CHINA 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

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

The main domestic security agencies include the Ministry of State Security, the Ministry of Public Security, and the People's Armed Police. The People's Armed Police continue to be under the dual authority of the Central Committee of the Communist Party and the Central Military Commission. The People's Liberation Army is primarily responsible for external security but also has some domestic security responsibilities. Local jurisdictions also frequently use civilian municipal security forces, known as "urban management" officials, to enforce administrative measures. Civilian authorities maintained effective control of the security forces. There were credible reports that members of the security forces committed serious and pervasive abuses.

Genocide and crimes against humanity occurred during the year against predominantly Muslim Uyghurs and members of other ethnic and religious minority groups in Xinjiang. These crimes were continuing and included: the arbitrary imprisonment or other severe deprivation of physical liberty of more than one million civilians; forced sterilization, coerced abortions, and more restrictive application of the country's birth control policies; rape; torture of a large number of those arbitrarily detained; forced labor; and draconian restrictions on freedom of religion or belief, freedom of expression, and freedom of movement.

Significant human rights issues included credible reports of: arbitrary or unlawful killings by the government; forced disappearances by the government; torture by the government; harsh and life-threatening prison and detention conditions;

arbitrary detention by the government, including the mass detention of more than one million Uyghurs and members of other predominantly Muslim minority groups in extrajudicial internment camps and an additional two million subjected to daytime-only “re-education” training; political prisoners; politically motivated reprisal against individuals outside the country; the lack of an independent judiciary and Communist Party control over the judicial and legal system; arbitrary interference with privacy including pervasive and intrusive technical surveillance and monitoring; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others as well as their family members; serious restrictions on internet freedom, including site blocking; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws that apply to foreign and domestic nongovernmental organizations; severe restrictions and suppression of religious freedom; substantial restrictions on freedom of movement; refoulement of asylum seekers to North Korea, where they have a well founded fear of persecution, including torture and sexual violence; the inability of citizens to choose their government peacefully through free and fair elections; serious restrictions on political participation; serious acts of government corruption; forced sterilization and coerced abortions; trafficking in persons, including forced labor; violence targeting members of national, racial, and ethnic minority groups; severe restrictions on labor rights, including a ban on workers organizing or joining unions of their own choosing; and child labor.

Government officials and the security services often committed human rights abuses with impunity. Authorities often announced investigations following cases of reported killings by police but did not announce results or findings of police malfeasance or disciplinary action. Enforcement of laws on corruption was inconsistent and not transparent, and corruption was rampant.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically

Motivated Killings

There were numerous reports that the government or its agents committed arbitrary or unlawful killings. In many instances few or no details were available. In an April 21 report, Amnesty International declared the country executed potentially thousands of individuals in 2020.

In Xinjiang there were reports of custodial deaths related to detentions in the internment camps. There were multiple reports from Uyghur family members who discovered their relatives had died while in internment camps or within weeks of their release. In January, Radio Free Asia (RFA) reported the 82-year-old Uyghur poet Haji Mirzahid Kerimi died in prison while serving an 11-year sentence for writing books that were later blacklisted. According to RFA, Kerimi was arrested in 2017 as part of the People's Republic of China's (PRC) campaign to censor "dangerous" literature. RFA also reported Kurbanjan Abdukerim died in February shortly after his release from an internment camp. During the three years of his detainment, Abdukerim family reported he had lost more than 100 pounds and that the cause of his death was unknown.

b. Disappearance

Disappearances through multiple means continued at a nationwide, systemic scale.

The primary means by which authorities disappeared individuals for sustained periods of time is known as "Residential Surveillance at a Designated Location" (RSDL). RSDL codifies in law the longstanding practice of the detention and removal from the public eye of individuals the state deems a risk to national security or intends to use as hostages. The primary disappearance mechanism for public functionaries is known as *liuzhi*. Per numerous reports, individuals disappeared by RSDL and liuzhi were subject to numerous abuses including but not limited to physical and psychological abuse, humiliation, rape, torture, starvation, isolation, and forced confessions.

The government conducted mass arbitrary detention of Uyghurs, ethnic Kazakhs, Kyrgyz, and members of other Muslim and ethnic minority groups in Xinjiang. Amnesty International, Human Rights Watch, and other nongovernmental

organizations (NGOs) alleged these detentions amounted to enforced disappearance, since families were often not provided information concerning the length or location of the detention.

Amnesty International reported in April that Ekpar Asat, also known as Aikebaier Aisaiti, a Uyghur journalist and entrepreneur, had been held in solitary confinement since 2019 in Aksu Prefecture. He was reportedly detained in Xinjiang in 2016 shortly after participating in a program in the United States and subsequently sentenced to up to 15 years in prison.

In July officials at Tongji University in Shanghai confirmed that Uyghur research scientist Tursunjan Nurmamat had been detained after Nurmamat suddenly went silent on social media in April. Further details on Nurmamat's case and whereabouts were unknown.

Professional tennis player Peng Shuai disappeared from public view for approximately three weeks after her November 2 accusation on social media that former Politburo Standing Committee member and vice premier Zhang Gaoli had sexually assaulted her. Her reappearance, via what appeared to be tightly controlled and staged video clips, raised concerns that authorities were controlling her movement and speech (see section 6, Women).

Former lawyer Tang Jitian, a long-time advocate for Chinese citizens, has been held incommunicado since December 10, reportedly in connection with his plans to attend Human Rights Day events in Beijing. Subsequently there were reports that authorities had sent a video to his former wife telling his family to remain quiet.

In 2020, four citizen journalists disappeared from public view after authorities in Wuhan took them into custody. Chen Qiushi, Li Zehua (who was released after two months in April 2020), Zhang Zhan, and Fang Bin had interviewed health-care professionals and citizens and later publicized their accounts on social media during the initial COVID-19 outbreak and subsequent lockdown in Wuhan. Media reported November 24 that Fang Bin was in custody in Wuhan, the first news of his location since his arrest in February 2020. On September 30, Chen Qiushi appeared on social media but said he could not talk about what happened to him.

In November according to reports from her family and lawyer in media, Zhang Zhan, who had been sentenced in December 2020 to four years' imprisonment, remained in detention and has been on an intermittent hunger strike.

The government still had not provided a comprehensive, credible accounting of all those killed, missing, or detained in connection with the violent suppression of the 1989 Tiananmen demonstrations. Many activists who were involved in the 1989 demonstrations and their family members continued to suffer official harassment. The government made no efforts to prevent, investigate, or punish such harassment.

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

The law prohibits the physical abuse and mistreatment of detainees and forbids prison guards from coercing confessions, insulting prisoners' dignity, and beating or encouraging others to beat prisoners. The law excludes evidence obtained through illegal means, including coerced confessions, in certain categories of criminal cases. There were credible reports that authorities routinely ignored prohibitions against torture, especially in politically sensitive cases.

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

Zhang Zhan, sentenced to four years' imprisonment in December 2020 for her activities as a citizen journalist during the COVID-19 outbreak in Wuhan, was not allowed family visits by Shanghai prison authorities. When Zhang went on a hunger strike, prison officials force-fed her, tying and chaining her arms, torso, and feet.

In August after 21 months in detention, human rights lawyer Ding Jiaxi was indicted. Ding was detained in 2019 on suspicion of "inciting subversion of state

power" for participating in a meeting in Xiamen, Fujian Province, to organize civil society activities and peaceful resistance to Chinese Communist Party (CCP) rule. Ding's wife posted on Twitter that Ding was tortured in a detention center in Beijing, including being subjected to sleep deprivation tactics such as shining a spotlight on him 24 hours per day.

On March 22, Zhang Wuzhou was sentenced to two years and nine months in prison for "obstructing official duty, provoking quarrels and stirring up trouble." Following her arrest in June 2020, Zhang was tortured in the Qingxin District Detention Center in Qingyuan (Guangdong Province), according to her lawyer's July 2020 account as reported by Radio Free Asia. Zhang said that detention center authorities handcuffed her, made her wear heavy foot shackles, and placed her in a cell where other inmates beat her. The Qingyuan Public Security Bureau detained Zhang on charges of "provoking quarrels and stirring up troubles" two days after she held banners at Guangzhou Baiyun Mountains to mark the anniversary of the Tiananmen massacre.

As of November human rights activist and lawyer Yu Wensheng remained in a Nanjing prison serving a four-year sentence. In April he was treated in a hospital for nerve damage from an unknown incident suffered in prison. He was convicted in June 2020 for "inciting subversion of state power" and was held incommunicado for 18 months before and after his conviction. Yu reported he was repeatedly sprayed with pepper spray and was forced into a stress position for an extended period.

As of November human rights lawyer Chang Weiping, who was reportedly tortured while in RSDL, was still in pretrial detention. Chang, known for his successful representation of HIV and AIDS discrimination cases, was detained in October 2020 after posting a video to YouTube detailing torture he suffered during a January 2020 round of RSDL.

In December 2020 Niu Tengyu was sentenced to a 14-year jail term by the Maonan District People's Court in Guangdong for "picking quarrels and stirring up trouble," "violating others' privacy," and "running an illegal business" in a case that has been linked to the leak of the personal information of President Xi's daughter. According to RFA, Niu's lawyers alleged that prior to the trial, Niu was

stripped, suspended from the ceiling, and his genitals burned with a lighter. They also alleged he was beaten so badly that he lost use of his right hand.

Members of the minority Uyghur ethnic group reported systematic torture and other degrading treatment by law enforcement officers and officials working within the penal system and the internment camps. Survivors stated that authorities subjected individuals in custody to electric shock, waterboarding, beatings, rape, forced sterilization, forced prostitution, stress positions, forced administration of unknown medication, and cold cells (see section 6, Systemic Racial or Ethnic Violence and Discrimination). In an October report on CNN, a former PRC police detective now living in Europe who had multiple tours of duty in Xinjiang confirmed many of these specific allegations in what he described as a systematic campaign of torture.

In March, Newlines Institute for Strategy and Policy released a comprehensive assessment of the PRC's actions in Xinjiang to examine "whether China bears State responsibility for breaches of Article II of the Genocide Convention, in particular, whether China is committing genocide against the Uyghurs as defined by Article II of the Convention." The report included contributions of more than 30 scholars and researchers and found that the PRC has implemented a campaign designed to eliminate Uyghurs, in whole or in part. The report stated, "[h]igh-level officials gave orders to 'round up everyone who should be rounded up,' 'wipe them out completely,' 'break their lineage, break their roots, break their connections and break their origins.'" The report noted the PRC has also pursued a "dual systematic campaign of forcibly sterilizing Uyghur women of childbearing age and interning Uyghur men of child-bearing years, preventing the regenerative capacity of the group."

In June, Amnesty International released a report that documented the accounts of more than 50 former detainees regarding the torture, mistreatment, and violence inflicted on them in camps in Xinjiang. The report detailed the systematic use of detainment and "re-education" centers to target Uyghurs and members of other ethnic minorities living in Xinjiang. The report concluded, "according to the evidence Amnesty International has gathered, corroborated by other reliable sources, members of the predominantly Muslim ethnic minorities in Xinjiang have been subjected to an attack meeting all the contextual elements of crimes against

humanity." Further, it elaborated on violence and detention stating, "Amnesty International believes the evidence it has collected provides a factual basis for the conclusion that the Chinese government has committed at least the following crimes against humanity: imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; torture; and persecution."

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

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

Official media reported the Ministry of Public Security directly administered 23 psychiatric hospitals for the criminally insane. While many of those committed to mental health facilities were convicted of murder and other violent crimes, there were also reports of activists, religious or spiritual adherents, and petitioners involuntarily subjected to psychiatric treatment for political reasons. Public security officials may commit individuals to psychiatric facilities and force treatment for "conditions" that have no basis in psychiatry.

Impunity was a significant problem in the security forces, including the Ministry of Public Security, the Ministry of State Security, and the Ministry of Justice, which manages the prison system.

Prison and Detention Center Conditions

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

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

The lack of adequate, timely medical care for prisoners remained a serious problem, despite official assurances prisoners have the right to prompt medical treatment. Prison authorities at times withheld medical treatment from political prisoners. Multiple NGOs and news agencies reported detainees at "re-education" centers or long-term extrajudicial detention centers became seriously ill or died.

Political prisoners were sometimes held with the general prison population and reported being beaten by other prisoners at the instigation of guards. Some reported being held in the same cells as death row inmates. In some cases authorities did not allow dissidents to receive supplemental food, medicine, and warm clothing from relatives.

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

In Xinjiang authorities expanded internment camps for Uyghurs, ethnic Kazakhs, and other Muslims. Buzzfeed reported in July that the map of detention centers "neatly fits the geography of counties and prefectures across Xinjiang, with a camp and detention center in most counties and a prison or two per prefecture." The report estimated that the government had built enough detention space to hold up to 1.01 million individuals. The Australian Strategic Policy Institute's Xinjiang Data Project satellite analysis indicated that Xinjiang has 385 detention centers. In some cases authorities used repurposed schools, factories, and prisons to hold detainees. The Associated Press reported in October that authorities have closed or repurposed the makeshift detention centers found in cities, but in their place have built larger detention centers outside the cities. According to Human Rights

Watch, these camps focused on "military-style discipline and pervasive political indoctrination of the detainees." Detainees reported pervasive physical abuse and torture in the camps and overcrowded and unsanitary conditions.

In July the Associated Press estimated one detention center in Dabancheng, Xinjiang could hold 10,000 persons. Associated Press reported that during a tour of the facility it observed detainees "in uniform rows with their legs crossed in lotus position and their backs ramrod straight" where they watched videos of CCP propaganda. In October, CNN interviewed a former Chinese police officer who served multiple tours in Xinjiang and was directly involved in the severe physical mistreatment and violence undertaken against Uyghurs and other ethnic minority communities. The officer stated, "We took (them) all forcibly overnight. If there were hundreds of people in one county in this area, then you had to arrest these hundreds of people." During interrogations, police officers would "kick them, beat them (until they're) bruised and swollen, … Until they kneel on the floor crying." "Interrogation" methods included shackling persons to a metal or wooden "tiger chair" (rendering them immobile), sexual violence against men and women, electrocutions, and waterboarding. The source said inmates were forced to stay awake for days and denied food and water. The former police officer stated that 150,000 police officers had been recruited to participate in the province-wide "strike hard" campaign and that there were arrest quotas they had to meet. Authorities accused detainees of terror offenses, but the source said he believed "none" of the hundreds of prisoners he was involved in arresting had committed a crime.

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

Independent Monitoring: Authorities considered information about prisons and

various other types of administrative and extralegal detention facilities to be a state secret, and the government did not permit independent monitoring.

d. Arbitrary Arrest or Detention

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

(See section 1.b., Disappearance, for a description of RSDL and liuzhi.)

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

There were allegations of detainee abuse and torture in the official detention system, known as liuzhi, of the National Supervisory Commission-Central Commission for Discipline Inspection (NSC-CCDI; see section 4). Liuzhi detainees are held incommunicado and have no recourse to appeal their detention. While detainee abuse is proscribed by the law, the mechanism for detainees to report abuse was unclear.

