Freedom House

FREEDOM IN THE WORLD 2021

China

NOT FREE

9 /100

Political Rights	**-2** /40
Civil Liberties	**11** /60

LAST YEAR'S SCORE & STATUS

10 /100 **Not Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.

Note

The numerical scores and status listed above do not reflect conditions in Hong Kong or Tibet, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology and FAQ.

Overview

China's authoritarian regime has become increasingly repressive in recent years. The ruling Chinese Communist Party (CCP) is tightening its control over the state bureaucracy, the media, online speech, religious groups, universities, businesses, and civil society associations, and it has undermined its own already modest rule-of-law reforms. The CCP leader and state president, Xi Jinping, has consolidated personal power to a degree not seen in China for decades, but his actions have also triggered rising discontent among elites within and outside the party. The country's human rights movements continue to seek avenues for protecting basic liberties despite a multiyear crackdown.

Key Developments in 2020

- The outbreak of COVID-19 at the beginning of the year provided justification for the acceleration of existing programs to track, surveil, and control the behavior of citizens through new mobile-phone applications and other technologies. Using draconian methods, the government was largely successful in containing the virus after the initial outbreak in Hubei Province, with fewer than 4,800 deaths reported by the World Health Organization at year's end. However, the CCP leadership worked to suppress independent sources of information and criticism about its early cover-up and mishandling of the contagion, punishing

whistleblowers and citizen journalists and promoting disinformation that deflected blame for the pandemic to other countries.

- Throughout the year, the government pushed ahead with repressive programs aimed at changing demographics and ensuring "social stability" in ethnic minority areas, particularly Xinjiang, Tibet, and Inner Mongolia. New evidence indicated the massive scale of projects involving the forced relocation of rural residents, the forced sterilization of Uighur women, the mass detention of Uighurs in "political reeducation" centers, and the imprisonment of tens of thousands of others by the courts. Credible reports of abuse and deaths in custody also emerged during the year.
- In August, ethnic Mongolian students, parents, teachers, and administrators mounted strikes and demonstrations to protest a required reduction in the use of Mongolian as the language of instruction in the Inner Mongolia region. The government responded with mass arrests, enforced disappearances, termination of employment, expulsion of students, property confiscations, and the threat of long prison terms. The authorities used various forms of harassment and coercion to pressure parents to send their children back to school.
- The authorities continued a years-long crackdown on independent civil society, with new arrests and criminal prosecutions of journalists and activists, as well as onerous scrutiny of foreign nongovernmental organizations (NGOs). Authorities also increased restrictions on religious practice by Chinese Buddhists, Christians, and Muslims throughout China under 2018 regulations on religious affairs, and persecution of the banned spiritual movement Falun Gong continued unabated.
- The space for independent academic discussion and research reached new lows, with professors and students facing reprisals—in the form of censored writings, travel restrictions, demotions, arrests, or imprisonment—for expressing views that were deemed critical of CCP governance.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?	**0** / 4

There are no direct or competitive elections for national executive leaders. The National People's Congress (NPC) formally elects the state president for five-year terms and confirms the premier after he is nominated by the president, but both positions are decided in advance by the top CCP leadership and announced at the relevant party congress. The CCP's seven-member Politburo Standing Committee (PSC), headed by Xi Jinping in his role as the party's general secretary, sets government and party policy in practice. Xi also holds the position of state president and serves as chairman of the state and party military commissions.

Xi was awarded a second five-year term as CCP general secretary at the 19th Party Congress in October 2017, and at the NPC session in March 2018 he was confirmed for a second five-year term as state president. Also at that session, the NPC approved amendments to China's constitution that abolished the two-term limit for the state presidency and vice presidency. Combined with the absence of a designated successor for Xi on the new PSC, the move reinforced predictions that he planned to break with precedent and remain China's paramount leader for three or more terms.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	**0** / 4

The 3,000 NPC members are formally elected for five-year terms by subnational congresses, but in practice all candidates are vetted by the CCP. Only the NPC's standing committee meets regularly, with the full congress convening for just two weeks a year to approve proposed legislation; party organs and the State Council, or

cabinet, effectively control lawmaking decisions. The current NPC was seated in March 2018.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	**0** / 4

Political positions are directly elected only at the lowest levels. Independent candidates who obtain the signatures of 10 supporters are by law allowed to run for seats in the county-level people's congresses, and elections for village committees are also supposed to give residents the chance to choose their representatives. In practice, however, independent candidates for these posts are often kept off the ballot or out of office through intimidation, harassment, fraud, and in some cases detention. Only a very small number of independent candidates have gained office in elections, though some attempt to do so in each election cycle.

