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COMMISSION STAFF

Jonathan Stivers, *Staff Director*
Peter Mattis, *Deputy Staff Director*

STATEMENT FROM THE CHAIRS

The Congressional-Executive Commission on China (Commission) was established by the U.S.-China Relations Act of 2000 (Public Law No. 106–286) as the People's Republic of China (PRC) prepared to enter the World Trade Organization.

The Commission is mandated by law to issue an annual report to the President and the Congress focusing on whether the acts of the PRC are in compliance with or in violation of internationally recognized human rights, including the rights to free expression, peaceful assembly, and religious belief and practice, as well as any progress or regression on the development of the rule of law. The Commission is also mandated to maintain a database of political prisoners in China—individuals who have been detained or imprisoned for exercising their internationally recognized civil and political rights, as well as rights protected by China's Constitution and other domestic laws.

The Commission's 2020 Annual Report covers the period from July 1, 2019 to July 1, 2020. As discussed in the subsequent chapters of this report, the Chinese government and Communist Party have taken unprecedented steps in the last year to extend their repressive policies through censorship, intimidation, and the detention of individuals and groups for exercising their fundamental human rights, especially in the Xinjiang Uyghur Autonomous Region (XUAR) and Hong Kong.

In recent years, the Commission has become increasingly concerned that the Chinese government and Party have expanded their human rights violations around the world, even reaching the American people. These efforts include threatening and intimidating critics, blocking social media content, pressuring publishers to censor their content in China, influencing academic institutions to the detriment of academic freedom, interfering in multilateral institutions, and pressuring U.S. and international companies to suppress practices that do not conform to the political narratives and demands of Chinese officials.

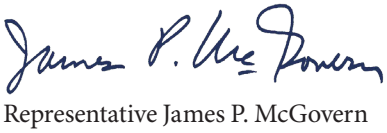
The Commission has contributed to bringing these issues to light with a series of hearings on the Chinese government's "long arm of authoritarianism." Building on this initiative, we are pleased that the 2020 Annual Report includes a new chapter on the Chinese government's human rights violations in the United States and globally, along with a new set of policy recommendations.

Another key part of the Commission's mandate is to provide recommendations for legislative and executive action. In addition to the recommendations contained in this report, the Commission drafted, edited, and provided support for key legislative initiatives including the Hong Kong Human Rights and Democracy Act, the PROTECT Hong Kong Act, the Hong Kong Autonomy Act, the Uyghur Human Rights Policy Act, the Tibetan Policy and Support Act, the Uyghur Forced Labor Prevention Act, and many other House and Senate bills and resolutions related to China and human rights. We are proud of the role the Commission played in moving each of these initiatives forward in Congress.

During the 116th Congress, the Commission held hearings on "Hong Kong's Future in the Balance: Eroding Autonomy and Challenges to Human Rights," "Tiananmen at 30: Examining the Evolution of Repression in China," "Hong Kong's Summer of Discontent and U.S. Policy Responses," "Forced Labor, Mass Internment, and Social Control in Xinjiang," and "The Human Rights Situation in Tibet and the International Response." The Commission also held a town hall event in New York City with Tibetan communities from New York and New Jersey on "U.S. Policy on Tibet and Critical Issues Prevailing Inside Tibet," and a roundtable on "Global Supply Chains, Forced Labor, and the Xinjiang Uyghur Autonomous Region."

The Commission regularly holds congressional briefings and meetings with U.S. and international non-governmental organizations, journalists, and academics, and Chinese, Tibetan, Hong Kong, and Uyghur human rights advocates. We have also met with family members of individuals detained and imprisoned in China; many of these individuals' cases are available in the Commission's Political Prisoner Database.

As legislative and executive branch decisionmakers seek a more effective strategy for promoting human rights and the rule of law in China, the Commission plays an essential role in reporting on conditions, raising awareness of human rights violations, and informing U.S. policy. We are grateful for the opportunity to serve as the Commission Chair and Co-Chair, and we appreciate the attention of the U.S. Congress and Administration to the issues highlighted in this report.



Representative James P. McGovern
Chair

Senator Marco Rubio
Co-Chair

OVERVIEW

Over the last year, the Congressional-Executive Commission on China (Commission) found that the Chinese government and Communist Party have taken unprecedented steps to extend their repressive policies through censorship, intimidation, and the detention of people in China for exercising their fundamental human rights. Nowhere is this more evident than in the Xinjiang Uyghur Autonomous Region (XUAR) where new evidence emerged that crimes against humanity—and possibly genocide—are occurring, and in Hong Kong, where the "one country, two systems" framework has been effectively dismantled.

These policies are in direct violation of China's Constitution, which guarantees "freedom of speech, of the press, of assembly, of association, of procession and of demonstration," as well as "freedom of religious belief." The actions of the Chinese government also contravene both the letter and the spirit of the Universal Declaration of Human Rights; violate its obligations under the International Covenant on Civil and Political Rights, which the Chinese government has signed but not ratified; and violate the International Covenant on Economic, Social, and Cultural Rights, ratified in 2001. Further, the Chinese government has abandoned any pretense of adhering to the legally binding commitments it made to the international community when it signed the 1984 Sino-British Joint Declaration on the future of Hong Kong.

President and Party General Secretary Xi Jinping has tightened his grip over China's one-party authoritarian system, and the Party has further absorbed key government functions while also enhancing its control over universities and businesses. Authorities promoted the official ideology of "Xi Jinping Thought" on social media and required Party members, government officials, journalists, and students to study it, making the ideology both pervasive, and for much of the country, mandatory.

In the **Xinjiang Uyghur Autonomous Region (XUAR)**, it is now estimated that up to 1.8 million Uyghurs, Kazakhs, Kyrgyz, Hui, and others have been arbitrarily detained in a system of extrajudicial mass internment camps where they are subjected to forced labor, torture, and political indoctrination. In the last year, leaked Chinese government documents provided additional evidence that the mass internment camp system was organized at the direction of top Party officials and confirmed the prevalence of the use of coercive force and punishment for inmates.

Forced labor in the XUAR is widespread and systematic and exists within the mass internment camps and elsewhere throughout the region, as part of a targeted campaign of repression against Turkic and Muslim minorities. These facts are confirmed by the testimony of former camp detainees, satellite imagery, media reports, and leaked government documents. Many U.S., international, and Chinese companies are increasingly at risk of complicity in the exploitation of forced labor involving Uyghurs and other predominantly Muslim minorities.

In last year's annual report, the Commission stated that the situation in the XUAR may constitute crimes against humanity as outlined in Article 7(1) of the Rome Statute of the International Criminal Court. In March 2020, the Simon-Skjodt Center for the Prevention of Genocide at the United States Holocaust Memorial Museum stated that there is a "reasonable basis to believe the government of China is committing crimes against humanity" in the XUAR.

Disturbing new evidence has also emerged of a systematic and widespread policy of forced sterilization and birth suppression of the Uyghur and other minority populations. Further, an official XUAR policy document from 2017 stated that nearly half a million middle and elementary school-age children in the XUAR were attending boarding schools, many of whom were involuntarily separated from their families. These trends suggest that the Chinese government is intentionally working to destroy Uyghur and other minority families, culture, and religious adherence, all of which should be considered when determining whether the Chinese government is responsible for perpetrating atrocity crimes—including genocide—against Uyghurs, Kazakhs, and other Turkic and predominantly Muslim ethnic minorities in China.

In **Hong Kong**, the "one country, two systems" framework has been dismantled, severely undermining the rule of law and respect for human rights that the territory has long enjoyed. The political turmoil in Hong Kong over the past year is the result of the Hong Kong and Chinese governments' refusal to address the legitimate demands of the Hong Kong people that excessive police violence against peaceful protesters be stopped and investigated. Authorities arrested pro-democracy leaders, prevented journalists from reporting, applied political pressure on the judiciary, and allowed the Hong Kong Police Force to grow increasingly abusive toward non-violent protesters.

Instead of reducing tensions, the Chinese government bypassed Hong Kong's Legislative Council to impose national security legislation that directly threatens Hong Kong residents' right to due process, as well as their freedoms of expression and association. The legislation is clearly meant to target, intimidate, and silence Hong Kong's robust civil society, including the many organizations that have advocated for human rights in mainland China from the relative safety of Hong Kong.

Despite these challenges, the spirit of democracy and human rights remains strong in Hong Kong. Hundreds of thousands gathered in Victoria Park to commemorate the 31st anniversary of the 1989 Tiananmen protests, even though the Hong Kong Police Force refused to authorize the annual candlelight vigil.

Chinese officials continue to avoid transparency and accountability to the families of those killed, tortured, imprisoned, or exiled for their participation in the pro-democracy demonstrations in **Tiananmen Square** and throughout China during the spring of 1989. The Tiananmen Mothers, a group in China composed of parents and family members of individuals killed, annually call for justice, truth, and accountability about the massacre.

In **Tibet**, the Chinese government continued—as it has for over a decade—to block dialogue with the Dalai Lama, his representatives, or the Central Tibetan Administration toward a negotiated agreement. Religious freedom continued to be severely curtailed as new measures have been implemented to manage and shape Tibetan Buddhism as part of the policy of "sinicizing religion." Chinese officials continued to claim that they have the sole authority to select the next reincarnation of the Dalai Lama, in violation of the religious freedom of the Tibetan Buddhist community. In the Tibet Autonomous Region, new regulations on "ethnic unity" were passed this year that mandate acceptance and promotion of government ethnic and religious policy.

It has been 25 years since **Gedun Choekyi Nyima**, the 11th Panchen Lama, was abducted along with his parents and forcibly disappeared. Since then, they have not been seen or heard from by anyone outside China, and to this day they remain among the world's longest detained political and religious prisoners. The members of the Commission continue to call for their immediate and unconditional release.

The outbreak of **COVID–19** in Wuhan municipality, Hubei province, in late 2019 caused incalculable suffering for the people of China and presented a major challenge to the Chinese Communist Party's leadership. The strategy employed by the Chinese government in response to the pandemic echoed its responses to other domestic and international challenges. Chinese officials used the heavy hand of repression, censorship, and secrecy to control the public narrative in a manner designed to preserve the political legitimacy of the Party. Attempts to minimize the severity of the outbreak by censoring vital information and silencing doctors exacerbated the spread of COVID–19 in China and around the world. Instead of providing a full and transparent accounting of the emergence of the novel coronavirus in China, the Chinese government pushed back against calls for an independent international investigation.