On March 14, Li Qiaochu was arrested for her human rights advocacy and involvement with fellow activists involved in the nationwide crackdown of lawyers and activists who participated in 2019 meetings in Xiamen, Fujian. Her first visit with her lawyer was on August 27, who reported that her mental health had deteriorated. At year's end she was still detained in Shandong Province on suspicion of "subverting state power."

On October 1, more than 170 Uyghurs in Hotan, Xinjiang, were detained by the National Security Agency of Hotan on the country's national day, according to Radio Free Asia. They were accused of displaying feelings of resistance to the country during flag-raising activities. Among those detained were at least 40 women and 19 minors.

On September 19, journalist Sophia Huang and activist Wang Jianbing were detained in Guangzhou, according to the rights group Weiquanwang (Rights Protection Network). Huang had planned to leave China via Hong Kong on September 20 for the United Kingdom, where she intended to pursue graduate studies. Media reported that both were being held incommunicado under RSDL on suspicion of "incitement to subvert state power." As of year's end they remained detained in Guangzhou, and no one was allowed to see the pair.

In September, PRC authorities released Canadian citizens Michael Kovrig and Michael Spavor from detention in China and allowed them to return to Canada, shortly following the release by Canadian authorities of Huawei Technologies executive Meng Wanzhou. Kovrig and Spavor had been detained since December 2018, after the arrest in Canada of Meng. For months the two Canadian citizens were held in RSDL before being charged with a crime and were denied access to lawyers and consular services. Another Canadian, Robert Schellenberg, remained in detention as his sentence was reviewed. After Meng's arrest, Schellenberg's sentence for drug-smuggling crimes was increased from 15 years' imprisonment to a death sentence.

There were no statistics available for the number of individuals in the liuzhi detention system nationwide. Several provinces, however, publicized these numbers, including Heilongjiang with 376 and Jilin with 275 detained, both in 2020. One provincial official heading the liuzhi detention system stated suspects averaged 42.5 days in detention before being transferred into the criminal justice system.

Arrest Procedures and Treatment of Detainees

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

After the completion of an investigation, the procuratorate may detain a suspect an

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

The law stipulates detainees be allowed to meet with defense counsel before criminal charges are filed, although lengthy detention without access to lawyers before charges were filed were common. The criminal procedure law requires a court to provide a lawyer to a defendant who has not already retained one; is blind, deaf, mute, or mentally ill; is a minor; or faces a life sentence or the death penalty. This law applies whether or not the defendant is indigent. Courts may also provide lawyers to other criminal defendants who cannot afford them, although courts often did not do so. Lawyers reported significant difficulties meeting their clients in detention centers, especially in cases considered politically sensitive. According to the *South China Morning Post*, a new legal aid law introduced in August that will enter into force in 2022 stipulates that legal consultation, the drafting of legal documents, representation in cases, labor arbitration and mediation will be paid for by legal aid centers set up central and local government.

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

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

Under certain circumstances the law allows for residential surveillance in the detainee's home, rather than detention in a formal facility. With the approval of the next-higher-level authorities, officials also may place a suspect under

"residential surveillance at a designated location" for up to six months when they suspect crimes of endangering state security, terrorism, or serious bribery and believe surveillance at the suspect's home would impede the investigation. Authorities may also prevent defense lawyers from meeting with suspects in these categories of cases. Human rights organizations and detainees reported the practice of residential surveillance at a designated location left detainees at a high risk for torture, since being neither at home nor in a monitored detention facility reduced opportunities for oversight of detainee treatment and mechanisms for appeal.

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

Arbitrary Arrest: Authorities detained or arrested persons on allegations of revealing state secrets, subversion, and other crimes as a means to suppress political dissent and public advocacy. These charges, as well as what constitutes a state secret, remained poorly defined and any piece of information could be retroactively designated a state secret. Authorities also used the vaguely worded charges of "picking quarrels and provoking trouble" broadly against many civil rights advocates. It was unclear what this term means. Authorities also detained citizens and foreigners under broad and ambiguous state secret laws for, among other actions, disclosing information on criminal trials, commercial activity, and government activity. A counterespionage law grants authorities the power to require individuals and organizations to cease any activities deemed a threat to national security. Failure to comply could result in seizure of property and assets.

There were multiple reports authorities arrested or detained lawyers, religious leaders or adherents, petitioners, and other rights advocates for lengthy periods, only to have the charges later dismissed for lack of evidence. Authorities

subjected many of these citizens to extralegal house arrest, denial of travel rights, or administrative detention in different types of extralegal detention facilities, including "black jails." In some cases public security officials put pressure on schools not to allow the children of prominent political detainees to enroll. Conditions faced by those under house arrest varied but sometimes included isolation in their homes under guard by security agents. Security officials were frequently stationed inside the homes. Authorities placed many citizens under house arrest during sensitive times, such as during the visits of senior foreign government officials, annual plenary sessions of the National People's Congress (NPC) and the Chinese People's Political Consultative Conference, the anniversary of the Tiananmen massacre, and sensitive anniversaries in Tibetan areas and Xinjiang. Security agents took some of those not placed under house arrest to remote areas on so-called vacations.

In March activist Chen Jianfang, detained in Shanghai since 2019, was tried for "inciting subversion of state power." A verdict was not announced following the trial, and Chen remained in detention. After Chen fired her court-appointed lawyer, she was not allowed to meet with a replacement lawyer.

In May, Wang Aizhong, a leader of the "Southern Street Movement" which advocates for the freedom of political expression, was detained by Guangzhou police under suspicion of "picking quarrels and provoking trouble," and then formally arrested in July. According to the NGO Chinese Human Rights Defenders, authorities told Wang's wife he was arrested for his social media posts and for giving foreign media interviews.

On June 4, Gao Heng was arrested by Guangzhou police for posting on social media a picture of himself holding a sign commemorating the anniversary of the Tiananmen massacre. Gao last met with a lawyer in prison in July pending his trial. No details of what he has been charged with or his current status have been publicly released.

Pretrial Detention: Pretrial detention could last longer than one year. Defendants in "sensitive cases" reported being subjected to prolonged pretrial detention. From 2015 to 2018, authorities held many of the "709" detainees (referring to the government crackdown on human rights lawyers that began on July 9, 2015) and

their defense attorneys in pretrial detention for more than a year without access to their families or their lawyers. Statistics were not published or made publicly available, but lengthy pretrial detentions were especially common in cases of political prisoners.

At year's end Beijing-based lawyer Li Yuhan, who defended human rights lawyers during the "709" crackdown, remained in detention at the Shenyang Detention Center; she has been held since 2017 and charged with "picking quarrels and provoking trouble." On July 12, Li met with her lawyer who reported that Li was urged to confess to her "crimes"; she refused. On October 21, her case went to trial, but no verdict was rendered. Due to Li's poor health, her attorney submitted multiple requests to Shenyang authorities to release Li on medical parole, but the request was repeatedly denied.

As of September 8, the Ganjingzi District Court in Dalian City had not tried Ren Haifei, a Falun Gong practitioner held without trial and without charges since June 2020. Ren was arrested without a warrant, hospitalized for severe injuries suffered after his initial arrest, and remanded to the Dalian Yaojia detention center after release from the hospital where he has remained. Ren Haifei was previously incarcerated from 2001 to 2008 for his Falun Gong beliefs and for participating in peaceful protests related to the government's treatment of other Falun Gong practitioners. Ren's trial was first scheduled for July; however, authorities postponed the trial, citing COVID-19 concerns.

e. Denial of Fair Public Trial

Although the law states the courts shall exercise judicial power independently, without interference from administrative organs, social organizations, and individuals, the judiciary did not exercise judicial power independently. Judges regularly received political guidance on pending cases, including instructions on how to rule, from both the government and the CCP, particularly in politically sensitive cases. The CCP Central Political and Legal Affairs Commission have the authority to review and direct court operations at all levels of the judiciary. All judicial and procuratorate appointments require approval by the CCP Organization Department.

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

A CCP-controlled committee decided most major cases, and the duty of trial and appellate court judges was to craft a legal justification for the committee's decision.

Courts are not authorized to rule on the constitutionality of legislation. The law permits organizations or individuals to question the constitutionality of laws and regulations, but a constitutional challenge may be directed only to the promulgating legislative body. Lawyers had little or no opportunity to rely on constitutional claims in litigation.

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

In February, United Kingdom media regulator Ofcom cancelled the broadcast license of China Global Television Network, the international news channel of China Central Television, for having insufficient editorial independence from the PRC government and the CCP. In July 2020 Ofcom found in its formal investigation that China Global Television Network broadcast in 2013 and 2014 a confession forced from a British private investigator imprisoned in China.

"Judicial independence" remained one of the subjects the CCP reportedly ordered university professors not to discuss (see section 2.a., Academic Freedom and Cultural Events).

Trial Procedures

Although the law reaffirms the presumption of innocence, the criminal justice system remained biased toward a presumption of guilt, especially in high-profile or politically sensitive cases.

Courts often punished defendants who refused to acknowledge guilt with harsher sentences than those who confessed. The appeals process rarely reversed convictions, and it failed to provide sufficient avenues for review. Remedies for violations of defendants' rights were inadequate.

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

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

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

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

members to form a CCP unit within the firm.

Despite the government's stated efforts to improve lawyers' access to their clients, in 2017 the head of the All-China Lawyers Association told *China Youth Daily* that defense attorneys had taken part in less than 30 percent of criminal cases. In particular, human rights lawyers reported authorities did not permit them to defend certain clients or threatened them with punishment if they chose to do so. On November 21, China Change reported that more than 40 lawyers lost their license due to their human rights work since 2016. Some lawyers declined to represent defendants in politically sensitive cases, and such defendants frequently found it difficult to find an attorney. In some instances authorities prevented defendant-selected attorneys from taking the case and instead appointed their own attorney.

The government suspended or revoked the business licenses or law licenses of numerous lawyers who took on sensitive cases such as defending prodemocracy dissidents, house-church activists, Falun Gong practitioners, or government critics. Authorities used the annual licensing review process administered by the All-China Lawyers Association to withhold or delay the renewal of professional lawyers' licenses. In October the association issued new guidelines that banned lawyers from speaking about cases publicly, including organizing press conferences and petitions, publishing open letters, or engaging in any public advocacy work.

Other government tactics to intimidate or otherwise pressure human rights lawyers included unlawful detention, vague "investigations" of legal offices, disbarment, harassment, physical intimidation, and denial of access to evidence and to clients.

On February 2, media reported that Ren Quanniu, a human rights lawyer based in Zhengzhou who represented activists and journalists, learned the Henan Provincial Judicial Department had revoked his license. In March judicial authorities in Zhengzhou informed the Henan Guidao Law Firm where Ren worked that it must shut down. Media further reported that in early July municipal authorities had blacklisted Ren and prohibited him from starting his own legal consultancy business.

In October the Beijing Municipal Bureau of Justice revoked Lin Qilei's legal

license on the basis that the law firm to which Lin belonged had been deregistered, despite multiple attempts by Lin to apply for registration. Lin's firm, Beijing Ruikai Law Firm, had handled many cases on behalf of religious adherents and prodemocracy supporters.

On December 16, the Beijing Municipal Bureau of Justice revoked Liang Xiaojun's legal license, citing his social media posts that were critical of Marxism and referred to the Falun Gong as a religion. Liang represented many human rights defenders, activists, and other disbarred lawyers during his legal career.

The law governing the legal profession criminalizes attorneys' actions that "insult, defame, or threaten judicial officers," "do not heed the court's admonition," or "severely disrupt courtroom order." The law also criminalizes disclosing client or case information to media outlets or using protests, media, or other means to influence court decisions. Violators face fines and up to three years in prison.

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

Mechanisms allowing defendants to confront their accusers were inadequate. Only a small percentage of trials reportedly involved witnesses. Judges retained significant discretion over whether live witness testimony was required or even

allowed. In most criminal trials, prosecutors read witness statements, which neither the defendants nor their lawyers had an opportunity to rebut through cross-examination. Although the law states pretrial witness statements cannot serve as the sole basis for conviction, prosecutors relied heavily on such statements. Defense attorneys had no authority to compel witnesses to testify or to mandate discovery, although they could apply for access to government-held evidence relevant to their case.

Under the law lawyers are assigned to convicted prisoners on death row who cannot afford one during the review of their sentences.

In December 2020 the Shenzhen Yantian District People's Court sentenced 10 Hong Kong activists to prison terms between seven months and three years for illegal border crossing. After the activists were captured by PRC authorities in August 2020, they were held incommunicado. Lawyers hired by their families were barred from meeting with the activists; the court only allowed state-appointed lawyers to be present during the closed-door trial.

In July, three members of the antidiscrimination NGO Changsha Funeng – Cheng Yuan, Liu Yongze, and Wu Gejianxiong, also known as the "Changsha Three" – were sentenced in a secret trial to two to five years in prison. Despite a legal requirement to do so, the sentences were not made public, and the families were informed through informal channels. Changsha Funeng had assisted in litigating cases to end discrimination against persons with disabilities and carriers of HIV and hepatitis B. Cheng Yuan had also worked on antitorture programs, litigation to end the country's one-child policy, and reform for household registration laws.

Political Prisoners and Detainees

Government officials continued to deny holding any political prisoners, asserting persons were detained not for their political or religious views but because they had violated the law. Authorities, however, continued to imprison citizens for reasons related to politics and religion. Human rights organizations estimated tens of thousands of political prisoners remained incarcerated, most in prisons and some in administrative detention. The government did not grant international humanitarian organizations access to political prisoners. Government security

forces continued to harass and intimidate former political prisoners and their family members.

In January media reported that family members of detained lawyer Chang Weiping experienced harassment. After the family protested in front of the Gaoxin branch of the Baoji Municipal Public Security Bureau, Chang's parents were summoned for multiple rounds of interrogation. They found a closed-circuit television camera installed outside their home and had their mobile phones confiscated. Chang's wife, Chen Zijuan, was visited by authorities multiple times, during which authorities warned her not to conduct public advocacy for her husband and pressured her to delete her social media posts regarding her husband.

On August 25, the *South China Morning Post* reported on the broad use of the crime "picking quarrels and provoking trouble" against journalists, activists, lawyers, and ordinary citizens to suppress free speech. In August, two activists, Chen Mei and Cai Wei, were convicted of the crime after archiving censored internet materials related to the COVID-19 pandemic.

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

Many political prisoners remained either in prison or under other forms of detention after release at year's end, including writer Yang Maodong (pen name: Guo Feixiong); Uyghur scholars Ilham Tohti, Rahile Dawut, and Hushtar Isa, brother of Uyghur World Congress president Dolkun Isa; Tibetan Dorje Tashi; activists Wang Bingzhang, Chen Jianfang, and Huang Qi; Taiwan prodemocracy activist Lee Ming-Che; pastors Zhang Shaojie and Wang Yi; Falun Gong practitioner Bian Lichao; Catholic Auxiliary Bishop of Shanghai Thaddeus Ma Daqin; rights lawyers Xia Lin, Gao Zhisheng, Xu Zhiyong, Li Yuhan, and Yu Wensheng; blogger Wu Gan; citizen journalist Zhang Zhan; Shanghai labor activist Jiang Cunde; and others.

