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Human Rights in China and U.S. Policy: Issues for the 117th Congress

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SUMMARY

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Human Rights in China and U.S. Policy: Issues for the 117th Congress

U.S. concern over human rights in China has been a central issue in U.S.-China relations, particularly since the Tiananmen crackdown in 1989. In recent years, human rights conditions in the People's Republic of China (PRC) have deteriorated, while bilateral tensions related to trade and security have increased, possibly creating both constraints and opportunities for U.S. policy on human rights.

After consolidating power in 2013, Chinese Communist Party General Secretary and State President Xi Jinping intensified and expanded the reassertion of party control over society that began toward the end of the term of his predecessor, Hu Jintao. Since 2017, the government has enacted new laws that place further restrictions on civil society in the name of national security, authorize greater controls over minority and religious groups, and further constrain the freedoms of PRC citizens. Government methods of social and political control are evolving to include the widespread use of sophisticated surveillance and big data technologies. Arrests of human rights advocates and lawyers intensified in 2015, followed by party efforts to instill ideological conformity across various spheres of society. In 2016, President Xi launched a policy known as "Sinicization," under which the government has taken additional measures to compel China's religious practitioners and ethnic minorities to conform to Han Chinese culture, support China's socialist system as defined by the Communist Party, abide by Communist Party policies, and reduce ethnic differences and foreign influences.

In the past decade, the PRC government has imposed severe restrictions on the religious and cultural activities of Uyghurs, a Turkic ethnic group who practice a moderate form of Sunni Islam and live primarily in the far western Xinjiang Uyghur Autonomous Region (XUAR). Between 2017 and 2020, XUAR authorities arbitrarily detained over 1 million Turkic Muslims by some estimates, mostly Uyghurs, and subjected them to a process of political indoctrination. Detainees are compelled to renounce or reject many of their Islamic beliefs and customs as a condition for their eventual release. According to some reports, some former detainees may have been formally convicted of crimes and placed in higher security facilities. The government has created programs that employ many Uyghurs and former detainees in factories in Xinjiang and other PRC provinces under conditions that indicate forced labor. Experts say that the government's attempts to transform the thought and behavior of Uyghurs and to forcefully assimilate them into Han culture may result in the destruction of Uyghur culture and identity. In January 2021 the Department of State determined that China's actions against Uyghurs and other Muslim groups in Xinjiang constitute crimes against humanity and genocide, based upon reports of mass arbitrary detention, torture, coercive birth control measures, separation of children from their parents, and other human rights violations.

In western China, PRC authorities have maintained tight control over Tibetan Buddhist monasteries; harassed and punished Tibetans suspected of being followers of Tibet's exiled spiritual leader, the Dalai Lama; placed greater restrictions on Tibetan-language education; and forcibly resettled Tibetan nomads and farmers in urban areas and employed them in the formal economy. Under China's Sinicization campaign, the government has also intensified pressure on Christian churches that are not formally approved by the government, which serve nearly half of all Christians in China, and has reportedly shut down hundreds in recent years.

Successive U.S. Administrations and Congresses have used an array of means for promoting human rights and political freedoms in China, often exercised simultaneously. Broadly, U.S. approaches vary in their level of relative emphasis on bilateral engagement, bilateral punitive action, and/or multilateral engagement and initiatives. Some approaches may reflect a perceived need to balance U.S. values and human rights concerns with other U.S. interests in the bilateral relationship. Others may challenge the assumption that promoting human rights involves trade-offs with other interests, reflecting a view that fostering greater respect for human rights is fundamental to other U.S. objectives. The Biden Administration has pledged that its foreign policy will emphasize human rights and democratic values.

Policy tools for promoting human rights and political freedoms in China include bilateral dialogue; coordinated international pressure, including through multilateral organizations; open censure of China; sanctions; congressional hearings, legislation, investigations, statements, letters, and visits; appropriations for human rights and democracy and related programs in the PRC; efforts to advance internet freedom; and international broadcasting. Another high-profile tool is the Department of State's issuance of congressionally mandated country reports and/or rankings, including on human rights, religious freedom, and trafficking in persons, that document conditions in China.

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Introduction

U.S. concern over human rights in China has been a central issue in U.S.-China relations, particularly since the Tiananmen crackdown in 1989. In recent years, human rights conditions in China have deteriorated, while bilateral tensions related to trade and security have increased, possibly creating both constraints and opportunities for U.S. policy on human rights. The U.S. government employs a wide range of policy tools to support human rights in China, some of which have been utilized for roughly two decades. Since 2019, the United States has imposed visa, economic, and trade-related sanctions and restrictions on some People's Republic of China (PRC) officials, entities, and jurisdictions, particularly in response to credible reports of mass detentions and forced labor of Uyghurs and other ethnic minorities in Xinjiang.

This report examines selected human rights issues in the PRC and policy options for Congress. This report does not discuss the distinct human rights issues and U.S. policy responses related to China's Hong Kong Special Administrative Region.[1]

Political Trends

Over 30 years since the June 1989 crackdown on the pro-democracy movement, the Chinese Communist Party (CCP) remains firmly in power in the PRC. PRC leaders have maintained political control through a mix of repression and responsiveness to some public preferences, delivering economic prosperity and social welfare benefits to many citizens, improving government transparency in limited areas,[2] and stoking nationalism to bolster CCP legitimacy. Despite the state's many repressive policies, some reports indicate that many PRC citizens may appreciate the CCP's focus on political and social stability, are generally satisfied with the government's performance, and are optimistic about the future, although the depth of their support for the government is unclear.[3] The government's apparent success in controlling outbreaks of Coronavirus Disease 2019 (COVID-19) seems to have garnered popular support, although severe and intrusive policies to control the virus and lingering economic uncertainty may also have caused some discontent.[4]

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[1] For information on human rights developments in Hong Kong, see CRS *In Focus IF11711, Hong Kong: Key Issues in 2021,* and CRS Report R46473*, China's National Security Law for Hong Kong: Issues for Congress*.

[2] Jamie P. Horsley, "Open Government Developments in China: Implications for US Businesses," *China Business Review,* July 1, 2019.

[3] Edward Cunningham, Tony Saich, and Jesse Turiel, "Understanding CCP Resilience: Surveying Chinese Public Opinion Through Time," Ash Center for Democratic Governance and Innovation, Harvard Kennedy School, July 2020; Michael D. Swaine and Ryan DeVries, "Chinese State-Society Relations: Why Beijing Isn't Trembling and Containment Won't Work," Carnegie Endowment for International Peace, March 14, 2019; Mike Cummings, "China Uses 'Softer Tools' of Repression, Says Yale Political Scientist," *Yale News,* April 20, 2018; Wenfang Tang, "The 'Surprise' of Authoritarian Resilience in China," *American Affairs Journal,* vol. II, no. 1, (Spring 2018); Bruce Dickson, *The Dictator's Dilemma,* New York: Oxford University Press, 2016. Another study, however, found that some Chinese survey respondents may engage in self-censorship regarding their level of support for the government, possibly due to fear that their opinions may become known to authorities. Darrel Robinson and Marcus Tannenberg, "Self-Censorship of Regime Support in Authoritarian States: Evidence from List Experiments in China," *Research and Politics,* July-September 2019.

[4] Joel Day, "China on Brink: 'Discontent' Among Citizens as Xi Jinping's Control Slips," *Express,* November 2, 2020; Minxin Pei, "China's Coming Upheaval: Competition, the Coronavirus, and the Weakness of Xi Jinping," *Foreign Affairs*, March 27, 2020; "Human Rights Dimensions of the COVID-19 Response," Human Rights Watch, March 19, 2020; Shelly Banjo, Shirley Zhao, and Black Schmidt, "China's Surveillance State Pushed to the Limits in Virus Fight," *Bloomberg*, February 24, 2020; Lily Kuo, "More Surveillance, Tighter Controls: China's Coronavirus

For part of the leadership term of Hu Jintao, who served as CCP General Secretary and State President from 2002 to 2013, the party tolerated exchange of opinion on many topics on social media, limited public criticism of state policies, and some investigative journalism and human rights advocacy around issues not seen as threatening to CCP control, among other activities.[5] After consolidating power in 2013, CCP General Secretary and State President Xi Jinping intensified and expanded the reassertion of party control over society that began during the final years of Hu's term. In high-profile speeches, Xi has repeated the maxim, "The party exercises overall leadership over all areas of endeavor in every part of the country."[6]

In 2018, Xi backed a constitutional amendment removing the previous limit of two five-year-terms for the presidency, clearing the way for him potentially to stay in power indefinitely. The Chinese leader also has cultivated what some observers view as a cult of personality, launching far-reaching campaigns for Chinese citizens, beginning in pre-school, to study his political philosophy.[7] Xi's anti-corruption campaign, in which over 1.5 million party members have been punished and which is viewed by many experts as partly a political purge, appears to have been widely popular.[8]

Some analysts argue that Xi's efforts to bolster the party and his leadership reflect a heightened sense of insecurity rather than confidence in the CCP's ability to address internal and external challenges, and that Xi and his supporters among the party elite have chosen to "clamp down and not loosen up."[9] Some analysts view Xi's authoritarian approach as a response to budding human rights activism, ethnic unrest, and the perceived threat of terrorism in China.[10] According to some observers, PRC leaders also view liberalization as the cause of the demise of the Soviet Union (1988-1991) and as something to avoid in China.[11]

Crackdown," *The Guardian*, February 3, 2020.

[5] Some experts referred to the PRC model of governance during the mid-2010s as "responsive authoritarianism" or "consultative authoritarianism." Maria Repnikova, "China's 'Responsive' Authoritarianism," *Washington Post*, November 27, 2018; Bruce Dickson, *The Dictator's Dilemma*; Li Changyu, "'Consultative Democracy' China's Latest Political Buzzword," *Global Times*, March 3, 2015; Jessica Teets, "Civil Society and Consultative Authoritarianism in China," The 7th Annual Conference on U.S-China Economic Relations and China's Economic Development, Elliott School of International Affairs, George Washington University, November 21, 2014.

[6] "Full Text of Xi Jinping's Report at the 19th CPC National Congress, October 18, 2017," *Xinhua*, November 4, 2017, at http://www.chinadaily.com.cn/china/19thcpcnationalcongress/2017-11/04/content_34115212.htm.

[7] Doug Saunders, "Why Xi Jinping's Cult of Personality Is More Dangerous Than It Looks," *The Globe and Mail*, March 2, 2018; Kirsty Needham, "Xi: The Centre of China's Turning World," *The Age*, October 28, 2017.

[8] Center for Strategic and International Studies, "Can Xi Jinping's Anti-Corruption Campaign Succeed?" August 11, 2017.

[9] Anna Fifield, "Xi Doubles Down on Strengthening the Party," *Washington Post*, August 4, 2019.

[10] Austin Ramzy and Chris Buckley, "'Absolutely No Mercy': Leaked Files Expose How China Organized Mass Detentions of Muslims," *New York Times*, November 16, 2019; Shawn Shieh, "Remaking China's Civil Society in the Xi Jinping Era," *Chinafile*, August 2, 2018.

[11] James Palmer, "What China Didn't Learn from the Collapse of the Soviet Union," *Foreign Policy*, December 24, 2016.

Developments in 2019-2020

Coronavirus Response

Although the PRC Constitution provides for many civil and political rights, including freedom of speech,[12] the COVID-19 outbreak centered in Wuhan, China, between December 2019 and March 2020 and the government's response to the pandemic highlighted some longstanding human rights issues in the PRC, particularly the lack of respect for freedom of speech. The government restricted the speech of medical doctors, including "whistle blower doctor" Li Wenliang, who in late December 2019 had attempted to warn other doctors about the then-unidentified respiratory illness.[13] Social media and academic discourse included some public criticism of the government's early reaction to the coronavirus and praise for Li, who died from the virus on February 7, 2020; however, authorities took a harder line soon after Li's death, detaining several "citizen journalists" for posting unauthorized reports or sensitive commentary related to the coronavirus.[14] In December 2020, a Shanghai court sentenced Zhang Zhan to four years in prison for crimes related to her videos and social media posts about the coronavirus and lockdown in Wuhan.[15]

Mass Detentions and Forced Labor of Uyghurs

By some estimates, between 2017 and 2020, authorities in the Xinjiang Uyghur Autonomous Region (XUAR) arbitrarily detained over 1 million Uyghurs and other Turkic Muslims in ideological "re-education" facilities. During the second half of 2019, the government reportedly began closing some re-education centers and sending many Uyghurs and former detainees to live in residential compounds with restricted access or employing them in factories in Xinjiang and other PRC provinces under conditions that indicate forced labor. According to some reports, other

[12] See Constitution of the People's Republic of China, Article 35, at https://www.cecc.gov/resources/legal-provisions/chinas-constitution.

[13] On January 3, 2020, Wuhan police reprimanded Li for sending text messages to former medical school classmates about a respiratory illness that he wrote was spreading in Wuhan. The police accused him of making "false comments" on social media, and forced him and several other doctors to sign documents stating that they had "severely disturbed the social order." Li died from the virus on February 7, 2020. Following a public outcry after Li's death, a national commission determined that Wuhan public security authorities had carried out "irregular" and "improper" law-enforcement procedures and the Wuhan government provided financial compensation to the doctor's family. R. Pickrell, "China Says Admonishing Doctor and Coronavirus Whistleblower Li Wenliang was 'Improper,' Calls for Punishing Local Officials," *Business Insider*, March 19, 2020; 关于群众反映的涉及李文亮医生有关情况调查的通报，新华，March 19, 2020; Laney Zhang, "FALQs: Spreading Rumors and Police Reprimand Under Chinese Law," Library of Congress, at https://blogs.loc.gov/law/2020/03/falqs-spreading-rumors-and-police-reprimand-under-chinese-law/.

[14] Ben Wescott and Nectar Gan, "Chinese Academic Who Criticized Leader Xi Jinping Allegedly Fired from Top University," *CNN*, July 14, 2020; Evan Osnos, "China's 'Iron House': Struggling over Silence in the Coronavirus Epidemic," *The New Yorker*, February 12, 2020; Xu Zhangrun, "Viral Alarm: When Fury Overcomes Fear," translated by Geremie R. Barme, ChinaFile.com, February 5, 2020 (CRS did not independently verify this translation); Kat Tenbarge, "10 Wuhan Professors Signed an Open Letter Demanding Free Speech Protections after a Doctor Who was Punished for Warning Others About Coronavirus Died from it," *MSN News*, February 8, 2020.

[15] "Blogger Zhang Zhan Faces 5 Years Jail Time for Wuhan Reports," *AsiaNews*, November 17, 2020; "'A Healthy Society Should Not Have Just One Voice'—China Must End Crackdown on Online Speech in Response to COVID-19," Chinese Human Rights Defenders," April 1, 2020; Caroline Orr, "The Truth About Coronavirus Is Scary. The Global War on Truth Is Even Scarier," *National Observer*, March 13, 2020.

detainees may have been formally convicted of crimes and sentenced to prison terms.[16] (See "Uyghurs" below.)

Major Human Rights Issue Areas

The PRC Constitution provides for many civil and political rights, including, in Article 35, the freedoms of speech, press, assembly, association, and demonstration, and in Article 36, "freedom of religious belief."[17] Other provisions in China's constitution and laws, however, circumscribe or place conditions on these freedoms, and the state routinely restricts these freedoms in practice.[18] The government responds aggressively to signs of autonomous social organization, independent political activity, and social unrest. Authorities severely restrict unsanctioned collective activity among religious groups, ethnic minorities, and industrial workers, and harass and persecute political dissidents, human rights lawyers, and social activists.[19] Many human rights violations in the PRC are related to the party's efforts to maintain political power and suppress dissent; others stem from weak rule of law or arbitrary implementation of the law, the lack of judicial independence, and unrestrained security, political, and economic actors. The Department of State's *2020 Country Reports on Human Rights Practices: China* highlighted the following ongoing human rights issues in China, some of which are discussed in this report:[20]

> Significant human rights issues included: 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 other members of 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; pervasive and intrusive technical surveillance and monitoring; serious restrictions on free expression, the press, and the internet, including physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others as well as their family members, and censorship and site blocking; interference with the rights 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; the inability of citizens to choose their government; restrictions on political participation; serious acts of corruption; forced sterilization and coerced abortions; forced labor and trafficking in persons; severe restrictions on labor rights, including a ban on workers organizing or joining unions of their own choosing; and child labor.

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[16] Anna Fifield, "China Is Building Vast New Detention Centers for Muslims in Xinjiang," *Washington Post*, September 23, 2020; "Xinjiang Authorities Relocate Camp Detainees to Restricted-Access 'Residential Area,'" *Radio Free Asia*, August 4, 2020; Adrian Zenz, "Beyond the Camps: Beijing's Grand Scheme of Forced Labor, Poverty Alleviation and Social Control in Xinjiang," *SocArXiv Papers*, July 12, 2019.