The Chinese government continued its hardline approach to exerting control over **journalists** and other independent voices. In 2019, China reportedly had detained the highest number of journalists in the world. This past year, the Chinese government expelled New York Times, Wall Street Journal, and Washington Post journalists from mainland China and Hong Kong while strengthening government and Party control of domestic media outlets. Hundreds of citizens have been penalized for sharing online information and concerns about the COVID–19 outbreak and have been accused of "rumor-mongering." Authorities reportedly detained two Beijing-based legal scholars—prominent civil society advocate **Xu Zhiyong** and leading public intellectual **Xu Zhangrun**—in connection with their criticism of Xi Jinping.

Civil society played a critical role in the COVID–19 response, as citizens worked through civil society organizations and grassroots volunteer groups to assist the most vulnerable people impacted by the pandemic. The people of China continued to participate in diverse forms of collective organization for mutual and public interest, including popular protest,

issue-based grassroots advocacy, and professionalized charities and social enterprises. In recent years, rights advocates working on a broad range of issues, from gender equality to labor to disability rights, have been targets of government repression and exclusion. For example, several rights advocates who gathered informally to discuss civil society developments in December 2019 were detained and charged with "inciting subversion of state power." Meanwhile, organizations aligned with official priorities have become integral to providing public services.

Criminal law and police power continued to be used to punish government critics, rights advocates, religious believers, and ethnic minority groups. Various types of arbitrary detention, including some forms of extrajudicial detention, were used to deprive individuals of their liberty, contravening international human rights standards.

Five years after the July 2015 "709 Crackdown" on **human rights lawyers and rights defenders**, many of those Chinese lawyers and rights defenders are surveilled by public security authorities in what one leading expert has termed "non-release release." Lawyers continued to face repression, intimidation, and punishment for attempting to protect human rights in China. Besides detention and imprisonment, the Chinese government used administrative measures, including disbarment, to target lawyers who express critical views or who advocate for clients whom the Chinese government has tried to suppress.

The Chinese government further intensified the campaign of "sinicization" to bring religion in China under closer official control and in line with officially sanctioned interpretations of Chinese culture, thereby curtailing religious freedom. The rights of **religious believers** continued to be violated, as churches, mosques, and temples were demolished; underground religious groups were targeted; surveillance was expanded; and religious leaders were detained and imprisoned. **Wang Yi**, the founder and pastor of the Early Rain Covenant Church, was sentenced to nine years in prison for "inciting subversion of state power," despite the UN Working Group on Arbitrary Detention deeming his detention "arbitrary" according to international human rights standards.

The Chinese government has increasingly worked to **suppress free speech outside China**. Economic coercion, surveillance, intimidation, and censorship on China-based social media platforms were all employed to silence critics, punish foreign organizations for private speech of individual employees, and encourage self-censorship. Most visibly, the Chinese government retaliated against the National Basketball Association after Houston Rockets General Manager Daryl Morey posted a tweet in October 2019 in support of pro-democracy protests in Hong Kong. The targets also included Chinese students studying abroad, Uyghurs living in the United States, and U.S and international companies. Authorities even attempted to silence or otherwise intimidate individuals living in the United States—particularly Uyghurs—by coercing or threatening their family members living in China.

Women in China have faced even more difficult circumstances due to the disproportionate risks and burdens associated with the essential role they have played in the COVID–19 response. During the pandemic, domestic violence rose substantially, and experts predicted that already existing gender gaps in employment and well-being would be further exacerbated by the economic and social disruption caused by the outbreak. Women's rights advocacy continues to face heavy repression, but the inclusion of anti-sexual-harassment provisions in the Civil Code in May 2020 shows that their advocacy has had an impact.

Independent trade unions are banned in China. Labor rights advocates and citizen journalists continued to be targeted and detained for their work, including for documenting numerous workers' strikes and subsequent crackdowns. The level of unemployment and labor unrest is significant, although the severity is difficult to ascertain due to censorship and government control of information.

Everyone deserves a government that respects their human rights, their culture, and their hopes and dreams for a better life for themselves and their families. As the Chinese government expands its global influence, the international community must be aware that intensifying authoritarianism in China is also a threat to internationally recognized human rights norms as enshrined in the Universal Declaration of Human Rights. It is essential that the U.S. Congress and the Administration work together to promote effective policies to support human rights and the rule of law in China.

KEY FINDINGS

Freedom of Expression

- The Chinese government and Communist Party's pervasive information controls contributed to the severity of the outbreak in late 2019 of a novel coronavirus and the resulting COVID–19 pandemic. Official suppression of information about the outbreak, particularly authorities' censorship of the media, and actions to silence frontline hospital personnel who sought to inform community members, sparked outrage in China and led to unprecedented calls by Chinese citizens for freedom of speech, along with criticism of the censorship system in China.
- Several Chinese media outlets, particularly China Business News, Caixin, and Beijing News published critical investigative reports, interviews, and editorials about the government's response to the COVID–19 outbreak. While many of these reports were subsequently censored by the government, several citizen-led projects to archive disappearing reports emerged. Public security authorities detained three individuals from one such project, Terminus 2049. State and Party media pushed a positive narrative about the government's efforts to contain the spread, featuring President and Party General Secretary Xi Jinping as "commander" of the "people's war" against the virus.
- Reporters Without Borders' (RSF) 2020 press freedom index ranked China the fourth worst country in the world for press freedom (177 out of 180) for the second year in a row. RSF pointed to ongoing censorship, harassment and detention of journalists, and the pervasive spread of surveillance as key factors in its assessment. China imprisoned the most journalists in the world in 2019, according to the Committee to Protect Journalists (CPJ). Many of the detained Chinese journalists on CPJ's list are "citizen journalists," some of whom are non-professional or former journalists who use digital media platforms to document rights abuses. In April 2020, authorities sentenced former state and Party media journalist **Chen Jieren** to 15 years' imprisonment on multiple charges in connection to his critical commentary and reports online.
- The Chinese government expelled or failed to renew the work visas for nearly 19 foreign journalists this past year. The expulsions from China of U.S. journalists from the New York Times, the Washington Post, and the Wall Street Journal reportedly were in retaliation for the U.S. Government requirement that five state- and Party-run media outlets working in the United States register as foreign missions. As part of the same retaliatory action, Chinese authorities also forced many Chinese nationals working at the China offices of the New York Times, the Wall Street Journal, CNN, and Voice of America to resign.
- In its 2019 annual report on internet freedom throughout the world, Freedom House again found the Chinese government to be the world's worst abuser of internet freedom, the fourth consecutive year China has held that position. This past year, the Cyberspace Administration of China released provisions that aim to promote "a positive online ecosystem, to ensure the lawful rights and interests of citizens, legal persons, and other organizations; and to preserve national security and the public interest." The provisions also place greater pressure and liability on internet and social media platforms to monitor online content, which may lead to "overzealous censorship," according to an expert. Additionally, these platforms are instructed to manipulate artificial intelligence (AI)-based algorithms to shape—and restrict—online users' access to information, such as content from user searches, trending topics, and pop-ups.

Worker Rights

- Chinese authorities continued to arbitrarily detain many prominent labor advocates and censor reporting and social media comments on unemployment, strikes, and other issues involving workers. During the Commission's 2020 reporting year, Chinese authorities continued to detain

three citizen journalists from the iLabour (*Xin Shengdai*) website, **Yang Zhengjun**, **Ke Chengbing**, and **Wei Zhili**, as well as non-governmental organization (NGO) worker **Li Dajun**. All of them had advocated on behalf of pneumoconiosis victims and were taken into custody in 2019.

- Officially reported Chinese statistics—widely regarded as unreliable—continue to mask the true levels of unemployment, labor protests, and worker safety concerns, potentially distorting coverage by the international organizations and media that use them. In 2019, the Chinese government again did not publicly report the number of worker strikes and protests, making it challenging to obtain comprehensive information on worker actions. The Hong Kong-based NGO China Labour Bulletin (CLB), which compiles data on worker actions collected from traditional news sources and social media, documented 1,385 strikes and other labor actions in 2019. CLB estimates that they are able to document between 5 and 10 percent of total worker actions.
- The Chinese Communist Party-led All-China Federation of Trade Unions (ACFTU) remains the only trade union organization permitted under Chinese law, and workers are not allowed to establish independent unions. Official praise for workers does not indicate genuine government support for workers' rights. State-run media celebrated the efforts of Chinese construction workers for working long hours to construct quarantine hospitals rapidly. Police, however, responded violently when hundreds of these workers protested after they were not paid adequate wages. Research by China Labour Bulletin found that the ACFTU did not adequately protect the rights of workers and played only a limited role in assisting workers during the novel coronavirus crisis.
- Chinese corporations are often able to enlist the local police in resolving labor and business disputes. In December 2019, Chinese and international media reported on **Li Hongyuan**, a 13-year veteran of Huawei, who obtained a court award for about 108,000 yuan (US$15,000) in compensation after authorities detained him for 251 days following a request by Huawei due to a dispute over his severance pay.

Criminal Justice

- The Chinese government and Communist Party continued to use criminal law and police power to punish government critics and to "maintain stability" with the goal of perpetuating one-party rule. The Commission observed that the Chinese government targeted the following groups in particular: rights advocates and lawyers; doctors and other citizens who shared information about the novel coronavirus outbreak; supporters in mainland China of protests in Hong Kong; religious believers and clergy; and ethnic minority groups. In so doing, the Chinese government violated the freedoms of Chinese citizens protected under PRC laws and international human rights standards.
- The Chinese government continues to arbitrarily detain Chinese citizens, circumventing judicial oversight and the protection of detainees' rights under the PRC Criminal Procedure Law. Forms of arbitrary detention used to deprive individuals of their liberty include extralegal "black jails" and forced psychiatric commitment of individuals who are engaged in petitioning or other activities that authorities find politically troublesome. Provisions under the PRC Criminal Law such as crimes of "endangering state security" and "picking quarrels and provoking trouble"—provide a legal basis for authorities to suppress rights advocacy and other activities protected under international human rights standards.
- The National People's Congress Standing Committee repealed "custody and education," a frequently abused

Percentage of Worker Strikes and Other Labor Actions (as Documented by China Labour Bulletin)

Year	Manufacturing	Construction	Transportation	Services	Other	Total Number Documented
2019	13.8% (191)	42.8% (593)	12.3% (171)	23.0% (319)	7.7% (107)	1,385
2018	15.5% (265)	44.8% (764)	15.9% (272)	16.8% (286)	7.0% (119)	1,703
2017	21.1% (265)	41.4% (521)	9.2% (116)	20.7% (261)	7.6% (95)	1,258

Source: China Labour Bulletin. Note that the percentages indicate the percentage of total worker actions documented that year.

form of administrative detention. Under custody and education, public security officials were able to detain sex workers and their clients for six months to two years without judicial oversight. One longtime advocate for the abolition of "custody and education" called the development a "rare victory for a vulnerable group in China."