Elections are not administered by an independent body. The indirect elections that populate people's congresses at various levels are conducted by those congresses' standing committees, while village-level elections are conducted by a village electoral committee that answers to the local party committee.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	**0** / 4

The CCP seeks to monopolize all forms of political organization and does not permit any meaningful political competition. Eight small noncommunist parties are allowed to play a minor role in China's political system, and are represented on the Chinese People's Political Consultative Conference (CPPCC), an official advisory body. However, their activities are tightly circumscribed, and they must accept the CCP's leadership as a condition for their existence.

Citizens who seek to establish genuinely independent political parties or otherwise advocate for democracy are harshly punished. In 2020, the authorities continued to round up and punish prodemocracy activists and lawyers who had attended an informal gathering in Xiamen, Fujian Province, in late December 2019. One attendee, New Citizens' Movement founder and legal activist Xu Zhiyong, was detained in February after weeks in hiding; he was formally arrested in June on charges of "inciting subversion of state power," which can carry a prison term of 15 years. He remained in incommunicado detention at year's end.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	**0** / 4

China's one-party system rigorously suppresses the development of any organized political opposition, and the CCP has ruled without interruption since winning a civil war against the Nationalist Party (Kuomintang) in 1949. While factions within the CCP have always existed, they do not compete openly or democratically, and they remain unaccountable to the public. Xi Jinping has steadily increased his personal power and authority within the party since 2012. He exercises direct supervision over a variety of policy areas; his official contributions to party ideology were formally added to the CCP and national constitutions in 2017 and 2018, respectively; and the CCP Central Committee's plenary meeting in 2019 reaffirmed the primacy of "Xi Jinping Thought."

The government's initial cover-up and mishandling of the COVID-19 outbreak led to criticism of Xi's leadership, including from some within the CCP, but these voices were quickly silenced. Ren Zhiqiang, an influential party figure and businessman, went

missing in March 2020 after publishing an essay that sharply critiqued Xi's management of the crisis; it was later announced that he had been expelled from the CCP, and he was sentenced in September to 18 years in prison on charges of corruption and embezzlement.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	**0** / 4

The authoritarian CCP is not accountable to voters and denies the public any meaningful influence or participation in political affairs. Among other coercive methods of suppressing independent political engagement, in 2020 the authorities continued their heavy reliance on plainclothes personnel, rather than uniformed police officers, to intimidate and harass activists and subject them to extrajudicial detention.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?	**0** / 4

The political system is dominated in practice by ethnic Han Chinese men. Societal groups such as women, ethnic and religious minorities, and LGBT+ people have no opportunity to gain meaningful political representation and—as with the rest of the population—are barred from advancing their interests outside the formal structures controlled by the CCP. Nominal representatives of ethnic minority groups such as Tibetans, Uighurs, and Mongolians participate in party and state bodies like the NPC, but their role is largely symbolic. Women are severely underrepresented in top CCP and government positions, and the situation has grown slightly worse in recent years. Just one woman was named to the 25-member Politburo at the 19th Party Congress in 2017, down from the previous two. No woman has ever sat on the PSC.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	**0** / 4

None of China's national leaders are freely elected, and the legislature plays a minimal role in policymaking and the development of new laws. The continuing concentration of power in Xi Jinping's hands, an emerging cult of personality, and Xi's calls for greater ideological conformity and party supremacy have further reduced the limited space for policy debate even within the CCP.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	**1** / 4

Since becoming CCP leader in 2012, Xi has pursued an extensive anticorruption campaign. Well over a million officials have been investigated and punished, according to official figures, including senior state and party officials from the security apparatus, the military, the Foreign Ministry, state-owned enterprises, and state media. The campaign continued during 2020.

The anticorruption effort has generated a chilling effect among officials and reduced ostentatious displays of wealth, but corruption is believed to remain extensive at all levels of government. Moreover, the initiative has been heavily politicized, as many of the elites targeted were seen as Xi's former or potential rivals, and a 2017 change to party regulations shifted the focus of disciplinary inspections to enforcing party ideology and loyalty.