[17] Constitution of the People's Republic of China at https://www.cecc.gov/resources/legal-provisions/chinas-constitution.

[18] China is ranked among the 10 least free countries and territories in the world according to the Washington, DC-based nongovernmental organization Freedom House. Freedom House, "Freedom in the World 2021" at https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege.

[19] Department of State, *2020 Country Reports on Human Rights Practices—China*, March 30, 2021.

[20] Department of State, *2020 Country Reports on Human Rights Practices—China*.

Laws and Policies Under Xi Jinping

New Laws

Since CCP General Secretary and State President Xi Jinping's rise to power, the PRC government has introduced laws and policies that enhance the legal authority of the party and state to counteract potential ideological, political, and human rights challenges. Such laws include the following:

- A law regulating overseas non-governmental organizations (NGOs), which took effect in 2017, placed foreign NGOs in China under the jurisdiction of the Ministry of Public Security, tightened their registration requirements, and imposed greater controls on their activities, funding, and staffing.[21] Some international NGOs that specialized in the rule of law, human rights advocacy, and labor rights suspended their work in China, and many domestic NGOs have avoided foreign funding in order to avoid government suspicion.[22] The government also has placed greater constraints upon environmental activism, which had been a relatively vibrant area of civil society.[23]
- A new counterterrorism law, enacted in 2016, grants the state wide discretionary authority with which to charge individuals for engaging in "extremist activities."[24] Of note, the definitions of terrorism contained in the law include not only actions but also "propositions."[25] The law provides the legal justifications in use for the ongoing repression against Uyghurs.
- The Cybersecurity Law, which went into effect in 2017, codifies broad governmental powers to control and restrict online traffic, including for the purposes of protecting social order and national security. The law also places a greater legal burden upon private internet service providers to monitor content and assist public security organs.[26]
- The National Intelligence Law, enacted in 2017, obliges individuals, organizations, and institutions to assist and cooperate with state intelligence efforts.[27]

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[21] China Development Brief, "English Translation of China's New Law on Overseas NGOs," May 3, 2016, at http://www.chinadevelopmentbrief.cn/articles/the-peoples-republic-of-chinas-law-on-the-management-of-the-activities-of-overseas-ngos-within-mainland-china/ (CRS did not independently verify this translation).

[22] Department of State, *2019 Country Reports on Human Rights Practices—China*, March 11, 2020.

[23] Dui Hua Foundation, "From Hu to Xi: China's Grip on Environmental Activism (Parts I and II), *Human Rights Journal*, July 2019.

[24] Zunyou Zhou, "China's Comprehensive Counter-Terrorism Law," *The Diplomat*, January 23, 2016; Shannon Tiezzi, "China's New Anti-Terrorism Law," *The Diplomat*, December 29, 2015.

[25] Article 3 states: "'Terrorism' as used in this Law refers to propositions and actions that create social panic, endanger public safety, violate person and property, or coerce national organs or international organizations, through methods such violence, destruction, intimidation, so as to achieve their political, ideological, or other objectives." China Law Translate, "Counter-Terrorism Law," December 28, 2015, at http://www.chinalawtranslate.com/bilingual-counter-terrorism-law/?lang=en (CRS did not independently verify this translation).

[26] China Law Translate, "2016 Cybersecurity Law," November 7, 2016, at http://www.chinalawtranslate.com/cybersecuritylaw/?lang=en (CRS did not independently verify this translation).

[27] Murray Scot Tanner, "Beijing's New National Intelligence Law: From Defense to Offense," *Lawfare*, July 20, 2017. For a translation of the law, see https://npcobserver.com/tag/national-intelligence-law/ (CRS did not independently

Sinicization Policy

In 2016, Xi Jinping launched a national policy known as "Sinicization" (*zhongguo hua*). Under this policy, the government has taken measures to further compel China's religious practitioners and ethnic minorities to conform to Chinese culture, defined as the culture of the dominant Han Chinese ethnic group, and to adhere to "core socialist values," and "guard against overseas infiltrations via religious means."[28] At the 19th Party Congress in October 2017, Xi emphasized, "We will fully implement the Party's basic policy on religious affairs, uphold the principle that religions in China must be Chinese in orientation, and provide active guidance to religions so that they can adapt themselves to socialist society."[29] The Revised Regulations on Religious Affairs, which took effect in February 2018, place an emphasis on religious and social harmony and the prevention of religious extremism and terrorism.[30]

Development of Surveillance Technologies and Systems

PRC methods of maintaining social and political control are evolving to include the widespread use of sophisticated surveillance and big data technologies. Human rights groups argue that these methods violate people's rights to privacy and also deprive them of the freedoms of movement, association, and religion.[31] Chinese authorities and companies have installed surveillance cameras, as well as facial, voice, iris, and gait recognition equipment, ostensibly to reduce crime, but likely also able to track the movements of sensitive groups, including ethnic Tibetans and Uyghurs and critics of the regime.[32]

According to the State Department, Chinese authorities have implemented surveillance programs that collect vast amount of data. For example, the government is developing a national "social credit system" that would rate individuals' credit worthiness and also measure how well they abide by rules and regulations, and closely monitor their online activity in order to assess their loyalty to the government.[33] In Xinjiang, police and officials have collected massive amounts of

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verify this translation).

[28] Han Chinese, the majority ethnic group in China, make up about 91% of the country's population and dominate its mainstream culture. Tom Harvey, "'Sinicization': A New Ideological Robe for Religion in China," *Anglican Mainstream*, February 1, 2021; Nectar Gan, "Beijing Plans to Continue Tightening Grip on Christianity and Islam as China Pushes Ahead with the 'Sinicization' of Religion," *South China Morning Post*, March 6, 2019; Julia Bowie and David Gitter, "The CCP's Plan to 'Sinicize' Religions," *The Diplomat*, June 14, 2018; "China Focus: Xi Calls For Improved Religious Work," *Xinhua*, April 23, 2016.

[29] "Full Text of Xi Jinping's Report at the 19th CPC National Congress, October 18, 2017".

[30] United States Commission on International Religious Freedom, *2018 Annual Report*, April 25, 2018; Library of Congress, Global Legal Monitor, "China: Revised Regulations on Religious Affairs," November 9, 2017, at http://www.loc.gov/law/foreign-news/article/china-revised-regulations-on-religious-affairs/.

[31] Human Rights Watch, "China's Algorithms of Repression," May 1, 2019; Nathan Vanderklippe, "China Uses Smartphone App to Target People for Investigation: Human Rights Watch," *Globe and Mail*, May 1, 2019.

[32] Comparitech, "The World's Most-Surveilled Cities," August 15, 2019, at https://www.comparitech.com/vpn-privacy/the-worlds-most-surveilled-cities/; Robyn Dixon, "China's New Surveillance Program Aims to Cut Crime. Some Fear It'll do Much More," *Los Angeles Times*, October 27, 2018.

[33] Department of State, *2020 Country Reports on Human Rights Practices – China*; Alexandra Ma, "China Has Started Ranking Citizens with a Creepy 'Social Credit' System—Here's What You Can Do Wrong, and the Embarrassing, Demeaning Ways They Can Punish You," *Business Insider*, October 29, 2018; Jeremy Daum, "China Through a Glass, Darkly," China Law Translate, December 24, 2017 (CRS did not independently verify this translation). For further information, see CRS In Focus IF11342, *China's Corporate Social Credit System*, by Michael D. Sutherland.

data and entered it into an "Integrated Joint Operations Platform" (IJOP), which may flag many forms of lawful, routine, non-violent behavior as suspicious.[34]

Arbitrary Arrest and Detention

The State Department describes arbitrary arrest and detention as a serious problem in China.[35] PRC authorities invoke the crimes of "picking quarrels and provoking trouble" and "gathering a crowd to disrupt social order" to silence dissidents, rights defenders and activists, and ordinary citizens engaged in activities or speech that the government views as politically threatening. The government often charges high profile political dissidents with the more serious crimes of subversion of state power or inciting subversion of state power, which carry harsher sentences.[36] The Network of Chinese Human Rights Defenders (CHRD), a Washington, DC-based human rights organization, has identified around two-dozen high profile cases of arbitrary arrest or detention since 2019.[37] The government reportedly continues to monitor, harass, disbar, detain, and incarcerate rights lawyers with greater frequency and intensity than before Xi took power.[38] In February 2020, Xu Zhiyong, a lawyer and constitutional rights advocate, was detained and later charged with inciting subversion of state power after openly criticizing Xi Jinping's handling of the coronavirus outbreak in Wuhan, as well as other policies, and calling for Xi to step down.[39]

The Dui Hua Foundation, a U.S.-based non-profit organization focused on political and religious prisoners and detainees in China, has compiled information on approximately 7,350 political and religious prisoners in China as of September 2020.[40] The Congressional-Executive Commission on China (CECC) also maintains a publicly accessible database of political prisoners currently known or believed to be detained or imprisoned in China.[41] Both organizations state that their databases do not include all political and religious prisoners.

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[34] Human Rights Watch, "China's Algorithms of Repression"; Robyn Dixon, "China's New Surveillance Program Aims to Cut Crime. Some Fear It'll do Much More," *Los Angeles Times*, October 27, 2018.

[35] Department of State, *2020 Country Reports on Human Rights Practices – China*.

[36] For further information, see Criminal Procedure Law of the People's Republic of China, at Congressional-Commission on China, at https://www.cecc.gov/resources/legal-provisions/criminal-procedure-law-of-the-peoples-republic-of-china.

[37] Chinese Human Rights Defenders, "Profiles of Prisoners of Conscience," October 29, 2020, at https://www.nchrd.org/2016/03/list-of-prisoners-of-conscience/.

[38] Gerry Shih, "China's Defense Lawyers Run into a Brick Wall," *Washington Post*, February 3, 2021; Verna Yu, "Chinese Human Rights Lawyer Jailed for Four Years, Says His Wife," *The Guardian*, June 18, 2020; Department of State, *2020 Country Reports on Human Rights Practices – China*.

[39] Xu Zhiyong, "Dear Chairman Xi, It's Time for You to Go," translated by Geremie R. Barme, ChinaFile.com, February 26, 2020 (CRS did not independently verify this translation); Verna Yu, "China Activist Who Called Xi Clueless on Coronavirus Faces Years in Jail for 'Subversion'," *The Guardian*, March 7, 2020. Xu had served a previous prison term (2014-2017) for "gathering a crowd to disrupt social order."

[40] Including political dissidents, religious and Falun Gong practitioners, ethnic minorities, including those labeled as "splittists" or "separatists," and people seeking redress for government malfeasance, including petitioners. These figures exclude the PRC government's arbitrary detention of roughly 1.5 million Uyghurs and other Turkic Muslims in "re-education" centers. See Dui Hua Foundation, *Political Prisoner Database*, at https://duihua.org/resources/political-prisoners-database/.

[41] See Congressional-Executive Commission on China, "Political Prisoner Database," at https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/CECC%20Pris%20List%2020191010.pdf and https://www.cecc.gov/resources/political-prisoner-database. For analyses of the CECC database, see Pong Lai, "Who Are China's Political Prisoners? A Human Rights Assessment, 29 Years after the Tiananmen Massacre," *Hong Kong Free Press*, June 10,

Although the government formally abolished the Re-education Through Labor administrative detention system in 2013, public security bureaus continue to arbitrarily detain many citizens for minor political offenses. Many people are held in quasilegal or extralegal forms of detention that are prone to human rights violations, such as "Legal Education Centers," said to hold many Falun Gong members (see "Falun Gong" below); psychiatric facilities; and "black jails."[42]

Freedom of Speech and Access to Information

Under President Xi's leadership, the government has further closed the space for free speech and silenced independent journalists. Authorities have used criminal prosecution, civil lawsuits, and other forms of harassment and punishment to intimidate and silence journalists and authors.[43] Since 2013, China has dropped four places, to 177 out of 180 countries, on Reporters Without Borders' *World Press Freedom Index*.[44] The organization reports that more than 100 journalists and bloggers are detained in China, and states, "China's state and privately-owned media are now under the Communist Party's close control while foreign reporters trying to work in China are encountering more and more obstacles in the field."[45]

Between 2019 and 2020, 19 foreign journalists had been expelled or pressured to leave China, most of them in 2020. Many of them had written on human rights topics.[46] In 2020, China's Foreign Ministry expelled about one dozen American nationals working in China for *The Wall Street Journal*, *The New York Times*, and *The Washington Post,* and tightened restrictions on the activities or delayed the renewal of visas of other U.S. journalists. The Ministry stated that it was taking the move in response to U.S. actions against PRC media entities in the United States.[47]

The PRC government mandates one of the most extensive and sophisticated internet censorship system in the world, also known as the "Great Firewall." This system includes expansive censorship of domestic platforms and foreign websites.[48] The government is revising regulations that would grant the Public Security Bureau a more prominent role in controlling the internet and provide greater details about the responsibilities of private internet service providers and penalties for violating the law.[49]

2018 and Peter Mellgard, "This Visualization Shows China's Jailed, Murdered and Missing Political Prisoners," *Huffington Post*, March 17, 2017.

[42] Congressional-Executive Commission on China, *2020 Annual Report*, January 12, 2021; Department of State, *2020 Country Reports on Human Rights Practices – China.*

[43] Javier C. Hernandez, "'We're Almost Extinct': China's Investigative Journalists Are Silenced under Xi," *New York Times*, July 12, 2019.

[44] Reporters Without Borders, *2020 World Press Freedom Index*, at https://rsf.org/en/ranking.

[45] Reporters Without Borders, *2020 World Press Freedom Index: China*, at https://rsf.org/en/china.

[46] Katrina Northrop, "The Great Expulsion," *The Wire*, February 14, 2021; Paul Farhi, "Western Journalists Are Pushed Out of China," *Washington Post*, September 17, 2020; Bill Birtles, "In the Midst of the Coronavirus Pandemic, China Forces Out Foreign Reporters," *Australian Broadcasting Corporation*, May 8, 2020.

[47] "China Eyes Retaliatory Expulsion of US Journalists," *Associated Press*, September 7, 2020; Ministry of Foreign Affairs of the PRC, "China Takes Countermeasures against Restrictive Measures on Chinese Media Agencies in U.S.," March 18, 2020, at https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1757162.shtml.

[48] According to vpnMentor, the PRC government blocks over 8,000 websites. See "The Complete List of Blocked Websites in China & How to Access Them," at https://www.vpnmentor.com/blog/the-complete-list-of-blocked-websites-in-china-how-to-access-them/.

[49] "How China Wants to Keep Controlling the Internet," *South China Morning Post*, March 17, 2021.

The PRC government also has attempted to place greater controls on the use of censorship circumvention tools, such as virtual private networks (VPNs). Although the government often tolerates the use of VPNs for some purposes, such as academic research and international business, it sometimes punishes people for providing VPN services without authorization or for using VPNs to disseminate sensitive information.[50] Freedom House has found China to have the worst conditions for internet freedom in the world for six consecutive years.[51]

Religious and Ethnic Minority Policies

According to Freedom House, the extent of authorized religious freedom and activity among China's estimated 350 million religious practitioners varies widely by religion, region, and ethnic group, depending on "the level of perceived threat or benefit to [Communist] party interests, as well as the discretion of local officials."[52] All of China's officially recognized religions have experienced robust growth since the 1980s. The CCP has regularly attempted to clamp down on these groups, although recent restrictions and levels of scrutiny are noteworthy for their intensity.

The party's Sinicization policy and the 2018 amendments to the government's "Regulations on Religious Affairs" have affected all religions to varying degrees, and in particular Christianity, Tibetan Buddhism, and Islam.[53] New measures under the policy further restrict religious travel to foreign countries and contacts with foreign religious organizations, and tighten bans on religious practice among party members and state employees and the religious education of minors. The government now requires religious venues, clergy, and congregations to raise the national flag, sing the national anthem, and teach traditional Chinese culture and "core socialist values."[54] Authorities reportedly have installed surveillance cameras both outside and inside houses of worship to monitor attendees.[55] New "Administrative Measures for Religious Groups," implemented in February 2020, require religious congregations to obtain government permission for nearly every aspect of their operations, including online activities.[56]

Christians

Under China's Sinicization campaign, the government has intensified political pressure on Christian churches, particularly those that are not formally approved by the government, which

[50] "Fine for VPN Use Sparks Rare Backlash on Chinese Internet," *Radio Free Asia*, May 21, 2020; Dui Hua Foundation, "Fortifying the Great Firewall: Criminalization of VPNs (Parts I and II)," *Human Rights Journal*, August 2019; Simon Denyer, "Internet Activists Are Finding Ways Around China's Great Firewall," *Washington Post*, June 14, 2016.

[51] Freedom House, *Freedom on the Net 2020*, October 12, 2020.