- Chinese Communist Party control over law enforcement has prompted the deployment of mass surveillance technologies in the name of public safety against those committing political as well as criminal offenses. Authorities continued to develop technology-based means to help public security officials track persons of interest—based in part on large-scale, sometimes involuntary collection of personal data. This endangers Chinese citizens' privacy and increases the potential for public security officials to use this technology to crack down on rights advocates and other targeted persons.

Freedom of Religion

- Chinese believers and outside experts compared the current situation to the Cultural Revolution (1966 to 1976), widely seen as the most repressive era for religions in PRC history, with one expert describing the present situation as "a toxic blend of Mao's ruthlessness and sophisticated 21st-century surveillance techniques—in effect, an updated religious Cultural Revolution."
- Chinese authorities at the national level in February 2020 implemented the new Measures on the Administration of Religious Groups, supplementing the revised Regulations on Religious Affairs of 2018. The measures subject all registered religious groups to even tighter government control and surveillance than before, requiring their leaders and lay believers to accept, support, and promote the Party's leadership among their leaders and lay believers, publicize Party policies, and implement the Party's campaign to "sinicize" religions—i.e., to force them to conform to the Party's version of Chinese culture. The Measures essentially render all unregistered groups illegal, whereas there previously had been some tolerance for many of them. Critics wrote that these combined Regulations (2018) and Measures (2020) led to increased control over or persecution of religious groups.
- The Sino-Vatican agreement on the appointment of bishops signed in September 2018 led to the jointly approved appointment of four bishops as of July 1, 2020, and some friendly high-level interaction between the two sides. Critics said, however, that authorities had used the agreement to increase pressure on unregistered Catholic clergy to agree to a separation (i.e., "independence") of the Church in China from the Holy See, and to join the Chinese Catholic Patriotic Association (CCPA), a government body that oversees this separation. Authorities subjected unregistered (or "underground") Catholic clergy who resisted to pressure tactics, detention, surveillance, and removal from their churches and duties. Authorities also continued to demolish Catholic church buildings, remove crosses, cancel religious activities and pilgrimages, and pursue the "sinicization" campaign.
- Violations of the religious freedom of Hui Muslim believers continued to intensify, with plans to apply "anti-terrorism" measures currently used in the Xinjiang Uyghur Autonomous Region in the Ningxia Hui Autonomous Region—a region with a high concentration of Hui Muslim believers. Authorities required Islamic religious leaders to study Party ideology and demonstrate their political reliability or risk losing their legal status. A five-year plan to "sinicize" Islam in China continued in 2020, leading officials in many locations to demolish mosques; remove minarets, domes, and other Islamic features from buildings; place surveillance cameras inside mosques; close Islamic schools; and restrict Islamic preaching, clothing, Arabic script, halal food, and use of the Islamic financial system.
- Authorities also subjected registered Protestant churches to the intensified restrictions described above, and continued to shut down unregistered or "house churches," and continued to detain some leaders for refusing to join the Three-Self Patriotic Movement. Authorities charged one house church pastor, **Zhao Huaiguo**, with "inciting subversion of state power," and sentenced pastor **Wang Yi** of Early Rain Covenant Church, whom they previously charged with the same crime, to nine years in prison.
- Officials continued to persecute members of "illegal" spiritual groups such as Falun Gong and the Church of Almighty God, especially those labeled by authorities as "evil cults" (*xiejiao*), under Article 300 of the PRC Criminal Law, which forbids "organizing and using a cult to undermine implementation of the law."

Ethnic Minority Rights

- The Chinese Communist Party and government carried out efforts to solidify their control over the cultural identity of the country's ethnic minority groups, in contravention of the PRC Regional Ethnic Autonomy Law. In a September 2019 speech, Party General Secretary and President Xi Jinping appeared to endorse a "second generation" of ethnic policies, promoted by some Chinese officials and scholars, that would dismantle regional and local autonomy frameworks and replace them with policies aimed at diluting ethnic minority cultures.
- Officials in areas with large Hui populations continued to implement policies and restrictions limiting Hui Muslims' ability to practice their religion and culture. According to a September 2019 New York Times report, in 2018 the State Council issued a confidential directive mandating local officials' implementation of policies reducing the role of Islam in government and community institutions. Hui community members and other observers expressed the belief that the "Xinjiang model" of detention and religious repression appeared to be further expanding into Hui-populated areas.
- In January 2020, security officials in Jinan municipality, Shandong province, criminally detained Hui poet **Cui Haoxin** on suspicion of "picking quarrels and provoking trouble." Cui, who uses the pen name An Ran, had, in recent years, been critical of official policies toward ethnic minorities. Cui's detention, after his longtime criticism of official ethnic policies, may mark a further narrowing of the space for dissent and expression among Hui communities in China.

Population Control

- Central government authorities rejected calls to end birth restrictions, despite population experts voicing demographic, economic, and human rights concerns over China's population control policies. Experts urged the Chinese government to implement policies, including financial incentives and other forms of assistance, to encourage couples to have children. If not adequately addressed, China's decades-long birth limit policies and resultant demographic challenges could undermine China's economy and political stability.
- Chinese authorities implemented the "universal two-child policy" for a fourth consecutive year in 2019, and the latest government statistics showed that the policy's effect was limited. National Bureau of Statistics of China (NBS) data showed that the total number of births in 2019—reportedly the lowest since 1961—dropped by 580,000 in comparison to the 2018 figure, with some independent demographers claiming that China's number of births and total population are significantly lower than the official NBS statistics.
- In 2019, China's fertility rate remained around 1.6 births per woman, below the replacement rate of 2.1 births per woman necessary to maintain a stable population. The birth rate was 10.48 per 1,000 persons, reportedly the lowest since 1949 when the People's Republic of China was founded. The working-age population declined by 890,000, its eighth consecutive decline, while the elderly population increased by 4.39 million. China's overall sex ratio in 2018 was 104.45 males to 100 females, and there were approximately 30.49 million more males than females in China.
- The Chinese government's restrictive population control policies have exacerbated China's sex ratio imbalance, which reportedly has fueled the demand for foreign women and resulted in human trafficking for purposes of forced marriage and commercial sexual exploitation.

Human Rights Violations in the United States and Globally

- During and prior to the Commission's 2020 reporting year, the Chinese government and Communist Party, as well as entities acting with their encouragement or at their direction, took steps to limit the freedom of expression of American corporations and citizens outside China through the use of targeted economic coercion. These steps were generally taken to discourage through threatening or inflicting disproportionate economic damage the expression by American companies, entities, and their employees or customers of political views considered unacceptable by the Chinese Communist Party on a range of issues, including events in Hong Kong, the Tibet Autonomous Region and other Tibetan areas of China, the Xinjiang Uyghur Autonomous Region (XUAR), and Taiwan.
- The government and Party continued to surveil and intimidate students from China and Hong Kong studying at universities in the United States, through means such

as government-supervised student organizations, social media surveillance and harassment, and state media intimidation of students who publicly express political views objectionable to the Party. This had a documented chilling effect on the willingness of students from these localities to exercise their freedom of expression while studying in the United States.

- Identified agents of the Chinese government intimidated and harassed members of China's Turkic Muslim minorities residing in the United States, particularly those from the Uyghur community. In many cases, this harassment included threats to family members still in China, and was conducted through China-based social media platforms such as WeChat. Uyghurs inside the United States who chose to speak out about worsening persecution of their community by the Chinese government reported retaliation against family members and acquaintances still in China.
- The government and Party continued a longstanding campaign to impede or redirect the work of United Nations human rights bodies and to reshape international consensus around human rights in ways that elevate state power and diminish the power of the individual to seek redress from the state. This included concerted efforts to downplay, or avoid scrutiny of, events in the XUAR by accredited UN human rights bodies.

Status of Women

- Women in China face persistent gender inequality that scholars attribute to economic liberalization and the promotion of sexist and regressive gender norms in official discourse in recent years. Women in China experience severe discrimination throughout their careers, from job recruitment and hiring to wages and promotions.
- Due to existing gender inequality in the distribution of labor, both paid and unpaid, women bore greater risk of infection and more of the burden for treatment and containment during the coronavirus disease 2019 (COVID–19) outbreak. UN Women warned that because of already existing gender gaps in earnings, savings, and job security, the long-term effects of the epidemic would disproportionately affect the livelihoods of women, particularly those at the margins with fewer resources to weather economic losses.
- Gender-based violence in China remains a serious issue, including that perpetrated by the state against Uyghur and other ethnic minority women. The number of incidents reported under the PRC Anti-Domestic Violence Law remains low. Domestic violence rose substantially during the epidemic due to enforced co-habitation and rising tension in households from economic strain and fear about the virus, according to experts on gender-based violence. The Commission observed reports of gender-based violence against ethnic minority women in the Xinjiang Uyghur Autonomous Region; interviews of Uyghur and Kazakh women released from mass internment camps have indicated acts of rape, forced abortion, and forced sterilization.
- A grassroots feminist movement has persisted in Chinese political and cultural life in recent years despite government restrictions and censorship. Feminist activists continued working on issues including employment discrimination, gender-based violence, and the rights of single women to access services and benefits related to pregnancy and birth—as well as to acquire legal documentation for their children—for which current policies require proof of marriage. Young Chinese people outside China have also played an increasingly important role in feminist activism in China as the government intensifies restrictions within China's borders. The inclusion of anti-sexual harassment provisions in the Civil Code in May 2020 was a sign that women's rights advocacy is having an impact even as it has been severely suppressed. During the COVID–19 outbreak, grassroots volunteers and civil society organizations brought attention to gaps in support for women during the epidemic and marshaled donations, services, and volunteers to address needs overlooked in the official response.