The authorities have failed to adopt basic reforms that would address corruption more comprehensively, such as requiring officials to publicly disclose their assets, creating genuinely independent oversight bodies, and allowing independent media,

courts, and civic activists to function as watchdogs. Instead, in 2018 the NPC established the highly centralized and powerful National Supervisory Commission (NSC), which merged the anticorruption functions of various state and party entities and is tasked with enforcing political and ideological discipline in addition to compliance with the law.

C3 0-4 pts

Does the government operate with openness and transparency?	**0** / 4

The Chinese government and the CCP are notoriously opaque. Since open-government regulations took effect in 2008, more official documents and information have been made available to the public and posted on official websites. However, resistance on the part of government organs to providing specific information requested by citizens has undercut the impact of the measures, and minimal budgetary information is made available to the public.

The scope for public input and consultation on laws and policies has narrowed further in recent years as many policy advocacy NGOs have been shut down and academics and intellectuals operate under intense pressure, including those working in areas that were previously not considered sensitive, such as the environment, public health, women's rights, and the economy.

At the outset of the COVID-19 pandemic in early 2020, authorities suppressed information about the disease and punished health professionals who tried to raise the alarm. Even after the full public health response was underway, officials continued to censor independent information, withhold or distort key data, and generally resist transparency, including on crucial issues like vaccine development. Meanwhile, state media promoted propaganda and disinformation about the pandemic, including conspiracy theories and suggestions that the virus had originated outside of China.

Score Change: The score declined from 1 to 0 due to a multiyear deterioration in the government's provision of information in the public interest, culminating in an

extensive censorship and disinformation campaign surrounding the COVID-19 pandemic.

Add Q

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?	**-3**

The government continued in 2020 to aggressively pursue policies—including large-scale resettlement, work-transfer programs, forced sterilizations, and mass internment—that are altering the demography of ethnic minority regions, especially Xinjiang, Tibet, and Inner Mongolia. Further evidence emerged during the year of the government's systematic program of forced sterilizations of Uighur and other Muslim women in Xinjiang, particularly those with two or more children. Official documents also state explicitly that violations of birth-control measures or having too many children are punishable by extrajudicial internment and fines, often the equivalent of several years' income for an average family. Birth-control violations were one of the top reasons Uighurs were sent to internment camps, in which an estimated 1.8 million Uighurs and other Muslims have been detained.

The government's program of relocating "surplus rural laborers" accelerated during the year. An official white paper released in September stated that 2.6 million individuals in Xinjiang had been relocated in the year prior to June 2020, and 1.8 million during the year prior to June 2019, primarily from poor rural areas in the region's south. While the government claims that the program is voluntary and beneficial to participants, the evidence suggests conditions tantamount to forced labor, with ethnic minorities housed separately in near prison-like environments, subjected to political indoctrination, and economically exploited.

The government also continued to implement policies meant to attract Han Chinese migrants to ethnic minority regions. Programs aimed at encouraging marriages between Han Chinese and ethnic minorities through financial and other incentives,

such as an advantage on the university entrance exam for children from such marriages, were expanded in 2020.

Other official policies effectively deprive ethnic minority communities of their right to access, enjoy, and pass down their distinct cultures, religions, and identities. New evidence uncovered in 2020 showed a rapid increase in the number of children in Xinjiang being held in state-run boarding schools and orphanages, many of whom have either one or both parents in detention; the number of boarding students at the primary and middle-school levels was reported to have reached 880,500 by the end of 2019. These institutions, many of which are surrounded by barbed-wire fencing and aim to be fully Chinese-language environments, expose Uighur and other Muslim children to intense political indoctrination without independent guidance from their families.

In Inner Mongolia, education officials announced in August that all primary and middle schools would have to use Chinese as the language of instruction for certain subjects, a decision that led to widespread protests—including class walkouts and boycotts—and a subsequent government crackdown. The authorities arrested or detained thousands of people, subjecting many others to enforced disappearances, house arrests, dismissal from employment, property confiscation, expulsions from school, and the threat of long prison terms.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	**0** / 4

China is home to one of the world's most restrictive media environments and its most sophisticated system of censorship, particularly online. The CCP maintains control over news reporting via direct ownership, accreditation of journalists, harsh penalties for comments critical of party leaders or the CCP, and daily directives to media outlets and websites that guide coverage of breaking news stories. State management of the telecommunications infrastructure enables the blocking of websites, removal of smartphone applications from the domestic market, and mass deletion of social media posts and user accounts that touch on banned political, social, economic, and religious topics. Thousands of websites have been blocked, many for years, including major news and social media hubs like the *New York Times*, YouTube, Twitter, and Facebook.