[52] The Chinese government officially recognizes five main religions: Buddhism, Catholicism, Islam, Protestantism, and Taoism. According to a February 2017 estimate by the international NGO Freedom House, there are more than 350 million religious believers in the country, including 185-250 million Chinese Buddhists, 60-80 million Protestants, 21-23 million Muslims, 7-20 million Falun Gong practitioners, 12 million Catholics, 6-8 million Tibetan Buddhists, and hundreds of millions who follow various folk traditions. Freedom House, "The Battle for China's Spirit: Religious Revival, Repression, and Resistance under Xi Jinping," February 2017.

[53] Library of Congress, Global Legal Monitor, "China: Revised Regulations on Religious Affairs," November 9, 2017, at http://www.loc.gov/law/foreign-news/article/china-revised-regulations-on-religious-affairs/.

[54] Department of State, *Country Reports on Human Rights Practices for 2017*, April 23, 2018.

[55] Dominic J. Nardi, "Religious Freedom in China's High Tech Surveillance State," United States Commission on International Religious Freedom, September 2019.

[56] Dominic J. Nardi, "Fact Sheet China: The 2019 Regulation for Religious Groups in China," United States Commission on International Religious Freedom, February 2020.

reportedly serve nearly half of all Christians in China. The U.S.-based Christian advocacy organization ChinaAid reported that in 2019, the government required Christian leaders and seminary students to demonstrate "political reliability" and undergo ideological and political education.[57] Since 2018, the government reportedly has shut down hundreds of unofficial congregations.[58] Since 2014, in an attempt to limit religious symbols perceived as "foreign" in public places, authorities reportedly have ordered crosses removed from up to 4,000 churches, including state-sanctioned ones, particularly Protestant places of worship in Zhejiang and Henan provinces.[59] Some observers say that the Sinicization effort has had the opposite of its intended effect in some cases, by making approved forms of worship more arduous or less appealing.[60]

China-Vatican Relations

The PRC broke off relations with the Vatican in 1951, after which the Holy See established relations with the Republic of China government in Taiwan. In September 2018, the PRC government and the Vatican, which long had disagreed over the authority of the Pope, appointment of bishops, the Vatican's diplomatic ties with Taiwan, and the principle of religious freedom, reached a breakthrough in negotiations on the appointment of bishops. According to reports, the 2018 provisional agreement, which was renewed in September 2020 for another two years, provides that China ultimately is to recognize the Pope as the leader of all Catholics in China, which it currently does not, and the Vatican is to recognize seven Chinese bishops that it excommunicated because they had been appointed by PRC authorities and without the Vatican's approval.[61] China is to appoint all future PRC bishops, while the Pope is to have veto power over new nominees.[62] Some observers have criticized the arrangement, which they believe may result in reduced independence for many Catholics in China.[63]

Tibetans

The Tibetan Autonomous Region (TAR) is home to around 2.7 million Tibetans out of China's total ethnic Tibetan population of 6 million. Other Tibetans live in Tibetan autonomous

[57] ChinaAid, "2019 Annual Report," February 28, 2020.

[58] Lily Kuo, "In China, They're Closing Churches, Jailing Pastors – And Even Rewriting Scripture," *The Guardian*, January 14, 2019.

[59] CCP Orders Secret Removal of Crosses on Christian Churches in Wenzhou, China, *ChinaAid*, January 25, 2021; "Protestant Christianity is Booming in China," The *Economist*, September 15, 2020; Samuel Smith, "China Removes over 250 Church Crosses in First 4 Months of 2020: Report," *Christian Post*, June 11, 2020; Henan Continues Christian Crackdown with Cross Removal, *ChinaAid*, May 20, 2019; Carly Read, "Christianity Crackdown: Fury as China Removes Cross from Church, Priest Arrested," *Express*, March 8, 2019.

[60] Mimi Lau, "Vatican-China Agreement: Catholics Keep the Faith in Historic Deal Despite Slow Progress," *South China Morning Post*, July 20, 2020.

[61] "Holy See and China Renew Provisional Agreement for 2 Years," *Vatican News*, October 22, 2020. The agreement has not been made publicly available.

[62] The PRC government made no formal commitment to recognize 30 "underground" bishops as part of the accord, and issues related to the Vatican's diplomatic relations with Taiwan remain unresolved. Since the provisional agreement was finalized in 2018, the PRC government has appointed three bishops who have expressed loyalty to the Pope, but 52 dioceses remain without bishops. Mimi Lau, "China's July Talks with Vatican Will Have Taiwan Looming in Background," *South China Morning Post*, July 12, 2020; Mimi Lau, "Vatican Hits Stumbling Block on Road to Rebuilding Ties with China," *South China Morning Post*, July 6, 2020.

[63] Ed Condon, "Analysis: The Vatican and China Part III, Taiwan," *Catholic News Agency*, July 24, 2020; Nina Shea, "The Attempted Shutdown of China's Christians," *National Review*, July 23, 2020; "Chinese Catholics Remain Split over Vatican Deal," *UCA News*, April 29, 2019; "The Catholic Church Must Not Bow to China," *Washington Post*, October 7, 2018.

prefectures and counties in four nearby provinces.[64] Tibet's former political and Tibetan Buddhist spiritual leader, the 14th Dalai Lama, has lived in exile in Dharamsala, India, with other Tibetan exiles since a failed Tibetan uprising against Chinese rule in 1959. The Tibetan exile community in India and Nepal numbers roughly 100,000 people.[65]

Succession of the Dalai Lama

The present Dalai Lama is the 14th in a lineage that began in the 14th century, with each new Dalai Lama identified in childhood as the reincarnation of his or her predecessor. In 2011, the Dalai Lama attempted to head off a role for the Chinese government in the succession process when he asserted that, "the person who reincarnates has sole legitimate authority over where and how he or she takes rebirth and how that reincarnation is to be recognized."[66] The PRC government insists that Chinese laws, and not Tibetan Buddhist religious traditions, govern the process by which lineages of Tibetan lamas are reincarnated, and that the state has the right to choose the successor to the current Dalai Lama, who is 85 years old.[67] U.S. officials and Members of Congress have expressed support for the right of Tibetans to choose their own religious leaders without government interference.[68]

The Dalai Lama, recipient of the Congressional Gold Medal in 2006, long has advocated a "middle way approach," or "genuine autonomy" without independence for Tibetan areas.[69] China's leaders have referred to the middle way as a "step" toward independence for Tibet and to the Dalai Lama as a "separatist."[70] Talks between PRC officials and representatives of the Dalai Lama on issues related to Tibetan autonomy and the return of the Dalai Lama have stalled since 2010.

Following anti-government protests in 2008, TAR authorities imposed expansive controls on Tibetan religious life and culture. These include restrictions on the use of the Tibetan language in schools, a heightened security and CCP presence within monasteries, and the arbitrary detention and imprisonment of many Tibetan writers, intellectuals, and cultural figures on broad charges of "inciting separatism."[71] Local authorities in Tibet harass and punish Tibetans suspected of being followers of the Dalai Lama, including those who possess or display photos of the Tibetan spiritual leader. Since 2016, authorities have destroyed Tibetan religious structures at Yarchen Gar and thousands of homes in Yarchen Gar and Larung Gar monasteries in Sichuan Province,

[64] Outside Tibet, many Tibetans live in "Tibetan autonomous" prefectures and counties in Sichuan, Qinghai, Yunnan, and Gansu provinces.

[65] Kunal Purohit, "After 60 Years in India, Why Are Tibetans Leaving?" *Al Jazeera*, March 21, 2019; Navesh Chitrakar, "Tibetans in Nepal," *Reuters*, March 17, 2015.

[66] His Holiness the 14th Dalai Lama of Tibet, "Reincarnation," September 24, 2011, at http://www.dalailama.com/biography/reincarnation.

[67] Ministry of Foreign Affairs of the People's Republic of China, "Foreign Ministry Spokesperson Geng Shuang's Regular Press Conference," November 11, 2019; Tom O'Connor, "China Says Dalai Lama's Reincarnation 'Must Comply with Chinese Laws and Regulations'," *Newsweek*, March 19, 2019.

[68] P.L. 116-260, Division FF, Title III, Subtitle E, §342, "Statement of Policy Regarding the Succession or Reincarnation of the Dalai Lama; Nancy Pelosi, Speaker of the House, press release, "Pelosi Statement on the 85th Birthday of His Holiness the Dalai Lama," July 6, 2020; Lobsang Gelek and Paul Eckert, "Tibetan Religious Figures Reject Chinese Role in Dalai Lama Reincarnation," *Radio Free Asia*, November 27, 2019.

[69] For further information on the "middle way approach," see Central Tibetan Administration, "Message from the Sikyong," at https://mwa.tibet.net/read/#.

[70] Liu Sha, "China Slams Dalai's 'Middle Way' as Step to 'Independence'," *Global Times*, April 16, 2015.

[71] Department of State, *2020 Country Reports on Human Rights Practices – China*; Ministry of Foreign Affairs of the People's Republic of China, "Foreign Ministry Spokesperson Geng Shuang's Regular Press Conference," November 11, 2019, at https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1714916.shtml.

displacing thousands of monks and nuns.[72] Between 2009 and 2020, over 155 Tibetans within China are known to have self-immolated, many apparently to protest PRC policies or to call for the return of the Dalai Lama, and 124 are reported to have died.[73]

According to the Department of State, PRC policies of forced assimilation in Tibetan areas have included resettling and urbanizing nomads and farmers, reducing Tibetan-language education in public schools, and weakening the role of monasteries in Tibetan society.[74] As of the first half of 2020, TAR authorities reportedly have trained half a million rural Tibetans and placed nearly 50,000 of them in the formal economy, including in the textile, construction, and agricultural sectors in the TAR and other regions of China, as part of a plan to turn surplus rural labor into wage laborers. The plan involves ideological education and military-style management, and may result in the loss of Tibetan traditional culture, according to outside observers.[75] (See "U.S. Policy on Tibet" below.)

Uyghurs

The Uyghurs, a Turkic ethnic group who practice a moderate form of Sunni Islam, live primarily in the Xinjiang Uyghur Autonomous Region (XUAR) in China's northwest.[76] The Uyghur population numbers approximately 12.7 million in China, according to official sources. Uyghurs once were the predominant ethnic group in the XUAR; they now constitute roughly 51% of the region's permanent resident population of 24.8 million, as many Han Chinese have migrated there in response to government incentives.[77]

In the past decade, PRC authorities have imposed increasingly severe restrictions on the religious and cultural activities of Uyghurs.[78] Ethnic unrest in Xinjiang erupted in 2009 after security forces attacked Uyghur demonstrators peacefully demanding justice for two Uyghur factory workers killed by ethnic Hans in another part of the country. Periodic clashes between Uyghurs and Xinjiang security personnel spiked between 2013 and 2015, and in 2014, there were three notable attacks by Uyghurs on Han civilians.[79] The government responded with more intensive security measures, including a "Strike Hard Campaign." According to human rights organizations, this campaign led to over 250,000 Xinjiang Muslims convicted and sentenced

[72] United States Commission on International Religious Freedom, *Annual Report 2020*, April 28, 2020.

[73] International Campaign for Tibet, "Self-Immolation Fact Sheet," at http://www.savetibet.org/tibetan-self-immolations/.

[74] Department of State, *2020 Country Reports on Human Rights Practices – China*.

[75] Cate Cadell, "Exclusive: China Sharply Expands Mass Labor Program in Tibet," *Reuters*, September 20, 2020.

[76] Some Uyghurs refer to Xinjiang as "East Turkestan," a term regarded as subversive by PRC leaders. Some U.S. experts refer to Xinjiang as the "Uyghur region" or "Uyghur homeland." See Sean R. Roberts, *The War on the Uyghurs*, Princeton: Princeton University Press, 2020.

[77] PRC Ministry of Foreign Affairs, "The Second Press Conference by Xinjiang Uyg[h]ur Autonomous Region on Xinjiang-Related Issues in Beijing," January 14, 2021. Radio Free Asia reported that Uyghurs constitute roughly 45 percent of the XUAR's population of 24 million, or around 10.5 million, while Hans constitute 40% of the population. "Subsidies for Han Settlers 'Engineering Demographics' in Uyghur-Majority Southern Xinjiang," *Radio Free Asia*, April 13, 2020.

[78] For further information on the Uyghurs, see CRS In Focus IF10281, *China Primer: Uyghurs*, by Thomas Lum and Michael A. Weber.

[79] The U.S. government "identified sufficient evidence" to consider three violent incidents in China purportedly involving Uyghurs as terrorist attacks in 2014, although it did not independently confirm or explicitly state who carried them out. Department of State, *Country Reports on Terrorism 2014*, June 2015.

between 2016 and 2018, often on grounds that do not constitute genuine criminal offences.[80] Two prominent Uyghurs serving life sentences for state security crimes are Ilham Tohti (convicted in 2014), a Uyghur economics professor who had maintained a website that discussed Uyghur issues and promoted Uyghur-Han dialogue, and Gulmira Imin (convicted in 2010), who had managed a Uyghur language website and participated in the 2009 demonstrations.

Following the 2016 appointment of a new Communist Party Secretary to the XUAR, Chen Quanguo,[81] and the implementation of the new counterterrorism law and regulations on religious practice, Xinjiang officials increased security measures aimed at the Uyghur population. They included tighter restrictions on movement, the installation of thousands of neighborhood police kiosks, and ubiquitous surveillance cameras.[82] Authorities have collected biometric data, including DNA samples, blood types, and fingerprints of Uyghur residents, for identification purposes.[83] XUAR authorities also have implemented systems and installed phone apps to register and monitor Uyghurs' electronic devices and online activity for "extremist" content.[84]

Assimilation Policies

In tandem with the Sinicization mandate, XUAR authorities have instituted measures to assimilate Uyghurs into Han Chinese society and reduce the influences of Uyghur, Islamic, and Arabic cultures and languages. The XUAR government enacted a law in 2017 that prohibits "expressions of extremification" and placed restrictions upon dress and grooming, practices of traditional Uyghur customs, and adherence to Islamic dietary laws (halal).[85] Thousands of mosques in Xinjiang reportedly have been demolished or "Sinicized," whereby Islamic motifs and Arabic writings have been removed.[86] PRC authorities reportedly recruited as many as a million citizens to live temporarily in the homes of Uyghurs and other Muslim minorities to assess their hosts' loyalty to the Communist Party.[87]

Mass Detentions

Beginning in 2017, Xinjiang authorities undertook the mass internment of Uyghur and other Turkic Muslims.[88] The government has detained without formal charges over 1 million Uyghurs

[80] "China: Baseless Imprisonments Surge in Xinjiang," Human Rights Watch, February 24, 2021.

[81] Chen Quanguo formerly was Party Secretary of the Tibetan Autonomous Region (2011-2016).

[82] Tom Phillips, "China Testing Facial-Recognition Surveillance System in Xinjiang—Report," *The Guardian*, January 18, 2018; "Apartheid with Chinese Characteristics," *The Economist*, May 31, 2018.

[83] "China: Minority Region Collects DNA from Millions," Human Rights Watch, December 12, 2017; Mercy A. Kuo, "Uyghur Biodata Collection in China," *The Diplomat*, December 28, 2017; Xinjiang Authorities Take Further Steps Towards Total Digital Surveillance," *Radio Free Asia*, June 29, 2017.

[84] "China Orders Xinjiang's Android Users to Install App That Deletes 'Terrorist' Content," *Radio Free Asia*, July 14, 2017.

[85] Department of State, *2017 Annual Report on International Religious Freedom*, May 29, 2018; China Law Translate, "Xinjiang Uyghur Autonomous Region Regulation on De-extremification," March 30, 2017, at https://www.chinalawtranslate.com/en/xinjiang-uyghur-autonomous-region-regulation-on-de-extremification/ (CRS did not independently verify this translation).

[86] "'Domes, Minarets and Symbols of Muslims Architecture Removed' as China Renovates Largest Mosque in Ningxia Hui," *Times Now*, November 2, 2020; Roseann Rife, "Why China Must Scrap New Laws That Tighten the Authorities' Grip on Religious Practice," Amnesty International, August 31, 2017.

[87] "China: Visiting Officials Occupy Homes in Muslim Region," Human Rights Watch, May 13, 2018.

