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Human Rights in China and U.S. Policy

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Human Rights in China and U.S. Policy

U.S. concern over human rights in China has been a central issue in U.S. relations with the People's Republic of China (PRC or China), particularly since the PRC Tiananmen crackdown in 1989. Congress has at times pressured the executive branch to place greater emphasis on human rights issues in China, and has authorized and funded a growing array of related policy tools. The Biden Administration has framed U.S. strategy toward the PRC as part of a global competition between democracy and authoritarianism. The PRC's long-ruling Communist Party of China (CPC) has generally prioritized economic development over the protection of individual civil and political rights and viewed foreign criticism of its human rights practices as a form of interference in China's internal affairs.

Under the leadership of Xi Jinping, CPC General Secretary since 2012 and PRC state president since 2013, China has moved in a more authoritarian—some observers say totalitarian—direction. The party-state has enacted policies that seek to address perceived social, political, ideological, and security threats through further restricting and suppressing civil society, ethnic and religious groups, human rights defenders, free speech, and the media. The government has developed and deployed sophisticated surveillance and big data technologies to help maintain social and political control. Some sporadic and localized protests, often focused on economic grievances, have continued. In late 2022, university students and others participated in demonstrations in Shanghai, Beijing, and over a dozen other cities in China demanding the government loosen COVID-19 (“zero-COVID”) controls. Some articulated broader political demands around issues such as freedom of expression and democracy before the government cracked down on the movement.

In 2016, General Secretary Xi launched a policy known as “Sinicization,” under which the government has taken additional measures to compel China's ethnic minorities and religious practitioners to conform to Chinese culture, defined as the culture of the dominant Han Chinese ethnic group, to adhere to “socialist core values,” and to reject foreign influences. Under the Sinicization campaign, the government has, for example, intensified pressure on Christian churches that are not formally approved by the government. In Tibetan areas of China, authorities have maintained tight control over Tibetan Buddhist monasteries; harassed and punished Tibetans suspected of loyalty to the exiled Tibetan spiritual leader, the 14th Dalai Lama; replaced Tibetan language instruction and textbooks in schools with Chinese language; and forcibly resettled Tibetan nomads and farmers in urban areas and employed them in the formal economy.

In the past decade and a half, the PRC government has imposed severe restrictions on the religious and cultural activities of Uyghurs, a Turkic ethnic group who largely practice a form of Sunni Islam and live primarily in the Xinjiang Uyghur Autonomous Region (XUAR) in China's northwest. Between 2017 and 2019, XUAR authorities arbitrarily detained over one million ethnic Uyghur and other Muslims in “reeducation” facilities, which the PRC also called “vocational education and training centers,” and subjected them to a process of political indoctrination. The centers compelled detainees to renounce or reject many of their Islamic beliefs and customs as a condition for their eventual release. Since 2019, the XUAR government appears to have released some detainees, prosecuted many as criminals and incarcerated them, and sent others to work in factories under conditions that indicate forced labor. In January 2021, the U.S. Department of State determined that China's actions against Uyghurs and other Muslim groups in Xinjiang constitute crimes against humanity and genocide.

For decades, the United States government, including Congress, has sought to improve human rights conditions in China, while often attempting to balance this interest with other goals in the U.S.-China relationship. Some U.S. efforts related to human rights involve criticizing or pressuring the PRC government, including by raising human rights issues and political prisoner cases publicly and in bilateral meetings; issuing reports on human rights-related issues in the PRC; imposing sanctions; and coordinating international actions. Other policy tools focus on engaging with Chinese citizens, activists, and civil society groups in China or abroad, such as through human rights and democracy assistance programs and funding for U.S. international broadcasting. Amid reports of widespread gross human rights violations in China—and in the broader context of an increasingly competitive bilateral relationship—U.S. policymakers for the last several years have increased their focus on sanctions and other restrictive measures intended to deter human rights abuses, prevent U.S. complicity in such abuses, and/or hold perpetrators accountable.

This report examines selected human rights issues in the PRC and policy options facing 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.

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Introduction¹

U.S. concerns over human rights in the People’s Republic of China (PRC, or China) have been a central component of U.S.-China relations, particularly since the PRC’s Tiananmen crackdown in 1989.² During the past decade, human rights conditions in the PRC have deteriorated. The Biden Administration has framed U.S. strategy toward the PRC as part of a global competition between democracy and authoritarianism.³ PRC leaders long have asserted that human rights standards vary by country, that rights related to economic development are foundational human rights, and that a country’s human rights policies are an “internal affair.”⁴ The U.S. government employs a wide range of policy tools in support of human rights in China, some of which it has utilized for over two decades.⁵ Since 2019, the United States has imposed new visa, economic, and trade-related sanctions and restrictions on some PRC officials, entities, and jurisdictions, particularly in response to reports of mass detentions and forced labor of Uyghurs and other ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR).

Further Reading: CRS In Focus IF12265, *China Primer: Human Rights*; CRS In Focus IF10281, *China Primer: Uyghurs*; CRS Report R43781, *The Tibetan Policy Act of 2002: Background and Implementation*; CRS Report R47890, *Democracy and Human Rights in U.S. Foreign Policy: Tools and Considerations for Congress*.

Congressional Considerations

For decades, the U.S. government has sought to improve respect for human rights in China, while often attempting to balance this interest with other goals in the bilateral relationship. Congress has at times pressured the executive branch to place greater emphasis on human rights issues in China, and has authorized and funded a growing array of related policy tools. Some U.S. efforts involve criticizing or pressuring the PRC government, including through raising human rights issues and political prisoner cases publicly and in bilateral meetings; issuing reports on human rights-related issues in the PRC; imposing sanctions; and coordinating international actions. Other policy tools focus on engaging with PRC citizens, activists, and civil society groups in China or abroad, such as through human rights and democracy assistance programs and funding for U.S. international broadcasting. Amid an apparent deepening of authoritarianism in China and reports

¹ This report examines selected human rights issues in China and policy options for Congress; it does not discuss the distinct human rights issues and U.S. policy responses related to China’s Hong Kong Special Administrative Region. For information on Hong Kong, see CRS In Focus IF12070, *China Primer: Hong Kong*, by Ricardo Barrios and Michael D. Sutherland.

² In 1989, PRC students and others staged peaceful protesters in Tiananmen Square in Beijing and in hundreds of other cities in China, calling for democratic reforms and other policy changes. On June 4, 1989, PRC security forces opened fire on demonstrators and bystanders in Beijing, killing hundreds and possibly thousands of people. “What Really Happened in the 1989 Tiananmen Square Protests,” Amnesty International UK, May 18, 2023.

³ See White House, *National Security Strategy*, October 2022, at <https://www.whitehouse.gov/wp-content/uploads/2022/10/Biden-Harris-Administrations-National-Security-Strategy-10.2022.pdf>; Baogang He, “Biden’s Misguided Framing of US-China Rivalry as Democracy Versus Autocracy,” East Asia Forum, December 7, 2021; Cheng Li, “Biden’s China Strategy: Coalition-Driven Competition or Cold-War-Style Confrontation?” Brookings Institution, May 2021; “Remarks by President Biden in Press Conference,” White House, March 25, 2021; Gavin Bade, “Biden: U.S. Locked in ‘Battle’ with China for Global Influence,” *Politico*, March 25, 2021.

⁴ PRC State Council Information Office, “China: Democracy That Works,” December 4, 2021; Mimi Lau, “China Will Plot Its Own Path on Human Rights, Xi Jinping Says, as Report Takes Aim at US Record,” *South China Morning Post*, March 1, 2022.

⁵ In 2000, for example, the act granting permanent normal trade relations (PNTR) treatment to China (P.L. 106-286) authorized programs to promote the rule of law and civil society in the PRC.

of widespread gross human rights violations there—and in the broader context of an increasingly competitive bilateral relationship—U.S. policymakers, including in Congress, since 2019 have increased their focus on sanctions and other restrictive measures intended to deter human rights abuses, prevent U.S. complicity in such abuses, and/or hold perpetrators accountable. (For more information, see “U.S. Efforts to Advance Human Rights in China,” below.)

Observers have debated the impact of U.S. efforts to promote human rights in China. At a broad level, the Communist Party of China (CPC) appears to view U.S. human rights and democracy advocacy as a challenge to its hold on power, and China’s government generally has resisted outside pressure to change policies that observers say violate human rights.⁶ Some analysts contend the United States’ capacity to impose costs sufficient to deter PRC policies that violate human rights is limited given China’s authoritarian political system and the CPC’s determination to maintain its leadership of this system.⁷ Others argue that actions such as robust sanctions and widespread international criticism of PRC human rights abuses, to which they contend the CPC is sensitive, can help moderate China’s policies.⁸

U.S. human rights advocacy at times has appeared to contribute to positive developments in China, such as the release of detained human rights activists; at the same time, research indicates that some U.S. criticism is seized upon by PRC state media outlets to attempt to engender defensive and nationalistic responses among China’s citizens.⁹ Nongovernmental human rights organizations generally maintain that, despite tensions in the U.S.-China relationship and PRC restrictions on foreign engagement, the United States government should continue to seek to support and protect Chinese civil society groups and activists.¹⁰ As Congress debates U.S. policy in this area, conducts oversight, and develops possible legislation, it may consider questions including:

- What are, or should be, the overarching goals of U.S. human rights policy vis-à-vis China? For example, should the United States focus on effecting incremental improvements in human rights conditions in China, or apply pressure on the PRC to democratize its political system? What are the differing possible benefits, costs, risks, and likelihoods of success along the spectrum of possible objectives?

⁶ A document allegedly circulated internally within the CPC in 2013 criticized the promotion of “universal values” as an attempt to weaken the CPC’s leadership, alongside other perceived ideological threats, including “Western constitutional democracy,” civil society, and “the West’s idea of journalism.” See ChinaFile, “Document 9: A ChinaFile Translation,” November 8, 2013. Illustrating the PRC government’s public posture toward U.S. human rights advocacy, the PRC Foreign Minister in December 2021 responded to the enactment of U.S. legislation to address forced labor in Xinjiang by accusing the United States of “engaging in political manipulation and economic coercion, and seeking to undermine Xinjiang’s prosperity and stability and contain China’s development under the pretext of human rights.” See PRC Ministry of Foreign Affairs, “Foreign Ministry Spokesperson’s Statement on US’ Signing of the So-called Uyghur Forced Labor Prevention Act,” December 24, 2021.

⁷ For example, see Jon Bateman, *U.S.-China Technological “Decoupling” – A Strategy and Policy Framework*, April 2022.

⁸ For example, see James Millward, “China’s New Anti-Uyghur Campaign,” *Foreign Affairs*, January 23, 2023.

⁹ Jamie J. Gruffydd-Jones, *Hostile Forces: How the Chinese Communist Party Resists International Pressure on Human Rights* (New York: Oxford University Press, 2022).

¹⁰ For example, see joint letter by nongovernmental organizations to President Biden, “A Human Rights Approach to US-China Policy,” February 17, 2021, at <https://www.hrw.org/news/2021/02/17/human-rights-approach-us-china-policy>; Robert Strauss Center for International Security and Law and McCain Institute for International Leadership, “Reinvigorating U.S. Efforts to Promote Human Rights in China,” May 2017; Sarah Cook, “Information Suppression and Dissent in China in the Context of the Chinese Government’s Zero-COVID Policy,” testimony before the Congressional-Executive Commission on China, November 15, 2022.