The government continues to exert control over apolitical spaces such as online music stores and platforms for live streaming, dating, celebrity gossip, and blockchain technology, in part by suspending or tightening scrutiny of features that enable real-time communication. The multipurpose social media tool WeChat increasingly employs artificial intelligence to scan and delete images that are deemed to include banned content.

According to the Committee to Protect Journalists (CPJ), 47 journalists were behind bars in connection with their work as of December 2020, although the actual number of people held for uncovering or sharing newsworthy information is much greater. In an unusually harsh penalty, journalist Chen Jieren was sentenced to 15 years in prison in April for publishing critical online material about the CCP, including allegations of official corruption in Hunan Province. Authorities expelled at least 17 foreign journalists during the year, many of whom had been reporting on sensitive topics. Chris Buckley of the *New York Times* was forced to leave in May after officials refused to renew his visa; he had been personally attacked by state media for his reporting on COVID-19.

Numerous citizen journalists were also detained, disappeared, and in some cases criminally charged for their reporting on the pandemic. In early 2020, security forces in Wuhan detained three citizen journalists—Fang Bin, Chen Qiushi and Li Zehua—who had filmed and uploaded videos of themselves from within the city during its

coronavirus lockdown; their videos ran counter to official narratives and were disseminated widely. Li and Chen were both later released, with Chen reportedly under tight surveillance at his parents' home in Shandong Province. Zhang Zhan, another citizen journalist and former human rights lawyer, was sentenced to four years in prison in December for "picking quarrels and stirring up trouble," after her videos from Wuhan highlighted government incompetence and lack of transparency. Separately, at least three people were detained in April for their involvement with the Terminus 2049 Project, a website that archives censored articles and information; documents and other information related to the pandemic had been stored on the site.

Despite the heavy restrictions on media freedom, Chinese journalists, grassroots activists, and internet users have continued to seek out and exploit new ways to expose official misconduct, access uncensored information, and share incisive political commentary, although they risk reprisals when doing so. Tens of millions of people use circumvention tools like virtual private networks (VPNs) to reach the uncensored global internet or accessed blocked overseas broadcasts via satellite. Those who illegally sell VPN services can be sentenced to prison, and individuals have faced fines simply for using a VPN to reach uncensored material.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	**0** / 4

The CCP regime has established a multifaceted apparatus to control all aspects of religious activity, including by vetting religious leaders for political reliability, placing limits on the number of new monastics or priests, and manipulating religious doctrine according to party priorities. The ability of believers to practice their faith varies dramatically based on religious affiliation, location, and registration status. Many do not necessarily feel constrained, particularly if they are Chinese Buddhists or Taoists. However, a 2017 Freedom House report found that at least 100 million believers belong to groups facing high or very high levels of religious persecution,

namely Protestant Christians, Tibetan Buddhists, Uighur Muslims, and Falun Gong practitioners.

The government continued to tighten control over religious communities and carry out demolitions of allegedly unauthorized places of worship in 2020, both during and after COVID-19 lockdowns. The online magazine *Bitter Winter* reported the destruction of hundreds of Buddhist and folk temples across rural China, including in Sichuan, Hebei, Henan, Zhejiang and Fujian Provinces. Persecution of unofficial Protestant groups also continued during the year. The police broke up the Easter Sunday service of the unregistered Early Rain Covenant Church in Chengdu, Sichuan Province, which was being held online due to the coronavirus. The service was shut down, and eight members were detained in raids on their homes. The church's pastor, Wang Yi, had been sentenced in 2019 to nine years in prison on charges of "inciting subversion of state power."

The Vatican and the Chinese government in October 2020 confirmed a two-year extension of their 2018 agreement on the selection of Roman Catholic bishops. The unpublished agreement reportedly allows the government to nominate bishops and the Vatican to exercise a veto. The status of some existing bishops recognized by the Vatican but not by the government remained unclear. Clergy who lack state recognition have complained of intimidation and pressure to sign registration forms.