Human Trafficking

- Under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), forced labor constitutes a form of human trafficking. The Chinese government continued to force individuals who have not been criminally convicted to perform labor—including in the Xinjiang Uyghur Autonomous Region (XUAR) and in forms of administrative detention throughout China.

- Chinese authorities transferred Uyghurs and other ethnic minorities from the XUAR to factories in other parts of China for forced labor. These transfers were part of company participation in "Xinjiang Aid" programs that exploit ethnic minority labor and promote investment in the XUAR. Authorities placed transferred ethnic minorities in conditions of surveillance and indoctrination similar to those of ethnic minority workers in the XUAR.
- Women and girls were trafficked in China for the purposes of forced marriage and sexual exploitation. Their countries of origin included Burma (Myanmar), Cambodia, Indonesia, Laos, Madagascar, Mongolia, Nepal, North Korea, Pakistan, Paraguay, Uganda, Ukraine, and Vietnam.

North Korean Refugees in China

- The Chinese government continued to detain North Korean refugees in China and repatriate them to the Democratic People's Republic of Korea (DPRK). North Korean refugees face severe punishments upon repatriation to the DPRK, including torture, imprisonment, forced labor, and even execution. The repatriation of North Korean refugees violates China's obligations under international human rights law and refugee law. The UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea has stated that such repatriation may amount to "aiding and abetting crimes against humanity." The Chinese government routinely prioritizes the stability of the DPRK government over the well-being of the North Korean people.
- Chinese and North Korean authorities continue to impose strict border controls. These controls are meant to deter North Korean refugees from escaping the DPRK. The South Korean government reported that about 1,047 North Korean refugees escaped to South Korea in 2019, compared to the 2009 peak of 2,914 refugees. The majority of North Korean refugees escape to South Korea via China and Southeast Asian countries.
- Chinese authorities' crackdown on and expulsions of South Korean missionaries have undermined refugee rescue work carried out by the missionaries. South Korean missionaries and organizations play a crucial role in assisting and facilitating the movement of North Korean refugees in China. Additionally, further restrictions placed by Chinese and DPRK authorities during the novel coronavirus outbreak indirectly hampered missionary efforts to facilitate the movement of refugees in China.

Public Health

- The outbreak of a novel coronavirus in 2019 and the resulting infectious disease (COVID–19) in mainland China went unchecked for weeks as the Chinese government and Communist Party downplayed the potential severity of human-to-human transmission. Starting on January 23, 2020 (at least six weeks after the earliest cases of atypical pneumonia were identified), the central government moved to impose drastic measures to contain the virus, including the lockdown of millions of people; tight community-level controls based on "grid management" restrictions on movement; and contact tracing and testing of millions of people.
- The Chinese government has emphasized the right to life and right to health as key human rights priorities during the COVID–19 pandemic. These rights, however, exist in the broad context of international human rights norms, particularly with regard to access to information. The right to information is inextricably intertwined with the rights to life and to health. The government and Party have failed to communicate full, accurate, and timely information to the Chinese public, the World Health Organization, and the international community. While international rights norms, based on Article 19 of the International Covenant on Civil and Political Rights, permit some restrictions on speech and movement during public health emergencies, these restrictions must be legal, proportional, and necessary. Government and Party use of stability maintenance and information control measures have not complied with international human rights standards.
- Experts have observed that data transparency is crucial to tracing the source of the virus and developing effective treatment. To date, the Chinese government has refused to permit an independent international investigation of the outbreak.
- Information control measures have been widely observed in the government and Party's response to the pandemic, including online censorship and press restrictions. The international non-governmental organization (NGO) Chinese Human Rights Defenders (CHRD) documented nearly 900 cases of purported "rumor-mongers" whom

authorities criminally or administratively detained, disciplined, "educated," or otherwise intimidated for social media posts about the COVID–19 outbreak between January 1, 2020 and March 21, 2020. Among the individuals detained for commenting on the government and Party's response to the outbreak were legal experts **Xu Zhiyong** and **Xu Zhangrun**, citizen journalists **Chen Qiushi**, **Fang Bin**, and **Zhang Zhan**, and businessman **Ren Zhiqiang**. Medical and health workers also were disciplined or "educated" for sharing information.

- Public health advocacy remained politically sensitive. **Cheng Yuan**, **Liu Dazhi**, and **Wu Gejianxiong**—the co-founder and two staff members of the anti-health-discrimination NGO Changsha Funeng in Hunan province—remained in detention for alleged "subversion of state power" in connection with Changsha Funeng's efforts to submit open government information requests and engage in other legal processes to promote the rights of persons with health conditions.

The Environment and Climate Change

- During the Commission's 2020 reporting year, top Chinese Communist Party and government officials continued to highlight the importance of protecting the environment, yet environmental pollution remained a major challenge in China. Pollution remained a challenge due in part to authorities' top-down approach to environmental problems, uneven enforcement, transparency shortcomings, and the suppression and detention of environmental researchers and advocates.
- The Party continued to control environmental protection efforts, and in April 2020, Sun Jinlong was appointed Party Secretary and Vice Minister of Ecology and the Environment. Previously, Sun had been the Party Secretary of the paramilitary Xinjiang Production and Construction Corps. Despite widespread international criticism, reports emerged in November 2019 and March 2020 that Chinese authorities were reportedly planning to execute environmental researcher and former Xinjiang University President **Tashpolat Teyip**.
- Although Chinese and international concern focused on the zoonotic origin of the novel coronavirus, the Chinese government continued to permit wildlife trade for traditional Chinese medicine. In January 2020, the Chinese government announced a temporary ban on the sale of wildlife, and in February, the National People's Congress issued a decision banning the sale of wildlife for consumption; however, wildlife trade was still permitted for traditional Chinese medicine, and illegal trade in wildlife reportedly continued to be widespread.
- In 2019, although an estimated 71 percent of China's power plants were more expensive to run than building new renewables, coal-fired power plant capacity increased by around 40 gigawatts (GW) (a 4-percent increase). Analysis of officially reported Chinese government data indicated that carbon dioxide emissions in China increased by approximately 2 percent. Domestic and international environmental organizations raised concerns that China's planned economic stimulus measures may promote the use of coal and investment in heavily polluting industries, resulting in significant additional environmental pollution.

Business and Human Rights

- Chinese and international businesses are increasingly at risk of complicity in—and profiting from—abuses committed by the Chinese government and Communist Party. Of particular concern over the past year are reports that the government has increased the use of forced labor as a part of the campaign to suppress ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR), where the Chinese government is committing crimes against humanity and possibly genocide. XUAR authorities systematically forced predominantly Muslim ethnic minorities, including Uyghurs, Kazakhs, and others, to engage in forced labor, both in the XUAR and in other parts of China. Reports of possible forced labor in cotton production and spinning, as well as in the apparel industry in general, mean that the supply chains of many major brands may now be tainted with forced labor. Moreover, firms cannot rely on factory audits to ensure that their supply chains are free of forced labor in the XUAR.
- Companies are at great risk of complicity in crimes against humanity, forced labor, and other rights violations if they do business with the Xinjiang Production and Construction Corps (XPCC), its affiliated companies, or with other companies that have close ties to the XPCC. The XPCC is deeply

involved in human rights violations and also in a variety of industries in the XUAR. Large firms with close ties to the XPCC include the state-owned enterprise **COFCO**, an agricultural conglomerate that sells sugar, tomatoes, and other products to a wide range of international brands; and **Esquel Group**, a garment manufacturer that supplies numerous well-known brands. Esquel Group reported that, in April 2020, they completed divestment from a joint venture with the Third Division of the XPCC.

- Chinese government restrictions on freedom of expression increased this past year, and companies—particularly tech companies—were both targets and enablers of Chinese government censorship. Faced with the possibility of lost revenue or punishment, both domestic and international companies engaged in self-censorship. For example, between January 1 and February 15, 2020, **Tencent's WeChat** reportedly censored messages containing at least 516 keyword combinations criticizing the official response to the novel coronavirus (COVID–19) and suspended user accounts for posting politically sensitive posts about the virus. Also this past year, **Shutterstock** reportedly created a search query blacklist to censor sensitive keywords for its customers in China. **Apple** removed the emoji depicting the Taiwanese flag from its mobile device operating system for users in mainland China, Hong Kong, and Macau.
- Companies have both a moral responsibility and a financial interest in honestly assessing the risk that they may be contributing to human rights abuses in China. The UN Guiding Principles on Business and Human Rights state that businesses have a responsibility to respect human rights and should seek to avoid "contributing to adverse human rights impacts . . . ." While the Chinese government requires companies to comply with domestic laws and regulations that may infringe on internationally recognized rights such as the right to privacy and freedom of expression, this does not absolve companies of their responsibility to respect human rights. Moreover, knowing or unknowing complicity in human rights abuses poses substantial risks for international businesses. In the case of complicity in forced or prison labor, for example, companies may run afoul of U.S. laws prohibiting the import of products made with such labor.

Civil Society

- The coronavirus disease 2019 (COVID–19) outbreak was a pivotal event for Chinese civil society. The civil society response revealed Chinese citizens' capacity for grassroots organizing and voicing dissent even while Chinese government policies continued to centralize control and suppress information challenging official narratives. During the coronavirus outbreak, large numbers of Chinese citizens worked collectively through civil society organizations and grassroots volunteer efforts to assist vulnerable and impacted groups, as well as to disseminate and archive information about the epidemic. Informal volunteer groups were especially responsive to regions, groups, and issues that were overlooked or de-prioritized in the official response. After the death of COVID–19 whistleblower Dr. **Li Wenliang**, Chinese citizens expressed anger on a massive public scale at the government's handling of the epidemic.
- Registered social organizations aligned with official priorities have become integral to providing public services and are being given more resources and latitude for development. The government has emphasized that it needs to lean more heavily on providing services through civil society in order to modernize governance. This means a broader scope of operation for these organizations, while more independent, advocacy-based groups are increasingly being driven underground. Grassroots rights advocates and groups with foreign connections have been targets for government repression and exclusion. Even in the face of increasing harassment and pressure from authorities, some of these groups were still able to mobilize large-scale advocacy campaigns. Young Chinese people living overseas have also made significant contributions to advocacy.
- Chinese government authorities restricted and censored the activities of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) organizations—as they have with other civil society organizations—and reports of discrimination against and harassment of LGBTQ individuals continued. There is no law that criminalizes same-sex relationships among adults, and acceptance of LGBTQ persons is increasing in China, including steps taken in the past year by some government officials in two municipalities to provide legal rights to same-sex couples. Nevertheless, new rules restricting "negative content"

harming "social mores" were issued last year that could also bar LGBTQ content on television and the internet. Despite ongoing restrictions and censorship, advocacy organizations remain active in their public outreach, pushing for reforms to protect the rights of members of the LGBTQ community.