- What have U.S. policy efforts to date achieved, and what have been the challenges and limitations of these efforts? To what extent does the U.S. government evaluate the effectiveness of U.S. policy actions, both individually and in the aggregate, to help inform future actions?
- How robustly and effectively is the executive branch making use of existing laws and authorities to impose costs on PRC actors complicit in human rights abuses? Are existing laws and authorities themselves sufficient? What additional steps, if any, can the U.S. government take to affect the PRC government's decision-making? To what extent has the U.S. government been able to achieve progress in China through the *threat* of public criticism or sanctions, short of actual public actions?
- To what extent, if at all, do sanctions or other U.S. human rights actions affect other U.S. interests or objectives related to China, such as those in the economic and national security realms (e.g., those that may require U.S.-China bilateral cooperation)? Should U.S. policy attempt to balance human rights, economic, security, and other U.S. priorities, and if so, how?
- How might the United States encourage or coordinate efforts among other governments and international institutions to increase pressure on China's government to improve its treatment of its own citizens? What are the challenges to doing so? What more might the United States do to broaden the coalition of countries seeking to pressure China in this area? What messages might resonate with developing countries, many of which receive PRC economic assistance? Which countries might be more receptive than others to outreach from the United States on issues related to human rights in China?
- How might the United States seek ways to increase support for, and protection of, Chinese human rights defenders and civil society groups, including those residing outside of China? How effective are existing efforts in these areas, and what are the challenges, risks, and limitations?
- What options are there for increasing Chinese citizens' access to uncensored information?
- What legislative responses to human rights violations in Xinjiang might Congress consider?¹¹
- What are the international effects of China's internal repression (e.g., China's alleged "transnational repression"), and what policy tools are available or could be envisioned for responding to these?
- Should the U.S. government be concerned about perceptions that the United States holds competitor governments like China to different human rights standards than the governments of strategic partners? To what extent, if at all, might such perceptions undermine U.S. credibility in the eyes of foreign governments and publics when the United States seeks human rights improvements in China? To what extent, if at all, is the

¹¹ Pending legislative proposals include, for example, designating a U.S. Special Coordinator for Uyghur Issues within the Department of State, supporting public diplomacy in Islamic countries related to the situation of Uyghurs and other Muslims in China, and designating certain Uyghurs and other Muslims who have fled the XUAR as "persons of special humanitarian concern" eligible for Priority 2 processing under the refugee resettlement priority system. See, for example, the Uyghur Policy Act of 2023 (S.1252 and H.R. 2766) and the Uyghur Human Rights Protection Act (H.R. 3934). See also Select Committee on the Chinese Communist Party, "The Chinese Communist Party's Ongoing Uyghur Genocide: Policy Recommendations," May 24, 2023.

effectiveness of U.S. human rights advocacy abroad related to the health of U.S. democracy at home?¹²

Human Rights Trends in China

In its 2024 *Freedom in the World* China profile, the nongovernmental human rights organization Freedom House described China's party-state as an "authoritarian regime" that "has become increasingly repressive in recent years."¹³ Some analysts argue China has moved in a totalitarian direction, as the party-state is dominated by one person, CPC General Secretary and State President Xi Jinping, who has attempted to enforce greater ideological and cultural conformity and ever tighter control over society.¹⁴ The PRC leader has cultivated what some observers view as a cult of personality.¹⁵ In 2022, the party appointed Xi to a norm-breaking, third five-year term as General Secretary, and in 2023, China's parliament elected him to a similarly norm-breaking third five-year term as state president. Some analysts view Xi's authoritarian policies as a response, in part, to budding human rights activism, ethnic unrest, and the perceived threat of terrorism that arose under his predecessor, Hu Jintao, exacerbated by growing tensions with the United States since Xi took power.¹⁶ PRC leaders reportedly view political liberalization as contributing to the demise of the Soviet Union (1988-1991) and something to be avoided in China.¹⁷ The CPC and its policies increasingly have approached a broad range of social activity and foreign influence as a threat to national security.¹⁸

Under Xi's leadership, the party-state has enacted policies that enhance the legal authority of the state to counter perceived ideological, social, political, and security threats. The CPC has sought to restrict many forms of ethnic and religious diversity, identity, and culture, particularly targeting Muslims and Tibetans. The party-state has further restricted and suppressed civil society, religious groups, human rights defenders, speech, and the media, as well as academic research, discourse,

¹² For additional discussion of such issues, see CRS Report R47890, *Democracy and Human Rights in U.S. Foreign Policy: Tools and Considerations for Congress*, by Michael A. Weber.

¹³ Freedom House, "China: Country Profile," at <https://freedomhouse.org/country/china>.

¹⁴ For example, see Lee Edwards, "Is China Totalitarian?" *The National Interest*, February 24, 2020. According to a definition contained in the Immigration and Nationality Act, *totalitarian dictatorship* and *totalitarianism* "refer to systems of government not representative in fact, characterized by (A) the existence of a single political party, organized on a dictatorial basis, with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit, and (B) the forcible suppression of opposition to such party." See 8 U.S.C. §1101(37).

¹⁵ Doug Saunders, "Why Xi Jinping's Cult of Personality Is More Dangerous than It Looks," *The Globe and Mail*, March 2, 2018; Chris Buckley, "Xi Jinping Thought Explained: A New Ideology for a New Era," *New York Times*, February 26, 2018; Kirsty Needham, "Xi: The Centre of China's Turning World," *The Age*, October 28, 2017.

¹⁶ 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.

¹⁷ Rebecca Armitage, "China Studied the Collapse of the Soviet Union and Learned Three Lessons to Avoid a Similar Fate," *Australian Broadcasting Corporation*, December 25, 2021; James Palmer, "What China Didn't Learn from the Collapse of the Soviet Union," *Foreign Policy*, December 24, 2016.

¹⁸ Nectar Gan, "China Sees Foreign Threats 'Everywhere' as Powerful Spy Agency Takes Center Stage," *CNN*, April 21, 2024; "'Comprehensive National Security' Unleashed: How Xi's Approach Shapes China's Policies at Home and Abroad," *MERICs*, September 15, 2022.

and exchange.¹⁹ PRC authorities have curtailed budding social activism.²⁰ China has both restricted women’s activism and implemented some reforms to protect women’s rights.²¹ Since 2021, the party-state has expanded the scope of its control over society to include some relatively non-political entities and activities, such as tech companies, private education, youth-oriented pop stars, social media influencers, and video gaming.²²

According to some scholars, after 1989, the CPC garnered “performance legitimacy”—popular support based upon economic growth, social stability, effective governance, and other measures.²³ Meanwhile, some analysts posit that China’s sluggish economic performance since the height of the COVID-19 pandemic (2020-2022), including high unemployment among young, college-educated job seekers, has led to some disillusionment and loss of legitimacy of the CPC leadership.²⁴ Other observers contend that Xi has nonetheless maintained support in the party and among many citizens, in part through his appeals to nationalism and focus on national security.²⁵

2022 Protests Against Government Policies

Since the 1980s, many popular protests in China have been based on local grievances, often targeting local governments or private companies rather than the top CPC leaders and national policies.²⁶ Some analysts suggest the central government has allowed some protest activity as a “release valve” for public discontent, while suppressing forms of collective action that it views as

¹⁹ Guo Rui, Jun Mai and William Zheng, “For China’s Intellectuals, Restrictions Started Long before the Pandemic and Will Continue After Covid is Over,” *South China Morning Post*, January 2, 2023.

²⁰ Including that relating to environmental issues, women’s rights, and lesbian, gay, bisexual, and transgender (LGBT) rights. See James Palmer, “What the Hell Just Happened to Hu Jintao?” *Foreign Policy*, October 22, 2022; Christian Shepherd, “In China, Crushing Movements Before They Start,” *Washington Post*, June 4, 2022; Christian Shepherd and Vic Chang, “Chinese Artist Fights Pollution with Censor-Evading Antics,” *Washington Post*, August 2, 2022; Zhijun Hu, “‘Don’t Say Gay’ Is Happening in China, Too. But It Can’t Turn Back the Clock,” *The Diplomat*, December 3, 2022.

²¹ Maya Wang and Tingting Li, “Xi vs. She: China’s Government Wants Women to Return to Domesticity, But It’s Already Too Late,” *Globe and Mail*, November 30, 2023; Alexandra Stevenson and Zixu Wang, “Battling Violence and Censors, Women in China Become Invisible and Absent,” *New York Times*, September 6, 2022; “China’s Revised Law on Women Protection to Take Effect on Jan 1,” *China Daily*, December 31, 2022; China Law Translate, “PRC Law on the Protection of the Rights and Interests of Women,” October 20, 2022. Translation can be accessed at: China’s revised law on women protection to take effect on Jan 1 - Chinadaily.com.cn (CRS did not independently verify this translation).

²² David Ignatius, “China’s Xi is Taking a Disturbingly Maoist Turn,” *Washington Post*, September 22, 2021; Lily Kuo, “In Xi’s Crackdown, a Remake of Chinese Society,” *Washington Post*, September 10, 2021; Nectar Gan and Steve George, “Under Xi Jinping, the Private Life of Chinese Citizens Isn’t So Private Anymore,” *CNN*, September 8, 2021.

²³ Lynette H. Ong, “Have the Seeds of Dissent Been Sown in China?” The China Project, December 13, 2022; Dan Harsha, “Ash Center Research Team Unveils Findings from Long-Term Public Opinion Survey,” *The Harvard Gazette*, July 9, 2020; Yuchao Zhu, “‘Performance Legitimacy’ and China’s Political Adaptation Strategy,” *Journal of Chinese Political Studies*, Vol. 16, no. 2 (June 2011).

²⁴ Sebastian Mallaby et al., “What Just Happened: Storm Clouds Loom for China’s Economy,” *Washington Post*, August 18, 2023; Michael Schuman, “The End of Optimism in China,” *The Atlantic*, June 29, 2023; Catherine Rampell, “Discontent Among the Young,” *Washington Post*, August 20, 2023; “Does China’s Economy Keep Xi Awake at Night?” *Foreign Policy*, October 13, 2022.

²⁵ Jinghao Zhou, “China’s Economy Might Be Down, But Don’t Expect Regime Collapse,” *The Diplomat*, September 9, 2023; Clark Packard, “As China’s Economy Falter, Be Careful What You Wish For,” CATO Institute, May 31, 2022.

²⁶ Lynette Ong, “Have the Seeds of Dissent Been Sown in China?”

undermining social stability and political control.²⁷ Localized protests have continued under Xi Jinping's rule; Freedom House documented 4,743 incidents of protest and other dissent in mainland China in 2023 and 2024.²⁸

China's stringent anti-COVID-19 ("zero-COVID") policies in 2020-2022 included preventing people from leaving their homes or places of work, ordering people to stay in crowded quarantine centers, and restricting access to hospitals. These and related measures reportedly led to instances of residents lacking food, medicine, and daily essentials as well as very limited access to health care and medical facilities, in some cases resulting in death.²⁹ Despite the government's efforts to silence negative public opinion, sporadic localized protests against lockdown conditions and the government's suppression of information and speech emerged in the spring of 2022 and culminated in widespread demonstrations led by university students in November of that year.³⁰

The November demonstrations were a significant departure from what had been seen in China since 1989 because they were national in character and scope, directly challenging the CPC and top leaders, galvanizing a relatively broad swath of society, and partially achieving its aims.³¹ A week following the demonstrations, various PRC cities began to loosen COVID-19 control measures, while the CPC vowed to "resolutely crack down" on the movement, which it blamed partially on "infiltration and sabotage activities by hostile forces."³² The government deployed police patrols; detained and interrogated an estimated 100 alleged participants (reportedly with the aid of cell phone location data and facial recognition cameras); spot-checked people's phones for political content, unapproved smart phone applications, and possible communications with protest leaders; and censored related social media content except for commentary critical of the

²⁷ Max Fisher, "The Long Odds Facing China's Protesters," *The New York Times*, November 30, 2022; "Experts React: What This Wave of Protests Means for the Future of the Chinese Communist Party," Atlantic Council, November 28, 2022.

²⁸ As of August 2024. Freedom House, "China Dissent Monitor," at <https://chinadissent.net/>; Freedom House, "China Dissent Monitor," Issue 8 (April-June 2024). Forms of protest, according to Freedom House, include group and individual demonstrations, marches, strikes, collective petitioning, and online dissent. Major protest issues include labor rights, homeowner rights, rural land disputes, job security and conditions of transportation and delivery workers, and religious and ethnic minority policy.

²⁹ Sam Hancock, "Apple: Chinese Workers Flee COVID Lockdown at iPhone Factory," *BBC News*, October 30, 2022; Serentie Wang, "Shanghai Surprise: How I Survived 70 Days Confinement in the World's Strictest Covid Lockdown," *CNN*, June 17, 2022.

³⁰ Ibid.; Lily Kuo et al., "How Zero Covid" Led Protesters to a Breaking Point in China," *Washington Post*, December 4, 2022; Christian Shepherd, "What You Need to Know about China's Covid Protests," *Washington Post*, November 29, 2022; Nectar Gan, "Protests Erupt Across China in Unprecedented Challenge to Xi Jinping's Zero-Covid Policy," *CNN*, November 28, 2022; Kevin Slaten, "Grassroots Protests Are Frequent in Xi Jinping's China," Freedom House, November 17, 2022.

³¹ James Palmer, "Will China's Protests Survive?" *Foreign Policy*, November 28, 2022.

³² Jun Mai "China Pledges Crackdown on Disrupters During Covid-19 Infection Surge," *South China Morning Post*, December 30, 2022; Zhuang Pinghui, "Protests, Vigils Accompany China's Easing of Coronavirus Restrictions," *South China Morning Post*, December 3, 2022; Lyric Li, "China Moves to Ease Its 'Zero Covid' Policy but Tightens Vice on Protesters," *Washington Post*, December 2, 2022; Ken Bredemeier, "China Vows 'Resolute' Crackdown as Protests Mount," *Voice of America*, November 30, 2022.

demonstrations.³³ Some reports noted the leading role that young women played in the protests and the government's targeting of women leaders in its crackdown on the movement.³⁴

Selected New PRC Laws

The PRC Constitution provides for many civil and political rights, including, in Article 35, the freedoms of speech, press, assembly, association, and demonstration.³⁵ 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.³⁶ Since 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 perceived ideological, political, and human rights challenges. For example, a law regulating overseas nongovernmental organizations (NGOs), which took effect in 2017, places foreign NGOs in China under the jurisdiction of the Ministry of Public Security, tightens their registration requirements, and imposes greater controls on their activities, funding, and staffing.³⁷ A counter-terrorism law, implemented in 2016 and amended in 2018, grants the state wide discretionary authority with which to charge individuals for engaging in "extremist activities."³⁸ The definitions of terrorism contained in the law include not only actions but also "propositions."³⁹ 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.⁴⁰ Amendments to China's 2014 Counter-Espionage Law, which went into effect in 2023, broaden the definition of "espionage" to include gathering or providing information related to "national security and interests." The law's vagueness about what constitutes "espionage" and what types of information are national security-related have alarmed some observers concerned about the rights of PRC and foreign citizens who run afoul of the law.⁴¹

³³ Chinese Human Rights Defenders, "China: Free All 'Blank Paper' Protestors," February 22, 2023; Jenny Tang, "Calls Grow Among Overseas Universities, Activists for Release of Chinese Protesters," *Radio Free Asia*, February 1, 2023; Cate Cadell and Christian Shepherd, "Tracked, Detained, Vilified: How China Throttled Anti-Covid Protests," *Washington Post*, January 4, 2023; Lily Kuo et al., "Chinese Authorities Knock on Demonstrators' Doors, Search Their Phones," *Washington Post*, December 1, 2022.