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

Authorities frequently subjected former political prisoners and their families to surveillance, telephone wiretaps, searches, and other forms of harassment or threats. For example, security personnel followed the family members of detained or imprisoned rights activists to meetings with foreign reporters and diplomats and urged the family members to remain silent regarding the cases of their relatives. Authorities barred certain members of the rights community from meeting with visiting dignitaries.

Politically Motivated Reprisal against Individuals Located Outside the Country

Threats, Harassment, Surveillance, and Coercion: Reports continued throughout the year regarding PRC pressure on Xinjiang-based relatives of persons located outside China who spoke publicly about the detentions and abusive policies underway inside Xinjiang. In June 2020 Kazakhstan media reported that Kazakh authorities temporarily detained Aqiqat Qaliolla and Zhenis Zarqyn for their protests in front of the PRC embassy regarding lost family members in Xinjiang "re-education" camps. In February, RFA reported based on official sources that Bakihaji Helil was sentenced in 2017 to nine years in prison after returning early from his religion studies at al-Azhar University in Egypt following Xinjiang authorities' harassment of his family.

PRC media and authorities continued to harass and defame women who spoke about rape and sexual abuse in Xinjiang internment camps. Qelbinur Sedik, a Xinjiang camp teacher who fled China and now lives abroad, was repeatedly targeted by PRC media and received direct video messages from local Xinjiang police threatening reprisal against her family members still in Xinjiang. The BBC reported that Xinjiang police used social media to threaten Uyghurs living in Europe.

PRC state media also released videos of Xinjiang-based ethnic and religious minorities to discredit their overseas relatives' accounts to foreign media. The persons in the videos urged their foreign-based family members to stop "spreading rumors" about Xinjiang. The overseas relatives said they had lost communication with their Xinjiang relatives until the videos were released.

In February, *Hong Kong Free Press* reported the PRC used "proof-of-life" videos to dispute or undermine claims of several foreign citizens about the disappearance and treatment of their relatives in China. For example the PRC published a video of Memet Tohti Atawulla's brother who had disappeared during the PRC's crackdown in Xinjiang. The PRC filmed the family of Sayragul Sauytbay, who since leaving China in 2018 has publicly criticized the PRC's treatment of Kazakh persons and other Muslims in China, accusing Sayragul of "theft, deception, child abuse, and sexual immorality." Similarly, *Hong Kong Free Press* reported "Kuzzat Altay's father disowns him on camera" and "Zumrat Dawut's brother suggests that her father's death was due to her political activism."

In March, Reuters reported PRC officials used press conferences to attack women abroad who provided eyewitness accounts of their experiences in Xinjiang internment camps. The report quoted a Xinjiang official publicly claiming, "Everyone knows about her inferior character. She's lazy and likes comfort, her private life is chaotic, her neighbors say that she committed adultery while in China." In May, Reuters reported PRC officials routinely harassed young Uyghur activists living abroad. Uyghurs faced threats from PRC hackers, intimidating phone calls, and bullying on social media.

Misuse of International Law-enforcement Tools: There were credible reports the PRC attempted to misuse international law enforcement tools for politically motivated purposes as a reprisal against specific individuals located outside the country. On July 20, according to the Associated Press, Moroccan authorities arrested Uyghur activist Yidiresi Aishan in Casablanca based on an Interpol red notice (a request from a government for a person's arrest). The *South China Morning Post* reported on August 2 that Interpol had rescinded the red notice for Aishan after advocacy groups raised concerns that the red notice system was being used to repatriate Uyghur dissidents back to China. Aishan had previously lived in Turkey where he was an active member of the Uyghur diaspora and an outspoken

critic of the PRC. Aishan was still detained in Morocco at year's end.

The NSC-CCDI led the PRC's transnational fugitive recovery efforts, Operations Fox Hunt and Sky Net. Although these efforts ostensibly targeted economic crimes, media reported they were sometimes politically motivated and targeted dissidents who lived overseas. On February 24, state-sponsored CGTN reported that through "Sky Net 2021," a total of 1,421 fugitives, including 28 red notice fugitives, were brought back to China in 2020.

Efforts to Control Mobility: The government pressured foreign countries to repatriate or deny visas to Uyghurs who had left China. COVID-19 measures, such as checkpoints, health-app restrictions, and COVID-19-related lockdowns restricted individuals' freedom of movement.

In November lawyer Xie Yang attempted to visit imprisoned citizen journalist Zhang Zhan's family but was warned by two police officers to not go. Shortly after, his COVID-19 health verification mobile phone app went from green to red, which effectively restricted his movement.

Bilateral Pressure: There were credible reports that for politically motivated purposes the PRC attempted to exert bilateral pressure on other countries aimed at having those countries take adverse action against specific individuals. In Kazakhstan, media reported that Kazakh authorities temporarily detained at least 10 protesters at the PRC embassy who were demanding the release of family members being held in Xinjiang "re-education" camps. In February a court in Kazakhstan sentenced Baibolat Kunbolatuly to 10 days in jail for staging protests outside the Chinese consulate to demand answers about his brother's detention in Xinjiang. According to RFA on October 1 (the PRC's national day), Kazakh police detained eight ethnic Kazakh protesters in Nur-Sultan who were demanding the release of relatives being held in Xinjiang.

On June 30, the Chinese Embassy in France sent a letter to the editorial office of French youth newspaper *Mon Quotidien* condemning its article regarding forced labor in Xinjiang. According to Radio Free Asia, the Chinese Embassy also circulated a petition calling for the withdrawal of the article.

Civil Judicial Procedures and Remedies

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

Although historically citizens seldom applied for state compensation because of the high cost of bringing lawsuits, low credibility of courts, and citizens' general lack of awareness of the law, there were instances of courts overturning wrongful convictions.

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

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

On April 9, activist Guo Hongwei, who spoke out on human rights abuses and repeatedly filed complaints regarding official corruption, died at the Guowen Hospital in Jilin Province while serving a 13-year prison sentence. Guo was reportedly tortured in prison and had apparently been in a coma for more than two

months when he was admitted to the hospital.

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

The law states the "freedom and privacy of correspondence of citizens are protected by law," but authorities often did not respect the privacy of citizens. A new civil code entered into force on January 1, introducing articles on the right to privacy and personal information protection. Although the law requires warrants before officers can search premises, officials frequently ignored this requirement. The Public Security Bureau and prosecutors are authorized to issue search warrants on their own authority without judicial review. There continued to be reports of cases of forced entry by police officers.

Authorities routinely monitored telephone calls, text messages, faxes, email, instant messaging, social media apps, and other digital communications intended to remain private, particularly of political activists. Authorities also opened and censored domestic and international mail. Security services routinely monitored and entered residences and offices to gain access to computers, telephones, and fax machines. Foreign journalists leaving the country found some of their personal belongings searched. In some cases, when material deemed politically sensitive was uncovered, the journalists had to sign a statement stating they would "voluntarily" leave these documents in the country.

According to Civil Rights and Livelihood Watch, a website focusing on human rights in China, Lin Xiaohua began appealing the bribery conviction of his older brother Lin Xiaonan, the former mayor of Fu'an City, Fujian Province, who in April was sentenced to 10 years and six months in prison. In June 2020 Xiaohua tried to send petition letters and case files to the Supreme People's Procuratorate, the Supreme People's Court, and the National Commission of Supervision-CCP Central Discipline Inspection Commission, but the post office opened all the letters then refused to deliver them. In July 2020 the Xiamen Culture and Tourism Administration confiscated the letters and files, stating they were "illegal publications."

According to Freedom House, rapid advances in surveillance technology –

including artificial intelligence, facial recognition, and intrusive surveillance apps – coupled with growing police access to user data helped facilitate the prosecution of prominent dissidents as well as ordinary users. A Carnegie Endowment report in 2019 noted the country was a major worldwide supplier of artificial-intelligence surveillance technology, such as facial recognition systems, surveillance cameras, and smart policing technology.

According to media reports, the Ministry of Public Security used tens of millions of surveillance cameras throughout the country to monitor the general public. Human rights groups stated authorities increasingly relied on the cameras and other forms of surveillance to monitor and intimidate political dissidents, religious leaders and adherents, Tibetans, and Uyghurs. These included facial recognition and "gait recognition" video surveillance, allowing police not only to monitor a situation but also to quickly identify individuals in crowds. In May the BBC reported Chinese technology companies had developed artificial intelligence, surveillance, and other technological capabilities to help police identify members of ethnic minorities, especially Uyghurs. The media sources cited public-facing websites, company documents, and programming language from firms such as Huawei, Megvii, and Hikvision related to their development of a "Uyghur alarm" that could alert police automatically. Huawei denied its products were designed to identify ethnic groups. The monitoring and disruption of telephone and internet communications were particularly widespread in Xinjiang and Tibetan areas. The government installed surveillance cameras in monasteries in the Tibetan Autonomous Region (TAR) and Tibetan areas outside the TAR (see Special Annex, Tibet). The law allows security agencies to cut communication networks during "major security incidents." Government entities collected genetic data from residents in Xinjiang with unclear protections for sensitive health data.

According to Human Rights Watch, the Ministry of State Security partnered with information technology firms to operate a "mass automated voice recognition and monitoring system," similar to ones already in use in Xinjiang and Anhui, to help solve criminal cases. According to one company involved, the system monitored Mandarin Chinese and certain minority languages, including Tibetan and Uyghur. In many cases other biometric data such as fingerprints and DNA profiles were being stored as well. This database included information obtained not just from

criminals and criminal suspects but also from entire populations of migrant workers and all Uyghurs applying for passports. Some Xinjiang internment camp survivors reported that they were subjected to coerced comprehensive health screenings including blood and DNA testing upon entering the internment camps. There were also reports from former detainees that authorities forced Uyghur detainees to undergo medical examinations of thoracic and abdominal organs.

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

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

Government authorities also could interfere in families' living arrangements when a family member was involved in perceived sensitive political activities.

The government at various levels and jurisdictions continued to implement two distinct types of social credit systems. The first, the corporate social credit system, is intended to track and prevent corporate malfeasance. The second, the personal social credit system, is implemented differently depending on geographic location.

Although the government's goal was to create a unified government social credit system, there continued to be dozens of disparate social credit systems, operated distinctly at the local, provincial, and the national government levels, as well as separate "private" social credit systems operated by several technology companies. These systems collected vast amounts of data from companies and individuals in an effort to address deficiencies in "social trust," strengthen access to financial credit instruments, and reduce corruption. These agencies often collected

information on academic records, traffic violations, social media presence, friendships, adherence to birth control regulations, employment performance, consumption habits, and other topics. For example, there were reports individuals were not allowed to ride public transportation for periods of time because they allegedly had not paid for train tickets.

Industry and business experts commented that in its present state, the social credit system was not used to target companies or individuals for their political or religious beliefs, noting the country already possessed other tools outside the social credit system to target companies and individuals. The collection of vast amounts of personal data combined with the prospect of a future universal and unified social credit system, however, could allow authorities to control further the population's behaviors.

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

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

The government restricted the right to have children (see section 6, Women).

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution states citizens "enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration." Authorities limited and did not respect these rights, however, especially when their exercise conflicted with CCP interests. Authorities continued to impose ever-tighter control of all print, broadcast, electronic, and social media and regularly used them to propagate government views and CCP ideology. Authorities censored and manipulated the press, social media, and the internet, particularly around sensitive anniversaries and topics such as public health.

Freedom of Expression: Citizens could discuss specific policies but often avoided discussing broader political issues, leaders, or "sensitive" topics for fear of official punishment. Authorities routinely took harsh action against citizens who questioned the legitimacy of the CCP or criticized President Xi's leadership. Some independent think tanks, study groups, and seminars reported pressure to cancel sessions on sensitive topics. Many others confirmed authorities regularly warned them against meeting with foreign reporters or diplomats, and to avoid participating in diplomatic receptions or public programs organized by foreign entities.

Those who made politically sensitive comments in public speeches, academic discussions, or remarks to media, or who posted sensitive comments online, remained subject to punitive measures, as did members of their family. In addition an increase in electronic surveillance in public spaces, coupled with the movement of many citizens' routine interactions to the digital space, signified the government was monitoring an increasing percentage of daily life. Conversations in groups or peer-to-peer on social media platforms and via messaging applications were subject to censorship, monitoring, and action from authorities. An increasing threat of peer-to-peer observation and possible referral to authorities further eroded freedom of speech.

The popular communication app WeChat remained heavily censored. Posts

regarding sensitive topics such as PRC politics disappeared when sent to or from a China-registered account. Authorities continued to use the app to monitor political dissidents and other critics, some of whom were detained by police or sentenced to prison for their communications. Chinese citizens moving abroad who continued to use an account created in China were still subject to censorship.

On June 5, Gao Heng, a Christian, was detained by authorities for "picking quarrels and provoking troubles" after taking a picture of himself on the Guangzhou Metro holding a small sign that read "June 4th: Pray for the Country."

On July 6, multiple WeChat accounts run by lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) societies at several universities were closed, with past posts scrubbed and replaced with a notice stating "All content has been blocked and the use of the account has been stopped" for violations of unspecified social media regulations.

On July 23, veteran petitioner Li Yufeng went on trial at the Jiaozuo City Central Station People's Court on the charge of "picking quarrels and provoking trouble." Li was detained in 2019 after she accompanied a friend to Beijing to file a petition at the Supreme People's Court.

Prominent poet Wang Zang and his wife Wang Li remained in detention on the charge of "inciting subversion of state power." Wang Zang, taken from his home in May 2020, and Wang Liqin, detained in June 2020, were indicted by the Chuxiong Yi Autonomous Prefecture People's Procuratorate in September 2020. Police "evidence" against Wang Zang included his poetry, performance art, and views expressed on social media.

In October veteran journalist Luo Changping and a social media user identified by the surname Zuo were detained for making critical comments online regarding *The Battle of Changjin Lake,* a state-sponsored film set during the Korean War. Since the new code took effect in March, reports indicated that the law has been used at least 15 times to punish those who questioned the party's version of history.

Authorities arrested or detained countless citizens for "spreading fake news," "illegal information dissemination," or "spreading rumors online." These claims ranged from sharing political views or promoting religious extremism to sharing

factual reports on public health concerns, including COVID-19.

This trend was especially stark in Xinjiang, where the government ran a multifaceted system of physical and cyber controls to stop individuals from expressing themselves or practicing their religion or traditional beliefs. Beyond the region's expansive system of internment camps, the government and the CCP operated a system to limit in-person and online speech. In Xinjiang police regularly stopped Muslims and members of non-Han ethnic minorities and demanded to review their cell phones for any evidence of communication deemed inappropriate.

During the year the government extensively used mobile phone apps, cameras, and other electronics to monitor all speech and movement. Authorities in Xinjiang employed a comprehensive database that tracked the movements, mobile app usage, and even electricity and gasoline consumption of inhabitants in the region.

The government also sought to limit criticism of their Xinjiang policies even outside the country, disrupting academic discussions and intimidating human rights advocates across the world. Government officials in Xinjiang detained the relatives of several overseas activists. In February the government blocked Clubhouse, a foreign software platform designed to promote open conversations, after only a few days of operation. Before Clubhouse was blocked, Chinese citizens had participated in discussions concerning topics the PRC considers sensitive, including Xinjiang and Taiwan.