Institutions of Democratic Governance

- The Chinese Communist Party's efforts to extend control over all sectors of society violate citizens' right to fully participate in public affairs. As the Party's dominance permeates society, the space for institutions of democratic governance diminishes, thereby weakening citizens' ability to hold authorities accountable for human rights violations such as the mass internment of Uyghurs and other ethnic minorities.
- The Party used evaluation mechanisms to reinforce its priorities in the academic and business realms. In the academic realm, the Ministry of Education launched a program in which it assigned certain courses a "first rate" designation, giving it the power to withhold or revoke such a designation for ideological misalignment. In the business realm, the Party handed down its rating of 33 million companies and directed local governments and agencies to use these evaluations as the basis for credit rating. The criteria and methodology used, however, were not disclosed.
- In contrast, the Commission did not observe development of evaluation mechanisms for monitoring government agencies and Party organizations. The Party retained exclusive control over the disciplinary process for Party members and public servants. Moreover, disciplinary measures for actual misconduct and political missteps are carried out by the same state apparatus, which recently detained a prominent businessman for his political speech and a high-ranking official for "not showing respect."
- The Party issued a rule requiring the Party secretary of a village organization to also be the village committee director. Existing law provides, however, that the village committee director must be chosen in open election. The new rule bypasses the normal legislative procedure and has the effect of augmenting Party control in grassroots-level elections.

Access to Justice

- To the extent that citizens rely on courts to protect their rights against state encroachment, political influence on the court system undermines their ability to access justice. The Chinese Communist Party goes beyond mere influence and expressly requires absolute loyalty and obedience from the courts.
- This past year, the Chinese Communist Party maintained control by sending a political inspection team on a two-month-long tour to the Supreme People's Court (SPC) and reiterated the theme of subservience expressed in the last political inspection in 2016.
- An SPC judge highlighted the judiciary's role as being part of the political-legal system, stressing that courts must be unequivocally political. Given its role, the judiciary must operate under the leadership of the Political-Legal Committee (a Party organization having authority over both the public security and judicial systems) and take part in political initiatives like the "root cause management" scheme designed to seek out and resolve disputes before they become litigated matters. Acting as the Party's agent will undermine the judiciary's capacity to adjudicate cases impartially.
- Authorities suppressed speech describing the universal conception of the rule of law and persecuted lawyers by detaining them and revoking their law licenses for their democracy and constitutional-reform advocacy, or for their representation of defendants in politically sensitive cases.

Xinjiang

- During the Commission's 2020 reporting year, authorities in the Xinjiang Uyghur Autonomous Region (XUAR) maintained a system of extrajudicial mass internment camps in which they have arbitrarily detained up to 1.8 million individuals from predominantly Muslim ethnic minority groups, including Uyghurs, Kazakhs, Kyrgyz, Hui, and others.
- Internal Chinese government and Communist Party documents obtained by international media and rights groups during this reporting year revealed authorities' mandate to use coercive force and punishment on inmates; the connection between family members' behavior and authorities' treatment of inmates; and the extreme

secrecy enforced by authorities regarding the implementation of the camp system. The documents also revealed the presence of a significant level of opposition from some local officials to mass internment camp detentions.

- The Commission observed additional evidence this past year that Chinese government persecution of ethnic minorities in the XUAR constitutes crimes against humanity. International observers, including the United States Holocaust Memorial Museum, argued in support of applying the "crimes against humanity" framework to the persecution of Uyghurs and other Turkic and Muslim ethnic minorities in the XUAR. Article 7(1) of the Rome Statute of the International Criminal Court provides a list of 11 acts, any one of which may constitute crimes against humanity "when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack."
- Reports published during the past year detailed the expansive and systematic nature of authorities' separation of ethnic minority children from their families in the XUAR and their forcible placement in orphanages, welfare centers, and boarding schools. An official policy document issued by XUAR officials stated that by early 2017, nearly half a million elementary and middle school-age children in the XUAR were attending boarding schools. This forcible displacement of children has been carried out in violation of the PRC Law on the Protection of Minors and the United Nations Convention on the Rights of the Child. Many of the children placed in these facilities had at least one parent in detention. Reports indicated that authorities often placed children in such facilities without the consent of their families.
- As XUAR officials detained hundreds of thousands of Turkic and Muslim individuals in mass internment camps, there was also a significant increase in arrests, trials, and formal imprisonment of ethnic minority individuals in the region, beginning in 2017. Authorities' increased sentencing of ethnic minority individuals to prison terms may mark a shift away from their detention in mass internment camps and into other forms of detention and social control, including forced labor. In 2017, courts in the XUAR sentenced 10 times more defendants than the previous year to prison terms of five years or longer and carried out 8 times the number of arrests and 5 times the number of prosecutions as in the previous year.

Tibet

- The Commission did not observe any interest or progress on the part of Chinese Communist Party and government officials in resuming formal negotiations with the Dalai Lama's representatives. The negotiations have been stalled since the ninth round of negotiations was held in January 2010.

Acts listed in Article 7(1) of the Rome Statute	Possible Application to the Treatment of Muslims in the XUAR
(c) Enslavement	Satellite imagery, personal accounts, and official documents indicate that XUAR authorities are systematically forcing predominantly Muslim ethnic minorities, including Uyghurs, Kazakhs, and others, to engage in forced labor in the XUAR and other parts of China.
(e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law	Security personnel have carried out the arbitrary, prolonged detention of Uyghurs, Kazakhs, Kyrgyz, Hui, and others in mass internment camps in the XUAR since around April 2017; authorities have also increasingly sentenced ethnic minority individuals to lengthy prison terms for political reasons since 2017.
(f) Torture	Security personnel in mass internment camps in the XUAR subjected detainees to widespread torture, including electric shocks and shackling people in uncomfortable positions.
(h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in Paragraph 3 [Article 7(3) of the Rome Statute], or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph [Article 7 of the Rome Statute] or any crime within the jurisdiction of the Court	Security personnel have detained up to 1.8 million Uyghurs, Kazakhs, Kyrgyz, and Hui; enforced harsh, widespread restrictions on peaceful Islamic practices of XUAR residents; and subjected Turkic and Muslim XUAR residents to intense surveillance, checkpoints, intimidation, and involuntary biometric data collection. In addition, authorities in the XUAR have reportedly placed the children of both mass internment camp detainees and individuals forced to work into orphanages, welfare centers, and boarding schools, often without the consent of their families, raising concerns of forcible assimilation.
(i) Enforced disappearance of persons	The conditions under which authorities detained many Uyghurs, Kazakhs, Kyrgyz, Hui and others in mass internment camps amount to enforced disappearance.

- The Chinese government and Communist Party continued to assert control over the processes of selection and recognition of Tibetan Buddhist reincarnated teachers, including the Dalai Lama. The Dalai Lama and Tibetan Buddhist leaders outside China maintained that the decision to reincarnate, or not, belongs to the individual in question and members of the Tibetan Buddhist religious community.
- The Party and government continued to use legal and policy measures to manage and shape the religious practices of Tibetans. Tibetan Buddhism is one of five state-recognized religions and falls under the formal jurisdiction of the state-controlled Buddhist Association of China, which this year issued two revised measures governing the credentialing of Tibetan Buddhist religious personnel and the hiring of monastic leaders at Tibetan Buddhist religious institutions.
- The Tibet Autonomous Region government passed regulations on "ethnic unity" that mandate acceptance and promotion of Communist Party and government ethnic and religious policy across a wide variety of social sectors and at multiple levels of society. The regulations include vague language providing for criminal sanctions for those who have "irresolute stances and attitudes in the fight against separatism."

Developments in Hong Kong And Macau

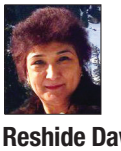
- During the 2020 reporting year, a number of deeply troubling developments in Hong Kong undermined the "one country, two systems" governance framework, which led the U.S. Secretary of State to find that Hong Kong has not maintained a high degree of autonomy for the first time since the handover in July 1997.
- On June 30, 2020, the National People's Congress Standing Committee passed the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (National Security Law), bypassing Hong Kong's Legislative Council. To the extent that this law criminalizes secession, subversion, terrorist activities, and collusion with foreign states, this piece of legislation violates Hong Kong's Basic Law, which specifies that Hong Kong shall pass laws concerning national security. Additionally, the National Security Law raises human rights and rule of law concerns because it violates principles such as the presumption of innocence and because it contains vaguely defined criminal offenses that are can be used to unduly restrict fundamental freedoms.
- Prompted by an extradition bill that could expose people in Hong Kong to arbitrary detention by Chinese authorities, Hong Kong residents held over 900 protests beginning in March 2019. While protesters who resorted to vandalism and violence remained in the minority, Hong Kong police employed crowd-control measures in ways that effectively denied the majority their right to participate in peaceful assemblies and processions. Police used excessive force and misused crowd-control projectiles and chemical irritants, but the government refused to form an independent investigative body and chose instead to let the police investigate themselves. Police on occasion refused to issue permits for assemblies or revoked such permits shortly after the scheduled start time, allowing them to make arrests under the charge of "unauthorized assembly."
- Many protesters detained by police were denied the right to legal counsel, and some were abused while they were in custody. Several protesters who spent time in prison revealed that prison officials repeatedly abused them and other protesters, with one inmate having attempted suicide to escape torture.
- The Hong Kong government exhibited a pattern of selective enforcement when it prosecuted protesters and democracy advocates with diligence but did not match the same level of commitment when addressing misconduct by police and people hostile to protesters. For example, during the July 21, 2019, incident in which a mob carried out an indiscriminate attack at a subway station in Yuen Long, police arrived at the scene 45 minutes later despite numerous emergency calls and made no arrests that day. In contrast, police arrested many prominent democracy advocates for unauthorized assembly although they had not engaged in any violent acts.