³⁴ Congressional-Executive Commission on China, *Annual Report 2023*, May 2024; Katsuji Nakazawa, "Analysis: China's Female Protesters Break Nation Free from Zero-COVID," *Nikkei Asia*, December 15, 2022.

³⁵ Constitution of the People's Republic of China at <https://www.cecc.gov/resources/legal-provisions/chinas-constitution>.

³⁶ China is ranked among the 10 least free countries and territories in the world according to Freedom House. Freedom House, "Freedom in the World 2023," at <https://freedomhouse.org/countries/freedom-world/scores>.

³⁷ 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).

³⁸ 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); 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.

³⁹ 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 as violence, destruction, intimidation, so as to achieve their political, ideological, or other objectives."

⁴⁰ DigiChina, "Translation: Cybersecurity Law of the People's Republic of China (Effective June 1, 2017)," June 29, 2018, at <https://digichina.stanford.edu/work/translation-cybersecurity-law-of-the-peoples-republic-of-china-effective-june-1-2017/> (CRS did not independently verify this translation).

⁴¹ See China Law Translate, "Counter-Espionage Law of the P.R.C. (2023 ed.)," April 26, 2023, at (continued...)

Major Human Rights Issue Areas

The PRC 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. Many human rights violations in China 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 the lack of institutional restraints on security, political, and economic actors.

The Department of State's *2023 Country Reports on Human Rights Practices: China* highlighted ongoing "serious" and "substantial" government violations of human rights in China, including arbitrary or unlawful killings; forced disappearances; torture of persons in government custody; arbitrary arrest and detention; the lack of an independent judiciary; arbitrary interference with privacy including "pervasive and intrusive" electronic surveillance and monitoring; restrictions on free expression and media, including criminal prosecutions of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others; interference with the freedom of peaceful assembly and freedom of association; restrictions on religious freedom; and violence against ethnic minority groups.⁴²

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 right to privacy and also often deprive them of the freedoms of movement, association, and religion.⁴³ Government authorities have installed surveillance systems ostensibly to reduce crime, but also to track the movements of politically sensitive groups, including ethnic Tibetans and Uyghurs and critics of the regime.⁴⁴

Political Prisoners, Arbitrary Arrest and Detention

According to the Department of State, arbitrary arrest and detention has "remained systemic" in China. The State Department reported in 2023, "[PRC] law granted public security officers broad administrative detention powers and the ability to detain individuals for extended periods without formal arrest or criminal charges."⁴⁵ The nonprofit Dui Hua Foundation compiled data on what it describes as over 7,300 political and religious prisoners held in China as of December 2023.⁴⁶ Among the top categories of criminal convictions in its database are "organizing/using a cult to undermine implementation of the law," generally related to the Falun Gong spiritual group;

<https://www.chinalawtranslate.com/en/counter-espionage-law-2023/> (CRS did not independently verify this translation); "China's Sweeping New Anti-Espionage Law Comes into Effect," Agence France Presse, July 1, 2023; Adam Goldberg et al., "China Amends the Counter-Espionage Law," Pillsbury Insights, May 15, 2023; Daisuke Wakabayashi, Ana Swanson and Lauren Hirsch, "In China, the Police Came for the Consultants. Now the C.E.O.s Are Alarmed," *New York Times*, May 12, 2023.

⁴² Department of State, "2023 Country Reports on Human Rights Practices: China," April 22, 2024.

⁴³ 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.

⁴⁴ "China's Enormous Surveillance State is Still Growing," *The Economist*, November 23, 2023; 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.

⁴⁵ Department of State, "2023 Country Reports on Human Rights Practices: China."

⁴⁶ Dui Hua Foundation, at <https://duihua.org/>; The Dui Hua Foundation - Political Prisoner Database.

“picking quarrels and provoking troubles” or disrupting public order, often used against rights activists and journalists; and “endangering state security.”⁴⁷

In its annual human rights report, the Department of State highlighted political prisoners and detainees in China in 2023, stating,

Many political prisoners remained either in prison or held under other forms of detention, including writer Yang Maodong (pen name Guo Feixiong); Uyghur scholars Ilham Tohti, Rahile Dawut, and Hushtar Isa, brother of World Uyghur Congress president Dolkun Isa; retired Uyghur medical doctor Gulshan Abbas; Uyghur entrepreneur Ekpar Asat; Tibetan Buddhist monk Go Sherab Gyatso; Tibetan Dorje Tashi; activists Wang Bingzhang, Chen Jianfang, and Huang Qi; pastors Zhang Shaojie and Wang Yi; Falun Gong practitioner Zhou Deyong; Catholic Auxiliary Bishop of Shanghai Thaddeus Ma Daqin; rights lawyers and activists Xia Lin, Gao Zhisheng, Xu Zhiyong, Ding Jiayi, Xu Yan, Yu Wensheng, Chang Weiping, and Li Yuhuan; citizen journalist Zhang Zhan; Shanghai labor activist Jiang Cunde; and others.⁴⁸

PRC authorities often apprehend, hold incommunicado in an undisclosed location, or “disappear” dissidents, social activists, journalists, religious leaders, whistleblowers, and other critics of government policy, as well as celebrities, business moguls, and CPC members who run afoul of party leadership.⁴⁹ One of the most prominent missing dissidents is rights lawyer Gao Zhisheng, who has been held incommunicado at undisclosed locations on and off since 2006.⁵⁰ The government also utilizes house arrest or “residential surveillance in a designated location” (RSDL), to monitor, silence, and restrict the movements of political and social activists and their families.⁵¹ Reports about RSDL include accounts of interrogations, prolonged physical discomfort, psychological abuse, and food deprivation.⁵² Other quasilegal and extralegal forms of detention include Legal Education Centers, said to hold many Falun Gong members, and “black jails.”⁵³

Speech, Press, and Access to Information

Under Xi Jinping’s leadership, the government has further restricted free speech, silenced independent journalists, and imposed tighter controls on state-run media. The nongovernmental organization Reporters Without Borders ranked China 179th out of 180 countries in its 2023 *World*

⁴⁷ Ibid.

⁴⁸ Department of State, “2023 Country Reports on Human Rights Practices: China.” See also the Congressional-Executive Commission on China (CECC) Political Prisoner Database (PPD), at Political Prisoner Database | Congressional-Executive Commission on China (cecc.gov). The CECC compiled a list of 16 “Political Prisoner Cases of Concern” in China, including Hong Kong, as of June 30, 2023. Congressional-Executive Commission on China, *Annual Report 2023*, May 2024, pp. 30-38.

⁴⁹ Oliver Holmes, “China’s Disappeared: High-Profile Figures Who Have Gone Missing in the Past Decade,” *The Guardian*, November 19, 2021; Jerome A. Cohen, “China’s Disappeared: How Beijing Silences Critics,” Council on Foreign Relations, November 13, 2021; “UN Experts Alarmed over China’s Missing Human Rights Lawyers,” Agence France Presse, March 23, 2020.

⁵⁰ Philip Lenczycki, “China ‘Disappeared’ and Tortured a Human Rights Attorney. His Advocates Want the US to Help Set Him Free,” *Daily Caller*, April 1, 2023.

⁵¹ Christian Shepherd and Alicia Chen, “China’s Use of House Arrests has Risen Sharply under Xi, Report Finds,” *Washington Post*, September 7, 2022; Department of State, “2023 Country Reports on Human Rights Practices: China.”

⁵² “Several Questions About ‘Residential Surveillance at a Designated Location,’” February 23, 2022; “Locked Up: Inside China’s RSDL Jails,” Safeguard Defenders, 2021.

⁵³ Department of State, “2023 Country Reports on Human Rights Practices: China.”

Press Freedom Index.⁵⁴ The organization states, “President Xi Jinping ... has restored a media culture worthy of the Maoist era, in which freely accessing information has become a crime and to provide information an even greater crime.”⁵⁵ Since 2019, the PRC government has pressured some journalists from prominent Western news organizations to leave China, or denied them visas.⁵⁶ In 2023, the government charged Dong Yuyu, a former Nieman Fellow at Harvard University and a veteran reporter for the CPC-affiliated *Guangming Daily*, with espionage.⁵⁷

The PRC oversees one of the most extensive and stringent internet censorship systems in the world, which includes blocking major foreign news and social media sites, banning foreign messaging applications, censoring domestic websites and social media platforms, and promoting disinformation. Freedom House ranks China as having the worst conditions for internet freedom in the world.⁵⁸ In 2021 and 2022, Douban, a social networking site that provided platforms for people to share niche interests, faced growing government scrutiny and restrictions.⁵⁹ In late 2022, the Cyberspace Administration of China imposed greater requirements on internet service providers and social media platforms to review and censor online comments and report those who disseminate “illegal or bad content.”⁶⁰

Religious and Ethnic Minority Policies

Estimates of the number of religious adherents in China range from over 200 million (according to the PRC government) to 350 million. According to a Pew Study, many people in China practice a religion or hold religious beliefs, and about 10% formally identify with a religion.⁶¹ Although the CPC is officially atheist, the PRC government recognizes five official religions: Buddhism, Taoism (Daoism), Islam, Protestantism, and Catholicism.⁶² In 2021, according to a U.S. government estimate, Buddhists comprised 18.2% of the country’s total population of 1.4 billion,⁶³ Christians 5.1%, Muslims 1.8%, followers of folk religions 21.9%, atheists or unaffiliated persons 52.2%, and Hindus, Jews, and Taoists less than one percent.⁶⁴

⁵⁴ Reporters Without Borders, at *2023 World Press Freedom Index*, at <https://rsf.org/en>.

⁵⁵ Reporters Without Borders, “China,” at <https://rsf.org/en/country/china>.

⁵⁶ Liam Scott, “Fewer Journalists in China is Bad News for Everyone Else, Reporters Say,” *Voice of America*, August 29, 2023; Katrina Northrop, “The Great Expulsion,” *The Wire*, February 14, 2021; Paul Farhi, “Western Journalists Are Pushed Out of China,” *Washington Post*, September 17, 2020; Ministry of Foreign Affairs of the PRC, “China Takes Countermeasures against Restrictive Measures on Chinese Media Agencies in U.S.,” March 18, 2020.

⁵⁷ Lily Kuo, “Chinese Journalist Has Been Arrested on Espionage Charges, His Family Says,” *Washington Post*, April 25, 2023. Dong was known for his sharp observations of Chinese society and government policies. Dong’s charges reportedly included his regular contacts with foreign diplomats and journalists in Beijing.

⁵⁸ Freedom House, *Freedom on the Net 2023*, October 3, 2023.

⁵⁹ “Liberal Chinese Social Media Site Douban Tightens Verification of Overseas Users as Censorship Intensifies,” *South China Morning Post*, April 28, 2022; Viola Zhou, “China’s Most Chaotic Social Network Survived Beijing’s Censors—Until Now,” *Rest of World*, April 21, 2022; “China Fines Social Media Firm Douban for ‘Unlawful’ Release of Information,” Reuters, December 2, 2021.

⁶⁰ Phoebe Zhang, “China to Step Up Internet Censorship with Stricter Rules for Social Media and Streaming Sites,” *The Star*, November 18, 2022; Brenda Goh and Ella Cao, “China Revises Rules to Regulate Online Comments,” Reuters, November 16, 2022.

⁶¹ Pew Research Center, “Measuring Religion in China,” August 30, 2023.

⁶² *Ibid.*; Department of State, “2023 Report on International Religious Freedom: China,” June 26, 2024.

⁶³ *Ibid.*; The vast majority of Buddhists in China practice “Han Buddhism” or Chinese Buddhism, a form of Mahayana Buddhism. Other forms of Buddhism are Tibetan Buddhism and Theravada Buddhism, practiced primarily by ethnic minorities.

⁶⁴ Department of State, “2023 Report on International Religious Freedom: China.”

The PRC Constitution guarantees freedom of religious belief. Article 36 states that “normal religious activities” are protected, but does not define what “normal” means.⁶⁵ According to Freedom House, the extent of authorized religious freedom and activity 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.”⁶⁶ The Department of State has repeatedly designated China as a “Country of Particular Concern” for “particularly severe violations of religious freedom” pursuant to the International Religious Freedom Act of 1998 (P.L. 105-292, as amended; see also “Other Restrictions,” below). The U.S. Commission on International Religious Freedom profiles 521 known “religion or belief” victims in custody.⁶⁷

In 2016, Xi Jinping launched a national policy known as “Sinicization” (中国化 *zhongguohua*), also referred to as “assimilation.” Under this policy, the government has taken measures to compel China’s religious practitioners and ethnic minorities to conform to Chinese culture, defined as the culture of the dominant Han Chinese ethnic group, to adhere to “socialist core values,” and to “guard against overseas infiltrations via religious means.”⁶⁸ At the CPC’s 19th National 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.”⁶⁹ At the 20th Party Congress in October 2022, Xi asserted, “We will remain committed to the principle that religions in China must be Chinese in orientation and provide active guidance to religions so that they can adapt to socialist society.”⁷⁰

The party’s Sinicization policy and updates to China’s regulations on religious affairs have affected all religious and ethnic minority groups to varying degrees, including Christians, Tibetan Buddhists, Muslims, and Mongolians.⁷¹ New “Administrative Measures for Religious Groups,” implemented in 2020, require religious congregations to obtain government permission for nearly every aspect of their operations.⁷² Authorities reportedly have installed surveillance cameras both outside and inside houses of worship to monitor attendees.⁷³

⁶⁵ National People’s Congress, “Constitution of the People’s Republic of China,” at http://www.npc.gov.cn/zgrdw/englishnpc/Constitution/2007-11/15/content_1372964.htm.