In Xinjiang, intrusive restrictions on the practice of Islam affect the wearing of religious attire, attendance at mosques, fasting during Ramadan, choice of baby names, and other basic forms of religious expression. Many categories of individuals are barred from certain activities; for example, children under 18 cannot enter mosques or receive religious instruction. In 2020, authorities in the region reportedly prohibited recipients of state benefits from performing daily prayers. Peaceful religious practices are routinely punished under charges of "religious extremism," resulting in detention, prison sentences, and indoctrination for many Uighur, Kazakh, and Hui Muslims.

The regime's campaign to eradicate the Falun Gong spiritual group continued in 2020. Hundreds of Falun Gong practitioners have received long prison terms in

recent years, and many others are arbitrarily detained in various "legal education" facilities. Detainees typically face torture aimed at forcing them to abandon their beliefs, sometimes resulting in deaths in custody.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	0 / 4

Academic freedom is heavily restricted, and the space for academic discussion and research that departs from CCP guidelines has been reduced further in recent years, even regarding what were previously less sensitive topics, such as labor rights, constitutional law, or economics. Efforts to police classroom discussions have increased at all levels of education, including via installation of surveillance cameras in some classrooms, large-scale recruitment of student informants, and the creation of special departments to supervise the political thinking of teaching staff. The CCP controls the appointment of top university officials, and many scholars practice self-censorship to protect their careers and personal safety.

Political indoctrination, including the study of "Xi Jinping Thought," is a required component of the curriculum at all levels of education. Increased government funding to support research promoting party ideology has spurred the establishment of dozens of centers dedicated to "Xi Jinping Thought." Professors and students face reprisals—ranging from censored writings, travel restrictions, and demotions to arrest and imprisonment—for expressing views that are deemed critical of the CCP's governance and of Xi Jinping's slogans. In January 2020, the national teaching materials committee banned all foreign teaching materials for primary through secondary schools and required all materials to be submitted for political review in advance. A new directive published in April empowered the central government to review and approve for publication all academic research on the origins of the coronavirus. In August, Peking University issued new regulations requiring teachers and students to register and seek approval before participating in international online conferences.

A series of outspoken liberal academics have been harassed and persecuted by the authorities, especially since 2018. Tsinghua University law professor Xu Zhangrun was detained for a week in July 2020, with police reportedly accusing him of soliciting prostitutes. In 2019 Xu had been stripped of his teaching duties, placed under investigation, and subjected to a wage cut in connection with publications that criticized Xi Jinping's authoritarian policies and called for political reforms. Geng Xiaonan, a publisher, and her husband were detained in September and charged in October with "illegal business operations" after publicly expressing support for Xu.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	**1** / 4

The government's ability to monitor citizens' lives and communications has increased dramatically in recent years, inhibiting online and offline conversations. Social media applications like WeChat are known to closely monitor user discussions so as to conform with government content restrictions and surveillance requests. Surveillance cameras, increasingly augmented with facial-recognition software, cover many urban areas and public transportation, and are expanding into rural regions. The country's evolving Social Credit System rates citizens' trustworthiness based on a wide range of data, including financial records, purchasing behavior, video gaming habits, social acquaintances, and adherence to rules in public spaces. Devices used by police to quickly extract and scan data from smartphones, initially deployed in Xinjiang, have spread nationwide.

Databases with the personal details of certain categories of individuals—including users of drugs, petitioners, members of ethnic minorities, religious believers, foreigners, and migrant workers—have been purchased by police throughout the country. The 2017 Cybersecurity Law requires companies to store Chinese users' data in China and submit to potentially intrusive security reviews, and telecommunications companies are now required to obtain facial scans of new internet or mobile phone users as part of the real-name registration process.

In 2020, the authorities leveraged the COVID-19 pandemic to justify even more intrusive surveillance methods. Mandatory "health code" mobile apps were introduced as part of the government's effort to track and contain the spread of the virus; the apps monitored users' locations and interactions to determine their risk of infection, then limited their access to certain public spaces and services accordingly. Independent analysts found that the apps lacked privacy protections and in at least some cases shared data with police.

Electronic surveillance is supplemented with offline monitoring by neighborhood party committees, "public security volunteers" who are visible during large events, and an especially heavy police presence in places like Xinjiang. The ability of Uighurs and other Muslim minorities in Xinjiang to express themselves freely in private has been further undermined in recent years by a policy of having Chinese officials stay in their homes to monitor and indoctrinate them. In some cases male officials reside in close quarters with women and children whose adult male family members are in detention.