[88] Information about the re-education centers comes from satellite imagery, leaked PRC documents, and interviews of a limited number of former Uyghur and Kazakh detainees now living outside of China. Information is increasingly difficult to obtain; the PRC government has blocked nearly all independent information about the re-education centers

and smaller numbers of ethnic Kazakhs and others, in "re-education centers."[89] Authorities accused many of harboring "strong religious views" or "politically incorrect ideas."[90] Leaked party documents reveal that the internment centers are linked to Xi Jinping's call for an all-out "struggle against terrorism, infiltration, and separatism."[91]

Reportedly, detainees are compelled to renounce or reject many of their Islamic beliefs and customs as a condition for their eventual release.[92] They reportedly are forced to undergo self-criticisms, express their love of the Communist Party and Xi Jinping, and sing patriotic songs. According to some former detainees, treatment and conditions in the centers include factory labor, crowded and unsanitary conditions, food deprivation, beatings, and sexual abuse.[93] The government claims that the centers "have never made any attempts to have the trainees change their religious beliefs."[94]

Experts say that the government's attempts to transform the thought and behavior of Uyghurs and to forcefully assimilate them into Han culture may result in the destruction of Uyghur culture and identity.[95] Furthermore, there have been reports of government campaigns to promote marriages between Uyghurs and Hans and to reduce birth rates among Uyghurs and other Turkic Muslims through forced contraception, sterilization, and abortions.[96] These reports have prompted some

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and independent interviews within China of former detainees. Eva Dou and Lily Kuo, "China Restricts Information as it Fends Off 'Genocide' Labels," *Washington Post*, March 19, 2021.

[89] Estimates range from 800,000 to more than 2 million. Department of State, "2018 Report on International Religious Freedom: China," June 21, 2019; Mamatjan Juma, "'At Least One Million People in the Camps Full Time': Deputy Assistant Secretary Scott Busby," *Radio Free Asia*, May 15, 2019; "Apartheid with Chinese Characteristics," *The Economist*, May 31, 2018; Adrian Zenz, "New Evidence for China's Political Re-education Campaign in Xinjiang," *China Brief (Jamestown Foundation)*, May 15, 2018.

[90] Reported activities or characteristics that may warrant re-education include the following: expressing strong religious sentiments; engaging in religious activities outside of officially sanctioned areas; violating official family planning policies; expressing an excessive aversion to pork, alcohol, or smoking; having home-schooled one's children; having spent time abroad; having relatives who live abroad; and having spent prior time in prison for extremist or terrorist crimes but are still assessed as posing a potential threat to society. Ivan Watson and Ben Westcott, "China's Xinjiang Camps: Leaked Records Expose How Uyghurs are Judged and Detained," *CNN*, February 2020; "Behind the Walls" Uyghurs Detail Their Experience in China's Secret 'Re-education Camps'," *Radio Free Asia*, 2018.

[91] Austin Ramzy and Chris Buckley, "Absolutely No Mercy".

[92] "Trapped in the System: Experiences of Uyghur Detention in Post 2015 Xinjiang," Radio Free Asia, February 2021; Scilla Alecci, "China Cables," International Consortium of Investigative Journalists, November 24, 2019; Timothy Grose, "'Once Their Mental State is Healthy, They Will Be Able to Live Happily in Society'," *China File*, August 2, 2019; "Full Transcript: Interview with Xinjiang Government Chief on Counterterrorism, Vocational Education and Training in Xinjiang," *Xinhua News Agency*, October 16, 2018.

[93] Matthew Hill, David Campanale and Joel Gunter, "'Their Goal is to Destroy Everyone': Uighur Camp Detainees Allege Systematic Rape," *BBC*, February 2, 2021; "Female Detainees at Xinjiang Internment Camps Face Sterilization, Sexual Abuse: Camp Survivor," *Radio Free Asia*, October 30, 2019; "Inside the Camps Where China Tries to Brainwash Muslims Until They Love the Party and Hate Their Own Culture," *South China Morning Post*, May 17, 2018.

[94] State Council Information Office of the People's Republic of China, "Vocational Education and Training in Xinjiang," August 2019, at http://english.scio.gov.cn/2019-08/16/content_75106484.htm.

[95] Sean R. Roberts, *The War on the Uyghurs*; Michael Clarke, "China's Uyghur 'Reeducation' Centers and the Ghosts of Totalitarians Past," *War on the Rocks*, April 25, 2019; Ann Scott Tyson, "Xinjiang: Beijing's Chilling Attempt to Erase and Replace Uyghur Identity," *Christian Science Monitor*, January 7, 2019.

[96] The campaign appears to target Uyghur women with three or more children, in particular. Adrian Zenz, "Sterilizations, IUDs, and Mandatory Birth Control: The CCP's Campaign to Suppress Uyghur Birthrates in Xinjiang," Jamestown Foundation, June 2020; "China Forcing Birth Control on Uighurs to Suppress Population, Report Says," *BBC News*, June 29, 2020.

observers to argue that PRC policies in Xinjiang constitute genocide.[97] (See "International Criminal Law-Related Determinations" below.)

Since July 2019, Chinese officials have claimed that most detainees have been released from reeducation centers, although many Uyghurs living abroad claim that they still do not have direct contact with relatives in Xinjiang or do not know their whereabouts.[98] Some reports indicate that many of those released from re-education centers are still heavily monitored, their movements are restricted, and they are required to continue to attend political study classes. The government reportedly has sent some Uyghurs and former detainees and their families to live in residential compounds with restricted access.[99] According to other reports, some former detainees may have been formally convicted of crimes and placed in newly built or repurposed, higher security facilities.[100]

Forced and Involuntary Labor

Many Uyghurs reportedly have been assigned to factory employment in Xinjiang and other PRC provinces under conditions that indicate forced labor. According to some reports, the central government has promoted the movement of large numbers of Uyghurs, including former detainees, into the formal workforce, particularly into textile, apparel, footwear, and other labor-intensive industries. In addition to employment within the XUAR, more than 80,000 Uyghurs reportedly have been contracted to work in factories outside Xinjiang. Experts believe that Uyghurs who refuse to accept such employment may be threatened with detention.[101]

Falun Gong

Falun Gong combines traditional Chinese exercise movements with Buddhist and Daoist precepts formulated by its founder, Li Hongzhi.[102] In the mid-1990s, the spiritual exercise gained tens of millions of adherents across China, including members of the Communist Party.[103] Authorities have harshly suppressed Falun Gong since 1999, when thousands of adherents gathered in Beijing to protest growing government restrictions on their activities. Hundreds of thousands of practitioners who refused to renounce Falun Gong were sent to Re-education Through Labor

[97] Olivia Enos, "Why the U.S. Should Issue an Atrocity Determination for Uighurs," Heritage Foundation, September 17, 2020; Editorial Board, "What's Happening in Xinjiang is Genocide," *Washington Post*, July 6, 2020.

[98] Erin Handley, "Safe and Sound? China Launches Propaganda Blitz to Discredit Uyghur #StillNoInfo Campaign," *ABC News*, January 18, 2020; "China's Claim that Most Uyghurs Have Been Freed from the Camps 'Devoid of Credibility'," *Radio Free Asia*, July 30, 2019.

[99] "Xinjiang Authorities Relocate Camp Detainees to Restricted-Access 'Residential Area'".

[100] Anna Fifield, "China Is Building Vast New Detention Centers for Muslims in Xinjiang"; Chris Buckley and Austin Ramzy, "Night Images Reveal Many New Detention Centers in Xinjiang Region," *New York Times*, September 24, 2020; Nathan Ruser, "Documenting Xinjiang's Detention System," Australian Strategic Policy Institute, September 2020.

[101] Adrian Zenz, "Beyond the Camps: Beijing's Grand Scheme of Forced Labor, Poverty Alleviation and Social Control in Xinjiang"; Amy Lehr and Mariefaye Bechrakis, "Connecting the Dots in Xinjiang: Forced Labor, Forced Assimilation, and Western Supply Chains," Center for Strategic and International Studies, October 2019; Vicky Xiuzhong Xu et al, "Uyghurs for Sale," Australian Strategic Policy Institute, Policy Brief No. 26, March 1, 2020; Congressional-Executive Commission on China, "Global Supply Chains, Forced Labor, and the Xinjiang Uyghur Autonomous Region," March 2020.

[102] Falun Dafa Information Center, "Falun Gong: An Ancient Tradition for Mind, Body, and Spirit," June 2, 2012, at http://faluninfo.net/topic/22/.

[103] Estimates of Falun Gong practitioners in China in the late 1990s ranged from several million to 70 million, with widely divergent levels of commitment.

(RTL) facilities.[104] The government continues to harass and detain those who engage in the spiritual practice.[105] Falun Gong overseas organizations claim that over 4,400 adherents have died in government custody since 1999.[106]

Some reports allege that tens of thousands of Falun Gong practitioners held in detention facilities in China since the early 2000s were victims of organ harvesting—the unlawful, large-scale, systematic, and nonconsensual removal of body organs for transplantation—while they were still alive, resulting in their deaths. These reports claim that annual organ transplants in China far outnumber the organs obtained through volunteer donors and executed prisoners, and provide largely circumstantial evidence in support of the argument that Falun Gong members are likely the principal source of organs for transplant.[107] In its 2020 report on human rights practices in China, the Department of State noted, "There was no direct evidence of an involuntary or prisoner-based organ transplant system; however, activists and some organizations continued to accuse 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."[108] China has denied allegations of organ harvesting of Falun Gong members, and reportedly has made efforts to outlaw organ trafficking and the taking of organs from executed prisoners, create a national organ registry, and encourage voluntary donations.[109] Some reports conclude that China has falsified its data on organ donations and transplants.[110]

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[104] Falun Gong adherents constituted up to one-half of all RTL detainees, according to some estimates. In 2014, the RTL system was abolished; since then, many Falun Gong members reportedly have been sent to other forms of administrative detention, such as "Legal Education Centers." Department of State, *2020 Country Reports on Human Rights Practices – China*; Amnesty International, *Changing the Soup but Not the Medicine: Abolishing Re-education Through Labor in China*, 2013; Department of State, *Country Reports on Human Rights Practices for 2009 (China)*, March 11, 2010.

[105] United States Commission on International Religious Freedom, *Annual Report 2020*.

[106] Not including alleged deaths due to organ harvesting. Falun Dafa Infocenter, "Falun Gong Persecution Claims Seventeen Lives in 2020 First Quarter," May 8, 2020.

[107] See the following sources: "The Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China: Judgment," China Tribunal, March 2020 (The non-governmental China Tribunal was established by the Australia-based International Coalition to End Transplant Abuse in China (ETAC), an international non-profit organization); Sonia Elks, "China is Harvesting Organs from Falun Gong Members, Finds Expert Panel," *Reuters*, June 17, 2019; Owen Bowcott, "China Is Harvesting Organs From Detainees, Tribunal Concludes," *The Guardian*, June 17, 2019; World Organization to Investigate the Persecution of Falun Gong, "A WOIPFG Investigation Report on the Chinese Communist Party's Ongoing Crime of Live Organ Harvesting against Falun Dafa Practitioners (VI)," December 2018; Freedom House, *The Battle for China's Spirit*: *Religious Revival, Repression, and Resistance Under Xi Jinping*; David Kilgour, Ethan Gutmann, and David Matas, "Bloody Harvest/The Slaughter: An Update," June 22, 2016; Ethan Gutmann, *The Slaughter*, Amherst, NY: Prometheus Books, 2014; David Matas and Dr. Torsten Trey, eds., *State Organs: Transplant Abuse in China*, Woodstock (ON): Seraphim Editions, 2012.

[108] Department of State, *2020 Country Reports on Human Rights Practices – China*.

[109] Simon Denyer, "China Used to Harvest Organs from Prisoners. Under Pressure, That Practice Is Finally Ending," *Washington Post*, September 14, 2017; Philip Pullella, "China 'Mending Its Ways' on Unethical Organ Transplants, Official Says," *Reuters*, February 7, 2017.

[110] Congressional-Executive Commission on China, *2020 Annual Report*; Department of State, *2019 Country Reports on Human Rights Practices – China*; Matthew P. Robertson, Raymond L. Hinde and Jacob Lavee, "Analysis of Official Deceased Organ Donation Data Casts Doubt on the Credibility of China's Organ Transplant Reform,'' *BMC Medical Ethics*, Vol. 20, no. 79 (November 14, 2019).

Other Religious Groups

The Hui, a Muslim minority group in China numbering around 11 million, largely have practiced their faith with less government interference compared to the Uyghurs.[111] The Hui are more geographically dispersed and culturally assimilated than the Uyghurs, are generally physically indistinguishable from Hans, and do not speak a non-Chinese language. China's new religious policies have affected the Hui and other Muslims outside of Xinjiang, but less severely for the most part. Authorities in the Ningxia Hui Autonomous Region reportedly have ordered mosques to be "Sinicized"—minarets have been taken down, onion domes have been replaced by traditional Chinese roofs, and Islamic motifs and Arabic writings have been removed. The Nanguan Mosque, the largest mosque in Yinchuan, capital of the Ningxia Hui Autonomous Region, has been architecturally modified, according to the new guidelines.[112] Elsewhere in Ningxia, officials reportedly have banned calls to prayer and Arabic classes. In Beijing, authorities have mandated that Arabic signage over Halal food shops be removed.[113]

Chinese authorities have also targeted Buddhist and Taoist adherents, who prior to the Sinicization campaign had practiced their faith with less direct government interference than those of other religions. Local officials reportedly have ordered the destruction of Buddhist statues in several provinces.[114] In September 2020, police in China's Inner Mongolia Autonomous Region detained nearly two dozen people following mass protests against a new policy that would replace Mongolian with Chinese as the language of instruction in some subjects in elementary and middle schools.[115]

China, Global Human Rights, and the United Nations

In part to blunt international criticism of its human rights record, China has generally rejected notions of universal human rights, supported principles of nonintervention and "noninterference," upheld economic development over the protection of individual civil and political rights, and emphasized the role of governments over civil society or individual rights-holders. The United Nations Human Rights Council (UNHRC) has adopted four resolutions sponsored by China. A member of the UNHRC in 2017-2019,[116] China sponsored its first ever Council resolutions in 2017 and 2018, emphasizing national sovereignty, calling for "quiet dialogue" and cooperation rather than investigations and international calls for action on human rights, and promoting the

[111] United States Commission on International Religious Freedom, *2019 Annual Report*, April 29, 2019.

[112] "'Domes, Minarets and Symbols of Muslims Architecture Removed' as China Renovates Largest Mosque in Ningxia Hui," *Times Now*, November 2, 2020.

[113] Huizhong Wu, "Sign of the Times: China's Capital Orders Arabic, Muslims Symbols Taken Down," *Reuters*, July 31, 2019; "How China is Trying to Impose Islam with Chinese Characteristics in the Hui Muslim Heartland," *South China Morning Post*, May 14, 2018.

[114] Congressional-Executive Commission on China, *2020 Annual Report*.

[115] Huizhong Wu, "China Detains 23 in Crackdown on Inner Mongolia Protests," *The Diplomat*, September 9, 2020; Amy Qin, "Curbs on Mongolian Language Teaching Prompt Large Protests in China," *New York Times*, August 31, 2020.

[116] The Council's 47 members are elected by the General Assembly and serve staggered three-year terms. Members can serve two consecutive terms. For more information on the U.N. Human Rights Council and PRC and U.S. participation, see CRS Report RL33608, *The United Nations Human Rights Council: Background and Policy Issues*, by Luisa Blanchfield and Michael A. Weber.

PRC model of state-led development.[117] Both resolutions passed, with the United States voting "no" on both before withdrawing from the Council in June 2018. In July 2019, China sponsored a Council resolution, which was adopted by a vote of 33 to 13, reaffirming the "contribution of development to the enjoyment of human all rights."[118] In June 2020, as a Council observer, China sponsored a resolution promoting state-led "mutually beneficial cooperation" that was adopted by a vote of 23 to 16, with 8 abstentions.[119] In October 2020, China was reelected to the Council for the 2021-2023 term, although the number of countries voting in favor of the PRC fell from 180 in 2016 to 139.[120]

In April 2020, a PRC diplomat was appointed to a one-year term on the Human Rights Council's Consultative Group, serving as representative for the Asia-Pacific region. The role of the Consultative Group, which consists of five members, includes making recommendations to the UNHRC President for the appointment of independent U.N. human rights experts. Given China's desire to thwart international criticism of its human rights record, the appointment has caused some to raise concerns about China's influence on the Council.[121]

China and U.N. Human Rights Treaties

China is a State party to six core international human rights treaties, including most prominently the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which it ratified in 2001. China has signed (1998), but not ratified, the International Covenant on Civil and Political Rights (ICCPR).

Human rights conditions in China remain a topic of concern within other U.N. bodies and among U.N. independent experts. In June 2020, a group of 50 U.N. experts openly criticized China for its deteriorating human rights record, particularly regarding the repression of protests and democratic activism in Hong Kong, the collective repression of religious and ethnic minorities in Tibet and Xinjiang, and actions against human rights defenders throughout the country.[122] Independent experts of the U.N. Working Group on Business and Human Rights released a statement in March 2021 expressing deep concern over allegations of forced labor of Uyghurs, calling for unhindered access to China to conduct fact-finding missions, and urging global companies to closely scrutinize their supply chains.[123] In October 2020, 39 countries, including the United States, issued a joint statement at the United Nations Third Committee expressing grave concerns about the mass detentions in Xinjiang, as well as concerns about the new Hong Kong National Security Law, and called on China to allow unfettered access to the XUAR for international observers,

[117] U.N. General Assembly, Resolution 35/L.33, The contribution of development to the enjoyment of all human rights, A/HRC/35/L.33/Rev. 1 (June 20, 2017); U.N. General Assembly, Resolution 37/L.36, Promoting mutually beneficial cooperation in the field of human rights, A/HRC/37/L.36 (March 19, 2018). Ted Piccone, "*China's Long Game on Human Rights at the United Nations,"* Brookings Institution, September 2018.