Numerous ethnic Uyghurs and Kazakhs living overseas were intimidated into silence by threats from government officials against members of their family who lived in China, threats sometimes delivered in China to the relatives, and sometimes delivered by Chinese government officials in the foreign country. (See section 1.e., Politically Motivated Reprisal against Individuals Located Outside the Country.)

The government restricted the expression of views it found objectionable, even when those expressions occurred abroad. Online, the government expanded attempts to control the global dissemination of information while also exporting its methods of electronic information control to other nations' governments. During

the year there was a rise in reports of journalists in foreign countries and ethnic Chinese living abroad experiencing harassment by Chinese government agents due to their criticisms of PRC politics. This included criticisms posted on platforms such as Twitter that were blocked within China.

The government sought to limit freedom of expression in online gaming platforms. The popular Chinese-made online game Genshin Impact continued to censor the words "Taiwan" and "Hong Kong" among others in its in-game chat program. Users noted the program's censorship covered all users, regardless of the country of citizenship or where the game was being played.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: The CCP and government continued to maintain ultimate authority over all published, online, and broadcast material. Officially, only state-run media outlets have government approval to cover CCP leaders or other topics deemed "sensitive." While it did not dictate all content to be published or broadcast, the CCP and the government had unchecked authority to mandate if, when, and how particular issues were reported or to order they not be reported at all. The government's propaganda department issued daily guidance on what topics should be promoted in all media outlets and how those topics should be covered. Chinese reporters working for private media companies confirmed increased pressure to conform to government requirements on story selection and content.

The Cyberspace Administration of China (CAC) directly manages internet content, including online news media, and promotes CCP propaganda. A CCP propaganda department deputy minister ran the organization's day-to-day operations. It enjoyed broad authority in regulating online media practices and played a large role in regulating and shaping information dissemination online.

The CCP continued to monitor and control the use of non-Mandarin languages in all media within the country. Since January 1, Mongolian-language content, previously broadcast on state media, was replaced with Chinese cultural programs that promote a "strong sense of Chinese nationality common identity."

All books and magazines continued to require state-issued publication numbers,

which were expensive and often difficult to obtain. Nearly all print and broadcast media as well as book publishers were affiliated with the CCP or the government. There were a small number of print publications with some private ownership interest but no privately owned television or radio stations. The CCP directed the domestic media to refrain from reporting on certain subjects, and traditional broadcast programming required government approval.

Journalists operated in an environment tightly controlled by the government. Only journalists with official government accreditation were allowed to publish news in print or online. The CCP constantly monitored all forms of journalist output, including printed news, television reporting, and online news, including livestreaming. Journalists and editors self-censored to stay within the lines dictated by the CCP, and they faced increasingly serious penalties for crossing those lines, which could be opaque. While the country's increasingly internet-literate population demanded interesting stories told with the latest technologies, government authorities asserted control over technologies such as livestreaming and continued to pressure digital outlets and social media platforms.

Because the CCP did not consider internet news companies "official" media, they were subject to debilitating regulations and barred from reporting on potentially "sensitive" stories.

Violence and Harassment: The government frequently impeded the work of the press, including citizen journalists. Journalists reported being subjected to physical attack, harassment, monitoring, and intimidation when reporting on sensitive topics. Government officials used criminal prosecution, civil lawsuits, and other punishment, including violence, detention, and other forms of harassment, to intimidate authors and journalists and to prevent the dissemination of unsanctioned information on a wide range of topics.

Family members of journalists based overseas also faced harassment, and in some cases detention, as retaliation for the reporting of their relatives abroad. Dozens of Uyghur relatives of overseas-based journalists working for Radio Free Asia's Uyghur Service remained disappeared or detained in Xinjiang. In March, RFA reported that authorities had detained two brothers of Uyghur Service editor Eset Sulaiman since 2018.

Restrictions on domestic and foreign journalists by central and local CCP propaganda departments increased significantly.

Journalists faced the threat of demotion or dismissal for publishing views that challenged the government. In many cases potential sources refused to meet with journalists due to actual or feared government pressure. The scope of censorship was vast, with several Chinese journalists noting "an atmosphere of debilitating paranoia." For example long-standing journalist contacts continued to decline off-the-record conversations, even concerning nonsensitive topics. So-called taboo topics included not only Tibet, Taiwan, and corruption, but also natural disasters and the #MeToo movement.

During the year authorities imprisoned numerous journalists working in traditional and new media. The government also silenced numerous independent journalists by quarantining them under the guise of pandemic response. Reporters Without Borders, in a report released on December 7, tallied at least 127 journalists (professional and nonprofessional) detained in the country. Of these, 71 – or more than one-half the journalists imprisoned – were Uyghur.

On January 7, investigative journalist Li Xinde, who founded and ran the China Public Watchdog Network anticorruption website, was convicted of "illegal business activity" and received a five-year prison sentence. He was initially detained in 2019 after publishing on his website a report that a court in Tianjin had wrongfully convicted a businessman.

On January 8, former journalist Zhang Jialong was sentenced to 18 months' imprisonment by the Nanming District Court in Guiyang City on charges of "picking quarrels and provoking trouble." Zhang, while a journalist with Tencent, met with then secretary of state John Kerry in 2014 and asked him to "tear down this great firewall that blocks the Internet."

On May 11, citizen journalists Chen Mei and Cai Wei were put on trial at Beijing's Chaoyang District Court, after more than a year in detention, on the charge of "picking quarrels and provoking trouble." The two volunteered for a website archive, Terminus 2049, that documented censored COVID-19 outbreak information, among other topics. On August 13, Chen and Cai were convicted on

the “picking quarrels and provoking trouble” charge but were then released on August 15 for time served.

A CCP organization in Henan Province issued a call on social media to confront a BBC journalist covering flooding in Zhengzhou, Henan Province. The Foreign Correspondents’ Club of China cited the incident as an example of the “growing hostility against foreign media in China,” thanks to rising Chinese nationalism sometimes “directly encouraged by Chinese officials and official entities.”

The Foreign Correspondents’ Club of China’s annual report on media freedoms, released in March, found that authorities and the CCP used “all arms of state power” – including surveillance systems introduced to curb COVID-19 – to harass and intimidate journalists, their Chinese colleagues, and those whom the foreign press sought to interview. For the third consecutive year, not a single correspondent said that working conditions improved.

The survey reported 88 percent of correspondents had requests for interviews declined because subjects needed prior permission to speak to a foreign journalist or because they were not permitted to speak to foreign journalists at all, an increase from 76 percent in 2019. Nearly 40 percent of correspondents said they were aware of sources being harassed, detained, called in, or questioned for interacting with a foreign journalist, an increase from 25 percent in 2019. Nearly one-half the correspondents said the fear of digital or in-person surveillance regularly affected their ability to adequately interview and communicate with sources or carry out their reporting. Almost 60 percent said their Chinese colleagues were subject to intimidation, compared with 44 percent in 2019.

Authorities used the visa renewal process to challenge journalists and force additional foreign reporters out of the country. A Reporters Without Borders report released December 7 tallied 18 foreign reporters who were forced to leave the country in 2020 due to surveillance and visa blackmail.

In March, BBC journalist John Sudworth left the country following threats of legal action, obstruction, and intimidation. A state-sponsored propaganda campaign targeted the BBC and Sudworth to discredit them and push back against international criticism regarding issues such as Xinjiang and Hong Kong.

According to the Australian Strategic Policy Institute, the government's targeting of the BBC began after the BBC published a report detailing allegations of systematic rape in internment camps where Muslims were detained in Xinjiang.

Local employees working for foreign press outlets reported increased harassment and intimidation, in addition to authorities' continued tight enforcement of restrictions on these employees. Foreign news bureaus are prohibited by law from directly hiring Chinese citizens as employees and must rely on personnel hired by the Personnel Service Corporation, a subordinate unit of the Diplomatic Service Bureau affiliated with the Ministry of Foreign Affairs. The code of conduct threatens dismissal and loss of accreditation for those citizen employees who engage in independent reporting. It instructs them to provide their employers with information that projects "a good image of the country." Multiple foreign outlets reported a continuing inability to hire the number of local staff members that they wished, saying authorities continued to impose an unofficial cap of one local researcher per foreign correspondent from media outlets out of favor with authorities. Some outlets even reported trouble getting the Diplomatic Service Bureau's permission to hire a single local researcher per correspondent. New staff were wary of taking on responsibilities that might be considered politically sensitive, limiting their portfolios and contributions.

Government harassment of foreign journalists was particularly aggressive in Xinjiang. According to the 2020 Foreign Correspondents' Club report, all foreign reporters who traveled to Xinjiang were openly followed, denied access to public places, and were asked or forced to delete photographs and other data from devices. Reporters documented cases of staged traffic accidents, road blockages, hotel closures, and cyberattacks. They reported constant surveillance while they worked in Xinjiang, with government agents stepping in to block access to some areas, intimidating local inhabitants from talking to the journalists, and stopping the journalists – sometimes many times per day – to seize their cameras and force them to erase pictures. Reporters noted local contacts warned them any resident seen talking to foreigners would almost certainly be detained, interrogated, or sent to a "re-education camp."

Government officials also sought to suppress journalism outside their borders. While in past years these efforts largely focused on Chinese-language media,

during the year additional reports emerged of attempts to suppress media critical of China regardless of language or location.

Censorship or Content Restrictions: Regulations grant broad authority to the government at all levels to restrict publications based on content, including mandating if, when, and how particular issues are reported.

According to Freedom House, on February 5, the China Association of Performing Arts (an industry association under the Ministry of Culture and Tourism) released new restrictions that required performances to promote the "party line," not "undermine national unity," nor "endanger national security." Performers who violated the rules would face suspensions or a permanent ban from the industry.

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

The CCP Central Propaganda Department ordered media outlets to adhere strictly to the information provided by official departments. Directives warned against reporting on issues related to COVID-19 outbreaks, the official response, and international inquiries, as well as party and official reputation, health and safety in general, and foreign affairs.

The government sought to exercise complete control over public and private commentary regarding the COVID-19 outbreak, undermining local and international efforts to report on the virus's spread. COVID-19 information on Chinese social media was closely guarded from the outbreak's earliest manifestation. Popular livestreaming and messaging platforms WeChat and YY continued censorship protocols, including on words related to the virus causing COVID-19, SARS, and potential disease vectors.

In the run-up to the 100th anniversary of the CCP's founding on July 1, the government sought to tighten control over how citizens discuss history on the

country's heavily censored internet, releasing legal amendments stipulating that persons who "insult, slander or infringe upon" the memory of the country's national heroes and martyrs faced jail time of up to three years.

In April the CAC vowed to crack down on "historical nihilists" and launched a hotline for internet users to report "illegal" comments that "distorted" the CCP's historical achievements and attacked the country's leadership. The tip line allowed individuals to report fellow citizens who "distort" the party's history, attack its leadership and policies, defame national heroes, and "deny the excellence of advanced socialist culture" online.

Also in April authorities in Jiangsu Province detained a 19-year-old man after he made "insulting" comments online regarding Japan's 1937 occupation of Nanjing.

In early May a regulatory official reported authorities had dealt with a large number of accounts deemed to be propagating "historical nihilism" and that they directed online platforms to clean up more than two million posts the CAC deemed illegal.

Some private companies censored content without explicit orders from authorities. In late March streaming platforms in the country began to censor the logos and symbols of brands such as Adidas that adorn items worn by contestants performing dance, singing, and standup-comedy routines, following a feud between the government and international companies that said they would avoid using cotton produced in Xinjiang. Although government officials may not have ordered the shows to obscure the brands, the video streaming sites apparently felt pressured or obliged to publicly distance themselves from Western brands involved in the feud.

In May, Chinese video platforms censored a *Friends* reunion television special, removing appearances by music stars Lady Gaga, Justin Bieber, and the K-pop group BTS, all of whom had previously engaged in activity that reportedly angered the Chinese government.

The government increased efforts to screen out unsanctioned information and align online content with the state's agenda. In August the CCP's Central Propaganda Department, along with the state-backed bodies for state-approved artists and authors, the Ministry of Culture and Tourism, and State Administration of Radio

and Television, as well as the China Federation of Literary and Art Circles and Chinese Writers Association, issued policy guidelines urging better "culture and art reviews," partly by limiting the role of algorithms in content distribution. Under the guidelines, all domestic content creators and distributors are told to "adhere to the correct direction, strengthen Marxist literary theory and criticism, and pay attention to the social effects of literary criticism … and not to contribute to the spread of low, vulgar and pandering content or quasi-entertainment content."

Citizen journalists faced an increasingly difficult climate, with the CAC and other authorities seeking to strengthen control over content published through social media, including "self-media" accounts. Also known as "we-media," these accounts are typically blogs operated independently on social media without official backing from established outlets. Self-media had become one of the biggest emerging trends, with a report by the State Information Center noting that in 2020 online media accounted for 80 percent of the country's media market. The tightened restrictions online had the effect of further clamping down on self-employed reporters, who also could not be accredited by the National Press and Publication Administration, which administers tests and grants the licenses required for citizens to work in the profession. Unaccredited reporters can face legal fallout or even criminal charges. The campaign to clean up self-media accounts also targeted social media trending charts, push notifications, and short-video platforms. The CAC was also exploring measures to control the distribution of information across all internet platforms to end "disruption to the order of internet broadcasts."

In January the National Press and Publication Administration announced that it had made it a priority to stop reporters from running their own self-media accounts, as part of its annual review of journalists' accreditation.

In February the CAC implemented new rules on managing public internet accounts, the first change since 2017. The rules specified the type of content platforms should ban, including those deemed to be engaged in fabricating information, inciting extreme emotions, plagiarism, cyberbullying, blackmailing, and artificially inflating the number of clicks. This represented a fresh crackdown on "fake news" and other online activities perceived to be harmful. The new rules to "protect the security of content and maintain a healthy cyberspace" aimed to

curb independent reporting and reposting of information considered illegal while promoting government-sanctioned stories.

The new rules also broadened the definition of harmful online information. In addition to information that authorities considered to endanger national security, leak state secrets, or subvert state power, the new rules banned online information that "disrupts financial market order." False information regarding disasters, epidemics, emergencies, and food and drug safety was also banned. On top of possible criminal charges and other punishments, websites spreading such information could be shut down, and individuals working for such sites could be held liable and subject to heavy fines.

In July the government launched a campaign to crack down on "fake news" and clean up online content. The CCP's Central Propaganda Department announced the campaign would target "illegal news activities" by news organizations and staff, internet platforms and public accounts, as well as unaccredited social organizations and individuals.

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

Domestic films were subject to government censorship. The CCP continued to call for films to highlight Chinese culture and values and promote the country's successful growth. On October 9, former news editor and journalist Luo Chang Ping was detained in Hainan for a post on Weibo critical of a film's depiction of the country's role in the Korean War on suspicion of "impeaching the reputation of heroes and martyrs."

Foreign movies shown in the country were also subject to censorship. The scheduled PRC release of *Nomadland*, a foreign movie directed by China-born filmmaker Chloe Zhao, was postponed following a controversy concerning comments Zhao made in 2013 regarding censorship in China; many online

mentions of *Nomadland* were censored by authorities.

In October, Chinese broadcaster Tencent blocked Boston Celtics (National Basketball Association) games from its platform after a member of the team, Enes Kanter, posted social media posts critical of the PRC's policies in Tibet.