Court verdicts have cited private social media communications, public surveillance video, and personal meetings as evidence in cases where citizens were punished for expressing their views on political or religious topics. In addition to legal penalties, a growing number of internet users have faced account closures, job dismissals, and police interrogation because of politically sensitive or even humorous comments made on social media platforms.

The February 2020 death of Li Wenliang—one of several whistleblowing health professionals who shared warnings about the new coronavirus and were then detained by police—from COVID-19 led to an outpouring of public anger toward the authorities on social media, including widespread demands for freedom of speech. The government responded with censorship and arrests. One NGO documented 897 cases involving internet users who were punished for speech about the coronavirus between January 1 and March 26. The Ministry of Public Security reported on February 21 that police had handled 5,111 cases of "fabricating and deliberately disseminating false and harmful information."

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	**1** / 4

The constitution protects the right of citizens to demonstrate, but in practice protesters rarely obtain approval and risk punishment for assembling without permission. Spontaneous demonstrations have thus become a common form of protest. Some are met with police violence, and organizers often face reprisals, even in cases where local officials ultimately concede to protesters' demands. Armed police have been accused of opening fire during past protests in Xinjiang.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	**0** / 4

The ability of civil society organizations to engage in work related to human rights and governance is extremely constrained and has decreased under a 2017 law on foreign NGOs and 2016 legislation governing philanthropy, which significantly reduced civic groups' access to funding from foreign sources and increased supervision and funding from the government. The space for organizations to operate without formal registration, a previously common practice, has also diminished, although some continue to do so. Several prominent NGOs that focused on policy advocacy, including in less politically sensitive areas like public health or women's rights, have been shuttered in recent years under government pressure. Hundreds of thousands of NGOs are formally registered, but many operate more as government-sponsored entities and focus on service delivery. Government-sanctioned organizations dominated the charitable response to COVID-19 in 2020,

but many civic groups found ways to provide assistance despite the bureaucratic barriers, and the authorities eased restrictions slightly to facilitate such work.

The foreign NGO law that took effect in 2017 restricts the operations of foreign NGOs in China, requires them to find a Chinese sponsor entity and register with the Ministry of Public Security, and gives police the authority to search NGOs' premises without a warrant, seize property, detain personnel, and initiate criminal procedures. Hundreds of foreign NGOs have registered offices or temporary activities, though the vast majority are trade and agricultural associations, or groups involved in issues such as cultural exchange, public health, education, or the rights of people with disabilities. A list of sponsoring Chinese entities documented by the ChinaFile NGO Project indicated a heavy presence of state and CCP-affiliated organizations. The number of foreign NGOs that choose to deregister rather than attempt to comply with the law has increased each year since its adoption.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	**1** / 4

The only legal labor union organization is the government-controlled All-China Federation of Trade Unions (ACFTU), which has long been criticized for failing to properly defend workers' rights, but has reportedly become even less of an ally to workers in recent years.

The authorities continued to suppress labor activism in 2020. Several young activists were released during the year after pledging to abandon their efforts to help organize factory workers in Guangdong Province. They were among dozens involved in the unionization campaign who were detained in 2018 and 2019, and the workers' attempts to establish independent collective bargaining were eventually defeated.

Despite the constraints on union activity, strikes and labor protests continued to be reported across the country in 2020, particularly over wage arrears. Factory closures during the COVID-19 lockdown led to a smaller number of such incidents early in the

year, but the *China Labour Bulletin* documented some 500 incidents during the second half of the year, for a total of about 800.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	**1** / 4

The CCP dominates the judicial system, with courts at all levels supervised by party political-legal committees that have influence over the appointment of judges, court operations, and verdicts and sentences. CCP oversight is especially evident in politically sensitive cases, and most judges are CCP members. In 2019, the annual work report of Supreme People's Court president Zhou Qiang emphasized that judges should conform to CCP ideology and uphold the party's "absolute leadership" of the courts.

Incremental reforms aimed at improving judicial performance, while maintaining party supremacy, were introduced beginning in 2014. The changes focused on increasing transparency, professionalism, and autonomy from local authorities. Many judges complain about local officials interfering in cases to protect powerful litigants, support important industries, or avoid their own potential liability.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	**1** / 4

Reforms to the criminal justice system in recent decades have sought to guarantee better access to lawyers, allow witnesses to be cross-examined, and establish other safeguards to prevent wrongful convictions. However, violations of due process—including excessive use of pretrial and incommunicado detention—are widespread,

and a multiyear crackdown on human rights lawyers has weakened defendants' access to independent legal counsel.