[118] Lindsay Maizland, "Is China Undermining Human Rights at the United Nations?" *Council on Foreign Relations In Brief*, July 9, 2019; Kristine Lee and Alexander Sullivan, "People's Republic of the United Nations," Center for a New American Century, May 2019; United Nations Human Rights Council, Forty-first session, 24 June-12 July 2019, "The Contribution of Development to the Enjoyment of All Human Rights," A/HRC/41/L.17/Rev.1, July 10, 2019; UNHRC, "41st Session of the Human Rights Council: Resolutions, Decisions and President's Statements," at https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session41/Pages/ResDecStat.aspx.

[119] U.N. Document A/HRC/RES/43/31. As a Council observer, China did not vote on the resolution.

[120] Sophie Richardson, "China Grudgingly Gets UN Rights Body Seat," Human Rights Watch, October 13, 2020.

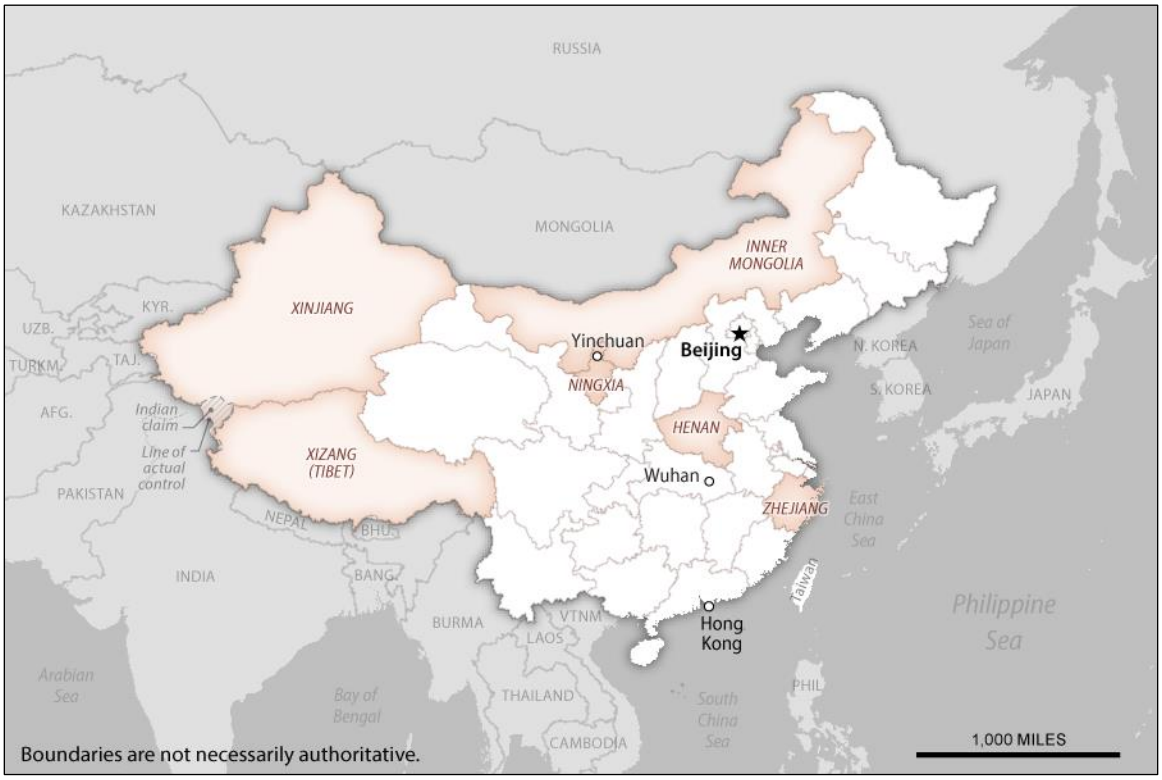
[121] Eleanor Albert, "China Appointed to Influential UN Human Rights Council Panel," *The Diplomat*, April 8, 2020.

[122] United Nations Office of the High Commissioner for Human Rights, "UN Experts Call for Decisive Measures to Protect Fundamental Freedoms in China," June 26, 2020.

[123] United Nations Office of the High Commissioner for Human Rights, "China: UN Experts Deeply Concerned by Alleged Detention, Forced Labour of Uyghurs," March 29, 2021.

including the U.N. High Commissioner for Human Rights.[124] In response to such criticisms, however, China frequently appears to have successfully mobilized multilateral counter-statements joined by many developing countries and by countries viewed as possessing their own poor human rights records.[125]

Figure 1. Map of China: Selected Places of Notable Reported Human Rights Issues



Source: Created by CRS, 2020. Map information from U.S. Department of State and Esri 2018 Data and Maps.

Notes: This map highlights only places discussed in this report.

U.S. Efforts to Advance Human Rights in China

Human Rights and U.S.-China Relations

Human rights conditions in the PRC have been a recurring point of friction and source of mutual mistrust in U.S.-China relations, particularly since the Tiananmen Square crackdown in 1989 and the end of the Cold War in 1991. China's persistent human rights violations, as well as its authoritarian political system, have often caused U.S. policymakers and/or the American public to view the PRC government with greater suspicion.[126] Chinese leaders may, in turn, view expressed

[124] Permanent Mission of the Federal Republic of Germany to the United Nations, "Statement by Ambassador Christoph Heusgen on Behalf of 39 Countries in the Third Committee General Debate, October 6, 2020."

[125] For example, see Xinhua, "Cuba makes joint statement on behalf of 45 countries at UN in support of China's measures in Xinjiang," October 7, 2020. See also Roie Yellinek and Elizabeth Chen, "The '22 vs. 50' Diplomatic Split Between the West and China over Xinjiang and Human Rights," *Jamestown Foundation*, December 31, 2019.

[126] Kenneth Lieberthal and Wang Jisi, "Addressing U.S.-China Strategic Distrust," *Brookings Institution*, March 2012.

human rights concerns by U.S. policymakers, and the broader U.S. democracy promotion agenda, as tools meant to undermine CCP rule and slow China's rise.[127] Frictions over human rights may affect other areas in the bilateral relationship, including those related to economics and security. In engaging China on human rights issues, the United States has often focused on China's inability or unwillingness to respect universal civil and political rights, while China prefers to tout progress in delivering economic development and well-being and advancing social rights for its people, among other purported human rights achievements.[128]

Selected Notable Laws Related to Human Rights in China (excluding Hong Kong), 1989 to Present

- P.L. 101-246: Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, Section 902 (Tiananmen Square Sanctions).
- P.L. 102-404: Chinese Student Protection Act of 1992.
- P.L. 106-286: To authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China. Title III, Section 301 established the Congressional-Executive Commission on China and authorized human rights and rule of law programs. Title V, Section 511, Title VII, Section 701, and other sections of the act established commercial and labor rule of law programs and made other policy references related to human rights abuses in China.
- P.L. 107-228: Tibetan Policy Act of 2002 (Foreign Relations Authorization Act, FY2003, Title VI, Sections 611-621).
- P.L. 108-333: North Korean Human Rights Act of 2004, Title III (Protecting North Korean Refugees), and subsequent reauthorizations.
- P.L. 109-287: The Fourteenth Dalai Lama Congressional Gold Medal Act.
- P.L. 115-330: Reciprocal Access to Tibet Act of 2018.
- P.L. 116-145: Uyghur Human Rights Policy Act of 2020.
- P.L. 116-260: Consolidated Appropriations Act, 2021 (Division FF, Title III, Subtitle E: Tibetan Policy and Support Act of 2020).

U.S. Policy Evolution

In the period following the 1989 Tiananmen Square crackdown, the United States sought to leverage China's desire for "most favored nation" (MFN) trade status by linking its annual renewal to improvements in human rights conditions in China.[129] The Clinton Administration ultimately abandoned this direct linkage, however, in favor of a general policy of engagement with China that it hoped would contribute to improved respect for human rights in the PRC and greater political freedoms for the Chinese people.[130] President Clinton, in his 1999 State of the

[127] PRC officials have stated this view with increasing strength in recent years. For example, China's Foreign Ministry responded to House passage of Xinjiang human rights legislation in December 2019 by accusing the United States of "hypocrisy and malicious intentions," and of attempting to "sow discord among various ethnic groups in China, undermine prosperity and stability in Xinjiang, and contain China's growth." See PRC Ministry of Foreign Affairs, "Foreign Ministry Spokesperson Hua Chunying's Remarks on the US House of Representatives Passing the Uyghur Human Rights Policy Act of 2019," December 4, 2019.

[128] "Seeking Happiness for People: 70 Years of Progress on Human Rights in China," State Council Information Office of the People's Republic of China, September 2019, at http://en.people.cn/n3/2019/0923/c90000-9616720.html.

[129] John M. Broder and Jim Mann, "Clinton Reverses His Policy, Renews China Trade Status," *Los Angeles Times,* May 27, 1994. See also CRS Report 98-603, *China's Most-Favored-Nation-Status: Congressional Consideration, 1989-1997,* by Kerry Dumbaugh, August 1, 1998 (out of print; available to congressional clients on request).

[130] John M. Broder, "Clinton Defends Engagement with China," *New York Times*, October 25, 1997; "Clinton Defends China Trip, Engagement Policy," *CNN,* June 11, 1998. China's MFN renewal process triggered annual debate in

Union Address, summed up the long-term aspirations of this approach, stating, "It's important not to isolate China. The more we bring China into the world, the more the world will bring change and freedom to China."[131]

In the following years through Barack Obama's presidential terms, U.S. Administrations and Congresses employed broadly similar, bipartisan strategies for promoting human rights in China, combining efforts to deepen trade and other forms of engagement to help create conditions for positive change, on the one hand, with specific human rights promotion efforts, on the other.[132] Presidents Bill Clinton, George W. Bush, and Barack Obama held that U.S. engagement with China and encouraging China to respect international norms, including on human rights, would result in mutual benefits, including China's own success and stability.[133]

Trump Administration

In recent years, policy analysts have increasingly debated the effectiveness of aspects of the U.S. engagement strategy with China, including, in light of China's deepening domestic political repression, its usefulness in securing improvements in Beijing's respect for human rights and political freedoms.[134] Under President Trump, U.S. policy documents declared that China's international integration had not liberalized its political or economic system, and the United States began to place less emphasis on engagement.[135] The Trump Administration approached China as a strategic competitor, at times also labeling the PRC as a "revisionist power" or adversary, and bilateral tensions over human rights intensified alongside other longstanding areas of friction.[136]

Congress over human rights conditions in China (among other issues) until Congress granted China Permanent Normal Trade Relations (PNTR) in 2000.

[131] President Bill Clinton, *State of the Union Address*, January 19, 1999.

[132] Some analysts now debate the extent to which China's political liberalization was a concrete goal of U.S. engagement with China. For contrasting views, see Alastair Iain Johnston, "The Failures of the 'Failure of Engagement' with China," *The Washington Quarterly*, Vol. 42, issue 2 (Summer 2019); and Hal Brands, "Every President since Reagan Was Wrong about China's Destiny," *Bloomberg*, July 23, 2019.

[133] Department of State, "Press Conference Following U.S.-China Human Rights Dialogue," Beijing, China, August 2, 2013; Ewen MacAskill and Tania Branigan, "Obama Presses Hu Jintao on Human Rights During White House Welcome," *Guardian.co.uk*, January 19, 2011; "Transcript of Bob Costas' Interview with President George W. Bush," *PRNewsChannel.com*, August 11, 2008; "Bush Woos China on Trade," *BBC News*, May 30, 2001; "Clinton Defends 'Constructive Engagement' of China," *CNN.com*, October 24, 1997.

[134] For examples of different views on this subject, see Bill Bishop, "Jim Mann Details Why 'Engagement' with China Failed," *Axios*, December 14, 2018; Kurt M. Campbell and Ely Ratner, "The China Reckoning," *Foreign Affairs*, March/April 2018; "Did America Get China Wrong?" *Foreign Affairs*, July/August 2018; and Jeffrey Bader, "U.S.-China Relations: Is It Time to End the Engagement?" *Brookings Institution Policy Brief*, September 2018.

[135] The Trump Administration's December 2017 *National Security Strategy* states, "The United States helped expand the liberal economic trading system to countries that did not share our values, in the hopes that these states would liberalize their economic and political practices … these countries distorted and undermined key economic institutions without undertaking significant reform of their economies or politics." Referring to China, in particular, it states, "For decades, U.S. policy was rooted in the belief that support for China's rise and for its integration into the post-war international order would liberalize China. Contrary to our hopes, China expanded its power at the expense of the sovereignty of others." The White House, *National Security Strategy of the United States of America*, December 2017.

[136] Department of Defense, *Indo-Pacific Strategy Report: Preparedness, Partnerships, and Promoting a Networked Region*, June 1, 2019; Robert Delaney, "US Justice Department Official Calls China a 'Foreign Adversary' That Lacks Commitment to Rule of Law," *South China Morning Post*, February 26, 2019; Director of National Intelligence, *National Intelligence Strategy of the United States of America*, January 2019; Department of Defense, "Summary of the 2018 National Defense Strategy," January 19, 2018.

Beginning in 2018, senior Trump Administration officials used increasingly sharp language to describe human rights conditions in China, and began to cast broader U.S. strategic competition in ideological terms.[137] Former Secretary of State Pompeo, for example, stated that China was in a "league of its own" in the area of human rights violations, described the situation in Xinjiang as "the stain of the century," and declared that, "securing our freedoms from the Chinese Communist Party is the mission of our time."[138] A May 2020 White House strategy document stated that the United States was not concerned with attempting to change the PRC governance model, but that U.S. policy was focused on protecting U.S. interests and withstanding "collateral damage from the PRC's internal governance problems."[139]

A U.S. policy approach less concerned with maintaining broad engagement with China may afford greater space in which to pressure the PRC on human rights concerns. Trump Administration efforts in this area were arguably uneven, with some commentators and analysts criticizing the Administration for apparent incongruities between the statements of the President and his senior officials, and for inconsistency in its commitment to human rights issues as it pursued other priorities with China.[140] With some exceptions, the Trump Administration generally placed less emphasis on existing multilateral institutions and on multilateral diplomacy in its foreign policy, including on issues of human rights. Some critics of the Administration's China policy argued that U.S. effectiveness and credibility on human rights is strengthened when the United States works with allies and within international organizations to promote human rights and democracy globally and in China, while maintaining openness to engaging China's government and society, where appropriate.[141]

As described in the sections below, numerous operative elements of U.S. bilateral human rights policy toward China are statutorily mandated and/or continued to be funded by Congress during the Trump Administration, thereby reflecting general consistency with prior administrations. One notable exception was that the Trump Administration did not attempt to restart the U.S.-China Human Rights Dialogue that had been a feature of prior Administrations, but that China had suspended in 2016.[142]

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[137] This trend largely began with former Vice President Mike Pence's October 2018 speech on the Administration's China policy, which was critical of China across a broad set of policy areas. Pence cited concern over China's "control and repression of its own people" and referenced "an unparalleled surveillance state." The White House, "Remarks by Vice President Pence on the Administration's Policy Toward China," October 4, 2018.

[138] U.S. Department of State, "Remarks on the Release of the 2018 Country Reports on Human Rights Practices," March 13, 2019; "Secretary of State Michael R. Pompeo Keynote Address at the Ministerial to Advance Religious Freedom," July 18, 2019; "Communist China and the Free World's Future," July 23, 2020.

[139] The White House, *United States Strategic Approach to the People's Republic of China*, May 26, 2020. President Trump, in contrast with senior officials in his Administration, generally did not publicly raise the issue of human rights in China and reportedly remained focused largely on trade issues. See, for example, Demetri Sevastopulo and Sue-Lin Wong, "Trump Softened Stance on Hong Kong Protests to Revive Trade Talks," *Financial Times*, July 10, 2019.

[140] Washington Post Editorial Board, "Trump Speaks out on China's Human Rights Abuses—When It's Convenient," *Washington Post*, July 12, 2019; Lindsey Ford, "The Trump Administration and the 'Free and Open Indo-Pacific'" *Brookings Institution*, May 2020.

[141] For examples of arguments along these lines, see James Millward, "We Need a Better Middle Road on China. Here's How We Can Find It," *Washington Post*, August 6, 2019; Kurt M. Campbell and Jake Sullivan, "Competition Without Catastrophe: How America Can Both Challenge and Coexist with China," *Foreign Affairs*, September/October 2019; and M. Taylor Fravel et al., "China is Not an Enemy," *Washington Post*, July 3, 2019.

