62] See, e.g., Catarina Pinto, "'Self-Censorship Seems Very Common on TDM's Chinese Channel,' says Jason Chao," Macau Daily Times, 7 April 14; Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, "Country Report on Human Rights Abuses—2013, China (Includes Tibet, Hong Kong, and Macau)," 27 February 14; International Federation of Journalists, "Back to a Maoist Future: Press Freedom in China 2013," January 2014, 51–53; "Local Journalists Hold Silent Protest," Macau Daily Times, 3 March 14; "Deputies Seek Explanation from TDM" [Deputados pedem explicações à TDM], Jornal Ponto Final, 9 June 14; "TDM Presenters Reprimanded for Wearing Black Clothing" [Ao shi zhuchi chuan hei yi zao zhao fei], Apple Daily, 6 June 14.

[63] Stephanie Lai, "Gov't To Resolve Mixed TV Signals," Macau Business Daily, 7 April 14; "Lau Si Io Says Gov't and Cable TV Finalizing Agreement," Macau Daily Times, 9 April 14; "Macau Cable To Get a 5-Year Contract," Macau Daily Times, 15 April 14; Stephanie Lai, "All the Right Signals," Macau Business Daily, 15 April 14; Catarina Pinto, "DSRT Reaffirms Liberalization of TV Services But Provides No Timeframe," Macau Daily Times, 17 April 14.

[64] Paulo Coutinho and João Pedro Lau, "Eric Sautede: USJ Alumni Demand Reinstatement of Sacked Scholar," Macau Daily Times, 7 July 14; "Beijing's Censorship and Macau Universities," AsiaNews, 23 July 14.

[65] Raquel Carvalho, "Hong Kong, Macau Academics Seek Meeting Over Firing of Eric Sautede," South China Morning Post, 29 July 14.

[66] Raquel Carvalho, "Macau Academic Sacked for 'Imposing His Political Beliefs on Students,'" South China Morning Post, 18 August 14; Austin Ramzy, "Macau Scholar Says He Lost His Job Over Pro-Democracy Activism," New York Times, Sinosphere (blog), 18 August 14.

[67] Catarina Pinto, "UM Accuses Bill Chou of Undermining University's Reputation," Macau Daily Times, 20 August 14.

[68] Austin Ramzy, "Macau Scholar Says He Lost His Job Over Pro-Democracy Activism," New York Times, Sinosphere (blog), 18 August 14.

[69] Toh Han Shih and Niall Fraser, "Mainland Crackdown on Illegal Use of Payment Cards in Macau Casinos," South China Morning Post, 8 May 14; Tony Lai, "Cards Fall Wrong Way," Macau Business Daily, 9 May 14; Muhammad Cohen, "Junkets Keep Mainland Money Flowing Into Macau's Coffers," Forbes, 1 April 14.

[70] Muhammad Cohen, "Junkets Keep Mainland Money Flowing Into Macau's Coffers," Forbes, 1 April 14.

[71] James Pomfret, "Special Report—How China's Official Bank Card Is Used To Smuggle Money," Reuters, 12 March 14.

[72] "Two Suspects Detained Over UnionPay Case," Macau Daily Times, 24 March 14; "UnionPay International To Strengthen Multi-Party Linkage and Ensure Cross-Border Payment Security," UnionPay International, last visited 11 July 14; Demetri Sevastopulo, "Macau and Credit Card Group Crack Down on Illegal Transactions," Financial Times, 8 May 14; Farah Master, "Macau Authorities, UnionPay Target Illegal Transactions," Reuters, 8 May 14; Vinicy Chan, "Macau Casino Companies Decline on Card-Swipe Crackdown," Bloomberg, 8 May 14.

[73] "Two Million Enter Macau Using Travel Loophole," Macau Daily Times, 7 May 14; "Macau Cracks Down on Mainlanders' 'Fake Transit, Actually Gambling' Behavior" [Aomen daji dalu ren "jia guojing, shi dubo" xingwei], Radio Free Asia, 9 May 14; Tiffany Ap et al., "Macau Tightens Restriction on Mainland Chinese Tourists," South China Morning Post, 18 June 14; Stephanie Lai, "Tougher Transit Rules," Macau Business Daily, 17 June 14; "Macau's Gambling Revenue Posts First Decline in Five Years," Want China Times, 5 July 14.

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