Prosecutions rely heavily on confessions, many of which are obtained through torture. The law encourages judges to exclude such evidence, but it is commonly used in practice. The NGO Safeguard Defenders documented 87 televised confessions between mid-2013 and early 2020, finding that they often involved physical and other forms of coercion. Human rights lawyer Wang Quanzhang, who was released in April 2020 after nearly five years in prison on charges of "subversion" in connection with his defense of activists and persecuted religious believers, filed a rare complaint in July against public security officials in Tianjin, alleging that he was tortured in an attempt to extract a guilty plea and requesting that his conviction be overturned.

Criminal trials are frequently closed to the public, and the conviction rate is estimated at 98 percent or more. While adjudication of routine civil and administrative disputes is considered more fair, cases that touch on politically sensitive issues or the interests of powerful groups are subject to decisive "guidance" from political-legal committees.

Extrajudicial forms of detention remain widespread, despite the abolition of "reeducation through labor" camps at the end of 2013. Large numbers of people—particularly petitioners, grassroots rights activists, Falun Gong adherents, and Uighur Muslims—are still held in various types of arbitrary detention. A new form of extrajudicial detention for targets of anticorruption and official misconduct investigations, known as *liuzhi*, was introduced in 2018, in tandem with the establishment of the NSC. Individuals can be held in *liuzhi* for up to six months without access to legal counsel. Separately, the criminal procedure law allows "residential surveillance in a designated location," in which individuals can be held for up to six months in an undisclosed location.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	**0** / 4

Conditions in places of detention are harsh, with reports of inadequate food, regular beatings, and deprivation of medical care. In addition to their use to extract confessions, torture and other forms of coercion are widely employed by the authorities to force political and religious dissidents to recant their beliefs. Security agents routinely flout legal protections, and impunity is the norm for police brutality and suspicious deaths in custody. While some such deaths are reported to family members, there are likely many more that are never officially recognized, particularly when the victims belong to persecuted ethnic minority populations. Citizens who seek redress for abuse in custody or suspicious deaths often meet with reprisals or imprisonment.

The government has gradually reduced the number of crimes that carry the death penalty, which totaled 46 as of 2020, but it is estimated that thousands of inmates are executed each year; the figure is considered a state secret. The government claims it has ended the transplantation of organs from executed prisoners. However, the scale of the transplantation industry and the speed with which some organs are procured far exceed what is feasible via the country's nascent voluntary donation system, and there is growing international attention to possible crimes against humanity in connection with the practice.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	**0** / 4

Chinese laws formally prohibit discrimination based on nationality, ethnicity, race, gender, religion, or health condition, but these protections are often violated in practice. Several laws bar gender discrimination in the workplace, and gender equality has reportedly improved over the past decade. Nevertheless, bias remains widespread, including in job recruitment and college admissions. The #MeToo movement against sexual harassment and assault, which began in the United States and has spread to China in recent years, has helped to raise awareness of the problem, but activists have often had their online accounts deleted, or been harassed or detained. Ethnic and religious minorities, LGBT+ people, people with disabilities,

and people with illnesses such as HIV/AIDS and hepatitis B also face widespread discrimination in employment and access to education. Religious and ethnic minorities are disproportionately targeted and abused by security forces and the criminal justice system. In addition to being held in extrajudicial detention, members of these communities tend to be sentenced to longer prison terms than Han Chinese convicts.

Despite China's international obligation to protect the rights of asylum seekers and refugees, law enforcement agencies continue to repatriate North Korean defectors, who face imprisonment or execution upon return.

Foreign residents of China, particularly Africans and people of African descent, faced discrimination in the enforcement of COVID-19 restrictions during 2020. Many were arbitrarily forced to quarantine, evicted from their homes, refused services, and denied entry to certain locations or public transportation.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	**1** / 4

China's *hukou* (household registration) system prevents roughly 290 million internal migrants from enjoying full legal status as residents in cities where they work. In 2020, the government restated its goal of reforming the system in order to expand the benefits of urban residency to 100 million migrants based on their education, employment record, and housing status, with the most stringent requirements in major cities like Shanghai and Beijing and looser standards applied in smaller municipalities. The plan would still leave a large majority of migrants without equal rights or full access to social services such as education for their children in local schools. One significant constraint on the government's goals has been the

requirement that migrants give up land rights in their rural home regions; many are reluctant to permanently surrender these rights in exchange for uncertain employment prospects in towns and cities.