[142] Dui Hua Foundation, "Dui Hua Visits DC for Government, NGO Meetings," *Dui Hua Digest*, July 18, 2016.

Biden Administration

President Joseph Biden and Secretary of State Antony Blinken have stated that the Administration's foreign policy will center on issues of human rights and democratic values, and have signaled a desire to increase multilateral engagement on these issues (see "Multilateral Diplomacy" below).[143] Biden has spoken of "long-term strategic competition with China" alongside allies in Europe and Asia, and described the international environment as being "in the midst of a fundamental debate about the future and direction of our world" between those favoring autocracy on the one hand and those "who understand that democracy is essential" to meeting global challenges on the other.[144] He has pledged to confront China on issues of human rights (among other areas), while also stating that the United States is "ready to work with Beijing when it's in America's interests to do so."[145] In bilateral meetings in March 2021, Blinken and National Security Advisor Jake Sullivan raised human rights and other areas of disagreement with the PRC, and received what Blinken described as a "defensive response" from the Chinese side.[146]

Congressional-Executive Commission on China (CECC)

In 2000, the legislation that granted permanent normal trade relations (PNTR) treatment to China (P.L. 106-286) included provisions to enable Congress to continue to have leverage on human rights in China. The PNTR Act also created the Congressional-Executive Commission on China (CECC) to monitor human rights and the rule of law in China and to submit an annual report with recommendations to the President and Congress. In addition to producing this report, the CECC holds hearings and roundtables on rights-related topics, provides news and analysis, tracks pertinent PRC laws and regulations, and maintains a publicly accessible database of political prisoners. Pursuant to the PNTR Act, the Commission is to consist of nine Senators, nine Members of the House of Representatives, five senior Administration officials appointed by the President (Departments of State, Commerce, and Labor), and a professional staff. Congress funds the CECC's operating costs through the Department of State, Foreign Operations, and Related Programs Appropriations Acts. CECC's funding level for FY2021 is $2.25 million (P.L. 116-260).

Selected Policy Tools and Recent U.S. Actions

Legislation in the 116th Congress

Congress in May 2020 passed the **Uyghur Human Rights Policy Act of 2020** (P.L. 116-145), which was signed into law on June 17, 2020. The law amended an existing statement of U.S. policy toward China to reflect that U.S. policy should be linked to human rights conditions in Xinjiang. It required the President to report to Congress (within 180 days and then annually thereafter) on foreign persons determined to be responsible for certain human rights abuses in Xinjiang, and impose targeted sanctions against these persons.[147] The law also required reports to Congress from the Department of State (on human rights abuses in Xinjiang and related U.S.

[143] The White House, "Remarks by President Biden on America's Place in the World," February 4, 2021; Department of State, "Putting Human Rights at the Center of U.S. Foreign Policy," press statement, February 24, 2021; Antony J. Blinken, "A Foreign Policy for the American People," speech, March 3, 2021. See also The White House, "Interim National Security Strategic Guidance," March 3, 2021.

[144] The White House, "Remarks by President Biden at the 2021 Virtual Munich Security Conference," February 19, 2021.

[145] The White House, "Remarks by President Biden on America's Place in the World," February 4, 2021.

[146] U.S. Department of State, "Secretary Antony J. Blinken and National Security Advisor Jake Sullivan Statements to the Press," remarks to the press, March 19, 2021.

[147] The President may waive the application of sanctions if he certifies to Congress that doing so in the U.S. national interest.

diplomatic efforts), the Federal Bureau of Investigation (on efforts to protect U.S. citizens and residents who have been harassed or intimidated by "officials or agents" of the PRC government), and the Director of National Intelligence (on the security and economic implications of repression in Xinjiang, and, separately, a classified report on the ability of the U.S. government to collect and analyze intelligence on human rights abuses in Xinjiang). Other notable enacted legislative measures in the 116th Congress included:

- The Department of State, Foreign Operations, and Related Programs Appropriations Act (SFOPS), 2021 (P.L. 116-260), required the Secretary of State to submit to Congress a determination regarding whether the persecution of Muslim minority groups in the XUAR constitutes an atrocity. (See "International Criminal Law-Related Determinations" below.)
- The Tibetan Policy and Support Act of 2020 (P.L. 116-260).[148] (See "U.S. Policy on Tibet" below.)
- The National Defense Authorization Act (NDAA) for FY2020 (P.L. 116-92) required a report to Congress from the Director of National Intelligence on the scope and nature of the repression of ethnic minorities in Xinjiang.[149]
- The NDAA for FY2021 (P.L. 116-283) required the Comptroller General to conduct a review of Department of Defense (DOD) policies on the purchase of goods to be resold in DOD commissaries and exchanges that are produced in or imported from "areas where forced labor may be used, including the [XUAR]."[150]

[148] P.L. 116-260, Division FF, Title III, Subtitle E.

[149] P.L. 116-92, Section 5512.

[150] P.L. 116-283, Section 1078.

Selected Pending Legislation in the 117th Congress and Legislation Introduced in the 116th Congress but Not Enacted into Law

117th Congress:

- S. 65: Uyghur Forced Labor Prevention Act. (Rubio, introduced January 27, 2021)
- H.R. 1155: Uyghur Forced Labor Prevention Act. (McGovern, introduced February 18, 2021)
- H.R. 1630: To designate residents of the Xinjiang Uyghur Autonomous Region as Priority 2 refugees of special humanitarian concern, and for other purposes. (Deutch, introduced March 8, 2021)
- H.R. 2072: To amend the Securities Exchange Act of 1934 to require issuers to make certain disclosures relating to the Xinjiang Uyghur Autonomous Region, and for other purposes. (Wexton, introduced March 18, 2021)
- Resolutions opposing or placing conditions upon China's planned hosting of the 2022 Winter Olympic Games in light of its human rights record: S.Res. 13; H.Con.Res. 16; H.Res. 129; H.Res. 162; and H.Res. 160.

116th Congress:

- S. 2386: TIANANMEN Act of 2019 (Targeting Invasive Autocratic Networks, And Necessary Mandatory Export Notifications Act of 2019) A bill to impose sanctions with respect to surveillance in the Xinjiang Uygur Autonomous Region of the People's Republic of China, and for other purposes. (Cruz, introduced July 31, 2019)
- S. 2972: Uighur Intervention and Global Humanitarian Unified Response and Protection Act of 2019. (Cornyn, introduced December 4, 2019)
- H.R. 6210: Uyghur Forced Labor Prevention Act. (McGovern, passed in the House September 22, 2020)
- S. 3471: Uyghur Forced Labor Prevention Act. (Rubio, introduced March 12, 2020)
- H.R. 6270: Uyghur Forced Labor Disclosure Act of 2020. (Wexton, passed in the House September 30, 2020)

U.S. Policy on Tibet

The Tibetan Policy Act of 2002 (TPA, P.L. 107-228)[151] guides U.S. policy towards Tibet.[152] Its stated purpose is "to support the aspirations of the Tibetan people to safeguard their distinct identity." The act requires the U.S. government to promote and report on dialogue between Beijing and the Dalai Lama or his representatives; to support economic development, cultural preservation, and environmental sustainability in Tibet; and to maintain a Special Coordinator for Tibetan Issues within the Department of State, among other provisions. The Special Coordinator position remained vacant during the Trump Administration until October 2020, with the appointment of Robert A. Destro as Special Coordinator. Destro served concurrently as Assistant Secretary of State for Democracy, Human Rights, and Labor.[153] Recent prior Special Coordinators had served concurrently as Under Secretaries of State.

In the 115th Congress, PRC restrictions on access to Tibet for foreigners prompted Congress to pass the Reciprocal Access to Tibet Act (RATA, P.L. 115-330). Among other provisions, RATA requires that, absent a waiver by the Secretary of State, no individual determined to be "substantially involved in the formulation or execution of policies related to access for foreigners to Tibetan areas" may receive a visa or be admitted to the United States while PRC policies restricting foreigners' access to Tibetan areas of China remain in place. The law also requires the Department of State to submit annually a list of PRC officials so involved, identifying those

[151] The Tibetan Policy Act of 2002 is part of the Foreign Relations Authorization Act, FY2003 (P.L. 107-228, §611).

[152] For more information about the Tibetan Policy Act, see CRS Report R43781, *The Tibetan Policy Act of 2002: Background and Implementation*, by Susan V. Lawrence.

[153] Department of State, "Designation of a United States Special Coordinator for Tibetan Issues," Michael R. Pompeo, Secretary of State, press statement, October 14, 2020.

whose visas were denied or revoked in the previous year. The Department of State announced visa restrictions against unspecified officials pursuant to this authority in July 2020. (See "Targeted Sanctions on Individuals and Entities" below.)

The Tibetan Policy and Support Act of 2020, enacted on December 21, 2020, as part of the Consolidated Appropriations Act, 2021 (P.L. 116-260), amended the TPA to make it U.S. policy that the succession or reincarnation of the Dalai Lama should be made by appropriate Tibetan Buddhist religious authorities, and that the United States will "take all appropriate measures," including targeted sanctions, against PRC officials who interfere with this process. The law also reauthorized TPA-related appropriations through 2025, expanded the scope of a required report and extended the period for which it is required, prohibited the Secretary of State from authorizing new PRC consulates in the United States until a consulate in Lhasa is established (subject to a national security interest waiver), and expanded the statutory objectives of the Special Coordinator position, among other provisions.

Human Rights and Democracy Foreign Assistance Programs

Since 2001, the U.S. government has funded efforts to promote human rights, democracy, and related U.S. objectives in China. Pursuant to congressional directives, the Department of State's Bureau of Democracy, Human Rights, and Labor (DRL) has administered a significant proportion of these activities. DRL-funded China projects have generally supported rule of law development, civil society, internet freedom, labor rights, religious freedom, and citizen participation in government.[154] The U.S. Agency for International Development (USAID) additionally has administered programs to promote rule of law development and environmental protection in China, as well as to promote sustainable development, environmental conservation, and cultural preservation in Tibetan areas.[155] Between 2009 and 2018, congressional appropriations also supported the presence of a Department of Justice Resident Legal Advisor (RLA) based in the U.S. Embassy in Beijing focused on promoting criminal justice sector reform.[156]

Between 2001 and 2021, the U.S. government has provided approximately $270 million for DRL programs in China, $93 million for other rule of law and environmental efforts in the PRC, and $123 million for Tibetan programs (see **Figure 2** for annual breakdowns since FY2013). U.S.-funded programs do not provide assistance to PRC government entities and are predominantly awarded in the form of grants to U.S.-based NGOs and academic institutions.

[154] DRL's most recent public request for China grant proposals called for projects within the broad areas of "freedom of information and expression" and "support for civil society, rule of law, and labor rights." Potential project goals within these categories included expanding citizen awareness of censorship and access to reliable information, increasing the capacity of citizens to "demand responsive governance institutions," improving rights awareness and access to justice, and strengthening citizen participation in government policy formation and decision-making, among others. See U.S. Department of State, "Request for Statements of Interest: FY20 China Programs," November 25, 2020, accessed at https://2017-2021.state.gov/request-for-statements-of-interest-fy20-china-programs//index.html.

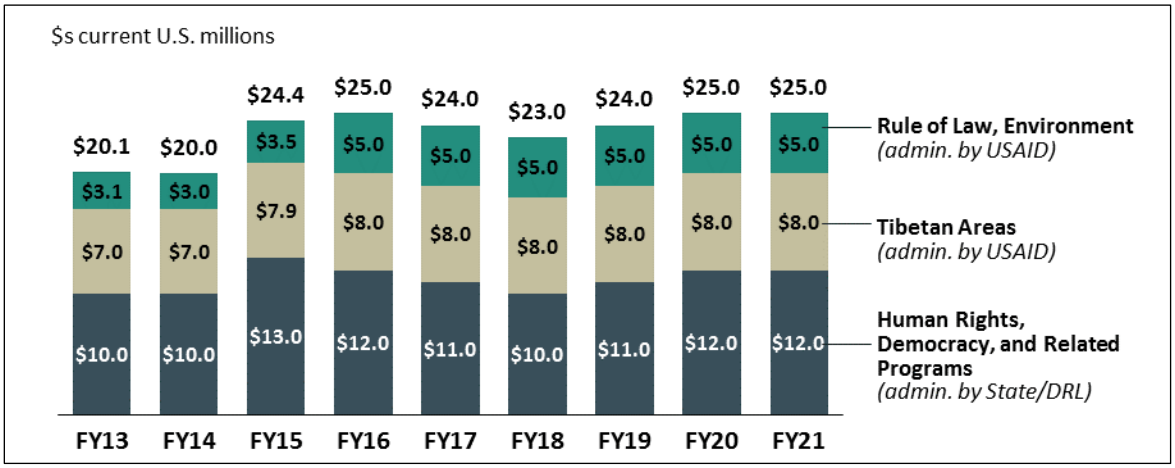
[155] A brief description of USAID's current China programs is available on USAID's website at https://www.usaid.gov/china. These programs are managed by USAID's Regional Development Mission for Asia, located in Bangkok, Thailand, and continue despite the closure of the USAID office in Beijing in 2019. Other USAID assistance has included HIV/AIDS programs (2007-2014). Separately, the Peace Corps ended its program in China in January 2020 after a presence of 26 years.

[156] The RLA was funded through the Department of State's International Narcotics Control and Law Enforcement (INCLE) account (roughly $800,000 annually).

Other Related Funding

Since 2015, Congress has appropriated additional support for Tibetan communities in India and Nepal ($6 million in FY2021). In addition, since 2018, Congress has provided $3 million annually to strengthen government institutions in the Tibetan exile community in India.[157] Some annual appropriations measures also have included funding for democracy programs in Hong Kong.[158]

Figure 2. U.S. Human Rights, Democracy, and Tibetan Assistance Programs in China (Department of State and USAID), FY2013-FY2021



Sources: Created by CRS. Data from U.S. Department of State and SFOPS legislation and explanatory statements.

Notes: This chart does not include all U.S.-funded programs in China. Figures do not include funding directed for democracy programs in Hong Kong.

National Endowment for Democracy Grants

Established in 1983, the National Endowment for Democracy (NED) is a private, nonprofit foundation "dedicated to the growth and strengthening of democratic institutions around the world."[159] Funded primarily by an annual congressional appropriations, NED has played an active role in promoting human rights and democracy in China since the mid-1980s.

A grant-making institution, NED has supported projects in China carried out by grantees that include its four affiliated organizations;[160] Chinese, Tibetan, and Uyghur human rights and democracy groups and media platforms based in the United States and Hong Kong; and a small number of NGOs based in mainland China. Program areas have included efforts to support and build the capacity of human rights defenders and civil society activists; promote freedom of

[157] Consolidated Appropriations Act, FY2021 (P.L. 116-260).

[158] Foreign operations appropriations legislation provided $1 million, $1.5 million, and $3 million respectively in FY2019, FY2020, and FY2021, for democracy programs in Hong Kong. See joint explanatory statements accompanying Division F of P.L. 116-6, Division G of P.L. 116-94, and Division K of P.L. 116-260.

[159] National Endowment for Democracy, at https://www.ned.org/about/.

[160] These organizations, sometimes referred to as NED's "core institutes," are the National Democratic Institute, the International Republican Institute, the American Center for International Labor Solidarity, and the Center for International Private Enterprise.

expression and provide access to censored information; support human rights legal advocacy; promote labor rights; and bolster understanding of and advocacy for the human rights of ethnic minorities in Xinjiang and Tibet, among other focus areas. NED grants for China totaled nearly $6 million in 2020.[161]

International Broadcasting

The U.S. Agency for Global Media (USAGM; formerly the Broadcasting Board of Governors), a congressionally funded independent entity of the U.S. government, operates international broadcasting and media activities to "inform, engage, and connect people around the world in support of freedom and democracy."[162] It targets resources to areas "most impacted by state-sponsored disinformation" and identifies people in China as a key audience.[163] USAGM oversees broadcasting to China through the Voice of America (VOA), a federal broadcasting network, and Radio Free Asia (RFA), a non-profit organization that receives grants from USAGM. VOA and RFA offer external sources of independent news and opinion to Chinese audiences as well as provide examples of U.S.-style broadcasting, journalism, and public debate. VOA, which offers mainly U.S. and international news, and RFA, which serves as an uncensored source of domestic Chinese news, often report on human rights issues. RFA's Uyghur Service provides the Uyghur population with reporting on human rights and other issues in their native language. The agency describes the Uyghur service as the "only independent, non-Chinese government sanctioned Uyghur-language news service in the world."[164]

The Chinese government regularly jams or blocks VOA and RFA Mandarin (Chinese), Cantonese, and Tibetan and Uyghur language radio and television broadcasts and Internet sites. VOA English language services receive less interference. VOA and RFA, together with another USAGM grantee, the Open Technology Fund, have developed internet firewall circumvention and other anti-censorship technologies and provide access to their programs on social media platforms. According to USAGM, despite censorship and other restrictions, VOA Mandarin service's audience has continued to grow.[165] The agency states that RFA's social media is popular among the Uyghur exile community, which shares the content with Uyghurs in Xinjiang.[166]

Sanctions

The Trump Administration in 2019 and 2020 demonstrated an increased willingness to use authorities granted by Congress to take unilateral punitive actions against China based on human rights, particularly with regard to the situation in Xinjiang. Some U.S. sanctions against PRC individuals (See **Table A-1**) and entities (See **Table A-2**) were invoked under more than one authority. In apparent response to U.S. actions, the PRC government has imposed retaliatory sanctions against some U.S. individuals.[167]

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[161] For descriptions of recent projects, see https://www.ned.org/region/asia/mainland-china-2020/.