⁶⁶ Freedom House, “The Battle for China’s Spirit: Religious Revival, Repression, and Resistance under Xi Jinping,” February 2017.

⁶⁷ U.S. Commission on International Religious Freedom, “Frank Wolf Freedom of Religion or Belief Victims List (China),” at USCIRF - Victims Database, June 2024. The database is not a comprehensive list of all victims of religious persecution or detainment.

⁶⁸ 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.

⁶⁹ “Full Text of Xi Jinping’s Report at the 19th CPC National Congress,” October 18, 2017, *Xinhua*, November 3, 2017.

⁷⁰ Xi Jinping, “Hold High the Great Banner of Socialism with Chinese Characteristics and Strive in Unity to Build a Modern Socialist Country in All Respects,” *China Daily*, October 27, 2022.

⁷¹ “Inner Mongolia Ordered to Switch to Fully Chinese-Language Education by September,” *Tibetan Review*, April 12, 2023.

⁷² See 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/> (CRS did not independently verify this translation) and Dominic J. Nardi, “Fact Sheet China: The 2019 Regulation for Religious Groups in China,” United States Commission on International Religious Freedom, February 2020.

⁷³ Dominic J. Nardi, “Religious Freedom in China’s High Tech Surveillance State,” United States Commission on International Religious Freedom, September 2019.

Christians

Christians in China have grown in number during the past two decades, although precise numbers are difficult to determine.⁷⁴ Depending on the definition, estimates of the number of Christians in China, mostly Protestants and some Catholics, range from 2% of the population to 7%.⁷⁵ Under China's Sinicization campaign, the government has intensified political pressure on Christian churches to abide by party-state policies and laws, particularly those congregations that are not formally approved by the government (also known as unregistered or house churches).⁷⁶

The U.S.-based Christian advocacy organization ChinaAid reported that in 2023, as in past years, provincial and local governments shut down or demolished unregistered churches, detained and imprisoned some house church leaders and members, imposed arbitrary fines on churches and members, interfered with churches' interpretations of the Bible, and educated clergy on CPC policy toward religion.⁷⁷ The 2022 new regulations on online religious activities placed restrictions on online religious services, religious education, fundraising, and proselytizing, which had proliferated among Christians during the COVID-19 pandemic.⁷⁸

China-Vatican Relations

China broke off relations with the Vatican in 1951, when the Holy See established relations with the Republic of China government in Taiwan. In 2018, the PRC government and the Vatican, which long had disagreed over the authority of the Pope, the appointment of bishops, the Vatican's diplomatic ties with Taiwan, and the principle of religious freedom, reached a provisional accord on the appointment of bishops. According to Western media reports, the 2018 agreement, which was renewed in 2020, 2022, and 2024,⁷⁹ 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 some Chinese bishops whom it had excommunicated because they had been appointed by PRC authorities without the Vatican's approval. Under the provisional accord, China is to appoint PRC bishops, while the Pope is to have final say over the nominees.⁸⁰ Some observers criticized the arrangement, which they argued would result in reduced independence for

⁷⁴ "Protestant Christianity is Booming in China," *The Economist*, September 15, 2020.

⁷⁵ Pew Research Center, "Measuring Religion in China." According to Pew, 2% of PRC citizens believe in Christianity exclusively, while 7% believe in Christianity and may have faith in one or more non-Christian religions or deities.

⁷⁶ Freedom House, "The Battle for China's Spirit: Religious Revival, Repression, and Resistance under Xi Jinping."

⁷⁷ ChinaAid, "ChinaAid's Annual Persecution Report 2023," March 1, 2024.

⁷⁸ Department of State, "2023 Report on International Religious Freedom: China." See China Law Translate, "Measures on the Administration of Internet Religious Information Services," December 20, 2021, at Measures on the Administration of Internet Religious Information Services (chinalawtranslate.com). (CRS did not independently verify this translation.) ChinaAid, "ChinaAid's Annual Persecution Report 2022," February 13, 2023; Sean Cheng, "Can China's New Regulations Really Stop Evangelism on the Internet?" *Christianity Today*, March 3, 2022.

⁷⁹ "Holy See and China Renew Provisional Agreement for 2 Years," *Vatican News*, October 22, 2020; "Communiqué on the extension of the Provisional Agreement between the Holy See and the People's Republic of China regarding the appointment of Bishops," Holy See Press Office, October 22, 2022; Phoebe Zhang, "China and Vatican Agree to Extend Deal on Bishop Appointments for 4 More Years," *South China Morning Post*, October 23, 2024.

⁸⁰ The provisional agreement has not been made publicly available. Elisabetta Povoledo, "Vatican and China Extend Contentious Agreement on Naming Catholic Bishops," *New York Times*, October 22, 2024; Jason Horowitz, "Vatican Extends Deal with China over Appointment of Bishops," *New York Times*, February 22, 2020.

many Catholics in China.⁸¹ The Vatican has accused China of violating the agreement by appointing bishops without consulting with the Holy See.⁸²

Falun Gong

Falun Gong combines traditional Chinese exercises with Buddhist and Daoist precepts formulated by the movement's founder, Li Hongzhi.⁸³ In the mid-1990s, the spiritual exercise gained tens of millions of adherents across China, including senior members of the CPC.⁸⁴ 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 (RTL) facilities. In 2014, the PRC government abolished the RTL system; since then, many Falun Gong members reportedly have been sent to other forms of administrative detention.⁸⁵ The government continues to harass and detain those who engage in the spiritual practice and to imprison Falun Gong members for violating China's anti-cult law.⁸⁶ A Falun Gong advocacy group reported that in 2023, PRC police arrested 3,629 Falun Gong practitioners in China.⁸⁷ The Department of State has noted that some activists and organizations have accused the PRC government of "forcibly harvesting organs from prisoners of conscience, including religious and spiritual adherents such as Falun Gong practitioners and Muslim detainees in Xinjiang."⁸⁸ Falun Gong's overseas media and entertainment enterprises include the Epoch Times and Vision Times news outlets, New Tang Dynasty Television, and Shen Yun cultural performances, and the organization has a large presence on Facebook.⁸⁹

Tibetans

The Tibetan Autonomous Region (TAR) is home to around 3.1 million ethnic Tibetans (86% of the TAR's officially-registered population).⁹⁰ In addition, nearly 4 million Tibetans live in "Tibetan autonomous" prefectures and counties in four adjoining PRC provinces.⁹¹ Tibet's former political and Tibetan Buddhist spiritual leader, the 14th Dalai Lama Tenzin Gyatso, has lived in

⁸¹ "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; Nina Shea, "The Attempted Shutdown of China's Christians," *National Review*, July 23, 2020.

⁸² Ed Condon, "How Rome Lost the Vatican-China Deal," *The Pillar*, July 17, 2023; Primrose Riordan et al, "Catholic Envoy Visits Beijing as China-Vatican Tensions Simmer," *Financial Times*, April 17, 2023; Philip Pullella, "Vatican Says China Violated Pact on Bishops, Wants Explanation," Reuters, November 26, 2022.

⁸³ Falun Dafa Information Center, "What is Falun Gong," at [What is Falun Gong \(Falun Dafa\)? | Ancient Chinese Spiritual Practice \(faluninfo.net\)](http://What is Falun Gong (Falun Dafa)? | Ancient Chinese Spiritual Practice (faluninfo.net)).

⁸⁴ Estimates of Falun Gong practitioners in China in the late 1990s ranged from several million to 70 million, with widely divergent levels of commitment.

⁸⁵ Department of State, "2023 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.

⁸⁶ Article 300 of the PRC Criminal Law prohibits "organizing and using a cult to undermine implementation of the law." United States Commission on International Religious Freedom, "2024 Annual Report," May 1, 2024; The Dui Hua Foundation - Political Prisoner Database.

⁸⁷ Falun Dafa Infocenter, "The Persecution of Falun Gong: Key Developments in 2023," January 29, 2024.

⁸⁸ Department of State, "2023 Country Reports on Human Rights Practices: China."

⁸⁹ Kyle Cooke, "Reality Check: The Truth Behind the Epoch Times Billboards Around Denver," *Rocky Mountain PBS*, June 4, 2024; Valentin Guelet and Joris Fioriti, "'Shen Yun' Slides Anti-Beijing Message into Colourful Dance," *Agence France Presse*, March 11, 2024; Kevin Rose, "How the Epoch Times Created a Giant Influence Machine," *New York Times*, March 9, 2021.

⁹⁰ Central Tibetan Administration, "Tibet at a Glance," at <https://tibet.net/about-tibet/tibet-at-a-glance/>.

⁹¹ Outside the TAR, many Tibetans live in "Tibetan autonomous" prefectures and counties in Sichuan, Qinghai, Yunnan, and Gansu provinces.

Figure I. Map of China



Source: Created by CRS. Boundaries and locations from U.S. Department of State and Esri.

exile in Dharamsala, India, with other Tibetan exiles since a failed Tibetan uprising against CPC rule in 1959. The Tibetan exile community in India and Nepal numbers roughly 150,000 people.⁹²

The 14th Dalai Lama long has advocated a “middle way approach,” or “genuine autonomy for the three traditional provinces of Tibet,” without demanding independence.⁹³ China’s leaders have referred to the middle way as a “step” toward independence for Tibet and to the Dalai Lama as a “separatist.”⁹⁴ PRC officials and representatives of the Dalai Lama last held talks on issues related to Tibetan autonomy and the return of the Dalai Lama in 2010.

Following anti-government protests in 2008, TAR authorities imposed greater controls on Tibetan religious life and culture. These eventually included government regulation of all religious activities, a heightened security and CPC presence within monasteries, mandatory political education for Tibetan Buddhist clergy, and state monitoring and censorship of online activity in the TAR to a higher degree than elsewhere in China, with the exception of Xinjiang. Authorities have arbitrarily detained and imprisoned hundreds of Tibetan writers, intellectuals, and cultural

⁹² “Tibetans in Exile Face New Challenges,” EastAsiaForum, March 31, 2021. Tibet’s history includes period of self-rule and Chinese and Mongolian rule. “Tibet Profile,” *BBC News*, August 25, 2023.

⁹³ Central Tibetan Administration, “Speaker Addresses 15th Anniversary of Global Tibetan People’s Movement for Middle Way Approach,” September 18, 2023; “‘Middle Way’ Approach for Tibet Not Just About Politics: Dalai Lama,” 5, April 13, 2022; For further information on the “middle way approach,” see Central Tibetan Administration, “Message from the Sikyong,” at <https://mwa.tibet.net/read/#>.

⁹⁴ “Full Text: Tibet’s Development a Historical Necessity,” Xinhua, April 15, 2015. See also State Council Information Office of the People’s Republic of China, “Full Text: CPC Policies on the Governance of Xizang in the New Era: Approach and Achievements,” November 10, 2023.

figures on broad charges of “splittism” or “separatism.”⁹⁵ The government has implemented human, digital, and biometric surveillance systems, sending CPC teams into Tibetan villages, installing surveillance cameras in monasteries, and collecting DNA samples of between one-quarter and one-third of Tibet’s population since 2016.⁹⁶

Examples of religious repression of Tibetans include forbidding images of the Dalai Lama in people’s homes and on their phones, discouraging participation in religious festivals, including Losar, the Tibetan New Year, and banning prayer flags.⁹⁷ Religious policy has evolved from taking a reactive approach to countering unrest to maintaining stability through collective and preventative repression, according to observers.⁹⁸ Between 2016 and 2019, authorities destroyed religious structures and evicted thousands of Tibetan and Han Chinese monks and nuns from the Yachen Gar and Larung Gar monastic centers in Sichuan Province.⁹⁹

Succession of the Dalai Lama and Panchen 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 14th 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.”¹⁰⁰ The PRC government insists that PRC 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 89 years old.¹⁰¹ U.S. officials and Members of Congress have expressed support for the right of Tibetans to choose their own religious leaders without government interference.¹⁰²

In 1995, PRC authorities abducted Tibetan Gendun Choeki Nyima, recognized by the Dalai Lama as the 11th Panchen Lama, the second most important figure in Tibetan Buddhism, when he was six years old. He reportedly has not been seen since.¹⁰³ PRC authorities named Gyancaïn Norbu, born in 1990, as the 11th Panchen Lama.

The International Tibet Network documents over 700 political prisoners in Tibet, many of them incarcerated following the unrest of 2008.¹⁰⁴ Some analysis of night-time lighting indicate a possible increase in activity at higher security detention and prison facilities in Tibet between

⁹⁵ See, for example, “Olympic Descent: Repression in Tibet Since Beijing 2008,” International Campaign for Tibet, November 17, 2021.