Many other Chinese citizens also face obstacles to freedom of movement within the country. Police checkpoints throughout Xinjiang limit residents' ability to travel or even leave their hometowns. Elsewhere in China, the developing Social Credit System has reportedly led to restrictions on air and train travel for millions of citizens with low scores. While China's constitution gives individuals the right to petition the government concerning a grievance or injustice, in practice petitioners are routinely intercepted in their efforts to reach Beijing, forcefully returned to their hometowns, or extralegally detained in "black jails," psychiatric institutions, and other sites.

Millions of people are affected by government restrictions on their access to foreign travel and passports, with Uighurs and Tibetans experiencing the greatest difficulty in obtaining a passport. Overseas Chinese nationals who engage in politically sensitive activities are at risk of being prevented from returning to China or may choose not to return for fear of being arrested.

The pandemic-related lockdowns of early 2020 featured abusive enforcement methods, with inadequate access to essential supplies and reports that some residents were physically sealed into their homes. Meanwhile, the "health code" mobile apps that were introduced to help limit the spread of the virus often restricted users' freedom of movement based on opaque or arbitrary criteria.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	**1** / 4

The authorities dominate the economy through state-owned enterprises in key sectors such as banking and energy, and through state ownership of land. Chinese citizens are legally permitted to establish and operate private businesses. However, those without strong informal ties to powerful officials often find themselves at a

disadvantage in legal disputes with competitors, in dealings with regulators, or in the context of politicized anticorruption campaigns. Foreign companies and executives can face arbitrary regulatory obstacles, debilitating censorship, demands for bribes, travel restrictions, or negative media campaigns. Many private companies in China have internal party organizations or committees. In September 2020, the CCP issued an "opinion" document calling for the private sector to be brought more closely under the guidance of the party.

Property rights protection remains weak. Urban land is owned by the state, with only the buildings themselves in private hands. Rural land is collectively owned by villages. Farmers enjoy long-term lease rights to the land they work, but they have been restricted in their ability to transfer, sell, or develop it. Low compensation and weak legal protections have facilitated land seizures by local officials, who often evict residents and transfer the land rights to developers. Corruption is endemic in such projects, and local governments rely on land development as a crucial source of revenue. The COVID-19 pandemic provided opportunities for further violations of property rights. In February 2020, Guangdong Province passed emergency legislation that allowed local governments to requisition property, equipment, and other goods, without adequate safeguards against abuse.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	**2** / 4

A legal amendment allowing all families to have two children—effectively abolishing the one-child policy that had long applied to most citizens—took effect in 2016. While the authorities continue to regulate reproduction, the change means that fewer Han Chinese families are likely to encounter the punitive aspects of the system, such as high fines, job dismissal, reduced government benefits, and occasionally detention. Abuses such as forced abortions and sterilizations are less common for Han Chinese citizens than in the past, but they continue to occur. By law, ethnic minority couples are still permitted to have up to three children, but in practice

ethnic Tibetans and Uighur and other Muslims in Xinjiang have been subject to abusive policies aimed at limiting their reproduction through forced sterilizations and birth control.

Muslims in Xinjiang face restrictions and penalties related to aspects of their appearance with religious connotations, such as headscarves on women or beards on men.

The country's first law designed to combat domestic violence came into effect in 2016, but domestic violence continues to be a serious problem, affecting one-quarter of Chinese women, according to official figures. Activists have complained that the law fails to provide support for victims and does not criminalize spousal rape, and that it remains extremely difficult for victims to win court cases or even obtain protection orders against their abusers.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	**2**/4

While workers in China are afforded important protections under existing laws, violations of labor and employment regulations are widespread. Local CCP officials have long been incentivized to focus on economic growth rather than the enforcement of labor laws. Exploitative employment practices such as wage theft, excessive overtime, student labor, and unsafe working conditions are pervasive in many industries. In one deadly incident in September 2020, 16 coal miners were killed in an underground fire at a site operated by a state-owned power company. The company had failed a government inspection months earlier. Forced labor and trafficking are common, frequently affecting rural migrants, and Chinese nationals are similarly trafficked abroad. Forced labor is the norm in prisons and other facilities for criminal, political, and religious detainees.

On China

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Country Facts

Global Freedom Score

9 /100 **Not Free**

Internet Freedom Score

10 /100 **Not Free**

Other Years

2020

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