POLITICAL PRISONER CASES OF CONCERN

Members of Congress and the Administration are encouraged to consult the Commission's Political Prisoner Database (PPD) for credible and up to date information on individual prisoners or groups of prisoners. The Cases of Concern in the Commission's 2020 Annual Report highlight a small number of individuals whom Chinese authorities have detained or sentenced for peacefully exercising their internationally recognized human rights. Members of Congress and the Administration are encouraged to advocate for these individuals in meetings with Chinese government and Communist Party officials. For more information on these cases and other cases raised in the Annual Report, see the Commission's Political Prisoner Database.

Name PPD Record No.	Case Summary (as of July 2020)		
 Wangdu **2004-00243** **Date of Detention** March 14, 2008	**Place of Detention** Tibet Autonomous Region (TAR) Prison (Drapchi), Lhasa municipality, TAR **Charge** Espionage **Status** Sentenced to life imprisonment	**Context** A non-governmental organization (NGO) worker, HIV/AIDS activist, and former monk, Wangdu was detained the day protests and rioting erupted in Lhasa. He was sentenced along with three other Tibetans on accusations of distributing material inciting a "Tibetan people's uprising" and collecting "intelligence" to send to Tibetans in exile.	**Additional Information** Wangdu was previously detained in March 1989. Authorities initially ordered him to serve three years' reeducation through labor, which was extended to an eight-year prison sentence after he and other detainees signed a petition stating that the Chinese government's 1951 assertion of sovereignty over Tibet was invalid.
 Gui Minhai **2016-00090** **Date of Detention** October 2015	**Place of Detention** Unknown, believed to be in Ningbo municipality, Zhejiang province **Charge** Illegally providing intelligence abroad **Status** Sentenced to 10 years **Context** Gui Minhai, a Swedish citizen and co-owner of Hong Kong's Mighty Current Media, which sold books critical of Chinese leaders, disappeared from his Pattaya, Thailand, home on October 17, 2015. Three of his coworkers went missing in China the same month, and a fourth in Hong Kong in December. In January 2016, Chinese state media aired a confession by Gui in which he said that he turned himself in to Chinese authorities after fleeing China in 2004 while serving a suspended sentence. In February 2016, Gui gave another televised confession, to "illegal business activity" related to selling books to mainland Chinese customers. In October 2017, authorities released Gui from custody but did not allow him to leave China. In January 2018, police seized Gui as he traveled to Beijing municipality with Swedish diplomats for a medical exam for symptoms consistent with amyotrophic lateral sclerosis (ALS). He was sentenced to 10 years in prison in February 2020. The trial court claimed that Gui applied to reinstate his Chinese citizenship in 2018.	

Name PPD Record No.	Case Summary (as of July 2020)		
 Cui Fenglan 2020-00122 **Date of Detention** May 16, 2016	**Place of Detention** Ha'erbin Municipal No. 2 PSB Detention Center, Heilongjiang province **Charge** Organizing or using a cult organization to undermine implementation of the law	**Status** Sentenced to 15 years **Context** Falun Gong practitioner Cui Fenglan was detained in May 2016 when she went to pick up packages that authorities alleged contained good luck charms bearing Falun Gong-related motif "Truth, Forbearance, Compassion." Authorities have repeatedly harassed or punished Cui in connection with her adherence to Falun Gong since the Chinese government banned the spiritual movement in 1999.	
 Ge Jueping 2016-00475 **Date of Detention** November 4, 2016	**Place of Detention** Suzhou Municipal No. 1 PSB Detention Center, Jiangsu province **Charge** Inciting subversion of state power **Status** Sentenced to four years and six months	**Context** Ge Jueping was detained in November 2016 in reported connection with a larger crackdown on other rights advocates in Suzhou that began in September 2016. Authorities initially placed Ge under "residential surveillance at a designated location" before his formal arrest six months later in May 2017. The Suzhou Intermediate People's Court tried Ge in May 2019, and sentenced him in June 2020.	**Additional Information** During Ge's extended detention, his health has suffered due to poor living conditions and lack of access to adequate medical care. Ge previously had cancer and currently suffers high blood pressure requiring daily medication, as well as a possible cardiac condition.
 Huang Qi 2004-04053 **Date of Detention** November 28, 2016	**Place of Detention** Bazhong Prison, Bazhong municipality, Sichuan province **Charge** Illegally providing state secrets to foreign entities, intentionally leaking state secrets **Status** Sentenced to 12 years	**Context** Citizen journalist and founder of the rights website 64 Tianwang, which reported on petitioners and other human rights issues in China. Huang previously served prison sentences for posting articles online about the 1989 Tiananmen protests and Falun Gong, and for aiding the parents of children who died in the 2008 earthquake in Sichuan.	**Additional Information** Officials have refused requests for medical parole despite Huang's life-threatening kidney disease. Authorities have kept Huang's 86-year-old mother Pu Wenqing in confinement at home and at a hospital since December 2018.
 Sa'adet Bawudun 2020-00056 **Date of Detention** January 27, 2017	**Place of Detention** Unknown, possibly Ghulja (Yining) city, Ili (Yili) Kazakh Autonomous Prefecture, Xinjiang Uyghur Autonomous Region (XUAR) **Charge** Unknown **Status** Sentenced to 18 years	**Context** Sa'adet Bawudun and her husband, retired Ili government official Hemit Abdurahman, were detained amid the ongoing campaign of mass detentions in the XUAR. Their son sought asylum in Sweden and is an activist there, and they visited him in Turkey in 2014. Their detentions are believed to be related to that visit.	**Additional Information** Their daughter Gulshat Hemit was reportedly detained on April 28, 2018, in connection with their detentions. She is believed to be held in a mass internment camp.

Name PPD Record No.	Case Summary (as of July 2020)		
 Shafkat Abas 2020-00118 **Date of Detention** March 13, 2017	**Place of Detention** Prison in Urumqi municipality, XUAR **Charge** Unknown **Status** Sentenced, reportedly to 10 years	**Context** An ethnic Tatar, Shafkat Abas owned and ran a traditional Uyghur medical clinic in Urumqi. Family members, including a brother who lives abroad, suggested his detention was connected with religious or historical books he kept at his clinic, or foreign websites accessed from his computer when his brother visited him in Urumqi. In November 2019, his parents and wife visited him in prison for 15 minutes; he appeared to be in poor health.	
 Li Yuhan 2017-00361 **Date of Detention** October 9, 2017	**Place of Detention** Shenyang Municipal No. 1 PSB Detention Center, Liaoning province **Charge** Picking quarrels and provoking trouble, fraud **Status** Formally arrested, awaiting trial	**Context** A lawyer, Li previously represented rights lawyer Wang Yu, whom authorities detained in a crackdown on human rights legal professionals that began in mid-2015. **Additional Information** Li suffers from various health conditions including heart disease, hypertension, and hyperthyroidism. Staff at the detention center reportedly instructed other inmates to urinate on her food, denied her hot water for showering, denied her medical treatment, and threatened that they would beat her to death. In March 2018, Li went on a hunger strike to protest mistreatment, which prompted detention center officials to force-feed her. Detention center officials have blocked her lawyer from meeting her since January 2020, citing the coronavirus disease 2019 (COVID–19) pandemic.	
 **Reshide Dawut** 2020-00159 **Date of Detention** Unknown, believed to be in 2018	**Place of Detention** Unknown, possibly a prison in the XUAR **Charge** Separatism (unconfirmed) **Status** Sentenced, reportedly to 15 years	**Context** Authorities in Urumqi municipality, XUAR, detained Reshide Dawut, a prominent Uyghur singer and member of an official performing arts group, the Xinjiang Muqam Ensemble. Local officials confirmed that Dawut was sentenced, reportedly to 15 years in prison. Prior to her sentencing, authorities may have held her in a mass internment camp.	
 Yu Wensheng 2014-00387 **Date of Detention** January 19, 2018	**Place of Detention** Xuzhou Municipal PSB Detention Center, Jiangsu province **Charge** Inciting subversion of state power **Status** Sentenced to 4 years	**Context** On January 18, 2018, rights lawyer Yu Wensheng published an open letter calling for democratic reforms to China's Constitution, including subordinating the Communist Party to constitutional and legal oversight. The next day, Beijing police detained him outside his home. Later that month, authorities sent him to Xuzhou, where he was placed under "residential surveillance at a designated location." In May 2019, his wife received a phone call informing her that Yu had been tried several days prior, though neither she nor Yu's lawyers were notified beforehand. The court sentenced Yu over a year later, in June 2020.	

Name PPD Record No.	Case Summary (as of July 2020)		
 Yue Xin **2018-00665** **Date of Detention** August 24, 2018	**Place of Detention** Beijing municipality **Charge** Unknown **Status** Unknown **Context** Beginning in July 2018, authorities took into custody over 60 individuals	connected to factory workers' attempts to form a labor union at Shenzhen Jasic (Jiashi) Technology Co. Ltd. (Jasic) in Shenzhen municipality, Guangdong province. On August 19, Peking University graduate Yue Xin published an open letter calling on central authorities to permit the workers to unionize. On August 24, police detained Yue and	about 50 individuals who had gathered in Shenzhen to show support for the detained Jasic workers. **Additional Information** In January 2019, Yue and other student Jasic supporters including Gu Jiayue, Zheng Yongming, and Shen Mengyu appeared in a video giving what appeared to be forced confessions.
 Anya Sengdra **2016-00353** **Date of Detention** September 4, 2018	**Place of Detention** Machen (Maqin) County PSB Detention Center, Golog (Guoluo) Tibetan Autonomous Prefecture, Qinghai province **Charge** Picking quarrels and provoking trouble, gathering a crowd to disturb social order	**Status** Sentenced to 7 years **Context** Tibetan anticorruption advocate Anya Sengdra was accused of using several WeChat groups which he created or administered to lead local residents against the government. His wife wrote that authorities detained him in retaliation for his accusations of official embezzlement or misuse of	poverty alleviation funds allocated to assist resettled nomads. **Additional Information** Authorities also detained nine other Tibetans in connection with Anya Sengdra's case, sentencing eight of them in December 2019 to prison terms of unknown length. Anya Sengdra's brother Jamtri died in detention before sentencing.
 Wang Yi **2018-00615** **Date of Detention** December 9, 2018	**Place of Detention** Prison in Sichuan province **Charge** Inciting subversion of state power, illegal business activity **Status** Sentenced to 9 years **Context** Authorities detained Early Rain Covenant Church pastor and founder Wang Yi one day before	officially banning the unregistered Protestant church located in Chengdu municipality, Sichuan. Wang's detention took place amid a broad crackdown on unregistered churches in China. Authorities refused to allow the lawyer hired by Wang's family to represent him at his December 2019 trial and sentencing.	**Additional Information** In addition to Wang, authorities detained at least 100 Early Rain members beginning in December 2018. Among those whom authorities released, many remained under surveillance, including Wang's wife Jiang Rong. Church members reported that while in detention they were force-fed unknown medication and coerced to confess or to falsely accuse Wang and other church leaders of wrongdoing.
 Cheng Yuan **2019-00300** **Date of Detention** July 22, 2019	**Place of Detention** Hunan Provincial State Security Department Detention Center, Changsha municipality, Hunan **Charge** Subversion of state power **Status** Formally arrested	**Context** State security officials from Hunan detained Cheng Yuan, co-founder and staffer at the public interest NGO Changsha Funeng, at his home in Shenzhen municipality, Guangdong province, and transferred him to detention in Hunan. At the same time, authorities detained two other Changsha Funeng staffers, Liu Dazhi (Liu Yongze) and Wu Gejianxiong.	**Additional Information** Changsha Funeng conducted advocacy for individuals with disabilities and for vulnerable groups, and used open government information requests to promote transparency. Prior to his detention, Cheng Yuan reportedly traveled to Hong Kong for work.

