

China

The broad and sustained offensive on human rights that started after President Xi Jinping took power five years ago showed no sign of abating in 2017. The death of Nobel Peace Prize laureate Liu Xiaobo in a hospital under heavy guard in July highlighted the Chinese government's deepening contempt for rights. The near future for human rights appears grim, especially as Xi is expected to remain in power at least until 2022. Foreign governments did little in 2017 to push back against China's worsening rights record at home and abroad.

The Chinese government, which already oversees one of the strictest online censorship regimes in the world, limited the provision of censorship circumvention tools and strengthened ideological control over education and mass media in 2017. Schools and state media incessantly tout the supremacy of the Chinese Communist Party, and, increasingly, of President Xi Jinping as "core" leader.

Authorities subjected more human rights defenders—including foreigners—to show trials in 2017, airing excerpted forced confessions and court trials on state television and social media. Police ensured the detainees' compliance by torturing some of them, denying them access to lawyers of their choice, and holding them incommunicado for months.

In Xinjiang, a nominally autonomous region with 11 million Turkic Muslim Uyghurs, authorities stepped up mass surveillance and the security presence despite the lack of evidence demonstrating an organized threat. They also adopted new policies denying Uyghurs cultural and religious rights.

Hong Kong's human rights record took a dark turn. Hong Kong courts disqualified four pro-democracy lawmakers in July and jailed three prominent pro-democracy student leaders in August.

China's growing global influence means many of its rights violations now have international implications. In April, security officials at the United Nations headquarters in New York City ejected from the premises Dolkun Isa, an ethnic Uyghur rights activist, who was accredited as a nongovernmental organization (NGO) participant to a forum there; no explanation was provided.

In June, the European Union failed for the first time ever to deliver a statement under a standing agenda item at the UN Human Rights Council (UNHRC) regarding country situations requiring the council's attention. This stemmed from Greece blocking the necessary EU consensus for such an intervention due to its unwillingness to criticize human rights violations in China, with which it has substantial trade ties. Chinese officials continued throughout the year to pressure governments around the world to forcibly return allegedly corrupt mainland officials despite a lack of legal protections in China or refugee status determination procedures outside China.

Despite the high costs, many in China continued to fight for rights and justice in 2017. Activists, including those working on women's, disability, and lesbian, gay, bisexual, and transgender (LGBT) rights, continued to take cases to court to seek limited redress and raise awareness. In a small but significant step, in July a court in Henan province ruled against a public hospital for forcing a gay man to undergo discriminatory "conversion therapy." In its narrow ruling, the court found that admitting the plaintiff to the hospital against his will violated his rights.

Human Rights Defenders

The death of Nobel Peace Prize laureate Liu Xiaobo in 2017 laid bare authorities' ruthlessness towards peaceful proponents of human rights and democracy. In July, after serving nearly nine years of his 11-year prison sentence for "inciting subversion," Liu Xiaobo died from cancer in a Shenyang hospital, heavily guarded by state security. During his hospitalization, authorities isolated Liu and his wife, Liu Xia, from family and supporters, and denied Liu's request to seek treatment outside the country. Since Liu's death, authorities have forcibly disappeared Liu Xia. The government also harassed and detained a group of Liu's supporters for commemorating his death.

In 2017, authorities continued politically motivated prosecutions of human rights activists and lawyers who were rounded up in a nationwide crackdown that began in July 2015. Lawyer Wang Quanzhang and activist Wu Gan remained in police custody, awaiting trial or verdict on baseless charges. In November, lawyer Jiang Tianyong was sentenced to two years in prison on charges of “inciting subversion of state power.”

A number of those caught in the “709 crackdown” were freed, but they continue to be closely monitored and isolated from friends and colleagues; some revealed that they were tortured and forced to confess while in detention. Authorities also continued to harass and intimidate the lawyers who represent the detainees, ordering them not to speak to media and disbarring several after giving them failing marks in China’s annual lawyers’ evaluation.

In March, a court in Guangdong province, in separate trials, convicted women’s rights activist Su Changlan and online political commentator Chen Qitang on baseless charges of “inciting subversion” and sentenced them to prison terms of three years and four-and-a-half years, respectively. Su was released in October after serving her sentence. Her health deteriorated sharply while in detention due to inadequate medical care and poor conditions in detention. In March, a Sichuan court sentenced artist Chen Yunfei to four years in prison on charges of “picking quarrels and provoking trouble” in connection with his activities commemorating the 1989 Tiananmen Massacre.