⁹⁶ Department of State, “2023 Report on International Religious Freedom: China (Tibet),” June 26, 2024; Liza Lin, Eva Xiao and Jonathan Cheng, “China Expands Surveillance and Restrictions, Borrowing Some Tactics Used in Xinjiang,” *Wall Street Journal*, July 17, 2021; “China: No End to Tibet Surveillance Program,” Human Rights Watch, January 18, 2016.

⁹⁷ Department of State, “2023 Report on International Religious Freedom: China (Tibet);” “China Launches New Drive Against Dalai Lama Photos in Kardze,” *Radio Free Asia*, May 29, 2019.

⁹⁸ “A Night-Time Lighting Analysis of Tibet’s Prisons and Detention Centres,” RAND Europe, 2023.

⁹⁹ Department of State, “2023 Report on International Religious Freedom: China (Tibet).”

¹⁰⁰ His Holiness the 14th Dalai Lama of Tibet, “Reincarnation,” September 24, 2011, at <https://www.dalailama.com/the-dalai-lama/biography-and-daily-life/reincarnation>

¹⁰¹ 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.

¹⁰² Department of State, Department Press Briefing, March 9, 2021; 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, “Pelosi Statement on the 85th Birthday of His Holiness the Dalai Lama,” press release, July 6, 2020.

¹⁰³ Sophie Richardson, “25 Years After ‘Disappearing’ Tibetan Panchen Lama, China Is No Nearer to Its Goal,” Human Rights Watch, May 15, 2020.

¹⁰⁴ International Tibet Network, “Tibetan Political Prisoner Resources,” at <https://tibetnetwork.org/tibetan-political-prisoners/>.

2014 and 2022.¹⁰⁵ Between 2009 and 2022, 159 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 127 are reported to have died.¹⁰⁶

PRC assimilation policies in Tibetan areas have included resettling and urbanizing nomads and farmers; those policies include elements of forced labor, according to some reports. TAR authorities reportedly have placed over half a million rural Tibetans in the formal economy in Tibetan areas and other parts of China, turning them into wage laborers in the textile, construction, and agricultural sectors.¹⁰⁷ The government continues to replace Tibetan language instruction and textbooks in schools with Chinese language, and reportedly has placed nearly one million Tibetan children in state-run boarding schools, which teach in Chinese and promote Han culture.¹⁰⁸ (For a discussion of U.S. policy efforts related to Tibetan areas in China and Tibetans, see “Sanctions and Other Restrictive Measures” and “Legislation and Policy on Tibet,” below.)

Uyghurs

Uyghurs, a Turkic ethnic group many of whose members practice a form of Sunni Islam, live primarily in the Xinjiang Uyghur Autonomous Region (XUAR) in China’s northwest.¹⁰⁹ One of the two largest Muslim groups in China,¹¹⁰ Uyghurs once were the predominant ethnic group in the XUAR; they now constitute less than half or 45% of the region’s permanent resident population of nearly 26 million, or under 12 million by some estimates. Many Han Chinese have migrated to the XUAR in response to government incentives. As of 2020, Han and other ethnic minorities constitute approximately 42% and 13% of the XUAR population, respectively.¹¹¹ The party-state tightened restrictions on Uyghur religious and cultural activities beginning in 2009 in response to ethnic unrest in the XUAR, other violent incidents in the XUAR and elsewhere in China, and Uyghurs’ growing travel and contacts abroad.¹¹²

¹⁰⁵ “A Night-Time Lighting Analysis of Tibet’s Prisons and Detention Centres.”

¹⁰⁶ International Campaign for Tibet, “Self-Immolation Fact Sheet,” April 6, 2022, at <https://savetibet.org/tibetan-self-immolations/>.

¹⁰⁷ Penpa Tsering, Sikyong, Central Tibetan Administration, Statement before the Congressional-Executive Commission on China, March 28, 2023; Adrian Zenz, “Xinjiang’s System of Militarized Vocational Training Comes to Tibet,” *China Brief (Jamestown Foundation)*, September 22 2020; “UN Expert Identifies Forced Labor Arrangements in Tibet Similar to Xinjiang,” Central Tibetan Administration, August 19, 2022; Cate Cadell, “Exclusive: China Sharply Expands Mass Labor Program in Tibet,” Reuters, September 20, 2020.

¹⁰⁸ “China: UN Experts Alarmed by Separation of 1 Million Tibetan Children from Families and Forced Assimilation at Residential Schools,” United Nations Office of the High Commissioner for Human Rights, February 6, 2023.

¹⁰⁹ Some Uyghurs refer to Xinjiang as “East Turkestan,” which PRC officials say never existed and is a term used by “separatists and anti-China forces attempting to split China.” “Guardian Report on ‘East Turkestan’ A Distortion and Negation of Xinjiang’s History: Chinese Embassy in UK,” *Global Times*, March 2, 2021. Some U.S. scholars refer to Xinjiang as the “Uyghur region” or “Uyghur homeland.” See Sean R. Roberts, *The War on the Uyghurs* (Princeton: Princeton University Press, 2020). For further information on the Uyghurs, see CRS In Focus IF10281, *China Primer: Uyghurs*.

¹¹⁰ Uyghur and Hui Muslims in China are similar in population.

¹¹¹ The Muslim population in the XUAR, including Uyghurs, Kazakhs, Hui, Kyrgyz, and Tajiks, constitute roughly 15 million people, or 58% of the region’s population. Department of State, “2023 Report on International Religious Freedom: China (Xinjiang),” June 26, 2024; Lindsay Maizland, “China’s Repression of Uyghurs in Xinjiang,” Council on Foreign Relations, September 22, 2022; “China Releases Data Showing Rise in Uighur Population in Xinjiang,” *The Week*, September 27, 2021; “Graphics: Facts about Xinjiang’s Population and Ethnic Groups,” China Global Television Network, September 2, 2022; Sean R. Roberts, *The War on the Uyghurs*.

¹¹² 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. The U.S. government (continued...)

Following the appointment of Chen Quanguo as the XUAR's Communist Party Secretary (in office 2016-2022), and the implementation of the 2015 national counter-terrorism law and regulations on religious practice, XUAR officials imposed new security measures aimed at the Uyghur population.¹¹³ These included tighter restrictions on movement and the installation of ubiquitous surveillance cameras.¹¹⁴ Authorities collected biometric and other data from Uyghur residents, and entered it into an "Integrated Joint Operations Platform" that monitors daily activities and flags suspicious behaviors.¹¹⁵ XUAR authorities also implemented systems to monitor Uyghurs' smart phones and online activity for "extremist" content or communication.¹¹⁶

Assimilation Policies Toward Uyghurs and other Muslims

In tandem with the national Sinicization mandate, XUAR authorities have instituted measures to assimilate Uyghurs and other Muslims into Han Chinese society and reduce the influences of Uyghur, Islamic, and Arabic cultures and languages. The party-state, through various measures, has aimed to transform the customs, thoughts, and behaviors of Uyghurs and to forcefully assimilate them into Han culture, which some scholars say may result in the destruction of Uyghur culture and identity.¹¹⁷ The XUAR government enacted a law in 2017 that prohibits "expressions of extremification," placing restrictions upon dress and grooming, practices related to traditional Uyghur customs, and adherence to Islamic dietary laws (halal).¹¹⁸ Thousands of mosques in Xinjiang reportedly have been demolished, closed, or "Sinicized," whereby Islamic motifs and Arabic writings have been removed, and access to them is restricted.¹¹⁹ The government reportedly restricts and in some cases may punish Muslims for reading the Quran.¹²⁰ In 2024, XUAR authorities implemented updated regulations on religious affairs that codify many religious policies that have been imposed in Xinjiang during the past several years.¹²¹

The Xinjiang government has instituted policies to drastically reduce the use of the Uyghur language and the cultural influence of Uyghur parents on their children. XUAR authorities have

"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.

¹¹³ Chen Quanguo was formerly Party Secretary of the Tibetan Autonomous Region (2011-2016).

¹¹⁴ 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.

¹¹⁵ 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; "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.

¹¹⁶ "China Orders Xinjiang's Android Users to Install App That Deletes 'Terrorist' Content," *Radio Free Asia*, July 14, 2017.

¹¹⁷ 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.

¹¹⁸ Department of State, "2017 Annual Report on International Religious Freedom: China," May 29, 2018. See 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).

¹¹⁹ Hayley Wong, "China's Xinjiang Region Says All New Religious Buildings Must 'Reflect Chinese Characteristics'," *South China Morning Post*, January 5, 2024; "'Domes, Minarets and Symbols of Muslims Architecture Removed' as China Renovates Largest Mosque in Ningxia Hui," *Times Now*, November 2, 2020; "Uighur Mosques Closed by Beijing, Handed Over for Tourist Use," *Asahi Shimbun*, October 15, 2020.

¹²⁰ Department of State, "2023 Report on International Religious Freedom: China (Xinjiang)."

¹²¹ "A New Round of Restrictions Further Constrains Religious Practice in Xinjiang," *ChinaFile*, April 19, 2024.

banned Uyghur language instruction in schools.¹²² Nearly half a million Uyghur children attend state-run boarding schools, where curricula are designed to indoctrinate children or to “break the impact of the religious atmosphere on children at home,” according to a state document.¹²³

PRC Treatment of Hui Muslims

Historically, PRC authorities generally have shown greater tolerance or flexibility toward Hui Muslims, who number around 11.4 million and who are ethnically Han Chinese and geographically dispersed, than toward Uyghurs.¹²⁴ PRC authorities in the Ningxia Hui Autonomous Region and elsewhere have ordered mosques to be “Sinicized,” and local authorities have taken down minarets, replaced onion domes with traditional Chinese roofs, and removed Islamic motifs and Arabic writings, in some cases leading to protests by Hui Muslims.¹²⁵ Some Hui have been detained along with Uyghurs in reeducation centers in Xinjiang.¹²⁶

Mass Detentions

Between 2017 and 2019, XUAR authorities arbitrarily detained over 1 million ethnic Uyghur and other Muslims in “reeducation” facilities, also known as “vocational education and training centers.”¹²⁷ Detainees generally were not charged with crimes, but rather were held on the basis of past religious, cultural, scholarly, social, and online activities, as well as foreign travel, that the government later deemed “extremist,” “pre-criminal,” or potentially terrorist. Authorities accused many of the detainees of harboring “strong religious views” or “politically incorrect ideas.”¹²⁸ Reportedly, detainees were compelled to renounce or reject many of their Islamic beliefs and customs as a condition for their eventual release.¹²⁹ Leaked party documents reveal the

¹²² “Uyghur Language Instruction Absent from Schools in Xinjiang’s Kelpin County,” *Radio Free Asia*, January 1, 2021; Darren Byler, “Xinjiang Education Reform and the Eradication of Uyghur-Language Books,” *SupChina*, October 2, 2019; China Moves to Ban Use of Uyghur Language in Schools,” *Voice of America*, August 2, 2017.

¹²³ Amy Qin, “In China’s Crackdown on Muslims, Children Have Not Been Spared,” *New York Times*, July 1, 2020.

¹²⁴ Heather Clydesdale, “Exploring Islam in China,” Asia Society; Wee Kek Koon, “Who Are the Hui People, Who Lent Their Name to the Old Chinese Word for Islam and Muslims?” *South China Morning Post*, April 21, 2023; Christian Shepherd and Vic Chang, “Chinese Police Clash with Protesters Over Plans to Demolish Mosque,” *Washington Post*, May 29, 2023; “Hui Muslims and the ‘Xinjiang Model’ of State Suppression of Religion,” Congressional-Executive Commission on China, March 29, 2021.

¹²⁵ Department of State, “2023 Report on International Religious Freedom: China;” Ruslan Yusupov, “China is Taking a Wrecking Ball to Famous Mosques,” *Foreign Policy*, July 31, 2023; Christian Shepherd and Vic Chang, “Chinese Police Clash with Protesters Over Plans to Demolish Mosque.”

¹²⁶ Gene A. Bunin, “Xinjiang’s Hui Muslims Were Swept into Camps Alongside Uighurs,” *Foreign Policy*, February 10, 2020.

¹²⁷ 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. Estimates of the number of those detained range from 800,000 to more than 3 million Muslims, mostly Uyghurs and smaller numbers of Kazakhs, Kyrgyz, and Hui. Department of State, “2023 Report on International Religious Freedom: China (Xinjiang);” Lindsay Maizland, “China’s Repression of Uyghurs in Xinjiang;” Adrian Zenz, “New Evidence for China’s Political Re-education Campaign in Xinjiang,” *China Brief (Jamestown Foundation)*, May 15, 2018.

¹²⁸ Reported activities or characteristics that were deemed by PRC authorities as warranting 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 posing a potential threat to society after having spent prior time in prison for extremist or terrorist crimes. Darren Byler, *In the Camps: China’s High-Tech Penal Colony* (New York: Columbia Global Reports, 2021); 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.