[162] See https://www.usagm.gov/who-we-are/mission/.

[163] See https://www.usagm.gov/our-work/strategy-and-results/strategic-priorities/.

[164] U.S. Agency for Global Media, Burke Awards Honories: Uyghur Service, 2019 Winner, at https://www.usagm.gov/burke_candidate/uyhgur-service/.

[165] U.S. Agency for Global Media, *Fiscal Year 2021 Congressional Budget Justification*, released February 10, 2020.

[166] U.S. Agency for Global Media, *Fiscal Year 2021 Congressional Budget Justification.*

[167] For example, following Xinjiang-related sanctions targeting XUAR Party Secretary Chen Quanguo and others in July 2020, the PRC announced unspecified sanctions against numerous Members of Congress, the then-Ambassador at Large for International Religious Freedom, and the CECC. China has also made announcements of sanctions against

Targeted Sanctions on Individuals and Entities

The Global Magnitsky Human Rights Accountability Act (Global Magnitsky, P.L. 114-328) authorizes the President to impose both economic sanctions and visa denials or revocations against foreign individuals or entities responsible for human rights violations or engaged in corruption.[168] Separately, a recurring provision in the Department of State, Foreign Operations, and Related Programs Appropriations Act (SFOPS), Section 7031(c), allows the State Department to publicly or privately designate foreign officials and their immediate family members for visa sanctions for reasons of human rights or corruption.[169] The Trump Administration utilized these two tools to publicly impose sanctions on a total of eight current or former Chinese officials due to their roles in human rights abuse in China. The Biden Administration has to date sanctioned two additional officials. (These designations were announced in coordination with other governments—see "Multilateral Diplomacy".)

Xinjiang-Related Sanctions. Of the 10 publicly designated officials, the Department of the Treasury has sanctioned 8 of these officials in relation to human rights abuses in Xinjiang. The initial sanctions announcements for 6 of these officials in July 2020 followed passage of the aforementioned Uyghur Human Rights Policy Act (P.L. 116-145), which sought to compel the executive branch to undertake sanctions against PRC persons responsible for human rights violations in Xinjiang.[170] Among the sanctioned officials was XUAR Party Secretary Chen Quanguo, an action for which some Members of Congress had publicly advocated. This is believed to be the first time the United States had sanctioned a CCP Politburo member.[171] The Department of the Treasury additionally sanctioned two Xinjiang government entities: the Xinjiang Public Security Bureau and the Xinjiang Production and Construction Corps (XPCC). (See textbox below.)

U.S. human rights and democracy groups, including NED and its affiliated organizations. On January 20, 2021, shortly after the swearing in of President Joseph Biden, China's foreign ministry announced sanctions against 28 former Trump Administration officials. "China to Sanction U.S. Senators Rubio, Cruz Over Xinjiang," *Bloomberg News*, July 13, 2020; Carol Morello, "U.S. Democracy and Human Rights Leaders Sanctioned by China Vow Not to Be Cowed Into Silence," *Washington Post*, August 10, 2020; Cate Cadell and Tony Munroe, "China Imposes Sanctions on 28 Trump-Era Officials Including Pompeo," *Reuters*, January 20, 2021.

[168] See National Defense Authorization Act for Fiscal Year 2017 (P.L. 114-328), Title XII, Subtitle F. The economic sanctions entail blocking the foreign person's property under U.S. jurisdiction and prohibiting U.S. persons from entering into transactions with the foreign person. For more information, see CRS In Focus IF10576, *The Global Magnitsky Human Rights Accountability Act*, by Michael A. Weber and Edward J. Collins-Chase.

[169] For additional information about this provision, see CRS In Focus IF10905, *FY2020 Foreign Operations Appropriations: Targeting Foreign Corruption and Human Rights Violations*, by Liana W. Rosen and Michael A. Weber.

[170] President Trump had previously indicated that the Administration had not imposed sanctions on officials in Xinjiang due to a focus on reaching a trade agreement with China. See Jonathan Swan, "Exclusive: Trump held off on Xinjiang sanctions for China trade deal," *Axios*, June 21, 2020.

[171] Later, the executive branch announced sanctions on another Politburo member, Wang Chen, in relation to developments in Hong Kong.

The Xinjiang Production and Construction Corps

The Xinjiang Production and Construction Corps (XPCC), established in 1954, is a massive, state-run, paramilitary organization with a dual military and economic mandate. The XPCC controls a large portion of the land and resources of the XUAR and has 2.7 million members, many of them descendants of former Nationalist and Communist soldiers who settled there. The XPCC administers 176 paramilitary regiments and employs 12% of the XUAR population, controls business interests that comprise nearly 17% of the region's economy, and produces nearly 40% of Xinjiang's cotton. Its business enterprises include farms, manufacturing facilities, and mining operations.[172]

Separately, the State Department publicly designated three of the same Xinjiang officials for visa sanctions under SFOPS Section 7031(c), which entails additional visa restrictions on the officials' immediate family members.[173] Finally, the department additionally drew on broad authority under the Immigration and Nationality Act (INA) to announce visa restrictions against other unspecified PRC government and CCP officials "believed to be responsible for, or complicit in, the detention or abuse of Uighurs, Kazakhs, or other members of Muslim minorities groups in Xinjiang."[174]

Non-Xinjiang-Related Sanctions. The two public designations not related to Xinjiang included December 2017 Global Magnitsky sanctions against Gao Yan for his connection to the mistreatment and eventual death of human rights activist Cao Shunli,[175] and the December 2020 SFOPS Section 7031(c) designation of Huang Yuanxiong for his "involvement in the detention and interrogation of Falun Gong practitioners for practicing their beliefs."[176] Also in December 2020, the Department of State announced visa restrictions pursuant to INA authority against unspecified PRC officials responsible for or complicit in the repression of "religious and spiritual practitioners, members of ethnic minority groups, dissidents, human rights defenders, journalists, labor organizers, civil society organizers, and peaceful protestors" in China.[177] In addition, pursuant to the Reciprocal Access to Tibet Act,[178] the department in July 2020 announced visa restrictions against unspecified PRC government and Party officials "substantially involved in the formulation or execution of policies related to access for foreigners to Tibetan areas."[179]

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[172] James Palmer and Robbie Gramer, "U.S. Slaps Sanctions on Xinjiang's Vast Paramilitary Settler Corps," *Foreign Policy*, July 31, 2020; Jeremy Goldkorn, "U.S. Sanctions the Biggest 'Company' in Xinjiang," *SupChina*, July 31, 2020; Alim Seytoff, "US Sanctions Key Paramilitary Group, Officials over Abuses in China's Xinjiang Region," *Radio Free Asia*, July 31, 2020.

[173] Department of State, "The United States Imposes Sanctions and Visa Restrictions in Response to the Ongoing Human Rights Violations and Abuses in Xinjiang," press statement, July 9, 2020.

[174] Immigration and Nationality Act of 1952 (P.L. 82-414), Section 212, as amended (8 U.S.C. §1182). Department of State, "U.S. Department of State Imposes Visa Restrictions on Chinese Officials for Repression in Xinjiang," press statement, October 8, 2019; Department of State, "The United States Imposes Sanctions and Visa Restrictions in Response to the Ongoing Human Rights Violations and Abuses in Xinjiang," press statement, July 9, 2020.

[175] Department of the Treasury, "United States Sanctions Human Rights Abusers and Corrupt Actors Across the Globe," press release, December 21, 2017.

[176] Department of State, "Public Designations of Current and Former Government Officials Under Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act Due to Involvement in Gross Violations of Human Rights," press statement, December 10, 2020.

[177] Department of State, "Additional Restrictions on the Issuance of Visas for People's Republic of China Officials Engaged in Human Rights Abuses," press release, December 21, 2020.

[178] P.L. 115-330.

[179] Department of State, "Implementing Visa Restrictions Under the Reciprocal Access to Tibet Act," press statement, July 7, 2020.

More broadly, other recent human rights-related U.S. sanctions against PRC individuals and entities have included:

- Visa restrictions against unspecified "employees of Chinese technology companies that provide material support to regimes engaging in human rights abuses globally."[180]
- Targeted economic sanctions under Executive Order 13692[181] against China National Electronics Import and Export Corporation (CEIEC) for "supporting the illegitimate Maduro regime's efforts to undermine democracy in Venezuela."[182]
- Global Magnitsky sanctions against certain PRC persons for purported involvement in corruption.[183]

Export Controls

Through multiple separate actions in 2019 and 2020, and with support from some Members of Congress,[184] the U.S. Department of Commerce added 52 PRC entities to the Bureau of Industry and Security (BIS) "entity list" under the Export Administration Regulations (EAR) in connection with human rights violations and abuses in China; 48 of these entities were identified specifically as being implicated in or facilitating repression in Xinjiang.[185] The actions imposed licensing requirements prior to the sale or transfer of U.S. items to these entities.[186] For each entity, there is a presumption of license denial for all items subject to the EAR, with the exception of certain categories subject to a case-by-case review. The list of added entities includes Public Security Bureaus in Xinjiang, certain PRC technology companies involved in surveillance and facial recognition products, genome sequencing companies, and textile and apparel companies (see **Table A-2**). Experts noted that the first tranche of additions to the list, in October 2019, marked the first time that the Commerce Department had explicitly invoked human rights as the U.S. foreign policy interest rationale for placing an entity on the list.[187]

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[180] The Department of State singled out Chinese telecommunications giant Huawei, in particular, describing the company as "an arm of the [Chinese Communist Party's] surveillance state that censors political dissidents" and "enables" Xinjiang-related human rights abuses. Department of State, "U.S. Imposes Visa Restrictions on Certain Employees of Chinese Technology Companies that Abuse Human Rights," press statement, July 15, 2020.

[181] The White House, "Executive Order on Blocking Property of the Government of Venezuela," August 5, 2019.

[182] U.S. Department of the Treasury, "Treasury Sanctions CEIEC for Supporting the Illegitimate Maduro Regime's Efforts to Undermine Venezuelan Democracy," November 30, 2020.

[183] See U.S. Department of the Treasury, "Treasury Sanctions Corrupt Actors in Africa and Asia," December 9, 2020; "Treasury Sanctions Chinese Entity in Cambodia Under Global Magnitsky Authority," September 15, 2020.

[184] See April 4, 2019, letter to senior Administration officials from Members of Congress, accessible at https://go.usa.gov/xVjDS.

[185] The other four companies were described more generally as having "enabled wide-scale human rights abuses within China through abusive genetic collection and analysis or high-technology surveillance, and/or hav[ing] facilitated the export of items by China that aid repressive regimes around the world." U.S. Department of Commerce Bureau of Industry and Security, "Addition of Certain Entities to the Entity List," 84 *Federal Register* 54002, October 9, 2019; "Addition of Certain Entities to the Entity List; Revision of Existing Entries on the Entity List," 85 *Federal Register* 34503, June 5, 2020; "Addition of Certain Entities to the Entity List; Revision of Existing Entries on the Entity List," 85 *Federal Register* 44159, July 22, 2020; "Addition of Entities to the Entity List, Revision of Entry on the Entity List, and Removal of Entities From the Entity List," 85 *Federal Register* 83416, December 22, 2020.

[186] Section 744.11 of the EAR describes how BIS may impose licensing requirements "to entities acting contrary to the national security or foreign policy interest of the United States." See Code of Federal Regulations, 15 C.F.R. §744. For further information, see CRS In Focus IF11154, *Export Controls: Key Challenges*, by Ian F. Fergusson.

[187] Amy K. Lehr, "The United States Blacklisted 28 Chinese Entities over Repression of Muslim Minorities in

Restrictions on Imports

U.S. Customs and Border Protection (CBP) has issued numerous "withhold release orders" (WROs) in recent years against imports from the PRC pursuant to Section 307 of the Tariff Act of 1930, which prohibits the import of products made wholly or in part by forced labor.[188] Since 2019, these actions have largely targeted products suspected of involving Xinjiang-related forced labor (See **Table A-2** for a list of affected companies and merchandise). Most significantly, CBP in January 2021 issued a region-wide WRO blocking the import of cotton and tomato products originating in Xinjiang, including any products made using Xinjiang-sourced cotton or tomato, "regardless of where the downstream products are produced."[189] Prior to this action, CBP had also issued a WRO in December 2020 for cotton and cotton products originating from the XPCC).[190] Some reports indicate that both foreign brands and Chinese companies have attempted to reduce their use of Xinjiang cotton due to recent U.S. import restrictions. One sanctioned Chinese company publicly acknowledged a decline in profits in 2020 due to U.S. sanctions.[191]

In July 2020, four U.S. agencies jointly issued a "Xinjiang Supply Chain Business Advisory" that warned of "reputational, economic, and legal risks" for businesses with supply chain exposure to Xinjiang in light of forced labor and other human rights abuses there.[192] Pending legislation in the 117th Congress (S. 65 and H.R. 1155) would create a presumption of denial of import into the United States of items produced in Xinjiang or by certain Xinjiang-related entities.

Other Sanctions

China is subject to some remaining U.S. sanctions that were imposed as a response to the 1989 Tiananmen crackdown, but many (including restrictions on foreign aid, military and government exchanges, and export licenses) are no longer in effect.[193] Remaining Tiananmen-related sanctions suspend Overseas Private Investment Corporation programs and restrict export licenses for U.S. Munitions List (USML) items and crime control equipment.[194] China is also subject to sanctions pursuant to the International Religious Freedom Act. (See text box below.)

Xinjiang. What Does This Mean for Human Rights?," Center for Strategic and International Studies, October 11, 2019. The Commerce Department had previously added Huawei, another PRC entity that has reportedly played a role in the development of surveillance systems in Xinjiang, to the entity list, but did not do so for human rights reasons.

[188] For more information, see CRS Report R46631, *Section 307 and U.S. Imports of Products of Forced Labor: Overview and Issues for Congress*, coordinated by Cathleen D. Cimino-Isaacs.

[189] U.S. Customs and Border Protection, "CBP Issues Region-Wide Withhold Release Order on Products Made by Slave Labor in Xinjiang," January 13, 2021. For discussion of industry- or region-wide enforcement approaches, see "Feasibility of Industry- or Region-wide Enforcement Approaches and Related Challenges" in CRS Report R46631, *Section 307 and U.S. Imports of Products of Forced Labor: Overview and Issues for Congress*, coordinated by Cathleen D. Cimino-Isaacs.

[190] U.S. Department of Homeland Security, "DHS Issues Detention Order on Cotton Products Made by Xinjiang Production and Construction Corps Using Prison Labor," December 2, 2020.

[191] Eva Dou, Jeanne Whalen and Alicia Chen, "U.S. Ban on China's Xinjiang Cotton Fractures Fashion Industry Supply Chains," *Washington Post*, February 22, 2021.

[192] U.S. Departments of State, the Treasury, Commerce, and Homeland Security, *Xinjiang Supply Chain Business Advisory*, July 1, 2020, accessible via https://www.state.gov/xinjiang-supply-chain-business-advisory/.

[193] For further information, see CRS Report R44605, *China: Economic Sanctions*, by Dianne E. Rennack.

[194] Foreign Relations Authorization Act of 1990-1991 (P.L. 101-246), §902 ("Tiananmen Sanctions").

Designations and Actions Pursuant to the International Religious Freedom Act

The International Religious Freedom Act of 1998 (IRFA, P.L. 105-292) mandates that the President produce an annual report on the status of religious freedom in countries around the world and identify "countries of particular concern" (CPCs) for "particularly severe violations of religious freedom," and prescribes punitive actions in response to such violations. The law provides a menu of potential sanctions against CPCs, such as foreign assistance restrictions or loan prohibitions, but provides the executive branch with significant discretion in determining which, if any, actions to take.[195] U.S. reports under IRFA have been consistently critical of China's religious freedom conditions, and the U.S. government has designated China as a CPC in each of its annual designation announcements since IRFA's enactment. Consistent with prior administrations, the Trump Administration chose not to take new actions against the Chinese government pursuant to IRFA and instead referred to existing, ongoing sanctions to satisfy the law's requirements.[196] These existing sanctions relate to the above-mentioned restrictions on exports of crime control and detection equipment adopted following the Tiananmen crackdown.