The government also tried to eliminate the country’s few independent human rights news websites by jailing their founders. In August, a Yunnan court sentenced citizen journalist and protest chronicler Lu Yuyu to four years in prison on charges of “picking quarrels and provoking trouble.” Also in August, authorities charged Liu Feiyue, founder of the website Civil Rights and Livelihood Watch (民生观察) with “leaking state secrets” and “inciting subversion of state power.” Liu could face life imprisonment if convicted. Veteran activist and founder of the human rights website 64 Tianwang, Huang Qi, suffers from kidney disease and has been denied adequate medical care since his detention in November 2016.

In August, prominent rights lawyer and activist Gao Zhisheng disappeared from his home in Shaanxi province. Authorities subsequently informed Gao's family that he had been taken into police custody.

China continues to detain non-citizens for promoting human rights in China. In March, Guangdong authorities arbitrarily detained Taiwan democracy activist Lee Ming-che. After holding him incommunicado for six months, denying him access to family, a court in Hunan province sentenced Lee to five years in prison for "subverting state power." Mainland activist Peng Yuhua, who was tried alongside Lee, was given a seven-year sentence on the same charge.

Freedom of Expression

Authorities adopted new measures to limit access to circumvention tools that allow netizens to scale the Great Firewall to access the uncensored global internet. In January 2017, the Ministry of Industry and Information Technology issued regulations making it unlawful to provide circumvention tools without the ministry's pre-approval.

In March, Chongqing authorities made public a regulation that bans unauthorized use of internet circumvention tools in the city. Anyone—from individuals to companies—who does so would be ordered to disconnect and receive a warning. The regulation was unprecedented in banning all use of these tools. The same month a Guangdong court sentenced Deng Jiwei to nine months in jail for illegally selling virtual private networks, or VPNs, which protect user privacy by shielding browsing activities from service providers or state surveillance.

In July, Apple removed dozens of VPNs from its App store in China, citing compliance with government regulations. In August, the Cyberspace Administration of China (CAC) ordered five websites, including shopping giant Alibaba, to remove vendors that offered access to VPNs. In September, police detained Zhen Jianguhua, activist and founder of a website that teaches people how to circumvent internet censorship, on suspicion of "inciting subversion." In November, in a letter to two US senators, Apple confirmed that it had removed 674 VPNs from its App store in China this year, citing compliance with government regulations.

Authorities further tightened screws on social media. In June, they shut down dozens of entertainment news and celebrity gossip social media accounts after calling on internet companies to “actively promote socialist core values” and stop the spread of “vulgar ... sentiments.” In August, the CAC announced additional new regulations on the requirement of real-name registration. In September Weibo barred users who had not registered with their real names from posting messages on their own microblogs or comment on others.

In September, the CAC promulgated measures to make creators of online chat groups such as those on QQ and Wechat liable for information other users shared in the groups. The rules also require the service providers to establish credit rating systems for chat group users. Those who violate Chinese laws and regulations will have their credit scores lowered.

In September, Beijing police arrested Liu Pengfei, the creator of a WeChat group that had discussed political and social issues.

Authorities continued their assault on academic freedom. In January, Sun Yat-sen University in Guangzhou banned staff from criticizing the Communist Party. In June, the Central Commission for Discipline Inspection, the party’s disciplinary body, issued a report accusing 14 top universities of ideological infractions after a months-long investigation. Several professors were fired for speaking critically of the Chinese government on social media. In August, Shi Jiepeng, a professor of classical Chinese at Beijing Normal University, was sacked for “improper comments”; Shi had called Mao Zedong a “devil.”

In August, Cambridge University Press admitted it had blocked access in China to more than 300 articles published in its journal *China Quarterly*, following orders from the Chinese government. The international backlash against the decision compelled the publishing house to restore the articles. In November, Springer Nature pulled access to over 1,000 articles in China. The publisher said the decision was to comply with Chinese regulations.

In March, authorities issued new measures to reduce the number of foreign children’s titles published in Chinese. In August, the Ministry of Education issued new national editions of primary and middle school liberal arts textbooks, with added emphasis on traditional culture and “core socialist values.”

Gui Minhai, a Swedish national and publisher of books critical of the Chinese leadership, was abducted in Thailand in October 2015. After holding Gui for two years in secret detention in China, the Chinese government in October told Swedish diplomats that Gui had been “released.”