Name PPD Record No.	Case Summary (as of July 2020)		
 Cui Haoxin **2020-00071** **Date of Detention** January 24, 2020	**Place of Detention** Jinan municipality, Shandong province **Charge** Picking quarrels and provoking trouble **Status** Criminally detained	**Context** Cui Haoxin is a Hui Muslim poet and writer, also known by his pen name An Ran. He has publicly criticized Chinese government policies toward Muslims, including the mass detention of Uyghurs and members of other largely Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region and the destruction of mosques. Prior to this detention, authorities detained and questioned him about his online posts on several occasions.	
 Xu Zhiyong **2005-00199** **Date of Detention** February 15, 2020	**Place of Detention** Linshu County PSB Detention Center, Linyi municipality, Shandong province **Charge** Inciting subversion of state power **Status** Formally arrested **Context** Xu Zhiyong is a prominent legal advocate and one of the initiators of the New Citizens' Movement (also known as China Citizens Movement). His detention is linked to other rights advocates detained in December 2019 following a gathering at which participants discussed Chinese politics and civil society. Xu evaded a police search for 50 days prior to his detention, during which time he publicly urged President and Party General Secretary Xi Jinping to leave office due to the government's handling of the COVID–19 pandemic. Prior to Xu's arrest, authorities held Xu under "residential surveillance at a designated location" possibly in Shandong province. **Additional Information** On February 16, 2020, Beijing police detained Li Qiaochu, a women's and labor rights advocate and Xu's partner; on June 18, authorities released her on bail. Xu previously served 4 years in prison from 2013 to 2017 for his rights advocacy work.		

GENERAL RECOMMENDATIONS TO CONGRESS AND THE ADMINISTRATION

The 116th Congress passed important and bipartisan legislation on human rights in China, responding in part to the Chinese government and Communist Party's increasingly brutal domestic repression and the challenges created by the global export of the Party's authoritarian political, development, and surveillance models. Moving forward, the U.S. Government should develop coordinated policies that press the Chinese government for greater transparency, reciprocity, and adherence to international rules and norms. This is necessary to advance American interests and the interests of Chinese citizens eager for peace, rights protections, the rule of law, and genuine political reform. The Commission makes the following recommendations, recognizing that a shared commitment to universal human rights and the rule of law is the foundation for the cooperative alliances, partnerships, and multilateral consultative mechanisms that have underpinned international stability and prosperity since the end of World War II.

Address Atrocities in the XUAR

The Administration should quickly implement the Uyghur Human Rights Policy Act (Public Law No. 116–145) and work with Congress on necessary steps to address likely atrocity crimes in the Xinjiang Uyghur Autonomous Region (XUAR), including:

- Issuing a formal determination of whether atrocity crimes, including crimes against humanity and genocide, are occurring in the XUAR.
- Establishing new export regulations for the sale of emerging technologies including facial recognition systems, machine learning, and biometric and artificial intelligence technology, and continuing to place XUAR agencies and businesses employing these technologies for mass surveillance and social control on the Department of Commerce's "Entity List."
- Continuing to employ Global Magnitsky Human Rights Accountability Act (Public Law No. 114–328) and other

Despite a police ban, thousands of Hong Kong residents gather in Victoria Park to commemorate the 31st anniversary of the 1989 Tiananmen protests. June 4, 2020.

available sanction authorities, to hold responsible Chinese officials and other entities complicit in mass internment, forced labor, forced renunciations of faith, and forced sterilizations, forced abortions, and other coercive or violent measures to control family size.

- Engaging in multilateral forums by requesting an open debate or, at the very least, an Arria-formula briefing at the UN Security Council on the XUAR.
- Working with allies and partners at the UN to request the appointment of a special rapporteur on the XUAR and other special procedures to address the Chinese government's serious human rights abuses in the region.

Stop Goods Made with Forced Labor from Entering U.S. Markets

Global supply chains are increasingly at risk of being compromised with goods made with forced labor in or from the XUAR. Congress should pass the Uyghur Forced Labor Prevention Act (H.R. 6210/S. 3471), creating a "rebuttable presumption" requiring companies to prove that goods imported from the XUAR are not made with forced labor. In addition, the Administration should:

- Issue additional Withhold Release Orders (WRO) through Customs and Border Protection pursuant to 19 CFR 12.42(e), targeting companies engaged in forced labor in the XUAR.
- Ensure that individuals engaged in significant labor trafficking in the XUAR are identified and sanctioned under Section 111 (22 U.S.C. 7108) of the Trafficking Victims Protection Act of 2000, as amended (Public Law No. 106–386).
- Enforce U.S. prohibition of the import of goods made with forced labor by prosecuting individuals or entities knowingly violating U.S. law.
- Conduct an interagency assessment of the Xinjiang Production and Construction Corps (XPCC) to evaluate the extent of this paramilitary organization's complicity in mass internment and forced labor, and determine whether any goods or products produced by XPCC entities are exported to the U.S. market or procured by U.S. Federal agencies.

Support the People of Hong Kong

The Administration should fully implement the Hong Kong Human Rights and Democracy Act (HKHRDA) (Public Law No. 116–76), including by issuing robust reporting on the status of Hong Kong's autonomy and detailed justification for any new sanctions levied on individuals for undermining fundamental freedoms and autonomy in Hong Kong. In addition:

- The Department of Commerce should issue the report, required by the HKHRDA, detailing efforts by Chinese entities to undermine U.S. export regulations and sanctions law in Hong Kong.
- The Administration should continue to prohibit all U.S. exports of police equipment and crowd-control technology to the Hong Kong police, including the prohibition required by Public Law No. 116–77.
- The Administration should offer humanitarian parole to any pro-democracy leaders needing urgent protection and work with Congress on a permanent solution that will allow a pathway for protesters, activists, students, and others impacted by the loss of Hong Kong's autonomy to legally enter the United States from Hong Kong.

Protect Tibetan Identity and Culture

The Administration should use the tools available in the Tibet Policy Act of 2002 (Public Law No. 107–228; 22 U.S.C. 6901) and the Reciprocal Access to Tibet Act (Public Law No. 115–330) to try to gain access to Tibetan areas and help sustain Tibetan culture and identity. Congress should also pass the Tibet Policy and Support Act (H.R. 4331/S. 2539) to further affirm the protection of Tibetan human rights in U.S. policy, strengthen the role of the U.S. Special Coordinator for Tibetan Issues, and address Chinese government interference in the selection of Tibetan religious leaders and a future 15th Dalai Lama. Members of Congress and Administration officials should interact regularly with the leaders of the Central Tibetan Administration and with parliamentarians globally to build international coalitions to protect Tibetan human rights. To further affirm the priority of Tibetan human rights in U.S. policy, the Administration should appoint a high-level official, at or above the rank of Under Secretary of State, to the position of Special Coordinator for Tibetan Issues.

Communicate the Challenges Posed by the Chinese Government

The Administration and Congress, in a bipartisan fashion, should communicate to the American people the nature, scope, and scale of the human rights challenges while clearly differentiating the peoples and cultures of China from the Chinese government and Communist Party. Poorly designed and communicated efforts regarding Chinese government policies can be exploited in Chinese government and Communist Party propaganda, and can lead to intolerance or harassment of Chinese and other Asian Americans. The United States should always be clear that it stands for human rights and the rule of law, and against racism.

Protect the Rights of American Citizens and Residents

The Chinese government and Communist Party actively engage in disruptive and racially divisive activities including efforts to intimidate or censor individuals of Chinese, Tibetan, and Uyghur descent living in the United States. Administration officials and Members of Congress should clearly communicate that the civil rights of U.S. citizens and residents of Asian and Chinese descent, and Chinese nationals living or studying in the United States, will be protected, including freedom from coercion or intimidation, freedom of expression, and the freedom of religion. U.S. officials should also publish relevant information about the Chinese government, Communist Party, and entities and individuals engaged in malign foreign influence operations, including through passage by Congress of the Countering the Chinese Government and Communist Party's Political Influence Operations Act (S. 480/H.R. 1811).