Newscasts from overseas news outlets, largely restricted to hotels and foreign residence compounds, were subject to censorship. Individual issues of foreign newspapers and magazines were occasionally banned when they contained articles deemed too sensitive. Articles on sensitive topics were removed from international magazines. Television newscasts were often blacked out during segments on sensitive subjects. For example in February, authorities banned the BBC World News television channel in apparent retaliation after the United Kingdom revoked the license of the state-owned Chinese broadcaster CGTN.

Government regulations restrict and limit public access to foreign television shows, which are banned during primetime, and local streamers had to limit the foreign portion of their program libraries to less than 30 percent.

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

Government rules ban the sale of foreign publications without an import permit. This includes sales on online shopping platforms, which are banned from offering "overseas publications," including books, movies, and games that do not already have government approval. The ban also applies to services related to publications.

New rules from the Ministry of Education went into effect April 1, banning from libraries books that favored the "West" at the expense of China. *Nikkei Asia*

reported that the order would impact 240 million primary and secondary school students and also require students to begin studying "Xi Jinping Thought." According to *Nikkei Asia*, books that conveyed political, economic, and cultural ideas from democratic nations could be banned.

Libel/Slander Laws: By law defamation can be punished by up to three years' imprisonment; truth is not a defense.

In February police in the Shapingba District of Chongqing issued a criminal detention warrant for a 19-year-old Chinese citizen living overseas in connection for his posts on the Sina Weibo microblogging platform. Police claimed the blogger posted a comment defaming People's Liberation Army (PLA) martyrs that had a "severe negative social impact." Official state media reported that at least six other Chinese domestic internet users had been under criminal or administrative detention for "stirring up trouble" by publishing defamatory comments concerning PLA martyrs on social media platforms.

In May at least seven citizens were detained for "defaming" Yuan Longping, revered as the "Father of Hybrid Rice" in China, who died on May 22. Media reports noted that local police had responded to complaints of insulting remarks regarding Yuan on social media and determined the posts had caused a "seriously bad" impact on the society. Five of the detained faced criminal investigations; two were detained under administrative procedures. Sina Weibo announced on May 24 that it would permanently close the accounts of 64 users who were found to have spread insults and attacks on Yuan.

In October a woman identified in court only by her last name, Xu, was sentenced to seven months in prison for violating a newly amended criminal code that makes "impeaching the reputation of heroes and martyrs" a crime. Xu had mocked online some internet users who had imagined themselves as Dong Cunrui, a war hero who died during China's civil war in 1949.

National Security: Authorities often justified restrictions on expression on national security protection grounds. Government leaders cited the threat of terrorism to justify restricting freedom of expression by Muslims and other religious minorities. These justifications were a baseline rationale for restrictions

on press movements, publications, and other forms of repression of expression.

Internet Freedom

The government tightly controlled and highly censored domestic internet usage, monitoring private online communications without appropriate legal authority. The CAC operated a website called the Reporting Center for Illegal and Undesirable Information, where internet users can report information, including political information.

According to Reporters Without Borders, the CAC stated that in 2020 nearly 130,000 social media accounts and more than 12,000 websites were shut down by the government, and more than 2,000 keywords related to COVID-19 triggered censorship. In December 2020 ProPublica and the *New York Times* published a report that found the PRC had issued more than 3,200 directives and 1,800 memos and other files aimed at controlling the narrative of the COVID-19 outbreak.

Domestic internet authorities led by the Cybersecurity Defense Bureau targeted individuals accused of defaming the government online, whether in public or private messages. Media reports detailed individual cases of police detaining citizens for defamation, identified via search engines. Victims were frequently questioned for hours until they agreed to sign letters admitting their guilt and promising to refrain from "antisocial" behavior. In several cases citizens told reporters that police warned suspects their children could be targeted for their parents' crimes.

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

On January 12, the Jamestown Foundation published a report based on official documents that estimated the PRC spent $6.6 billion on internet censorship in 2020. The report explained that according to official documents from the CCP's United Front Work Department, censorship activities included silencing democracy activists, rights lawyers, and dissidents both domestically and abroad. The CAC monitored domestic social media, like WeChat and Weibo, and foreign social media to track online public opinion, and employed internet trolls collectively referred to as the "50 cent party" to manipulate online public opinion. The Ministry of Public Security employed officers to monitor the internet and keep internet users in check.

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

The law allows the government to "monitor, defend, and handle cybersecurity risks and threats originating from within the country or overseas sources," and it criminalizes using the internet to "create or disseminate false information to disrupt the economic or social order." The law also codifies the authority of security agencies to cut communication networks across an entire geographic region during "major security incidents," although the government had previously implemented such measures before the law's passage.

CAC regulations require websites, mobile apps, forums, blogs, instant communications services, and search engines to ensure news coverage of a political, economic, diplomatic, or commentary nature reflects government positions and priorities. These regulations extend long-standing traditional media controls to new media, including online and social media, to ensure these sources also adhere to CCP directives.

The government continued efforts to limit unauthorized virtual private network (VPN) service use. While the government permitted some users, including major international companies, to utilize authorized VPNs, many smaller businesses, academics, and citizens were prohibited from using these tools. The government regularly penalized those caught using unauthorized VPNs. At the same time the

government tacitly allowed individuals to use VPNs to access Twitter, Facebook, Instagram, and other websites normally inaccessible in the country for the purpose of attacking views that criticized the government. PRC embassies and state-run media outlets, for example, regularly posted in Chinese and English on Twitter, Facebook, and YouTube.

The government blocked thousands of foreign websites, including many major international news and information websites such as those of the *New York Times*, *Washington Post*, *Wall Street Journal*, the BBC, and the *Economist*, as well as websites of human rights organizations such as Amnesty International and Human Rights Watch. Authorities blocked many other websites and applications, including but not limited to Google, Facebook, YouTube, WhatsApp, Twitter, Clubhouse, Signal, and Wikipedia. Despite being blocked, Twitter and other foreign social media were estimated to have millions of users in the country, including government and party officials and prominent journalists and media figures. Authorities also blocked access to scores of foreign university websites.

Government censors continued to block content from any source that discussed topics deemed sensitive, such as the 2019-20 Hong Kong prodemocracy protests, Taiwan, the Dalai Lama, Tibet, Xinjiang, and the 1989 Tiananmen Square massacre.

Following professional tennis player Peng Shuai's accusation that former vice premier Zhang Gaoli had sexually assaulted her (see section 6, Women), her name and even the word "tennis" were censored on social media in China, and her social media accounts were blocked.

The government also significantly increased censorship of business and economic information.

Authorities continued to jail numerous internet writers for their peaceful expression of political views. On May 29, human rights activist Wang Aizhong was taken by police from his home in Guangzhou on the charge of "picking quarrels and provoking trouble" and was formally arrested on July 6. Known as a supporter of the "Southern Street Movement" when activists took to the streets to protest the suppression of press freedom and to make political demands, Wang's

posts on social media focused on vulnerable populations.

Activist Li Yanjun was summoned by police after posting a video of the iconic tank man in Tiananmen Square on June 4, 1989. On Weibo, the popular Twitter-like social media platform, the candle emoji many associated with Tiananmen was removed.

On January 29, the *Wall Street Journal* published a report that found 58 Chinese internet users had been sentenced to prison for up to four years for posts on Twitter, Facebook, or YouTube.

Online references to same-sex acts, same-sex relations, and scientifically accurate words for genitalia were banned based on a government pronouncement listing same-sex acts or relations as an "abnormal sexual relation" and forbidding its depiction.

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

In March the CAC rebuked executives from LinkedIn, the sole major American social network still allowed to operate in the country, for failing to sufficiently control political content. The company was required to perform a self-evaluation, prepare a report, and temporarily suspend new sign-ups of users inside the country. Media reports indicated the company used a combination of software algorithms and human reviewers to flag posts that could offend the government, and users who ran afoul of the speech rules received emails informing them that their post was not viewable by LinkedIn members in China. In October, LinkedIn announced it would shut down operations in China. In November, Yahoo China announced that it would also end operations in China.

The law obliges internet companies to cooperate fully with investigations of suspected leaks of state secrets, stop the transmission of such information once

discovered, and report the crime to authorities. This was defined broadly and without clear limits. Furthermore, the companies must comply with authorities' orders to delete such information from their websites; failure to do so is punishable by relevant departments, such as the Ministry of Public Security and law enforcement authorities.

Academic Freedom and Cultural Events

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

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

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

Undergraduate students, regardless of academic major, must complete political ideology coursework on subjects such as Marxism, Maoism, and Deng Xiaoping

thought. The government's most recent publicly available education planning document, *Education Modernization Plan 2035*, specifies 10 strategic tasks, the first being to study Xi Jinping Thought; implement it throughout the education system, including at primary and secondary education levels; and strengthen political-thought education in institutes of higher education.

Multiple media reports cited a tightening of ideological controls on university campuses, with professors dismissed for expressing views not in line with CCP thought. On February 9, Geng Xiaonan, the publisher of former Tsinghua University professor Xu Zhangrun who was detained in 2020 for expressing opinions critical of the CCP and national leaders, was convicted in Beijing's Haidian District Court of "unlawful business activities" and sentenced to three years in prison, apparently in retaliation for her support of Xu and others.

On July 3, *University World News* reported that many foreign scholars who spent decades researching China and conducted fieldwork in the country said they were reluctant to return to China in part due to the government's intolerance towards dissenting views and tightening ideological controls. In the report scholars indicated they feared that the Chinese people they worked with would be detained or banned from leaving China and returning to their home country.

In December a teacher in Hunan Province, Li Tiantian, was reportedly put in a psychiatric ward for her support of Shanghai professor Song Gengyi, who was dismissed from her position for "making wrong remarks resulting in severely bad social impact" after Song questioned the death toll of the 1937 Nanking massacre during a lecture. On December 24, the local government stated Li had checked into a hospital for psychiatric treatment at the behest of her family; on December 26, she was discharged and released from the ward.

Media reports suggested that ideological education was on the rise in primary and secondary schools. BBC reported on August 25 that starting in the fall, "Xi Jinping Thought" would be introduced into the national curriculum to help "teenagers establish Marxist beliefs." CCP media outlet *Global Times* reported that "primary schools will focus on cultivating love for the country, the Communist Party of China, and socialism. In middle schools, the focus will be...to help students form basic political judgments and opinions.... In college, there will be

more emphasis on the establishment of theoretical thinking."

Academics who strayed from official narratives regarding the COVID-19 pandemic faced increased harassment, censorship, and in some cases interventions by universities and police.

In April according to PRC media, Politburo Standing Committee member Wang Yang urged Inner Mongolia to accelerate the province's new program to change the language of instruction in several core elementary and secondary classes from Mongolian to Mandarin. The policy change sparked a regionwide school boycott and protests in August 2020 among those who viewed the program as an attempt to erase culture through education policy.

During the academic year schools faced new prohibitions on the use of international curricula. The Ministry of Education banned foreign textbooks and teaching materials in primary and secondary schools. The CCP's management of teaching materials spanned nearly all levels of education.

Foreign universities establishing joint venture academic programs in the country must set up internal CCP committees and grant decision-making power to CCP officials. Foreign teachers reported being ordered not to discuss sensitive topics in their classrooms.

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

The CCP's reach increasingly extended beyond the country's physical borders. Chinese students studying abroad reported self-censoring because they understood they were being watched and reported on to the PRC even in the classroom. U.S. professors reported cases of suspected PRC intelligence-gathering in their classes.

On June 29, Human Rights Watch reported that Chinese prodemocracy students studying in Australia had to self-censor to avoid harassment from fellow students and the risk of being reported to authorities in China. Human Rights Watch verified three cases of students studying abroad whose families in China were visited by police. According to online magazine *Bitter Winter*, in April the government promoted the "Party History Study" campaign, and the CAC on April 9 issued a circular asking Chinese citizens to report any non-party-approved history. In August media reported several New Zealand universities reworded their agreements with PRC-funded Confucius Institutes to protect more explicitly the universities' academic freedom and autonomy.

An online PRC government portal that allows informants to report on behavior believed to harm the country's image saw a 40 percent increase in reports since October 2019.

Authorities in Xinjiang continued to disappear or detain Uyghur academics and intellectuals. Some prominent officials and academics were charged with being "two-faced," a euphemism referring to members of minority groups serving state and party occupations who harbor "separatist" or "antiofficial" tendencies, including disagreeing with official restrictions on minority culture, language, and religion. Those disappeared and believed still to be held in the camps or otherwise detained included Rahile Dawut, an internationally known folklorist; Azat Sultan, Xinjiang University professor; Gheyretjan Osman, literature professor; Arslan Abdulla, language professor; Abdulqadir Jalaleddin, poet; Yalqun Rozi, writer; Gulshan Abbas, retired doctor; and Feng Siyu, a Han Chinese student of Rahile Dawut. Authorities detained former director of the Xinjiang Education Supervision Bureau Satar Sawut and removed Kashgar University president Erkin Omer and vice president Muhter Abdughopur; all remained disappeared as of December. Tashpolat Tiyip, former president of Xinjiang University, remained detained on charges of "separatism;" some human rights groups reported he had been sentenced to death. Economist Ilham Tohti remained in prison, where he was serving a life sentence after his conviction on separatism-related charges in 2014.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

While the constitution provides for freedom of peaceful assembly, the government severely restricted this right. The law stipulates such activities may not challenge "party leadership" or infringe upon the "interests of the state." Protests against the political system or national leaders were prohibited. Authorities denied permits and quickly suppressed demonstrations involving expression of dissenting political views. For example police in Huizhou continued to hold human rights activist Xiao Yuhui, detained in July 2020 after repeating a WeChat post calling for individuals to save Hong Kong.

Citizens throughout the country continued to gather publicly to protest evictions, forced relocations, and inadequate compensation, often resulting in conflict with authorities or formal charges. Media reported thousands of protests took place during the year across the country. Although peaceful protests are legal, public security officials rarely granted permits to demonstrate. Despite restrictions, many demonstrations occurred, but authorities quickly broke up those motivated by broad political or social grievances, sometimes with excessive force.

In August, Ding Jiaxi and Xu Zhiyong were indicted on charges of subversion after two rounds of investigation by the Linyi Municipal Public Security Bureau and 21 months in detention. Ding and Xu were arrested in December 2019 after they met earlier that month in Xiamen, Fujian, to organize civil society and plan nonviolent social movements in the country. They were charged with "incitement to subvert state power" and "subversion of state power;" the latter crime carries a minimum 10-year prison sentence. Authorities continued to deny the families and their lawyers access to Xu and Ding.

Concerts, sports events, exercise classes, and other meetings of more than 200 persons require approval from public security authorities. Mass-gathering events were canceled during the year due to COVID-19 controls.

Freedom of Association

The constitution provides for freedom of association, but the government restricted this right. CCP policy and government regulations require that all professional, social, and economic organizations officially register with and receive approval

from the government. These regulations prevented the formation of autonomous political, human rights, religious, spiritual, labor, and other organizations that the government believed might challenge its authority in any area. The government maintained tight controls over civil society organizations and, in some cases, detained or harassed NGO workers. Propaganda targeted NGOs, smearing them for any affiliation with foreign governments.