¹²⁹ “Trapped in the System: Experiences of Uyghur Detention in Post 2015 Xinjiang,” *Radio Free Asia*, February 2021; (continued...)

internment centers, which responded to Xi Jinping's call for a comprehensive struggle against "terrorism, infiltration, and separatism," were "prison-like" in nature.¹³⁰ The Department of State noted reports of deaths of detainees while in the facilities or soon after their release.¹³¹ A 2022 assessment by the United Nations Office of the High Commissioner for Human Rights (OHCHR) stated that PRC policies and practices in the XUAR had led to "interlocking patterns of severe and undue restrictions on a wide range of human rights" and "may constitute international crimes, in particular crimes against humanity."¹³² (See "Xinjiang Atrocity Crime Determinations," below.)

Since 2019, the XUAR government appears to have released some detainees, prosecuted many as criminals, and sent others to work in factories.¹³³ According to U.S. and other journalists who visited Xinjiang and to materials compiled by the nongovernmental Australian Strategic Policy Institute, including satellite imagery, XUAR authorities have converted some training centers into prisons or pretrial detention centers, and built vast new high-security facilities resembling prisons, likely to hold former detainees later convicted of crimes.¹³⁴ Regarding detentions, the August 2022 OHCHR assessment stated, "There appears to be a parallel trend of an increased number and length of imprisonments occurring through criminal justice processes, suggesting that the focus of deprivation of liberty has shifted towards imprisonment, on purported grounds of counter-terrorism and counter-'extremism.'"¹³⁵ Many Uyghurs living abroad state that they still do not have direct contact with relatives in Xinjiang, and "hundreds of thousands of people are

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; "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.

¹³⁰ Austin Ramzy and Chris Buckley, "'Absolutely No Mercy': Leaked Files Expose How China Organized Mass Detentions of Muslims;" "Xinjiang Police Files," Victims of Communism Memorial Foundation, at <https://www.xinjiangpolicefiles.org/>; Adrian Zenz, "The Xinjiang Police Files: Re-Education Camp Security and Political Paranoia in the Xinjiang Uyghur Autonomous Region," *Journal of the European Association for Chinese Studies*, Vol. 3 (2022); Victims of Communism Memorial Foundation, "Victims of Communism Memorial Foundation Releases 'Xinjiang Police Files' Providing Conclusive Evidence of Prison-Like Nature of Beijing's Re-education Camps," May 24, 2022.

¹³¹ According to the Department of State, for example, there were "multiple reports" from Uyghur family members whose relatives had died while in internment camps or within weeks of their release." Department of State, "2020 Country Reports on Human Rights Practices: China," March 30, 2021; Congressional-Executive Commission on China, *Annual Report 2022*, November 2022; Human Rights Watch, "'Break Their Lineage, Break Their Roots,'" April 19, 2021; "Trapped in the System: Experiences of Uyghur Detention in Post 2015 Xinjiang."

¹³² UN Office of the High Commissioner for Human Rights, "OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China," August 31, 2022.

¹³³ Adile Ablet, Short Hoshur and Bahram Sintash, "China Says Its Camps Are Closed, But Uyghurs Remain Under Threat," *Radio Free Asia*, September 17, 2023.

¹³⁴ Eva Dou and Cate Cadell, "As Crackdown Eases, China's Xinjiang Faces Long Road to Rehabilitation," *Washington Post*, September 23, 2022; "AP Looks Inside China's Largest Detention Center in Xinjiang," *Voice of America*, July 22, 2021; Anna Fifield, "China Is Building Vast New Detention Centers for Muslims in Xinjiang," *Washington Post*, September 23, 2020; 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.

¹³⁵ United Nations Human Rights Office of the High Commissioner, "OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China."

still missing.”¹³⁶ Many forms of Uyghur reeducation reportedly continue in factories, homes, night schools, prisons, and other forms of detention.¹³⁷

Since 2022, the government reportedly has dismantled some physical features of the security apparatus, such as the ubiquitous police kiosks and security checkpoints in Xinjiang cities. Western journalists have reported a lack of religious activity and observance in Xinjiang.¹³⁸ Xi Jinping visited Xinjiang in July 2022, urging local officials to “tightly hold on to the goal to maintain social and political stability,” while also emphasizing economic development in the region and Xinjiang’s role as a “core hub” of the Belt and Road Initiative, which finances PRC-backed infrastructure development around the world.¹³⁹ In 2024, authorities in Korla, a city in central Xinjiang, detained over 70 Uyghur officials for being “two-faced” or failing to carry out party policies.¹⁴⁰

In 2022, the Xinjiang government reported it had prosecuted 540,826 people since 2017; human rights groups believe many were convicted on political charges.¹⁴¹ More than 300 Uyghur intellectuals and cultural figures are believed to be detained or serving prison sentences.¹⁴² Among Uyghur intellectuals handed long sentences for state security crimes are Ilham Tohti (convicted in 2014), an economics professor who had maintained a website related to Uyghur issues, and Rahile Dawut (convicted in 2023), a scholar of Uyghur folklore. Both were found guilty of “separatism” and sentenced to life in prison.¹⁴³ Research by the Washington, DC-based Uyghur Human Rights project found that between 2014 and 2021, the PRC government had imprisoned approximately 630 imams and other Muslim religious figures, many of whom had been charged with crimes of extremism and separatism.¹⁴⁴

Forced and Involuntary Labor

Many Uyghurs reportedly have been assigned to factory and other employment in Xinjiang and other PRC provincial-level jurisdictions under conditions that indicate forced labor. The central government, often as part of “poverty alleviation” or “pairing assistance” programs designed to spur development in poorer provinces, has promoted economic investment from richer provinces

¹³⁶ Asim Kashgarian, “Lost Relatives and Friends Found in Leaked Xinjiang Photos,” *Voice of America*, June 13, 2022; Ruth Ingram, “A Search Engine for Disappeared Uyghurs,” *The China Project*, March 2, 2023, at <https://thechinaproject.com/2023/03/02/a-search-engine-for-disappeared-uyghurs/>; Eva Dou and Cate Cadell, “As Crackdown Eases, China’s Xinjiang Faces Long Road to Rehabilitation;” Scilla Alecci, “The Faces of China’s Detention Camps in Xinjiang,” *International Consortium of Investigative Journalists*, May 24, 2022; “China’s Plans for Xinjiang, and What It Means for the Region’s Persecuted Uyghurs—Podcast,” *The Conversation*, January 27, 2022; 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.

¹³⁷ Department of State, “2023 Country Reports on Human Rights Practices: China;” Eva Dou and Cate Cadell, “As Crackdown Eases, China’s Xinjiang Faces Long Road to Rehabilitation;” Anna Fifield, “China Is Building Vast New Detention Centers for Muslims in Xinjiang;” Department of Labor, Bureau of International Labor Affairs, “Against Their Will: The Situation in Xinjiang” at <https://www.dol.gov/agencies/ilab/against-their-will-the-situation-in-xinjiang>.

¹³⁸ Eva Dou and Cate Cadell, “As Crackdown Eases, China’s Xinjiang Faces Long Road to Rehabilitation.”

¹³⁹ Teddy Ng and Josephine Ma, “China’s President Xi Visits Xinjiang for First Time in 8 Years, Praises Region’s ‘Core Hub’ Role,” *South China Morning Post*, July 15, 2022.

¹⁴⁰ Shoret Hoshur, “Xinjiang Authorities Target Uyghurs Cadres in ‘Dark Forces’ Crackdown,” *Radio Free Asia*, August 1, 2024.

¹⁴¹ “China: Xinjiang Official Figures Reveal Higher Prisoner Count,” *Human Rights Watch*, September 14, 2022.

¹⁴² Lily Kuo, “China Sentences Uyghur Academic to Life in Prison in Xinjiang,” *Washington Post*, September 22, 2023

¹⁴³ *Ibid.*; Edward Wong, “China Sentences Uighur Scholar to Life,” *New York Times*, September 23, 2014.

¹⁴⁴ Joel Gunter, “Uyghur Imams Targeted in China’s Xinjiang Crackdown,” *BBC News*, May 13, 2021.

into Xinjiang and the movement of large numbers of Uyghurs, including former detainees, into the formal workforce, including textile, apparel, agricultural, electronic, and other labor-intensive industries.¹⁴⁵ In addition to employment within the XUAR, many Uyghurs have been contracted to work in factories outside Xinjiang as part of an ongoing labor transfer program. Uyghurs who refuse to accept such employment may be considered “extremist” or face punishment.¹⁴⁶ PRC officials deny that forced labor exists in Xinjiang, and in 2022, China ratified two International Labor Organization conventions on forced labor.¹⁴⁷

Birth Control Measures

In 2017, the central government ordered a crackdown on Uyghur violations of China’s family planning guidelines, and launched a campaign to reduce birth rates among Uyghurs and other Muslims, partly through forced contraception, sterilization, and abortions. Many Uyghurs previously had children in excess of state-mandated limits, and while they often paid fines, they were not otherwise punished.¹⁴⁸ The crackdown reportedly included a campaign of mass sterilization in rural Xinjiang aimed at ethnic minority women with three or more children, as well as some with two children, and led to a dramatic drop in birth rates. Some Uyghur women were detained or jailed for having children in excess of state guidelines.¹⁴⁹

China’s Family Planning Policies

China’s family planning policies are guided by a national law, the Population and Family Planning Law of the People’s Republic of China, which first went into effect in 2002 and has been amended twice, in 2015 and 2021.¹⁵⁰ Between 1980 and 2015, the PRC government imposed what became known outside China as the “One-Child Policy,” mostly in urban districts, to curb population growth. Many couples in rural areas were allowed to have two children. The PRC government allowed many ethnic minority groups, including Uyghur Muslims, to have two children per couple in urban districts and three in rural areas as part of its policy to grant ethnic minority groups a measure of autonomy. The One-Child Policy was followed by many human rights abuses, as well as demographic and related issues, including sex-selective abortions, a skewed gender ratio (more boys than girls), and an accelerated aging of the total population.¹⁵¹

¹⁴⁵ Adrian Zenz, “Forced Labor in the Xinjiang Uyghur Autonomous Region: Assessing the Continuation of Coercive Labor Transfers in 2023 and early 2024,” *China Brief (Jamestown Foundation)*, February 14, 2024; Adrian Zenz, “Coercive Labor and Forced Displacement in Xinjiang’s Cross-Regional Labor Transfer Program,” *Victims of Communism*, March 2, 2021; Adrian Zenz, “Beyond the Camps: Beijing’s Grand Scheme of Forced Labor, Poverty Alleviation and Social Control in Xinjiang,” *Written Testimony for the Hearing of the Congressional-Executive Commission on China*, October 17, 2019; 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; Congressional-Executive Commission on China, “Global Supply Chains, Forced Labor, and the Xinjiang Uyghur Autonomous Region,” March 2020.

¹⁴⁶ Department of State, “2023 Report on International Religious Freedom: China (Xinjiang).”

¹⁴⁷ “China Firmly Opposes US’ So-Called Uyghur Forced Labor Prevention Act, Will Make Further Response: FM,” *Global Times*, December 24, 2021; International Labor Organization, “China Ratifies the Two ILO Fundamental Conventions on Forced Labor,” August 12, 2022; Mimi Lau, “Why Is China Choosing Now to Ratify Forced Labour Conventions?” *South China Morning Post*, April 12, 2022.

¹⁴⁸ Adrian Zenz, “Sterilizations, IUDs, and Mandatory Birth Control: The CCP’s Campaign to Suppress Uyghur Birthrates in Xinjiang,” *Jamestown Foundation*, June 2020.

¹⁴⁹ *Ibid.*; “China Cuts Uighur Births with IUDs, Abortion, Sterilization,” *Associated Press*, June 29, 2020.

¹⁵⁰ See *Population and Family Planning Law of the People’s Republic of China*, August 2021 (Chinese language version at <https://flk.npc.gov.cn/detail2.html?ZmY4MDgxODE3YmE5NjVjNDAxN2JiODkyMWQxMzA3N2E%3D>).

¹⁵¹ China reports a male-to-female ratio of 105 to 100. “China’s Latest Census Reports More Balanced Gender Ratio,” *Xinhua*, May 11, 2021. The number of women of childbearing age in China began to fall in the mid-2010s. Mu Guangzong, “China’s Worrying Decline in Birth Rate: China Daily Columnist,” *The Straits Times*, January 24, 2018.

In response to demographic trends and popular pressure, in 2015, China's National People's Congress (NPC) amended the Population and Family Planning Law to allow all married couples to have two children.¹⁵² In 2021, the NPC amended the Population and Family Planning Law again, allowing all married couples to have up to three children.¹⁵³ Despite the general relaxation of population control measures since 2016 and new policies mandating maternity and childcare leave for women, birth rates in China have continued to decline.¹⁵⁴

The law has never explicitly condoned or prohibited coercive sterilization and abortion, and has referred to contraception as the main means of family planning. Due to the vagueness of the law's provisions and to differing regulations at the subnational level, its implementation has varied widely across the country. The law reportedly has led to many abuses by local officials attempting to enforce limitations on births, including forced contraceptive use, forced sterilizations, and forced abortions (including late-term abortions).¹⁵⁵ Furthermore, the law authorizes other penalties for violations of China's family planning policies. These penalties have included heavy fines ("social compensation fees") and job-related sanctions, as well as the denial of public health and education benefits to offspring beyond the number of children permitted by the law.¹⁵⁶

Human Rights in China and the United Nations

Although the UN Charter and the UN Universal Declaration of Human Rights (UDHR) formally establish human rights as matters of international concern, and governments have legal obligations under international human rights law, the CPC broadly views other governments' criticisms of human rights in China as a form of interference in China's internal affairs.¹⁵⁷ PRC statements also suggest that human rights are contingent on national conditions rather than universally applicable, and that rights related to economic development (as such rights are conceived by the party-state) are superior to all other rights.¹⁵⁸ The CPC generally emphasizes the role of governments over civil society or individual rights-holders.