Limit Ability to Exploit U.S. Openness

The Chinese government and Communist Party exploit U.S. openness to exert influence over U.S. policy, acquire critical technologies, and transmit disinformation and propaganda to advance the Chinese government's messages and interests. The Administration and Congress should work together to address the challenges posed by Chinese government disinformation, economic coercion, and malign political influence operations in the United States by:

- Requiring mandatory disclaimers on direct foreign government propaganda to prominently and clearly inform the consumer that this media was paid for by the Chinese government and/or Communist Party.
- Amending the U.S. Higher Education Act to require U.S. colleges and universities to publicly report all foreign gifts, contracts, and in-kind contributions that exceed $10,000 per year from a single foreign government or institution and any entity affiliated primarily with a foreign government.
- Conditioning certain federal assistance to U.S. universities and colleges on the requirement that their contracts or agreements establishing Confucius Institutes include clear provisions protecting academic freedom and the civil rights of the Chinese employees of Confucius Institutes as well as granting full managerial authority to the college or university.
- Supporting initiatives to increase funding and resources for Chinese language instruction to decrease the need for Confucius Institutes or other resources from foreign governments and entities.
- Requiring that U.S. think tanks and other non-governmental organizations (NGOs) publicly disclose all foreign grants and gifts as part of their tax filings to maintain non-profit status.
- Seeking a U.S. Government Accountability Office (GAO) study of the "Thousand Talents Program" to assess the extent to which this program is used to co-opt researchers or students at U.S. universities and think tanks to unlawfully appropriate research, intellectual property, and other knowledge for the benefit of the Chinese military, government, companies, or interests.
- Protecting any U.S. citizen fired for expressing opinions critical of Chinese government policies or supportive of human rights in China or Hong Kong by extending the right to pursue civil litigation for wrongful employment termination.
- Developing a multi-stakeholder action plan for all U.S. NGOs and academic institutions interacting with Chinese government or Communist Party-affiliated entities, to counter malign influence operations and to provide these institutions with the means to address censorship or restrictions on their activities.

Overhaul the Legal Framework on Foreign Interference

The Administration and Congress should work together to update and expand the requirements of the Foreign Agents

Registration Act (FARA) (Public Law No. 75–583) to address the unique challenges posed by the Chinese government's attempts to acquire technologies banned under U.S. export controls and limit academic freedom by acting through organizations like Chinese Students and Scholars Associations and Confucius Institutes. FARA reform should include registration and reporting requirements for those firms lobbying on behalf of foreign commercial entities and organizations working on educational or scientific pursuits with significant foreign government ties. And, in coordination with the Committee on Foreign Investment in the United States (CFIUS), registration as a foreign agent should be required for any entity accepting funding from a Chinese entity linked to the Chinese government or Communist Party for the purpose of acquiring U.S. companies or technology.

Develop a Whole-of-Government Human Rights Strategy

In order to ensure that the U.S. Government can strategically address a more authoritarian China, the President should issue a policy directive to develop a comprehensive strategy embedding human rights, the rule of law, and democratic governance and development goals into the critical mission strategies of all U.S. government entities interacting with the Chinese government, both bilaterally and through international organizations, and expand interagency coordination efforts to counter disinformation, censorship, malign political influence operations, or economic coercion, particularly those targeting diaspora communities, U.S. colleges and universities, and U.S. partners and allies.

World Bank Accountability

A $50 million World Bank loan to XUAR entities for vocational training programs and previous World Bank funding for agricultural development projects in the region raise questions about accountability and oversight of World Bank loans to China. The U.S. representatives to the International Bank for Reconstruction and Development (IBRD) should continue to oppose new lending, pursuant to China's "Tier 3" designation for significant trafficking of persons. Congress should ask the U.S. Governor for the IBRD to explore reforms and increased transparency in the bank's lending to the world's second largest economy. In addition, Congress should ask for an annual report from the Department of the Treasury on debt transparency and debt management assistance efforts in relation to credit provided by the Chinese government to other countries, including through the Belt and Road Initiative.

A Hong Kong riot police officer kneels on the neck of a volunteer first aider as police attempt to disperse thousands of pro-democracy protesters on China's National Day. October 1, 2020.

Hold Officials Responsible for Serious Human Rights Abuses

The Administration should strategically use the list-based sanctions available in the Global Magnitsky Human Rights Accountability Act (Public Law No. 114–328), the International Religious Freedom Act of 1998 (Public Law No. 105–292), the Victims of Trafficking and Violence Protection Act of 2000 (Public Law No. 106–386), and the Foreign Relations Authorization Act of 2000 (Public Law No. 106–113—Appendix G), among others, to ensure that Chinese officials complicit in human rights violations, including severe religious freedom restrictions and human trafficking, cannot benefit from access to the United States or its financial markets.

Condition Access to U.S. Capital Markets

Congress should ask the relevant executive branch departments and agencies to identify and list Chinese companies and entities that have provided material support or technical capabilities in violation of U.S. law and that facilitate human rights abuses in China, including in the XUAR and Tibetan areas of China, and require the Securities and Exchange Commission to strengthen disclosure and auditing requirements for any listed Chinese companies in U.S. capital markets to ensure that U.S. retirement and investment dollars are not funding companies with links to the Chinese government's security apparatus or malevolent behavior.

Strengthen Response to Pandemics

The Administration should work with allies and partners to strengthen the International Health Regulations (IHR) to make clearer obligations for member states and consequences for those that fail to provide timely and transparent information about infectious disease outbreaks; create a regular Periodic Review for compliance of member states with the IHR; and create an independent mechanism that insulates the decision to declare a Public Health Emergency of International Concern (PHEIC) from political pressure of member states. In addition, Congress should:

- Ensure that the U.S. Global Health Security Agenda has the resources needed to increase global capacity for preventing, detecting, and responding to infectious diseases and create standards that protect and promote global health, transparency, and internationally recognized human rights.

Hong Kong medical workers line up to register their participation in the workers union strike in support of the HK-mainland border closure in combating the spread of COVID-19. February 3, 2020.

- Require the Department of State's Global Engagement Center to issue reports on its efforts to counter disinformation related to the novel coronavirus pandemic.
- Issue appropriate sanctions and export licensing restrictions for any individuals or entities identified as having been complicit in forced labor programs involving Personal Protective Equipment (PPE) production.
- Urge the Administration to raise cases of those in China detained for exposing the origins of the virus and the Chinese government's response to its transmission, and to find ways to honor Dr. **Li Wenliang** and all the other doctors, journalists, citizen journalists, and researchers punished or detained for their efforts to promote transparency about the novel coronavirus outbreak in China.

Address Digital Authoritarianism

The Chinese government is developing technology and utilizing artificial intelligence (AI) to expand mass surveillance and social control of its citizens and is exporting this technology globally, undermining democratic values and governance structures. The Administration should work with Congress and like-minded allies and partners, where appropriate, to:

- Develop a set of global principles for the use of facial recognition and other forms of biometric surveillance that protect privacy and human rights.
- Employ targeted sanctions against perpetrators of cyberattacks used to steal intellectual property and sensitive personal information, as well as against any entities benefiting from this type of intrusion.
- Launch a digital infrastructure initiative that uses the bipartisan BUILD Act (Public Law No. 115–254) to make information and communications technology a greater priority for overseas development assistance.
- Champion high-standard internet governance principles globally that support the freedom of expression and the protection of user privacy.

Counter Internet Censorship

Congress and the Administration should counter internet censorship in China, including by actively opposing the Chinese government's efforts to establish a new international norm on "internet sovereignty"; expanding digital security training

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for civil society advocates; prioritizing an agenda that uses congressionally appropriated funds to help internet users to circumvent China's "Great Firewall"; and creating other "smart technologies" and equipment that provide the greatest possible access to the internet in China and globally. Congress should pass S. 4245, the Safeguarding Internet Freedom in Hong Kong Act of 2020, to bolster the availability of firewall circumvention tools for Hongkongers.

Strengthen International Organizations

As the Chinese government increases its influence and promotes its autocratic model in international organizations, the Administration should coordinate with like-minded allies and partners on public statements, diplomatic démarches, technical assistance programs, and public diplomacy efforts to condemn arbitrary detention, torture, and other serious human rights abuses in China, and creatively communicate these efforts to the Chinese people. Work together with allies and partners to strengthen human rights mechanisms within international institutions and to help special rapporteurs and other human rights experts gain unfettered access to member states in order to monitor human rights conditions. In addition, Congress should:

- Request from the Secretary of State a strategy to counter Chinese government influence in international organizations, particularly those related to human rights, internet sovereignty, the development of norms on artificial intelligence, labor, international standards setting, and freedom of navigation.

- Request a report from the Director of National Intelligence on the scope, tactics, and effects of Chinese government influence in international organizations.
- Request from the Secretary of the Treasury a strategy to improve coordination with the Department of State and U.S. representatives at multilateral institutions, such as the World Bank and International Monetary Fund, to align efforts to combat China's malign influence globally.

Prioritize Religious Freedom Diplomacy

The Administration should use all the tools available in the International Religious Freedom Act (22 U.S.C. 6401 et seq.), the Frank Wolf International Religious Freedom Act (Public Law No. 114–281), and Executive Order 13926 to improve U.S. religious freedom diplomacy and provide targeted responses to escalating religious freedom abuses affecting all of China's diverse religious communities. The Administration and Members of Congress should work with Vatican officials to address increased repression of Catholics in China, offer technical assistance to protect Vatican diplomatic communications from Chinese government cyberattacks and provide diplomatic assistance, as appropriate, to reevaluate the 2018 Sino-Vatican agreement on bishop appointments. In addition, Vatican officials should be urged to publish the original agreement and any negotiated revisions to transparently evaluate the Chinese government's compliance and whether the internationally recognized right to the freedom of religion is being protected.

Develop Creative Human Rights Programs

In China, U.S. efforts to promote human rights and the rule of law are characterized unfairly as threats to the stability of China. The Administration should work with Congress to:

- Develop creative public messaging and programs that prioritize the rights violations that affect the largest numbers of Chinese citizens—workers, families, religious believers, internet users, women, and rural residents in particular.
- Continue to fund capacity-building initiatives for rights and rule of law advocates in settings outside China, given growing restrictions on the funding of civil society organizations in China and Hong Kong.
- Create a public mechanism for coordinating human rights diplomacy and technical assistance programs with like-minded allies and partners that includes the meaningful participation of experts and NGOs from all participating countries.

Advocate for Political Prisoners

Members of Congress and Administration officials at the highest levels should raise specific prisoner cases in meetings with Chinese government officials. Experience demonstrates that consistently and prominently raising individual prisoner cases and the larger human rights issues they represent can result in improved treatment in detention, lighter sentences or, in some cases, release from custody, detention, or imprisonment. The Administration should consider creating a Special Advisor for Religious and Political Prisoners to coordinate interagency resources on behalf of political and religious prisoners in China and globally. Members of Congress are encouraged to consult the Commission's Political Prisoner Database for reliable information on cases of political and religious detention in China, and to "adopt" individual prisoners and advocate on their behalf through the Tom Lantos Human Rights Commission's "Defending Freedoms Project."