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

All domestic NGOs are supposed to have a CCP cell, although implementation was not consistent. According to authorities, these CCP cells were to "strengthen guidance" of NGOs in areas such as "decision making for important projects, important professional activities, major expenditures and funds, acceptance of large donations, and activities involving foreigners." Authorities are to conduct annual "spot checks" to ensure compliance on "ideological political work, party building, financial and personnel management, study sessions, foreign exchange, acceptance of foreign donations and assistance, and conducting activities according to their charter."

The law requires foreign NGOs to register with the Ministry of Public Security and to find a state-sanctioned sponsor for their operations or for one-time activities. NGOs that fail to comply face possible civil or criminal penalties. The law provides no appeal process for NGOs denied registration, and it stipulates NGOs found to have violated certain provisions could be banned from operating in the country. The law also states domestic groups cooperating with unregistered foreign NGOs will be punished and possibly banned.

Some international NGOs reported it was more difficult to work with local partners, including universities, government agencies, and other domestic NGOs, as the NGO law codified the CCP's perception that foreign NGOs were a "national security" threat. Many government agencies still had no unit responsible for sponsoring foreign NGOs. The vague definition of an NGO, as well as of what activities constituted "political" and therefore illegal activities, left many business organizations and alumni associations uncertain whether they fell within the purview of the law. The lack of clear communication from the government, coupled with harassment by security authorities, caused some foreign NGOs to suspend or cease operations in the country. According to the Ministry of Public Security, as of November 2, approximately 622 foreign NGO representative offices had registered under the Foreign NGO Management Law, with more than one-half of those focusing on industry or trade promotion activities.

According to the Ministry of Civil Affairs, by the end of the year, there were more than 900,000 registered social organizations, public institutions, and foundations. Many experts believed the actual number of domestic NGOs to be much higher. NGOs existed under a variety of formal and informal guises, including national mass organizations created and funded by the CCP that are organizationally prohibited from exercising any independence, known as government-operated NGOs, or GONGOs.

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

Although all registered organizations came under some degree of government control, some NGOs, primarily service-oriented GONGOs, were able to operate with less day-to-day scrutiny. Authorities supported the growth of some NGOs that focused on social problems, such as poverty alleviation and disaster relief. Law and regulations explicitly prohibit organizations from conducting political or religious activities, and organizations that did not comply faced criminal penalties.

Authorities continued to restrict, evict, and investigate local NGOs that received foreign funding and international NGOs that provided assistance to Tibetan communities in the TAR and other Tibetan areas. Almost all were forced to curtail their activities altogether due to travel restrictions, official intimidation of staff members, and the failure of local partners to renew project agreements.

c. Freedom of Religion

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

d. Freedom of Movement and the Right to Leave the Country

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

The government, often preemptively, harassed and intimidated individuals and their family members by denying them permission to travel, both internationally and domestically, keeping them under house arrest or submitting them to "forced travel" during politically significant holidays.

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

The government operated a national household registration system (*hukou*) and maintained restrictions on the freedom to change one's workplace or residence,

although many provinces and localities eased restrictions. While many rural residents migrated to the cities, where per capita disposable income was approximately three times the rural per capita income, they often could not change their official residence or workplace within the country. Most cities had annual quotas for the number of new temporary residence permits they could issue, and all workers, including university graduates, had to compete for a limited number of such permits. It was particularly difficult for rural residents to obtain household registration in provincial capitals, but outside those cities many provinces removed or lowered barriers to move from a rural area to an urban one.

The household registration system added to the difficulties faced by rural residents, even after they relocated to urban areas and found employment. According to the *Statistical Communique of the People's Republic of China on 2019 National Economic and Social Development*, published in February 2020 by the National Bureau of Statistics of China, 280 million individuals lived outside the jurisdiction of their household registration. Migrant workers and their families faced numerous obstacles regarding working conditions and labor rights. Many were unable to access public services, such as public education for their children or social insurance, in the cities where they lived and worked because they were not legally registered urban residents.

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

Foreign Travel: The government controlled emigration and foreign travel. Government employees and retirees, especially from the military, faced foreign travel restrictions. The government denied passport applications or used exit controls for departing passengers at airports and other border crossings to deny foreign travel to some dissidents and persons employed in government posts. Throughout the year many lawyers, artists, authors, and activists were at times prevented from exiting the country. Authorities also blocked the travel of some family members of activists, including foreign family members.

Border officials and police sometimes cited threats to "national security" as the

reason for refusing permission to leave the country, although often authorities provided no reason for such exit bans. Authorities stopped most such persons at the airport at the time of their attempted travel.

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

Disbarred lawyers, rights activists, and families of "709" lawyers faced difficulties applying for passports or were barred from leaving the country. For example disbarred human rights lawyers Wang Yu (also a 709 lawyer) and Tang Jitian remained under exit bans. Yang Maodong, whose pen name is Guo Feixiong, was banned from boarding a flight out of Shanghai in January, was denied authorization to travel abroad throughout the year, and was detained by authorities in December. Family members of some 709 lawyers, such as Li Heping and Wang Quanzhang, had passport applications denied.

Uyghurs, particularly those residing in Xinjiang, reported great difficulty in getting passport applications approved. They were frequently denied passports to travel abroad. Since 2016 authorities ordered Xinjiang residents to turn in their passports or told residents no new passports were available. Foreign national family members of Uyghur activists living overseas were also denied visas to enter the country, in part due to COVID-19 travel restrictions although restrictions predated the pandemic. Authorities refused to renew passports for Uyghurs living abroad.

Exile: The law neither provides for a citizen's right to repatriate nor addresses exile. The government continued to refuse re-entry to numerous citizens considered dissidents, Falun Gong activists, or "troublemakers." Although in previous years authorities allowed some dissidents living abroad to return, dissidents released on medical parole and allowed to leave the country often were effectively exiled. Because of the COVID-19 pandemic, authorities greatly reduced the total number of travelers who could enter the country, including citizens.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

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

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

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

Refoulement: The government continued to consider North Koreans as illegal "economic migrants" rather than refugees or asylum seekers and forcibly returned many of them to North Korea, where such migrants would face harsh punishments including torture, forced abortions, forced labor, sexual violence, or death. Entries of such migrants were reduced during the year due to border closures during the COVID-19 pandemic. As of July advocacy organizations believed PRC authorities detained 1,170 North Koreans, the majority of whom were refugees and asylum seekers. In July, PRC authorities forcibly returned approximately 50 North Korean refugees, resuming forcible repatriations which had been on hold since early 2020 after the North Korean government shut its borders due to COVID-19.

North Koreans detained by PRC authorities faced forcible repatriation unless they could pay bribes to secure their release. Family members wanting to prevent forced returns of their North Korean relatives were required to pay fees to Chinese authorities, purportedly to cover expenses incurred while in detention. While detained North Koreans were occasionally released, they were rarely given the

necessary permissions for safe passage to a third country.

Access to Basic Services: Refugees generally did not have access to public health care, public education, or other social services due to lack of legal status.

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

g. Stateless Persons

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

Section 3. Freedom to Participate in the Political Process

The constitution states, "all power in the People's Republic of China belongs to the people" and the organs through which citizens exercise state power are the NPC and the people's congresses at provincial, district, and local levels. In practice the CCP dictated the legislative agenda to the NPC. While the law provides for elections of people's congress delegates at the county level and below, citizens could not freely choose the officials who governed them. The CCP controlled all elections and continued to control appointments to positions of political power. The CCP used various intimidation tactics, including house arrest, to block independent candidates from running in local elections.

Elections and Political Participation

Recent Elections: In 2018 the NPC's 2,980 delegates elected the president and vice president, the premier and vice premiers, and the chairman of the Central Military Commission. The NPC Standing Committee, which consists of 175 members, oversaw the elections and determined the agenda and procedures for the NPC. The selection of NPC members takes place every five years, and the process is controlled by the CCP.

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

According to Ministry of Civil Affairs 2019 statistics, almost all the country's more than 600,000 villages had implemented direct elections by ordinary citizens for members of local subgovernmental organizations known as village committees. The direct election of officials remained narrow in scope and was strictly confined to the lowest rungs of local governance. Corruption, vote buying, and interference by township-level and CCP officials continued to be problems. The law permits each voter to cast proxy votes for up to three other voters.

Election law governs legislative bodies at all levels, although compliance and enforcement varied across the country. Under the law citizens have the opportunity every five years to vote for local people's congress representatives at the county level and below, although in most cases higher-level government officials or CCP cadres controlled the nomination of candidates. At higher levels, legislators selected people's congress delegates from among their own ranks. For example, provincial-level people's congresses selected delegates to the NPC. Local CCP secretaries generally served concurrently within the leadership team of the local people's congress, thus strengthening CCP control over legislatures.

Political Parties and Political Participation: Official statements asserted "the political party system [that] China has adopted is multiparty cooperation and political consultation" under CCP leadership. The CCP, however, retained a

monopoly on political power, and the government forbade the creation of new political parties. The government officially recognized nine parties founded prior to 1949, and parties other than the CCP held 30 percent of the seats in the NPC. These non-CCP members did not function as a political opposition. They exercised very little influence on legislation or policymaking and were only allowed to operate under the direction of the CCP United Front Work Department.

No laws or regulations specifically govern the formation of political parties. The China Democracy Party remained banned, and the government continued to monitor, detain, and imprison its current and former members. China Democracy Party founder Qin Yongmin, detained with his wife Zhao Suli in 2015, has been in Hubei's Qianjiang Prison since 2018 for "subversion of state power."

Participation of Women and Members of Minority Groups: Women and members of minority groups held few positions of significant influence in the government or CCP structure. Among the 2,987 appointed delegates to the 13th NPC in 2018, 742 (25 percent) were women. Following the 19th Party Congress in 2017, one member of the CCP Central Committee's 25-member Politburo was a woman. There were no women in the Politburo Standing Committee.

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

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

Section 4. Corruption and Lack of Transparency in Government

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

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

By law the NSC-CCDI is a government and CCP body charged with rooting out corruption and discipline inspection (enforcing conformity). Its investigations may target any public official, including police, judges, and prosecutors; the commission can investigate and detain individuals connected to targeted public officials. The NSC-CCDI is vested with powers of the state and may conduct investigations against any employee who performs a public duty; that includes doctors, academics, and employees of state-owned enterprises. There were credible reports that the NSC-CCDI investigations and detentions by liuzhi were sometimes politically motivated. According to Safeguard Defenders' analysis of NSC-CCDI official documents of a select few provinces, in those provinces the NSC-CCDI placed at least 5,909 individuals into liuzhi since its creation in 2018. Nationwide, Safeguard Defenders estimated that 52,000 individuals were placed into liuzhi since 2018.

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

While the tightly controlled state media apparatus publicized some notable corruption investigations, in general very few details were made public regarding

the process by which CCP and government officials were investigated for corruption. Observers also said that corruption charges were often a pretext for purging political rivals.

In October the NSC-CCDI detained former vice ministers of public security, Fu Zhenghua and Sun Lijun. The *South China Morning Post* reported that Fu Zhenghua was being held for "serious violations" of party discipline. Sun Lijun was expelled from the CCP and faced trial for "serious violation of discipline rules and law." According to state media, Sun accepted bribes and gifts and misused his position to "achieve his political objectives." The *South China Morning Post* reported in August that the NSC-CCDI was investigating Peng Bo, a former deputy chief of the CAC, for accepting bribes and expelled him from the party. Published accusations that Peng strayed from CCP plans regarding the "propaganda struggle over the internet," "sought benefits from internet companies," "resisted investigations by the party and engaged in superstitious activities," and violated the "eight-point requirements on frugal living, visited private clubs frequently and accepted invitations to extravagant banquets and dinners" may indicate that corruption was not the primary reason for the investigation into Peng.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

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

The United Nations or Other International Bodies: The government remained

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

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

Section 6. Discrimination and Societal Abuses

Women

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

Domestic violence remained a significant problem. Some scholars said victims were encouraged to attempt to resolve domestic violence through mediation. Societal sentiment that domestic violence was a personal, private matter contributed to underreporting and inaction by authorities when women faced violence at home. The law defines domestic violence as a civil, rather than a criminal, offense. The web publication *Sixth Tone* reported in 2019 that 25 percent of families had experienced domestic violence.

The government supported shelters for survivors of domestic violence, and some courts provided protections to survivors, including through court protective orders prohibiting a perpetrator of domestic violence from coming near to a survivor. Nonetheless, official assistance did not always reach survivors, and public security forces often ignored domestic violence. Legal aid institutions working to provide

counseling and defense to survivors of domestic violence were often pressured to suspend public activities and cease all forms of policy advocacy, an area that was reserved only for government-sponsored organizations.

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

On November 2, professional tennis player Peng Shuai in a since-deleted post on Weibo accused former Politburo Standing Committee member and vice premier Zhang Gaoli of sexually assaulting her in 2018. Peng said she and Zhang previously had an extramarital relationship and that she went to Zhang's house "about three years ago" at his invitation to play tennis with him and his wife, when he sexually assaulted her. International media said this was the first such public accusation against a senior CCP official. Peng disappeared from public view following her post, and her social media accounts were blocked. Her disappearance sparked an international outcry, and a subsequent series of public sightings were criticized as staged propaganda intended to defuse international criticism.

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

Sexual Harassment: The law prohibits sexual harassment against women. The law defines behaviors included in the definition of harassment, eliminates the statute of limitations of minors seeking to sue on sexual harassment grounds, and requires employers to make affirmative efforts to prevent and address sexual harassment in the workplace. It remained difficult for victims to file a sexual harassment complaint and for judges to reach a ruling on such cases. Human Rights Watch cited one statistic showing nearly 40 percent of women said they experienced sexual harassment in the workplace. Many women, however, remained unwilling to report incidents of sexual harassment, believing the justice system was ineffectual, according to official media. Several prominent media reports of sexual harassment were widely shared on social media, helping to raise awareness of the problem, particularly in the workplace.

In August a female employee of Hangzhou-based Alibaba wrote she had been sexually assaulted by her manager and a client and that Alibaba had not initially taken the matter seriously. Alibaba subsequently fired the accused manager, and two other senior employees resigned for not properly handling the allegations. The criminal case against the accused manager was ultimately dropped by prosecutors who said the "forcible indecency" committed by the man was not a crime.

On September 14, the Haidian District Court in Beijing ruled against plaintiff Zhou Xiaoxuan (also known as Xianzi) in a high-profile sexual harassment case, stating there was insufficient evidence to support her claims that China Central Television personality Zhu Jun had groped and forcibly kissed her in 2014 when she was an intern working for him.

The law allows victims to file a sexual harassment complaint with their employer, authorities, or both. Employers who failed to take effective measures to prevent sexual harassment could be fined.

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

Reproductive Rights: Through law and policy the CCP and government limit the rights of parents to choose the number of children they have. The law restricts most married couples to three children (increased from two in May) and allows couples to apply for permission to have a fourth child if they meet local and provincial requirements. In August the NPC formally passed the law raising the number of children permitted, including several provisions aimed at boosting the birth rate and "reducing the burden" of raising children. These provisions included abolishing the "social maintenance fee" that was a fine for having children beyond the previous limit, encouraging local governments to offer parental leave, and increasing women's employment rights.