Hong Kong

Civil liberties in Hong Kong are increasingly being undermined by the growing interference of the central government, 20 years after the city returned to Chinese sovereignty in 1997.

Opposition political parties and their supporters faced greater harassment from authorities. In April, the Companies Registry rejected the application of the Hong Kong National Party on grounds that the promotion of “Hong Kong independence is against the Basic Law.” During President Xi’s visit to Hong Kong, local and mainland police followed, harassed, and arrested some peaceful pro-democracy protesters.

In April, Hong Kong police arrested 11 pro-democracy advocates on charges including “unlawful assembly” and “obstructing police.” The charges stem from the advocates’ protest against a decision by China’s top legislative body forcing Hong Kong courts to disqualify two pro-independence legislators. In July, a Hong Kong court disqualified four more pro-democracy lawmakers for modifying their oaths swearing allegiance to China in a 2016 ceremony.

In March, two mainland government advisers said the central government will rely more on “legal means”—suggesting manipulation of the territory’s legal system—to strengthen central control. In April, the chief of legal affairs at the China Liaison Office in Hong Kong said the “one country, two systems” principle could be abolished altogether if the city “fails to actively defend the sovereignty” of China. In June mainland officials declared that the Sino-British Joint Declaration, which states that Hong Kong enjoys “a high degree of autonomy” except in foreign affairs and defense, “no longer has any realistic meaning.”

In August, a Hong Kong appeals court sentenced pro-democracy student leaders Alex Chow, Nathan Law, and Joshua Wong to six to eight months in prison. The three had earlier been convicted of crimes related to “unlawful assembly” for peaceful protests at the time

of the 2014 Umbrella Movement, and were given community sentences by a lower court. In a politically motivated move, the secretary of justice, a political appointee, sought a harsher prison sentence for the trio.

Also in August, the same court convicted 13 defendants of unlawful assembly for another anti-government protest in 2014. The 13, who had previously been sentenced to community service, were given prison terms of between 8 and 13 months after the Justice Department sought a review of their sentences. In October, the Court of Final Appeal released Chow, Law, and Wong on bail, pending appeal.

Xinjiang

The Chinese government has long conflated peaceful activism with violence in Xinjiang, and has treated many expressions of Uyghur identity, including language and religion, as threatening. Uyghur opposition to government policies has been expressed in peaceful protests but also through violent attacks. However, details about protests and violence are scant, as authorities severely curtail independent reporting in the region.

In 2017, the Chinese government continued its 2014 “strike-hard” campaign in Xinjiang, which vowed to adopt “unconventional tactics” in countering terrorism. After Party Secretary Chen Quanguo was transferred from Tibet to Xinjiang in August 2016, the Xinjiang regional government expanded its already pervasive security measures by hiring thousands more security personnel. In July, authorities forced residents in a district of Urumqi, the capital city of Xinjiang, to install surveillance apps on their mobile phones. In 2017, the Xinjiang government also waged a campaign against “two faced” Uyghur cadres thought to oppose the party’s stance on Uyghurs. In April, 97 officials in Hotan prefecture were reprimanded.

Authorities increasingly restricted and punished Uyghurs’ foreign ties. Since October 2016, authorities have arbitrarily recalled passports from residents of Xinjiang. Since about April, 2017 authorities have arbitrarily detained thousands of Uyghurs and other Muslims in centers where they were forced to undergo “patriotic education.”

Authorities also ordered Uyghur students studying abroad, including in Egypt, to return to Xinjiang; and in July, Egyptian authorities rounded up those who had failed to return, possibly at China's behest. By September, about 20 Uyghurs were forcibly repatriated to Xinjiang while 12 were released. Some of those who returned were detained; a Xinjiang court sentenced Islamic scholar Hebibulla Tohti to 10 years in prison after he returned with a doctorate degree from Egypt's Al-Azhar University.

In February, a video believed to be released by the extremist group Islamic State (also known as ISIS) showed Uyghur fighters who pledged to return to China and “shed blood like rivers”—the first reported direct threat by the group against Chinese targets. A 2016 study reported that at least 114 Uyghurs had joined ISIS, but estimates vary widely and the level of participation remains unconfirmed.

In April, the Xinjiang Counter-Extremism Regulations, which prohibit the wearing of “abnormal” beards or veils in public places, became effective. Also in April, Xinjiang authorities issued a new rule banning parents from naming children with dozens of names with religious connotations, such as Saddam and Medina, on the basis that they could “exaggerate religious fervor.”