China has actively sought to blunt criticism of its human rights record at the United Nations. The PRC has been elected to the Human Rights Council several times and is a current member of the

¹⁵² Laney Zhang, "China: Two-Child Policy Becomes Law," January 8, 2016, at China: Two-Child Policy Becomes Law | Library of Congress ([loc.gov](#)); Josh Chin, "Chinese Scholars Call for Revision of One-Child Policy," *Wall Street Journal*, July 6, 2012.

¹⁵³ Laney Zhang, "China: Three-Child Policy Becomes Law, Social Maintenance Fee Abolished," at China: Three-Child Policy Becomes Law, Social Maintenance Fee Abolished | Library of Congress ([loc.gov](#)); Jessie Yeung and Steve George, "China Wants Families to Have Three Children. But Many Women Aren't Convinced," *CNN*, August 25, 2021.

¹⁵⁴ Qian Zhou, "Childcare Leave in China," *China Briefing*, March 24, 2023; Nicholas Ning, "Why Many 'Double Income, No Kids' Couples in China Don't Want Children," *Australian Broadcasting Corporation*, May 19, 2023; "China's Births May Fall Below 10 million Annually in Next Five Years – Expert Quoted," Reuters, April 19, 2021.

¹⁵⁵ Calum Macleod, "Forced Abortion in China Prompts Outrage, Calls for Reform," *Washington Post*, June 15, 2012.

¹⁵⁶ Russell Goldman, "From One Child to Three: How China's Family Planning Policies Have Evolved," *The New York Times*, May 31, 2021; Sui-Lee Wee, "After One-Child Policy, Outrage at China's Offer to Remove IUDs," *New York Times*, January 7, 2017; "How China's One-Child Policy Led to Forced Abortions, 30 million Bachelors," *NPR*, February 1, 2016; Maya Wang, "Dispatches: Ending the One-Child Policy Does Not Equal Reproductive Freedom in China," Human Rights Watch, October 29, 2015.

¹⁵⁷ Ministry of Foreign Affairs of the People's Republic of China, Chinese Mission to the United Nations, "The Majority of Countries Oppose the Interference in China's Internal Affairs in the Name of Human Rights," October 21, 2021.

¹⁵⁸ For example, a June 2021 white paper on human rights produced by the PRC State Council Information Office states that "the right to subsistence comes before any other right, and the right to development is closely connected to the right to subsistence. The CPC believes that putting subsistence and development first and subsequently developing other rights is the only way to meet the people's expectation that their rights will be protected." See PRC State Council Information Office, "The Communist Party of China and Human Rights Protection—A 100-Year Quest," June 2021.

Council, after having been re-elected to a new three-year term (2024-2026) in October 2023.¹⁵⁹ At the Council and within the United Nations more broadly, China has worked to block criticism of human rights in China, undermine the participation of nongovernmental human rights organizations, and garner endorsement by other members states of the PRC's approach to international human rights norms and practices.¹⁶⁰

China's 2024 UN Universal Periodic Review

Through the UN Human Rights Council's Universal Periodic Review (UPR), all UN member states undergo peer reviews of their human rights record, roughly every 4.5 years, that examine a member's fulfillment of its human rights obligations and commitments.¹⁶¹ The UPR process allows for input and recommendations from other UN member states and NGOs. At China's 2024 UPR, its fourth review since 2009, the PRC government claimed progress in the implementation of some recommendations offered at its 2018 UPR.¹⁶² Some human rights experts and organizations reported that the PRC government encouraged many countries to deliver remarks supporting China's human rights record. Due in part to China's lobbying efforts, 163 countries signed up to speak during a roughly two-hour allotted period, many of them in support of China, leaving little time for some countries to critique the PRC's human rights record in detail. China also reportedly attempted to marginalize independent human rights groups attending the review, including by bringing in PRC government-approved NGOs.¹⁶³ At least 50 countries made substantive recommendations to China to improve human rights conditions.¹⁶⁴ The United States made eight recommendations, including calling on China to cease human rights violations in Tibet, Xinjiang, Hong Kong and throughout China, and to permit the United Nations unhindered access to the country.¹⁶⁵

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

¹⁵⁹ 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 UN Human Rights Council and PRC and U.S. participation, see CRS Report RL33608, *The United Nations Human Rights Council: Background and Policy Issues*.

¹⁶⁰ For example, see Ted Piccone, *China's Long Game on Human Rights at the United Nations*, Brookings Institution, September 2018; Rana Siu Inboden, "China at the UN: Choking Civil Society," *Journal of Democracy*, vol. 32, no. 3 (July 2021), pp. 124-135; Human Rights Watch, "The Costs of International Advocacy: China's Interference in United Nations Human Rights Mechanisms," September 5, 2017.

¹⁶¹ For more information about the UPR process, see CRS Report RL33608, *The United Nations Human Rights Council: Background and Policy Issues*; OHCHR, "Basic Facts About the UPR," at <https://www.ohchr.org/en/hr-bodies/upr/basic-facts>; and Department of State, "Universal Periodic Review Process," at <https://www.state.gov/universal-periodic-review-process/>.

¹⁶² The UPR includes reports submitted by the Office of the High Commissioner for Human Rights (OHCHR) and the state under review, and an OHCHR summary of information from other stakeholders, including independent human rights groups. For documents on China's 2024 UPR, see United Nations Human Rights Council, "Universal Periodic Review—China," at <https://www.ohchr.org/en/hr-bodies/upr/cn-index>; "China: Compilation of Information Prepared by the Office of the United Nations High Commissioner for Human Rights," 22 January – 2 February 2024; "National Report Submitted in Accordance with Human Rights Council Resolutions 5/1 and 16/21: China," November 3, 2023; and "Summary of Stakeholders' Submissions on China: Report of the Office of the United Nations High Commissioner for Human Rights," November 20, 2023.

¹⁶³ Rana Siu Inboden, "Statement before the Congressional-Executive Commission on China, Hearing on the PRC's Universal Periodic Review and the Real State of Human Rights in China," February 1, 2024; Rushan Abbas, "Written Testimony for the U.S. Congressional-Executive Commission on China, the PRC's Universal Periodic Review and the Real State of Human Rights in China," February 1, 2024.

¹⁶⁴ Amy Hawkins, "China's Human Rights Record Criticized at UN as it Faces Rare Scrutiny of Policies," *The Guardian*, January 23, 2024; "At UN Review, China Basks in the Flattery of Friendly Countries," *The Economist*, January 25, 2024; William Yang, "Analysts: UN Rights Review Shows Limits of China's Global Influence Campaign," *Voice of America*, January 29, 2024; "How the Latest UN Review Shattered the Narrative of Unanimous Latin American Support for China," *NF News Center*, January 27, 2024.

¹⁶⁵ See U.S. Mission Geneva, "U.S. Statement at the Universal Periodic Review of the People's Republic of China, 45th Session of the UPR Working Group, as Prepared for Delivery by Ambassador Michèle Taylor," January 23, 2024.

in 2001.¹⁶⁶ 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 UN bodies, including treaty monitoring bodies, and among UN independent experts. As noted above, the UN Office of the High Commissioner for Human Rights (OHCHR) assessed in 2022 that PRC policies and practices in Xinjiang “may constitute international crimes, in particular crimes against humanity.”¹⁶⁷ The PRC government reportedly sought other governments’ help in urging OHCHR not to release its assessment.¹⁶⁸ In October 2022, the UN Human Rights Council considered a resolution to “hold a debate on the situation of human rights” in Xinjiang filed by the United States, the United Kingdom, Canada, Norway, Sweden, Finland, Iceland, Denmark, Australia, and Lithuania.¹⁶⁹ Among the council’s current 47 members, 19 countries voted against the proposal, 17 countries voted in favor, and 11 abstained.¹⁷⁰ As part of China’s 2024 UPR process (discussed above), the PRC government rejected suggestions to implement recommendations contained in OHCHR’s 2022 report by stating that the report is “completely illegal and void.”¹⁷¹

U.S. Efforts to Advance Human Rights in China

Human Rights and U.S.-China Relations

Human rights conditions in the PRC, and U.S. criticisms of these conditions, 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 the American public to view the PRC government with greater suspicion.¹⁷² PRC leaders may, in turn, view U.S. policymakers’ expressions of concern about PRC human rights, and the broader U.S. democracy promotion agenda, as U.S. tools to undermine CPC rule and contain China’s rising international influence.¹⁷³ Frictions over human rights may also affect

¹⁶⁶ The other five core human rights treaties that China has ratified are: Convention on the Elimination of All Forms of Discrimination against Women; International Convention on the Elimination of All Forms of Racial Discrimination; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention on the Rights of the Child; and Convention on the Rights of Persons with Disabilities.

¹⁶⁷ UN Office of the High Commissioner for Human Rights, “OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China.”

¹⁶⁸ Emma Farge, “EXCLUSIVE China Seeks to Stop UN Rights Chief from Releasing Xinjiang Report – Document,” Reuters, July 20, 2022.

¹⁶⁹ Ewelina U. Ochab, “A Debate on the Situation in Xinjiang Blocked at the U.N. Human Rights Council,” *Forbes*, October 6, 2022; “UN Rights Council Rejects Debate on China’s Abuses in Xinjiang,” Reuters, October 6, 2022.

¹⁷⁰ Countries that called for a debate were: the Czech Republic, Finland, France, Germany, Honduras, Japan, Lithuania, Luxembourg, Marshall Islands, Montenegro, Netherlands, Paraguay, Poland, South Korea, Somalia, the United Kingdom, and the United States. Countries that opposed it were: Bolivia, Cameroon, China, Cote d’Ivoire, Cuba, Eritrea, Gabon, Indonesia, Kazakhstan, Mauritania, Namibia, Nepal, Pakistan, Qatar, Senegal, Sudan, United Arab Emirates, Uzbekistan and Venezuela. Countries that abstained were: Argentina, Armenia, Benin, Brazil, Gambia, India, Libya, Malawi, Malaysia, Mexico and Ukraine. Tovah Lazaroff, “UNHRC Refuses to Debate China’s Human Rights Violations,” *Jerusalem Post*, October 6, 2022.

¹⁷¹ UN Human Rights Council, “Report of the Working Group on the Universal Periodic Review – China: Addendum: Views on Conclusions and/or Recommendations, Voluntary Commitments and Replies Presented by the State Under Review,” May 31, 2024, A/HRC/56/6/Add.1.

¹⁷² Kenneth Lieberthal and Wang Jisi, “Addressing U.S.-China Strategic Distrust,” Brookings Institution, March 2012.

¹⁷³ For example, see PRC Ministry of Foreign Affairs, “Foreign Ministry Spokesperson’s Statement on US’ Signing of the So-called Uyghur Forced Labor Prevention Act,” December 24, 2021.

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 claimed human rights achievements.¹⁷⁴

Selected U.S. 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).
- P.L. 117-78: Uyghur Forced Labor Prevention Act (popular title).
- P.L. 118-70: Promoting a Resolution to the Tibet-China Conflict Act.

U.S. Policy Evolution

In the period following the 1989 Tiananmen Square crackdown, U.S. policymakers sought to leverage China's desire for "most favored nation" (MFN) trade status by linking the status' annual renewal to improvements in human rights conditions in China. In May 1993, consistent with some legislative proposals, President Bill Clinton formally linked China's MFN renewal with a number of human rights-related criteria.¹⁷⁵ A year later, while acknowledging the continuance of serious human rights abuses in China, President Clinton abandoned this linkage in favor of a general policy of engagement with China that his Administration hoped would contribute to improved respect for human rights in the PRC and greater political freedoms for the Chinese people.¹⁷⁶ In a 1999 State of the Union Address, President Clinton 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."¹⁷⁷ China's

¹⁷⁴ For example, see PRC State Council Information Office, "The Communist Party of China and Human Rights Protection," white paper, June 2021.

¹⁷⁵ Executive Order 12850, "Conditions for Renewal of Most-Favored-Nation Status for the People's Republic of China in 1994," 58 *Federal Register* 31327, May 28, 1993.

¹⁷⁶ John M. Broder and Jim Mann, "Clinton Reverses His Policy, Renews China Trade Status," *Los Angeles Times*, May 27, 1994; White House, "Press Conference of the President," May 26, 1994.

¹⁷⁷ President Bill Clinton, *State of the Union Address*, January 19, 1999.

annual MFN renewal process nonetheless continued to trigger debate in Congress over human rights conditions in China, among other issues, until Congress granted China Permanent Normal Trade Relations (PNTR) in 2000.¹⁷⁸

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.¹⁷⁹ 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.¹⁸⁰

Congressional-Executive Commission on China (CECC)

In 2000, the legislation that granted PNTR treatment to China (PNTR Act; P.L. 106-286) included provisions to enable Congress to continue to monitor human rights in China. The PNTR Act included provisions that established 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.¹⁸¹ In addition to producing this report, CECC holds hearings and roundtables on human rights-related topics, tracks pertinent PRC laws and regulations, maintains a publicly accessible database of political prisoners, and supports congressional oversight and the development of legislation. Pursuant to the PNTR Act, the commission is to consist of nine Senators, nine Members of the House of Representatives, and five senior Administration officials appointed by the President (including representatives from the Departments of State, Commerce, and Labor). Congress funds the CECC's operating costs through the annual Department of State, Foreign Operations, and Related Programs Appropriations Acts. For FY2024, Congress appropriated \$2.3 million for the CECC (P.L. 118-47).