Enforcement of population control policy relied on social pressure, education, propaganda, and economic penalties, as well as on measures such as mandatory pregnancy examinations, contraception and, less frequently, forced sterilizations and, in some provinces, coerced abortions. Penalties for exceeding the permitted

number of children were not enforced uniformly and varied by province. The law as implemented requires each woman with an unauthorized pregnancy to abort or to pay a social compensation fee, which can reach 10 times a person's annual disposable income. Those with the financial means often paid the fee to ensure their children born in violation of the birth restrictions would have access to a wide array of government-provided social services and rights. Some avoided the fee by hiding such children with friends or relatives. The law only mentions the rights of married couples, which means unmarried women are not authorized to have children. They consequently have social compensation fees imposed on them if they give birth "outside of the policy," and they could be subject to the denial of legal documents such as birth documents and the hukou residence permit, although local governments rarely enforced these regulations.

While authorities have liberalized population control measures for members of the Han majority since 2016, birth control policies directed toward Uyghurs became more stringent. Ethnic and religious minority women were often subject to coercive population control measures. Government targeting of ethnic and religious minorities in Xinjiang with intensified coercive family-planning measures resulted in plummeting birth rates since 2018. Most Xinjiang prefectures reported large increases in sterilizations and implantation of intrauterine devices (IUD), with Hotan Prefecture alone more than doubling its female sterilization numbers from 2017 to 2018. There were widespread reports of coercive population control measures – including forced abortions, forced sterilizations, involuntary IUD insertions, and pregnancy checks – occurring at detention centers in the region and targeting minority groups, primarily Uyghurs and ethnic Kazaks. Parents judged to have exceeded the government limit on the number of children (three or more) risked being sent to detention centers unless they paid exorbitant fines. In a January post later removed by Twitter, the PRC Embassy in the United States claimed, "Study shows that in the process of eradicating extremism, the minds of Uygur women in Xinjiang were emancipated and gender equality and reproductive health were promoted, making them no longer baby-making machines. They are more confident and independent."

Since national family planning law mentions only the rights of married couples, local implementation was inconsistent, and unmarried persons were required to pay

for contraception.

Sexual and reproductive health services including emergency contraception were available for survivors of sexual violence at public hospitals.

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

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

Authorities often did not enforce laws protecting the rights of women. According to legal experts, it was difficult to litigate sex discrimination suits because of vague legal definitions. Some observers noted the agencies tasked with protecting women's rights tended to focus on maternity-related benefits and wrongful termination due to pregnancy or maternity leave rather than on sex discrimination, violence against women, or sexual harassment.

Women's rights advocates indicated that in rural areas women often forfeited land and property rights to their husbands in divorce proceedings. The civil code includes a provision for a 30-day "cooling off" period in cases of uncontested divorce; some citizens expressed concern this leaves those seeking escape from domestic violence susceptible to further abuse. Rural contract law and laws protecting women's rights stipulate women enjoy equal rights in cases of land management, but experts asserted this was rarely the case due to the complexity of the law and difficulties in its implementation.

Gender-biased Sex Selection: The most recent information from the State Council Information Office stated the boy-girl birth ratio had dropped from 113.5 in 2015 to 110.1 boys per 100 girls in 2019.

Nonmedical fetal sex diagnosis and aborting a pregnancy based on gender selection are illegal. Private and unregistered clinics, however, provided these

services. Provincial health commissions made efforts to crack down on sex-selective abortions.

Systemic Racial or Ethnic Violence and Discrimination

The constitution and laws include language that protects members of racial or ethnic minorities or groups from violence and discrimination; however, the government did not enforce these laws effectively, and authorities perpetrated and promoted violence and discrimination against members of racial or ethnic minority groups. Official state media outlets published numerous articles describing members of minority ethnic or religious groups as violent and inferior. Such propaganda emphasized the connection between religious beliefs, in particular belief in Islam, and acts of violence. Moreover, many articles described religious adherents as culturally backward and less educated, and thus in need of government rectification.

The government "sinicization" campaign resulted in ethnically based restrictions on movement, including curtailed ability to travel freely or obtain travel documents; greater surveillance and presence of armed police in ethnic minority communities; and legislative restrictions on cultural and religious practices.

The government promoted Han Chinese migration into minority areas, significantly increasing the population of Han in Xinjiang. Han Chinese officials continued to hold the majority of the most powerful CCP posts and many government positions in minority autonomous regions, particularly Xinjiang.

In 2017 the Xinjiang government implemented "Deradicalization Regulations," codifying efforts to "contain and eradicate extremism." Since 2017 the government used this broad definition of extremism to detain more than one million Uyghurs, ethnic Kazakhs, Kyrgyz, and other Muslims in re-education or detention centers, designed to instill patriotism and erase their religious and ethnic identities. This included many of those ordered to return to China from studying or working abroad. International media reported government security officials in the centers abused, tortured, and killed some detainees (see sections 1.a., 1.b., 1.c., 1.d., and 2.d.).

Outside the internment camps, the government implemented severe restrictions on

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

The national government perpetuated and condoned policies and attitudes that promoted discrimination; minority groups in border and other regions had less access to education than their Han Chinese counterparts, faced job discrimination in favor of Han Chinese migrants, and earned incomes well below those in other parts of the country. Government development programs and job provisions intentionally disrupted traditional living patterns of minority groups and in some cases included the forced relocation of persons and the forced settlement of nomads. As part of its emphasis on building a "harmonious society" and maintaining social stability, the government promoted racism and institutional discrimination against minorities, and disparaged and denied the resulting complaints, cracking down on peaceful expressions of ethnic culture and religion.

Many of the security raids, arbitrary detentions, and judicial punishments appeared to target groups or individuals peacefully seeking to express their political or religious views. Detention and punishment could be based on expression on the internet and social media, including the browsing, downloading, and transmitting of banned content. Officials continued to use the threat of violence as justification for extreme security measures directed at the local population, journalists, and visiting foreigners. According to the official news agency Xinhua, officials used surveillance and facial recognition software, biodata collection, and big-data technology to create a database of Uyghurs in Xinjiang for the purpose of

conducting “social-instability forecasting, prevention, and containment.” (See section 1.f.) Security forces frequently staged large-scale parades involving thousands of armed police in cities across Xinjiang, according to state media.

Uyghurs and members of other religious and ethnic minority groups continued to be sentenced to long prison terms and were in some cases executed without due process on spurious charges of separatism and endangering state security. (See sections 1.a. and 1.b.).

The law criminalizes discussion of “separatism” on the internet and prohibits use of the internet in any way that undermines national unity. It further bans inciting ethnic separatism or “harming social stability.” It requires internet service providers and network operators to set up monitoring systems to detect, report, and delete religious content, and to strengthen existing systems and report violations of the law. Authorities searched cell phones at checkpoints and during random inspections of Uyghur households. Persons in possession of alleged terrorist material, including pictures of general religious or cultural importance, could be arrested and charged with crimes. International media reported security officials at police checkpoints used a surveillance application to download and view content on mobile phones. (See section 1.f.).

Ethnic Kazakhs were also targeted. Throughout the year ethnic Kazakhs in Almaty and Nur-Sultan reported that PRC officials attempted to silence protests regarding their missing family members in Xinjiang. Small groups of Kazakhs often protested outside the PRC consulate in Almaty and the PRC Embassy in Nur-Sultan to demand answers concerning their families’ detention in Xinjiang. Local sources stated that PRC officials frequently called their cell phones to pressure them to stop protesting. Kazakhs were also prevented from moving freely between China and Kazakhstan, and some were detained in internment camps upon their return to China.

The government pressured foreign countries to forcibly repatriate or deny visas to Uyghurs who had left China, and repatriated Uyghurs faced the risk of imprisonment and mistreatment upon return. Some Uyghurs who were forcibly repatriated disappeared after arriving in China. Family members of Uyghurs studying overseas were also pressured to convince students to return to China, and

returning students were detained or forced to attend "re-education camps," according to overseas media. Overseas ethnic Uyghurs, whether they were citizens of the PRC or their countries of residence, were sometimes pressured to provide information concerning the Uyghur diaspora community to agents of the PRC government.

Freedom of assembly was severely limited in Xinjiang. For information regarding abuse of religious freedom in Xinjiang, see the Department of State's *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/.

For specific information on Tibet, see the Tibet Annex.

Children

Birth Registration: Citizenship is derived from parents. Parents must register their children in compliance with the national household registration system within one month of birth. Children born outside policy quotas or to single women often cannot be registered or receive other legal documents such as the hukou residence permit. Unregistered children could not access public services, including education, health care, identity registration, or pension benefits.

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

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

implemented throughout Xinjiang, according to international media.

Government authorities in Inner Mongolia required instructors to use Mandarin to teach history and politics instead of the Mongolian language and traditional Mongolian script, which are viewed as a key part of Mongolian culture. The PRC implemented similar policies in Xinjiang, Tibet, and other provinces to encourage a "national common language," but which observers viewed as a means to erode unique languages and cultures.

Child Abuse: The physical abuse of children is grounds for criminal prosecution, and the law protects children. Sexual abuse of minors, particularly of rural children, was a significant problem.

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

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

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

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

Infanticide or Infanticide of Children with Disabilities: The law forbids infanticide, although NGOs reported that female infanticide due to a traditional preference for sons and coercive birth limitation policies continued. Parents of

children with disabilities frequently left infants at hospitals, primarily because of the anticipated cost of medical care. Gender-biased abortions and the abandonment and neglect of baby girls were believed to be in decline but continued to be a problem in some circumstances.

Displaced Children: The detention of an estimated one million or more Uyghurs, ethnic Kazakhs, Kyrgyz, and other Muslims in Xinjiang left many children without caregivers. While many of these children had relatives willing to care for them, the government placed the children of detainees in orphanages, state-run boarding schools, or "child welfare guidance centers," where they were forcibly indoctrinated with CCP ideology and forced to learn Mandarin Chinese, reject their religious and cultural beliefs, and answer questions regarding their parents' religious beliefs and practices.

In October 2020 a study on parent-child separation in Yarkand County, Kashgar Prefecture, analyzed data from government spreadsheets not previously available. According to the study, government statistics showed that between 2017 and 2019, the number of boarding students in primary and middle schools (grades one to nine) increased from 497,800 to 880,500. Children in these schools studied ethnic Han culture, Mandarin, and CCP ideology. Government policy aimed to provide such children with state-sponsored care until they reach age 18. In Hotan some boarding schools were topped with barbed wire.

Institutionalized Children: See "Displaced Children" section above.

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

Anti-Semitism

The government does not recognize Judaism as an ethnicity or religion. The World Jewish Congress estimated the Jewish population at 2,500. There were no reports of anti-Semitic acts during the year.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

Organ Harvesting

Some activists and organizations accused the government of forcibly harvesting organs from prisoners of conscience, including religious and spiritual adherents such as Falun Gong practitioners and Muslim detainees in Xinjiang. In June several UN experts issued a statement expressing alarm concerning allegations of organ harvesting "targeting minorities, including Falun Gong practitioners, Uyghurs, Tibetans, Muslims and Christians, in detention in China."

Persons with Disabilities

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

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

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

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

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

The law sets standards for making roads and buildings accessible to persons with disabilities; compliance was limited.

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

HIV and AIDS Social Stigma

Discrimination against persons with HIV remained a problem, impacting individuals' employment, education, and housing opportunities and impeding access to health care. In some instances laws protecting persons with HIV from discrimination contradict laws restricting the rights of persons with HIV. During the year state media outlets reported instances of persons with HIV or AIDS who were barred from housing, education, or employment due to their HIV status. According to the National Health Commission, as of the end of 2019, an estimated 950,000 persons in the country had HIV or AIDS.

According to the law, companies may not demand HIV antibody tests nor dismiss employees for having HIV. Nonetheless, regulations also stipulate that HIV-positive individuals shall not engage in work that is prohibited by laws, administrative regulations, and the Department of Health under the State Council.

Acts of Violence, Criminalization, and Other Abuses Based on

Sexual Orientation and Gender Identity

No laws criminalize private consensual same-sex conduct between adults. Individuals and organizations working on LGBTQI+ matters continued to report discrimination and harassment from authorities similar to that experienced by organizations that accept funding from overseas.

LGBTQI+ individuals reported incidents of violence, including domestic violence; however, they encountered difficulties in seeking legal redress, since regulations on domestic violence do not include recognition of same-sex relationships. Accessing redress was further limited by societal discrimination and traditional norms, resulting in most LGBTQI+ persons refraining from publicly discussing their sexual orientation or gender identity. Nonetheless, the civil code includes a provision that protects certain tenancy rights for designated partners of deceased property owners without officially defined family relationships.

NGOs working on LGBTQI+ topics reported that although public advocacy work became more difficult for them due to laws governing charities and foreign NGOs, they made some progress in advocating for LGBTQI+ rights through specific antidiscrimination cases.

In July, WeChat's parent company Tencent deleted dozens of public WeChat accounts run by LGBTQI+ groups at universities across the country for allegedly violating internet regulations, including 14 of the most prominent accounts.

In September the National Radio and Television Administration ordered television companies to exclude *niangpao* or "sissy men" from their content. It was the first time the government used the term, which is used to insult or bully gay men. Also in September the administration condemned representations of gay men's love stories on radio and television. Later in the month, the state-backed gaming association issued new video game guidelines stating that depictions of same-sex relationships, characters with ambiguous genders, and effeminate males were considered problems and would raise flags.

In November, LGBT Rights Advocacy China, an organization focused on changing law and policy, announced it was ceasing all activities and shutting down its social media accounts.

Section 7. Workers' Rights

a. Freedom of Association and the Right to Collective Bargaining

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

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

All union activity must be approved by and organized under the ACFTU, a CCP organ chaired by a member of the Politburo. The ACFTU and its provincial and local branches continued to establish new constituent unions and add new members, especially among workers in technology companies and in the transportation and service sectors. The law gives the ACFTU financial and administrative control over constituent unions empowered to represent employees in negotiating and signing collective contracts with enterprises and public institutions. The law does not mandate the ACFTU to represent the interests of workers in disputes. The only legally specified roles for the ACFTU in strikes are to participate in investigations and to assist the Ministry of Human Resources and Social Security in resolving disputes.

The ACFTU and the CCP used a variety of mechanisms to influence the selection of trade union representatives. Although the law states trade union officers at each level should be elected, ACFTU-affiliated unions appointed most factory-level officers, often in coordination with employers. Official union leaders were often drawn from the ranks of management. Direct election by workers of union leaders continued to be rare, occurred only at the enterprise level, and was subject to supervision by higher levels of the union or the CCP. In enterprises where direct election of union officers took place, regional ACFTU officers and local CCP authorities retained control over the selection and approval of candidates. Even in these cases, workers and NGOs expressed concern regarding the credibility of elections.

Enforcement was generally insufficient to deter wide-scale violations of laws designed to protect workers' rights. Labor inspectors lacked authority and resources to compel employers to correct violations. While the law outlines general procedures for resolving disputes, procedures were lengthy and subject to delays. Local authorities in some areas actively sought to limit efforts by independent civil society organizations and legal practitioners. While some local government authorities took steps to increase mediation or arbitration, other areas maintained informal quotas on the number of cases allowed to proceed beyond mediation to arbitration or the courts.