Tibet

Authorities in Tibetan areas continue to severely restrict religious freedom, speech, movement, and assembly, and fail to redress popular concerns about mining and land grabs by local officials, which often involve intimidation and arbitrary violence by security forces. In 2017, officials intensified surveillance of online and phone communications.

Six UN special rapporteurs sent a communication to the government of China expressing concern about the late 2016 mass expulsion of monastics (monks and nuns) and demolition of living quarters at the Larung Gar monastery in Kandze, Sichuan. Similar expulsions and demolitions were reported at the Yachen Gar monastery in Kandze in August 2017.

Several thousand Tibetans traveling on Chinese passports to India for a January 2017 teaching by the Dalai Lama were forced to return early when officials in Tibetan areas

attempted to confiscate passports, threatening retaliation against those travelling abroad and their family members back home.

In June, residents of Palyul county, Sichuan, demonstrated against land grabs; in July and August, Qinghai residents peacefully protested against several official policies. One solo protest in central Lhasa on June 23 ended in the protester's suicide. Between October 2016 and March 2017, there were at least six protests in Ngaba, Sichuan, alone, but details are scant due to extreme surveillance and intimidation.

Tibetans continue to self-immolate to protest Chinese policies. At time of writing, four had done so in 2017.

Freedom of Religion

The government restricts religious practice to five officially recognized religions in officially approved religious premises. Authorities retain control over religious bodies' personnel appointments, publications, finances, and seminary applications. The government classifies many religious groups outside its control as "evil cults," and subjects members to police harassment, torture, arbitrary detention, and imprisonment.

In February 2017, Beijing police detained Sun Qian, a businesswoman and Canadian citizen, on suspicion of "using cults to sabotage law enforcement." Sun is a follower of the Falun Gong, a meditation-focused spiritual group banned since 1999. Sun was reportedly pepper-sprayed, put in handcuffs attached to foot shackles, and deprived of sleep.

In May, authorities detained Shao Zhumin, a Catholic bishop of an underground church in Wenzhou, Zhejiang province. Shao's church had refused to join the state-affiliated Chinese Catholic Patriotic Association. Beijing and the Vatican have continued negotiations on the normalization of diplomatic ties, but the dialogue remains strained by disputes over who has authority to appoint bishops in the country.

In September, China passed revisions to the 2005 Regulations on Religious Affairs. The document, which comes into effect in February 2018, introduces new restrictions designed to "curb extremism" and "resist infiltration," including banning unauthorized teaching

about religion and going abroad to take part in training or meetings. Donations from foreign groups or individuals that are over 100,000 RMB (US\$15,000) are also prohibited. The new rules also expand the role of local authorities in controlling religious activities.

Authorities in Yunnan province charged more than a dozen Christians in 2017 with “using cults to sabotage law enforcement.” In October, at least three of the charged were given prison sentences of four years. One of their lawyers said the arrests were due to the group not gathering at officially designated churches.

Women’s and Girls’ Rights

According to a report by World Economic Forum, China ranked 100th out of 144 countries for gender parity in 2017, falling for the ninth consecutive year since 2008, when it ranked 57th. The Party Congress, concluded in October, was marked by a striking absence of women in top political posts. Women and girls in China continue to confront sexual abuse and harassment, employment discrimination, and domestic violence.

The Chinese government remains hostile to women’s rights activism. In February, internet company Sina suspended the microblog of Women’s Voices, run by outspoken feminists, for 30 days. Between May and June, Guangzhou police forced five activists from their homes in retaliation for their campaign to raise awareness about sexual harassment on public transportation. In September, authorities finally lifted a 10-year travel ban on activist Wu Rongrong, enabling her to travel to Hong Kong for studies.

Disability Rights

China ratified the Convention on the Rights of Persons with Disabilities in 2008. However, persons with disabilities continue to face discrimination in areas including education and employment.

In February, authorities released long-awaited Regulations of Education of Persons with Disabilities to replace out-of-date 1994 regulations. While the new regulations have some positive aspects, they do not go far enough in removing discriminatory obstacles that prevent many children with disabilities from being placed in mainstream schools. They require that students with disabilities be evaluated by a quasi-governmental expert

committee and placed according to their “physical conditions and ability to be educated and adapt to [mainstream] schools.” Preventing children with disabilities from attending mainstream schools, or failing to provide them with support needed to attend such schools, is itself a violation of the CRPD.