The United States limits its support for international financial institution (IFI) lending to China for human rights reasons.[197] For example, U.S. representatives to IFIs may by law support projects in Tibet only if they do not encourage the migration and settlement of non-Tibetans into Tibet or the transfer of Tibetan-owned properties to non-Tibetans, due in part to the potential for such activities to erode Tibetan culture and identity.[198] China also has been subject to foreign assistance restrictions because of its designation by the Department of State as a "Tier 3" (worst) country for combating human trafficking in recent years.[199]

Atrocity Crime-Related Determinations

As discussed above, some observers have argued that PRC policies and actions in Xinjiang constitute atrocity crimes, potentially including genocide as defined by the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.[200] The Consolidated Appropriations Act for 2021 (P.L. 116-260, Division K, Section 7043(f)(4)), as articulated in the joint explanatory statement accompanying the bill, requires that the Secretary of State submit to Congress within 90 days of enactment a determination of whether the persecution of Uyghurs and other Muslim minority groups in Xinjiang "constitutes an atrocity within the definitions" of Section 6 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (P.L. 115-441). Section 6 defines "atrocities" to mean war crimes, crimes against humanity, and genocide.[201]

[195] For further information, see CRS In Focus IF10803, *Global Human Rights: International Religious Freedom Policy*, by Michael A. Weber.

[196] IRFA provides the President authority (subsequently delegated to the Secretary of State) to refer to existing "ongoing, multiple, broad-based sanctions in response to human rights violations" to satisfy IRFA's requirements. See 22 U.S.C. §6442.

[197] International Financial Institutions Act (P.L. 95-118), §710(a).

[198] See Consolidated Appropriations Act, 2021 (P.L. 116-260, §7043(h)(1); Tibetan Policy Act of 2002, Foreign Relations Authorization Act, FY2003 (P.L. 107-228), §616.

[199] For further information, see CRS Report R44953, *The State Department's Trafficking in Persons Report: Scope, Aid Restrictions, and Methodology*, by Michael A. Weber, Katarina C. O'Regan, and Liana W. Rosen. Sanctions for Tier 3 countries apply to nonhumanitarian and nontrade-related foreign assistance to foreign governments.

[200] The Convention, as well as the later Rome Statute of the International Criminal Court (China is not a State Party to the Court), defines "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group" as constituting genocide. It includes explicit mention of "imposing measures intended to prevent births within the group," among other specified acts.

[201] See also the proposed S.Res. 760 in the 116th Congress.

On January 19, 2021, the last full day of the Trump Administration, the Department of State announced that it had determined that the PRC had committed both crimes against humanity and genocide against Uyghurs and other minority groups in Xinjiang.[202] With regard to crimes against humanity, the statement referred to arbitrary imprisonment, forced sterilization, torture, forced labor, and "draconian restrictions" on freedom of religion or belief, freedom of expression, and freedom of movement. Regarding its genocide determination, the department stated that PRC authorities "are engaged in the forced assimilation and eventual erasure of a vulnerable ethnic and religious minority group." The department called on the PRC to reverse its policies and for "all appropriate multilateral and relevant juridical bodies" to pursue accountability for the atrocities.

The crime of genocide, unlike crimes against humanity, requires evidence of intent to destroy a particular group, and some legal experts view the intent standard as challenging to prove; experts may disagree over whether evidence to date is sufficient in this case.[203] The Department of State's determination could portend future executive branch policy measures with regard to human rights in Xinjiang, though it does not appear to create obligations for specific additional action. While he was a candidate, President Joseph Biden's campaign used the term "genocide" to describe China's actions in Xinjiang, and Secretary of State Antony Blinken has indicated concurrence with the department's January 19, 2021, genocide determination.[204] The State Department's annual report on human rights practices in China, released in March 2021 and covering calendar year 2020, affirmed that "genocide and crimes against humanity occurred during the year," and stated that these crimes "were continuing."[205]

Multilateral Diplomacy

The United States may also engage in multilateral diplomacy to advocate for improved human rights conditions in China. Analysts have argued that a contest with the PRC over values and universal norms could provide a unifying foundation for the United States and its democratic allies to confront problematic PRC behavior.[206] The Trump Administration curtailed U.S. participation in some multilateral human rights organizations, most prominently by announcing the U.S. withdrawal from the U.N. Human Rights Council in June 2018.[207] The United States

[202] Department of State, "Determination of the Secretary of State on Atrocities in Xinjiang," press statement, January 19, 2021.

[203] News reporting indicates that there was disagreement within the State Department over whether there existed sufficient evidence of genocidal intent. See Colum Lynch, "State Department Lawyers Concluded Insufficient Evidence to Provide Genocide in China," *Foreign Policy*, February 19, 2021. For additional analysis of the genocide question, see Eva Dou and Lily Kuo, "China Restricts Information as it Fends Off 'Genocide' Labels"; Beth Van Schaack, "Genocide against the Uyghurs: Legal Grounds for the United States' Bipartisan Genocide Determination," *Just Security*, January 27, 2021; Elizabeth M. Lynch, "The Economist's Recent Piece about Genocide in Xinjiang is Wrong," *China Law and Policy*, February 15, 2021.

[204] Zachary Basu, "Biden Campaign says China's Treatment of Uighur Muslims Is "Genocide," *Axios*, August 25, 2020; Congressional Quarterly, "Senate Foreign Relations Committee Holds Hearing on the Nomination of Antony Blinken to Be Secretary of State," hearing transcript, January 19, 2021; U.S. State Department, "Secretary Antony Blinken at a Press Availability," January 27, 2021; U.S. State Department, "Promoting Accountability for Human Rights Abuse with Our Partners," press statement, March 22, 2021.

[205] Department of State, *2020 Country Reports on Human Rights Practices – China*.

[206] Andrew J. Nathan, "Getting Human Rights Right: Consistency, Patience, Multilateralism, and Setting a Good Example," *Brookings Institution*, November 2020.

[207] The Trump Administration criticized the Human Rights Council on various grounds, including for a perceived disproportionate focus on Israel and for allowing countries with poor human rights records to serve as members. For more information on the U.N. Human Rights Council and U.S. participation, CRS Report RL33608, *The United Nations Human Rights Council: Background and Policy Issues*, by Luisa Blanchfield and Michael A. Weber.

continued to participate in some Council activities in its capacity as a U.N. member state, such as the Universal Periodic Review (UPR) process, including China's UPR in 2018.[208] The United States also joined some relevant multilateral statements concerning human rights conditions in China, including those at the U.N. Third Committee in October 2019[209] and October 2020,[210] while not joining some others, such as the July 2019 joint letter to the Human Rights Council and U.N. High Commissioner for Human Rights.[211] The Trump Administration actively engaged multilaterally on the issue of international religious freedom, including through State Department-hosted ministerial meetings on the issue in 2018 and 2019.[212] These events included participation from foreign delegations and civil society leaders, and included joint statements expressing concern over religious freedom conditions in China.[213] In October 2020, the Department of State and the European Union (EU) European External Action Service launched a planned recurring bilateral dialogue focused on China, with human rights mentioned as a theme.[214]

As President-elect, President Biden stated that the United States' position vis-a-vis China as it relates to addressing human rights and other issues can be strengthened by "coalitions of like-minded partners and allies that make common cause with us in the defense of our shared interests and our shared values."[215] President Biden has indicated plans to convene a "Summit for Democracy" that would aim to bring together democratic states around a common agenda, with a major focus on "defending against authoritarianism" and promoting human rights.[216] Secretary of State Blinken announced in February 2021 that the United States would immediately reengage with the U.N. Human Rights Council through observer status "in the immediate term," while seeking a seat on the Council for a term beginning in January 2022.[217]

The prospects for an effective multilateral approach to China on issues of human rights are unclear given countries' varying interests and priorities in their relations with China. Some U.S.

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[208] All U.N. members undergo a review of their human rights records once every four years. The review includes the participation of Office of the High Commissioner for Human Rights, U.N. member states, independent stakeholders, and the state under review. During China's UPR review, the United States made four recommendations, including for China to "abolish all forms of arbitrary detention, including internment camps in Xinjiang, and immediately release the hundreds of thousands, possibly millions, of individuals detained in these camps." See United Nations Human Rights Council, "Universal Periodic Review—China," at https://www.ohchr.org/EN/HRBodies/UPR/Pages/CNindex.aspx.

[209] United States Mission to the U.N., "Joint Statement, Delivered by UK Rep to UN, on Xinjiang at the Third Committee Dialogue of the Committee for the Elimination of Racial Discrimination," October 29, 2019.

[210] Permanent Mission of the Federal Republic of Germany to the United Nations, "Statement by Ambassador Christoph Heusgen on Behalf of 39 Countries in the Third Committee General Debate," October 6, 2020.

[211] The statement was signed by numerous countries that were not current members of the Council. Nick Cumming-Bruce, "China Rebuked by 22 Nations over Xinjiang Repression, *New York Times,* August 14, 2019. See the text of the letter at https://www.hrw.org/sites/default/files/supporting_resources/190708_joint_statement_xinjiang.pdf.

[212] See https://www.state.gov/subjects/ministerial-to-advance-religious-freedom. The Department of State also led the establishment of an "International Religious Freedom or Belief Alliance" comprised of 32 countries "fully committed to advancing freedom of religious or belief around the world." See https://www.state.gov/international-religious-freedom-or-belief-alliance/.

[213] A third ministerial was hosted by Poland and held virtually in November 2020 due to the COVID-19 pandemic. See https://www.gov.pl/web/diplomacy/FORB2020.

[214] Department of State, "Launch of the U.S.-EU Dialogue on China," October 23, 2020.

[215] Congressional Quarterly, "President-Elect Joe Biden Delivers Remarks," transcript, December 28, 2020.

[216] Joseph R. Biden, Jr. "Why America Must Lead Again," *Foreign Affairs,* March/April 2020. See also Joe Biden campaign website, "The Power of America's Example: The Biden Plan for Leading the Democratic World to Meet the Challenges of the 21st Century," accessed at https://joebiden.com/americanleadership/.

[217] Department of State, "U.S. Decision to Reengage with the UN Human Rights Council," press statement, February 8, 2021; "Putting Human Rights at the Center of U.S. Foreign Policy," press statement, February 24, 2021.

allies have notably begun to take action in this area, with Canada and the United Kingdom in January 2021 simultaneously announcing measures, some similar to prior U.S. actions, aimed at preventing the complicity of businesses in repression in Xinjiang.[218] In addition, numerous countries have introduced new global human rights sanctions regimes in recent years that are similar to the U.S. Global Magnitsky law, potentially portending coordinated pressure on China.[219] Toward that end, on March 22, 2021, the United States, Canada, the United Kingdom, and the EU announced sanctions against certain PRC officials in Xinjiang.[220] The same day, Secretary of State Blinken and the foreign ministers of these governments, as well as those of Australia and New Zealand, released a joint statement expressing "deep and ongoing concern regarding China's human rights violations and abuses in Xinjiang."[221] Among legislatures, the Inter-Parliamentary Alliance on China (IPAC), established in June 2020, provides a new platform for international coordination on human rights and other issues.

[218] United Kingdom Foreign, Commonwealth and Development office, "UK Government announces business measures over Xinjiang human rights abuses," January 12, 2020; Global Affairs Canada, "Canada announces new measures to address human rights abuses in Xinjiang, China," January 12, 2020.

[219] Human Rights First, "Human Rights First Urges Canada, U.K., to Join Global Magnitsky Sanctions Against Chinese Officials Responsible for Violating the Rights of Uyghurs," August 18, 2020.

[220] Emily Rauhala, "U.S., E.U., Canada and Britain announce sanctions on China over the abuse of Uyghurs," *Washington Post*, March 22, 2021.

[221] U.S. Department of State, "Joint Statement on Xinjiang," media note, March 22, 2021.

Appendix. Additional Information on Sanctions

Table A-1. PRC Individuals Publicly Sanctioned in Relation to Human Rights in China by Sanctions Authority (not including Hong Kong)

Individual	Position	Global Magnitsky	SFOPS 7031(c)
Chen Quanguo	XUAR Party Secretary	x	x
Zhu Hailun	Party Secretary of the Xinjiang Political and Legal Committee and former XUAR Deputy Party Secretary	x	x
Wang Mingshan	Director and Party Secretary of the Xinjiang Public Security Bureau (XPSB)	x	x
Huo Liujun	Former Party Secretary of the XPSB	x	
Peng Jiarui	Deputy Party Secretary and Commander of the Xinjiang Production and Construction Corps (XPCC)	x	
Sun Jinlong	Former Political Commissar of the XPCC	x	
Wang Junzheng	Secretary of the Party Committee of the XPCC	x	
Chen Mingguo	Director of the XPSB	x	
Gao Yan	Former Director of Beijing Public Security Bureau Chaoyang Branch	x	
Huang Yuanxiong	Chief of the Xiamen Public Security Bureau Wucun Police Station		x

Source: U.S. Department of State and U.S. Department of the Treasury press releases and notices.

Notes: As explained above, the U.S. government has not made public all the PRC nationals it has subjected to sanctions on human rights grounds.

Table A-2. PRC Entities Sanctioned or Affected by Export or Import Restrictions Due to Human Rights/Forced Labor in China

Entity	Global Magnitsky	BIS Entity List	WROs, 2018-present and affected merchandise
AGCU Scientech		12/22/2020	
Aksu Huafu Textiles Co.		6/5/2020	
Beijing Liuhe BGI		7/22/2020	
Changji Esquel Textile Co. Ltd.		7/22/2020	
China National Scientific Instruments and Materials		12/22/2020	
Cloudwalk Technology		6/5/2020	
Dahua Technology		10/9/2019	
DJI		12/22/2020	
FiberHome Technologies Group		6/5/2020	
Hefei Bitland Information Technology Co. Ltd.		7/22/2020	9/8/2020—Computer parts
Hefei Meiling Co. Ltd.		7/22/2020	
Hero Vast Group			8/11/2020—Garments
Hetian Haolin Hair Accessories Co., Ltd.		7/22/2020	5/1/2020—Hair products
Hetian Taida Apparel Co., Ltd.		7/22/2020	9/30/2019—Garments
Hikvision		10/9/2019	
Huizhou Mink Industrial Co. Ltd.			3/5/2018—Toys
IFLYTEK		10/9/2019	
Intellifusion		6/5/2020	
Kuang-Chi Group		12/22/2020	
KTK Group		7/22/2020	
Lop County Hair Product Industrial Park			8/25/2020—Hair products
Lop County Meixin Hair Products Co., Ltd.			6/17/2020—Hair Products
Lop County No. 4 Vocational Skills Education and Training Center			8/25/2020—All products
Institute of Forensic Science of China (Ministry of Public Security)		6/5/2020	
IS'Vision		6/5/2020	
Megvii Technology		10/9/2019	
Nanchang O-Film Tech		7/22/2020	
Nanjing FiberHome Starrysky Communication Development Co.		6/5/2020	
Nanjing Synergy Textiles Co. Ltd.		7/22/2020	
NetPosa		6/5/2020	

Entity	Global Magnitsky	BIS Entity List	WROs, 2018-present and affected merchandise
SenseNets		6/5/2020	
SenseTime		10/9/2019	
Tanyuan Technology Co. Ltd.		7/22/2020	
Xiamen Meiya Pico Information Co. Ltd.		10/9/2019	
Yili Zhuowan Garment Manufacturing Co., Ltd. and Baoding LYSZD Trade and Business Co., Ltd.			9/3/2020—Apparel
Yitu Technologies		10/9/2019	
Yixin Science and Technology Co. Ltd.		10/9/2019	
Xinjiang Junggar Cotton and Linen Co., Ltd.			9/8/2020—Cotton and processed cotton
Xinjiang Silk Road BGI		7/22/2020	
Xinjiang Public Security Bureau and subordinate public security bureaus[a]	7/9/2020	10/9/2019	
Xinjiang Police College		10/9/2019	
Xinjiang Production and Construction Corps (XPCC)	7/31/2020		11/30/2020—Cotton and cotton products
XUAR Region-wide			1/13/2021—Cotton, tomatoes, and downstream products

Source: U.S. Department of the Treasury, U.S. Department of Commerce, and U.S. Customs and Border Protection press releases and notices.

a. The Department of the Treasury's Global Magnitsky designation named the Xinjiang Public Security Bureau, while the Department of Commerce specified the Xinjiang Public Security Bureau and 18 subordinate public security bureaus for inclusion on the Entity List. Entity names are as indicated in the relevant press release/notice. Excludes Hong Kong entities. WROs listed are those issued since 2018, and dates are as indicated on CBP's "Withhold Release Orders and Findings" web page, which may differ from press announcement dates; some prior WROs affecting other PRC entities and products also remain active

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