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

The law does not expressly prohibit work stoppages and does not prohibit workers from striking spontaneously. Although some local authorities tolerated strikes protesting unpaid or underpaid wages, reports of police crackdowns on strikes continued throughout the year. Media reported protests at factories throughout the country and worker protests in the construction, service, and retail sectors. In cases where local authorities cracked down on strikes, they sometimes charged leaders with vague criminal offenses, such as "inciting subversion of state power," "picking quarrels and provoking trouble," "gathering a crowd to disturb public

order," or "damaging production operations," or detained them without any charges.

The NGO China Labor Bulletin reported workers throughout the country engaged in wildcat strikes, work stoppages, and other protest actions and claimed the workers' actions were indicative of the ACFTU's inability to prevent violations and resolve disputes. For example the bulletin reported that after a series of actions by drivers to protest the exploitative actions of cab companies, the ACFTU office for the drivers was unaware of the protest and showed little willingness to get involved. The bulletin reported 793 worker strikes across the country as of October, many due to unpaid wages. According to the Ministry of Human Resources and Social Security, there were more than one million labor dispute cases filed in 2020 involving more than 1.2 million workers, marking 2.3 percent and 0.71 percent year-on-year increases, respectively.

The government continued to target labor activists, students, and others advocating for worker rights. For example, four Jasic Technology factory workers – Li Zhan, Liu Penghua, Mijiuping, and Yucong – who were part of a larger effort by workers to form a union in 2018 to respond to low pay and poor working conditions remained detained, and their status was unclear. The International Labor Organization's Committee on the Freedom of Association noted concern regarding the reports of government harassment, intimidation, arrests, and physical abuse.

Coordinated efforts by governments at the central, provincial, and local levels, including censorship, surveillance, harassment, detention, and travel restrictions on labor rights defenders and restrictions on funding sources for NGOs, disrupted labor rights advocacy.

In February authorities detained Chen Guojiang, a delivery worker who posted videos of delivery working conditions and called for collective action for better pay. He was charged in March, and as of November was in jail. In March an effort to raise funds on the messaging app WeChat to cover his legal fees was shut down by WeChat censors after an hour.

In August labor activist and University of Hong Kong doctoral student Fang Ran was detained in Guangxi Province on charges of "incitement to subvert state

power." Fang had conducted interviews with migrant workers in Shenzhen who had developed black lung disease and were petitioning their employer. At year's end Fang remained in "residential surveillance" and was denied visits from lawyers and his family.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced and compulsory labor. The law provides a range of penalties depending on the circumstances, including imprisonment, criminal detention, administrative blacklisting, and fines. Penalties were commensurate with those for analogous serious crimes, such as kidnapping. The law was not effectively enforced.

The PRC intensified the use of state-sponsored forced labor in detention camps, prisons, and factories in and outside Xinjiang. Authorities have detained more than one million ethnic Muslims, including Uyghurs, ethnic Hui, ethnic Kazakhs, ethnic Kyrgyz, ethnic Tajiks, and ethnic Uzbeks in as many as 1,200 "vocational training centers" – internment camps where there was widespread forced labor. The State Council issued a white paper on employment and labor rights in Xinjiang Uyghur Autonomous Region in September 2020, in which it stated that the government provided "vocational training" to an average of 1.29 million workers in Xinjiang every year from 2014 to 2019.

There were also reports of individuals "graduating" from "vocational training centers" and then being compelled to work in adjacent or off-site factories producing garments, footwear, carpets, yarn, textiles, food products, holiday decorations, building materials, solar power equipment, polysilicon and other renewable energy components, consumer electronics, bedding, hair products and accessories, cleaning supplies, personal protective equipment, face masks, chemicals, pharmaceuticals, and other goods for domestic and international distribution.

Xinjiang government documents indicated the existence of a large-scale PRC government plan, known as the "mutual pairing assistance" program, where at least 19 cities and provinces had established factories in Xinjiang. There was significant risk that these factories were using camp labor and other exploitative labor

practices.

Although in 2013 the NPC officially abolished the re-education through labor system, an arbitrary system of administrative detention without judicial review, numerous media outlets and NGOs reported forced labor continued in prisons as well as drug rehabilitation facilities where individuals continued to be detained without judicial process. There were also reports that the Xinjiang Production and Construction Corps managed agricultural prison farms throughout Xinjiang which subjected inmates to forced labor. In addition the corps reportedly forced half a million Uyghur adults and children to pick and process cotton, tomatoes, sugar beets, and possibly apples and peanuts. Credible NGOs also reported some Xinjiang residents were subjected to forced labor in polysilicon mining and processing.

A report released in May by the Helena Kennedy Centre at Sheffield Hallam University highlighted use of forced labor in the solar energy supply chain. The report stated all polysilicon manufacturers in the Xinjiang region participated in labor transfer programs or were supplied by raw material manufacturers that did.

PRC-flagged fishing vessels subjected workers from other countries to forced labor. Fishermen experienced contract discrepancies, excessive working hours, degrading living conditions, severe verbal and physical abuse, starvation, denial of access to health care, restricted communication, document retention, arbitrary garnishing or nonpayment of wages, and other forced labor indicators, often while being forced to remain at sea for months or years at a time.

According to media reporting, Chinese companies operating abroad with links to the PRC government's Belt and Road Initiative engaged in exploitative labor practices. Workers had their travel documents confiscated and were paid wages lower than what they were promised. China's strict COVID-19 travel and quarantine requirements and the limited number of international flights left these workers stranded overseas, working past the terms of their contracts.

There were reports of forced labor in other provinces in the production of items such as bricks, coal, and electronics.

The government also reportedly placed ethnic Tibetans in vocational training and

manufacturing jobs as part of an ostensible "poverty alleviation" and "labor transfer program" that featured overtly coercive elements.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all the worst forms of child labor. The law prohibits the employment of children younger than 16. It refers to workers between ages 16 and 18 as "juvenile workers" and prohibits them from engaging in certain forms of dangerous work, including in mines. Where there were reports of child labor in the private sector, the government reportedly enforced the law.

The law specifies administrative review, fines, and revocation of business licenses of enterprises that illegally hire minors. The law provides that underage working children be returned to their parents or other custodians in their original place of residence. The penalty is imprisonment for employing children younger than 16 in hazardous labor or for excessively long hours, but a gap remained between legislation and implementation, despite annual inspection campaigns launched by local authorities across the country. Penalties were commensurate with those for analogous serious crimes such as kidnapping.

During the year there were reports of children working, often unpaid, in factories, at schools, and as athletes and models. Abuse of the student-worker system continued. There were multiple reports of schools and local officials improperly facilitating student labor in factories producing electronics and apparel.

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

d. Discrimination with Respect to Employment and Occupation

The law prohibits employment discrimination based on ethnicity, race, gender, religious belief, disability, age, and infectious or occupational diseases. The law does not prohibit discrimination on national origin or sexual orientation. Various

government ministries have decrees prohibiting gender discrimination during recruitment and hiring. Enforcement clauses include the right to pursue civil damages through the courts. Penalties were commensurate with analogous laws. Some courts were reluctant to accept discrimination cases, and authorities at all levels emphasized negotiated settlements to labor disputes. There were few examples of enforcement actions that resulted in final legal decisions.

The government did not effectively enforce the laws. Discrimination in employment was widespread, including in recruitment advertisements that discriminated based on gender, age, height, birthplace, marital status, disability, physical appearance, and health status (see section 6). There were advertisements seeking pretty women, preferring men, or requiring higher education qualifications from women compared with men for the same job.

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

On February 20, job advertisements posted by the high-tech development zone of Fuzhou in Jiangsu Province stated that only male applicants were to apply. Survey results showed women were less likely to be invited for interviews or called back for a second round of interviews. In interviews some women were asked whether they had or planned to have children and how many children they had. A social media post by a woman in Zhengzhou City in Henan Province detailing her company's attempt to force her to resign because of her pregnancy attracted public attention, with many other women sharing similar experiences. Also in Zhengzhou a woman working for a community health center reported that she was told by her employer to consider resigning when she revealed that she was pregnant with her third child. (The government announced in May that it would allow couples to have up to three children.) A June report by Human Rights Watch showed an increase of gender-based discrimination after the country moved from its one-child policy to permitting women to have two children.

Age discrimination in hiring and retention continued. The mandatory retirement age for women was 50 for those in blue-collar jobs and 55 for those in white-collar

jobs. The retirement age for all men was 60. A report published in June by Peterson Institute for International Economics found that many employers in the country, the government included, regularly exercised age-based discriminatory practices in employment, especially in recruitment. Ageism at work started as early as 35, a trend dubbed as the "age 35 phenomenon." According to another report published by the State Council's Development and Research Center in January, 80.1 percent of job applicants ages 35 and older believed that their age was the biggest hurdle for them to find a new job and 20.6 percent of applicants ages 51 to 55 reported they had been fired because of their age.

Workplace discrimination against women and LGBTQI+ employees was common. Results from a survey conducted on LGBTQI+ diversity and inclusion in corporations in the country released in May found that antidiscrimination programs had not been widely established in workplaces. The survey, which included responses from more than 3,400 employees and 122 companies, found that only 13.9 percent of the companies surveyed had official rules covering antidiscrimination and equal opportunities, while 4.9 percent of the companies said they were still drafting rules.

There was employment-related discrimination based on geographic origin. For example advertisements for domestic help specified that applicants from Henan Province and the northeastern part of country need not apply. In April an electronics company in Suzhou posted employment advertisements that stated people from the three provinces in the northeast should not apply. When asked about the exclusion, the company's human resources office responded that it was the Suzhou local government's rule to not hire individuals from the northeast because they had previously "caused trouble" in Suzhou.

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

e. Acceptable Conditions of Work

Wage and Hour Laws: There is no national minimum wage, but the law requires

local and provincial governments to set their own minimum wage rates for both the formal and informal sectors according to standards promulgated by the Ministry of Human Resources and Social Security. By law employees are limited to working eight hours a day and 40 hours per week; work beyond this standard is considered overtime and must be paid at a premium. In August the Supreme People's Court and the Ministry of Human Resources and Social Security issued decisions in 10 legal cases related to the six-day workweek culture, with each decision ruling in favor of the employee.

Occupational Safety and Health: A revision of the 2002 Work Safety Law went into effect on September 1. The revised law increases fines and sanctions, allows public interest lawsuits, and brings gig workers in online platforms under its purview. The Ministry of Emergency Management sets and enforces occupational safety regulations. The National Health Committee sets and enforces occupational health regulations. The law requires employers to provide free health checkups for employees working in hazardous conditions and to inform the employees of the results. The law also provides workers the right to report violations or remove themselves from workplace situations that could endanger their health without jeopardy to their employment. By law identifying unsafe conditions is the responsibility of occupational safety and health experts, not workers.

Effective enforcement of the law was not consistent. Labor and social security bureaus at or above the county level are responsible for enforcement of labor laws. Penalties were commensurate with those for similar laws such as fraud or negligence. The number of inspectors was insufficient to enforce compliance. Inspectors have the authority to make unannounced visits and may initiate sanctions.

Companies that violate wage, hour, occupational safety, and health regulations face various penalties, including suspension of business operations, rescission of business certificates and licenses, or entry onto publicly available "blacklists" maintained by local governments.

According to blacklists posted by multiple provincial and municipal authorities, wage arrears remained a widespread problem. Shenzhen Municipal Bureau of Human Resources and Social Security added four companies to a blacklist in May

for owing more than two million yuan ($314,000) in unpaid wages to nearly 300 employees. Provincial and local governments at various levels continued efforts to prevent arrears and to recover payment of unpaid wages and insurance contributions. The Supreme People's Procuratorate reported it prosecuted 25,635 cases of nonpayment of wages from 2019 to November of 2020, helping workers recover 340 million yuan ($53.4 million) of unpaid wages. Prosecutions resulted in 1,375 arrests.

The government seldom enforced overtime laws, and 72-hour workweeks were common for a wide range of workers. In July the National Bureau of Statistics reported that employees working under contract across the country worked an average of 47.7 hours per week in July, suggesting a six-day workweek. Nonpayment of wages including overtime and premium pay was exacerbated by the COVID-19 outbreak in many areas. Multiple labor NGOs reported problems such as delayed wage payments and unpaid social safety net benefits were widespread during the outbreak.

Subcontracting made rural laborers susceptible to delayed payment or nonpayment for their work, prompting them to join in collective action. Even with contracts, migrant workers had less access to benefits, especially social insurance. On April 11, construction workers in Nanning, Guangxi, blocked traffic to protest unpaid wages.

Companies relocated or closed on short notice due to the COVID-19-induced global economic downturn, often leaving migrant workers unable to return to their home countries and without adequate recourse for due compensation. In February the Dongguan Human Resources and Social Security Bureau announced it was investigating a circuit-board manufacturer for failing to pay three million yuan ($471,000) to 262 workers. The owner of the company reportedly had fled and was in hiding.

According to media reports, occupational diseases were prevalent and underreported. Patients came from many industries, including coal, chemical engineering, and construction.

Workplace accidents and injuries were particularly common and deadly in the coal

industry. In response to energy shortages and rising fuel prices, the government called on state-owned coal mines in October to operate at full capacity until the end of the year. According to a coal industry publication, the National Development and Reform Commission told miners workplace accidents would not result in the temporary shutdown of operations for inspections. The National Mine Safety Administration reported that in the first week of October there were 10 mine accidents nationwide, resulting in 18 deaths. According to the Ministry of Emergency Management's Administration of Coal Mine Safety, there were 40 coal mine accidents causing 60 deaths in the first half of the year. On January 10, a coalmine explosion killed 10 miners in Shandong Province. A gas explosion in Guizhou Province killed eight workers on April 9. On October 11, four persons died and 68 were injured in a coalmine collapse in Shaanxi Province. One group reported six million workers were suffering from black lung disease, caused by long-term exposure to dust in workplaces, particularly coal mines.

Work accidents were also widespread in other industries. Media and NGO reports attributed them to a lack of safety checks, weak enforcement of laws and regulations, ineffective supervision, and inadequate emergency responses. In Guangxi the provincial government reported that in the first half of the year there were 1,172 work safety accidents that killed 852 individuals and injured 802.

Informal Sector: Inspectors did not operate in the informal sector. Workers in the informal sector worked longer hours and earned less than comparable workers in the formal sector. Workers in the informal sector often lacked legal and social benefits covered under labor contracts. Informal work was particularly prevalent for internal migrants and domestic workers; 90 percent of an estimated 35 million domestic workers lacked formal work agreements and protections.

Workers in the gig economy, estimated to number 200 million, were considered contract workers. The revision of the 2002 Work Safety Law brought gig workers in online platforms under its purview. On July 16, the Ministry of Human Resources and Social Security along with several other government entities issued joint administrative guidance to top platform firms to improve incomes and rest periods for workers but left it to local governments to implement. There were reports of delivery drivers injured or killed on the job and that companies have cut the per-package commission pay for couriers. There were numerous delivery

worker protests against heavy workloads or wages.

Chen Guojiang, a delivery worker who posted videos of delivery working conditions and called for collective action for better pay, was arrested in February and faced five years in jail (see section 7.a.).