In March, state press reported the death of a 15-year-old with autism in a Guangdong “care center” for the homeless, focusing attention on neglect in these facilities.

In a welcome move in April, the Ministry of Education issued a new rule to accommodate students with disabilities in college entrance exams, known as gaokao. While a 2014 decision already required schools to provide people with visual impairments access to braille or electronic paper in gaokao exams, the new rule provides more details on implementation and includes accommodation for people with other disabilities, including for deaf students.

Sexual Orientation and Gender Identity

While China de-criminalized homosexuality in 1997, it lacks laws protecting people from discrimination on the basis of sexual orientation or gender identity, and same-sex partnership is not legal.

In May, Chinese authorities shut down a popular dating app for lesbians. In June, the government banned “abnormal sexual lifestyles,” including homosexuality, from online video programs. In July, authorities forced the LGBT group Speak Out to cancel a conference in Chengdu. An earlier Speak Out event scheduled for May in Xi’an was also cancelled after police briefly detained the organizers and told them that LGBT events were “not welcome” in the city.

Refugees and Asylum Seekers

Beijing also appeared to step up its campaign to forcibly return North Korean refugees and asylum seekers in 2017: between July and August, 41 people were detained; 51 had been detained in all of 2016.

Key International Actors

While the European Parliament, United States Congress, the UN High Commissioner for Human Rights, and individual members of governments and parliaments publicly expressed some concern about the deteriorating human rights situation in China in 2017, the response of “like-minded” governments to negative developments, such as jail sentences for peaceful protestors in Hong Kong, was even more muted than in previous years. Although the United States delivered a joint statement on behalf of a dozen countries at the March 2016 session of the UNHRC expressing concern at human rights violations in China, it did not present a follow-up joint statement at any of the council’s 2017 sessions.

In January 2017, UN Secretary-General Antonio Guterres introduced President Xi at an event closed to civil society at the Palais des Nations in Geneva. Guterres made no reference to China’s deteriorating human rights environment or to human rights as a pillar of UN work.

At a summit in Brussels on June 1-2, the EU Council and Commission presidents publicly “expressed concern” about human rights abuses in China, but did not call for the release of political prisoners, including EU citizens, or the repeal of abusive laws. The EU did raise concerns about China at the UNHRC in September.

In June, German Chancellor Angela Merkel publicly challenged Chinese authorities to fulfill their commitments to register German NGOs under China’s new Foreign NGO Management Law, which went into effect in 2017.

Also in June, Italian police briefly detained and later released Dolkun Isa, a prominent Uyghur activist and German citizen, as he tried to enter the Italian Senate, where he had been invited to speak. Italian authorities refused to clarify whether China had requested Isa’s detention.

Australia failed to ratify an extradition treaty with China after protests from Australian politicians arguing Australia should not send people to China because the country’s judicial system is plagued with human rights abuses.

Businessmen linked to China's government have made significant foreign donations to political parties in Australia, raising concerns about Chinese attempts to influence Australian policy. An Australian parliamentary inquiry in March called for a ban on political donations from foreign sources, and the government ordered a review of espionage laws.

In July, the United States issued several statements condemning China's failure to allow Liu Xiaobo the freedom to seek medical treatment wherever he chose. Yet within hours of Liu's death US President Donald Trump referred to President Xi as a "terrific guy" and "a great leader."

Foreign Policy

In May, China hosted its largest-ever gathering for the "One Belt, One Road" (OBOR) initiative, a development program spanning 65 countries that China says will involve investments of more than \$1 trillion. Many participating states have a history of countenancing serious human rights violations in major development and infrastructure projects.

Key international financial institutions, including the Asian Development Bank, the Asian Infrastructure Investment Bank, and the World Bank, have not taken adequate steps to ensure that they place strong human rights conditions on any participation in OBOR-related projects.

At the UN Security Council, China joined Russia in February in a double veto of a resolution that would have imposed sanctions related to use of chemical weapons in Syria. In September, the council held closed-door discussions on Burmese military atrocities against Burma's Rohingya Muslim minority; diplomats said China opposed language recognizing the right of return of the more than 630,000 Rohingya refugees who fled to Bangladesh. While senior UN officials described the military campaign as "ethnic cleansing," Chinese state media endorsed it as a firm response to "Islamic terrorists."