Beginning late in the Obama Administration and particularly during the Donald Trump Administration, policy analysts began increasingly to question the effectiveness of aspects of the U.S. engagement strategy with China, including, in light of China's deepening domestic political repression, its effectiveness in securing improvements in Beijing's respect for human rights and political freedoms.¹⁸² Under President Trump, U.S. policy documents declared that China's international integration had not liberalized its political or economic system, and the United

¹⁷⁸ A May 2000 Department of State fact sheet in support of PNTR for China predicted that China's WTO accession would "help expose the Chinese people to information, ideas, and debate from around the world," improve the rule of law in China, and "strengthen forces in China likely to move the human rights situation in the right direction," among other effects. Department of State, "China: WTO Accession and Permanent Normal Trade Relations (PNTR)," fact sheet, May 24, 2000.

¹⁷⁹ Some analysts have debated 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.

¹⁸⁰ 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.

¹⁸¹ The most recent annual report, covering 2023, is accessible at <https://www.cecc.gov/publications/annual-reports/2023-annual-report>.

¹⁸² 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.

States began to place less emphasis on engagement.¹⁸³ The Trump Administration approached China as a strategic competitor, with officials at times also labeling the PRC as a “revisionist power” or adversary, and bilateral tensions over human rights intensified alongside other long-standing areas of friction.¹⁸⁴

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.¹⁸⁵ Using authorities granted by Congress, the Administration imposed a gradually growing array of sanctions and other restrictive measures in response to PRC human rights violations, particularly in Xinjiang. Trump Administration efforts were also viewed as uneven at times, with some observers criticizing the Administration for sometimes neglecting human rights in its dealings with China.¹⁸⁶ Some argued that the Trump Administration’s placing less emphasis on multilateral institutions and multilateral diplomacy than some prior Administrations, including its withdrawing the United States from the UN Human Rights Council, reduced U.S. effectiveness and credibility on human rights in China (see “Multilateral Diplomacy,” below).¹⁸⁷

¹⁸³ The Trump Administration’s December 2017 *National Security Strategy* (NSS) 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, the NSS 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.” White House, *National Security Strategy of the United States of America*, December 2017.

¹⁸⁴ 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.

¹⁸⁵ 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. See White House, “Remarks by Vice President Pence on the Administration’s Policy Toward China,” October 4, 2018. Former Secretary of State Mike Pompeo 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.” Department of State, “Remarks on the Release of the 2018 Country Reports on Human Rights Practices,” March 13, 2019. See also “Secretary of State Michael R. Pompeo Keynote Address at the Ministerial to Advance Religious Freedom,” July 18, 2019, Michael R. Pompeo, “Communist China and the Free World’s Future,” July 23, 2020, and White House, *United States Strategic Approach to the People’s Republic of China*, May 26, 2020. In a 2024 article in *Foreign Affairs*, a former Trump Administration official and a former Member of Congress argued that the United States “should seek to weaken the sources of CCP imperialism and hold out for a Chinese leader who behaves less like an unrelenting foe.” See Matt Pottinger and Mike Gallagher, “No Substitute for Victory,” *Foreign Affairs*, May/June 2024, pg. 39.

¹⁸⁶ 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.

¹⁸⁷ Lindsey Ford, “The Trump Administration and the ‘Free and Open Indo-Pacific,’” Brookings Institution, May 2020; Kurt M. Campbell and Jake Sullivan, “Competition Without Catastrophe: How America Can Both Challenge and Coexist with China,” *Foreign Affairs*, September 13, 2019; James Millward, “We Need a Better Middle Road on China. Here’s How We Can Find It,” *Washington Post*, August 6, 2019; Washington Post Editorial Board, “Trump Speaks out on China’s Human Rights Abuses—When It’s Convenient,” *Washington Post*, July 12, 2019.

Biden Administration

In his remarks, President Biden has emphasized a perceived global contest between democracy and autocracy; Biden and senior Administration officials have asserted that the Administration's foreign policy centers on issues of human rights and democratic values.¹⁸⁸ According to Secretary of State Antony J. Blinken, the United States will continue to raise human rights issues with China “not to stand against China, but to stand up for peace, security, and human dignity.”¹⁸⁹ The Administration's October 2022 National Security Strategy (NSS) assessed that China and Russia “seek to remake the international order to create a world conducive to their highly personalized and repressive type of autocracy.”¹⁹⁰ The NSS pledges that the United States “will hold Beijing accountable for abuses,” including “genocide and crimes against humanity in Xinjiang, human rights violations in Tibet, and the dismantling of Hong Kong's autonomy and freedoms.”¹⁹¹

Biden Administration statements following high-level bilateral meetings with PRC officials indicated that the United States raised human rights issues with PRC interlocutors. These include a November 2023 Biden-Xi summit in Woodside, California, at which President Biden “raised concerns regarding PRC human rights abuses, including in Xinjiang, Tibet, and Hong Kong.”¹⁹² Also in November 2023, the State Department resumed bilateral meetings with the PRC on disability rights issues.¹⁹³ The United States and China have not resumed the U.S.-China Human Rights Dialogue, which had been held on and off since 1990 but which China suspended in 2016.¹⁹⁴

A continued U.S. policy approach less concerned with maintaining broad engagement with China appears to afford greater space in which to pressure the PRC on human rights concerns, although whether and to what extent such pressure can compel changes in PRC policies or practices is unclear. The Biden Administration has built upon Trump Administration sanctions, implemented relevant new legislation (e.g., concerning blocking forced labor imports from China), and sought to enhance multilateral coordination toward accountability for PRC human rights violations. At

¹⁸⁸ For example, see White House, “Remarks by President Biden at the 2021 Virtual Munich Security Conference,” February 19, 2021.

¹⁸⁹ Department of State, “The Administration's Approach to the People's Republic of China,” remarks, May 26, 2022.

¹⁹⁰ White House, *National Security Strategy*, October 2022.

¹⁹¹ *Ibid.*

¹⁹² White House, “Readout of President Joe Biden's Meeting with President Xi Jinping of the People's Republic of China,” November 15, 2023. After their meetings, in responding to a press question about his previous use of the term “dictator” to describe Xi Jinping, Biden stated that Xi is “a dictator in the sense that he ... runs a country that—it's a communist country that is based on a form of government totally different than ours.” See White House, “Remarks by President Biden in a Press Conference,” November 16, 2023. Secretary of State Blinken later raised human rights issues in bilateral meetings during an April 2024 visit to China and on the margins of the UN General Assembly in September 2024. See Department of State, “Secretary Blinken's Visit to the People's Republic of China,” April 26, 2024; “Secretary Blinken's Meeting with People's Republic of China (PRC) Director of the CCP Central Foreign Affairs Commission and Foreign Minister Wang Yi,” September 27, 2024.

¹⁹³ Department of State, “U.S.-China Coordination Meeting on Disability,” November 6, 2023.

¹⁹⁴ China has maintained bilateral human rights dialogues with some other governments and in 2023 resumed the EU-China Human Rights Dialogue with the European Union. John Kamm, “Of Dialogues and Prisoner Lists,” *U.S.-Asia Law Institute*, Vol. 3, No. 16, February 13, 2023; Dui Hua Foundation, “Dui Hua Visits DC for Government, NGO Meetings,” *Dui Hua Digest*, July 18, 2016; European Union, “China: 38th Human Rights Dialogue with the European Union Takes Place in Brussels,” February 17, 2023; European Union, “China: 39th Human Rights Dialogue with the European Union Took Place in Chongqing,” June 17, 2024.

the same time, some policy actions by the Administration have reflected an apparent balancing of human rights concerns with other priorities in the bilateral relationship.¹⁹⁵

Selected Policy Tools and Recent U.S. Actions

As illustrated in the sections that follow, Congress has statutorily mandated many operative elements of U.S. bilateral human rights policy toward China and continues to annually appropriate resources for relevant activities. This to some degree has fostered a consistent U.S. policy focus on human rights in China amid shifting rhetoric and prioritization between and during presidential administrations.

Notable Recent Legislation

Various laws enacted in recent Congresses have addressed human rights issues in China, including provisions contained in annual National Defense Authorization Acts (NDAA) and Department of State, Foreign Operations, and Related Programs Appropriations Acts (SFOPS). Selected laws enacted since the 116th Congress are discussed below.

The **Uyghur Human Rights Policy Act of 2020** (P.L. 116-145, as amended; 22 U.S.C. §6901 note), enacted in June 2020, requires the President to report to Congress (within 180 days and annually thereafter) on foreign persons determined to be responsible for certain human rights abuses in Xinjiang, and impose targeted sanctions against these persons.¹⁹⁶ (See also “Targeted Sanctions Against Individuals and Entities,” below.) The law also required reports to Congress from the Department of State (on human rights abuses in Xinjiang and related U.S. 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).

P.L. 117-78, enacted in December 2021 and commonly known as the **Uyghur Forced Labor Prevention Act** (UFLPA), subjects products mined, produced, or manufactured in China’s Xinjiang region or by certain Xinjiang-related entities to a rebuttable presumption that they are made with forced labor and thereby prohibited from importation into the United States. (See also “Forced Labor Import Restrictions,” below.) The law also required the Secretary of State to submit a report to Congress on the U.S. strategy to address forced labor in Xinjiang, and expanded the sanctionable criteria under the aforementioned Uyghur Human Rights Policy Act to include forced labor-related human rights abuses.

The **Tibetan Policy and Support Act of 2020** (Division FF, Title III, Subtitle E of P.L. 116-260), enacted in December 2020, and the **Promoting a Resolution to the Tibet-China Dispute Act** (P.L. 118-70), enacted in July 2024, modified elements of U.S. policy related to Tibet. (See “Legislation and Policy on Tibet,” below.)

¹⁹⁵ See Nike Ching, “US Lifts Sanctions on Chinese Institute to Seek Fentanyl Cooperation,” *Voice of America*, November 16, 2023.

¹⁹⁶ The President may waive the application of sanctions by certifying to Congress that doing so is in the U.S. national interest.

Legislation in the 118th Congress

Section 7401 of the NDAA for FY2024 (P.L. 118-31), enacted in December 2023, requires that the Director of National Intelligence (DNI) designate a senior official to serve as the intelligence community coordinator for accountability for PRC atrocities, tasked in part with “identifying analytic and other intelligence needs and priorities of the United States Government” vis-à-vis PRC atrocities, and “[e]nsuring that relevant departments and agencies receive appropriate support from the intelligence community with respect to the collection, analysis, preservation, and ... dissemination of [relevant] intelligence products.” Section 7408 of the same law requires a report “on the Uyghur genocide” from the DNI not less than 180 days after enactment, including regarding forced sterilization, “forced transfer of Uyghur children from their families,” forced labor, and other matters.¹⁹⁷

Various pending legislation in the 118th Congress would address issues related to human rights in China. Bills that to date have passed one chamber of Congress include:

- Uyghur Policy Act of 2023 (S. 1252 / H.R. 2766; the House version passed the House in February 2024)
- No Dollars to Uyghur Forced Labor Act (H.R. 4039, which passed the House in February 2024)
- Combating Human Rights Abuses Act of 2023 (S. 484, which passed the Senate in December 2023)
- Stop CCP Act (H.R. 3334 / S. 4913; the House version passed the House in September 2024)

Public Reports

The State Department has publicized human rights issues in China through reports such as the congressionally mandated annual *Country Reports on Human Rights Practices* and *International Religious Freedom Report*.¹⁹⁸ The department has also supported influential research by nongovernmental organizations. The department’s Global Engagement Center, for example, supported the establishment of the Xinjiang Data Project, described by a State Department official as “the largest-ever open-source data on the cultural destruction and internment of Uyghurs” in Xinjiang.¹⁹⁹ As noted above, the CECC produces an annual report with findings on issues including freedom of expression, freedom of religion, civil society, and other topics.

Foreign Assistance Programs

Since 2001, the U.S. government has funded foreign assistance programs to promote human rights, democracy, and related U.S. objectives in China. Pursuant to congressional directives, the State Department’s Bureau of Democracy, Human Rights, and Labor (DRL) has administered a

¹⁹⁷ In September 2024, a Member of Congress wrote to the Director of National Intelligence expressing concern over “the indefinite delay” in releasing the report required by Section 7048, which was due to Congress by June 2024. See <https://ritchietorres.house.gov/posts/congressman-ritchie-torres-calls-out-director-of-national-intelligence-avril-haines-for-failing-to-produce-report-on-uyghur-genocide-as-required-in-fy24-ndaa>.

¹⁹⁸ For background, see CRS In Focus IF10795, *Global Human Rights: The Department of State’s Country Reports on Human Rights Practices* and CRS In Focus IF10803, *Global Human Rights: International Religious Freedom Policy*.

¹⁹⁹ Response to question for the record by Jennifer Godfrey, Senior Bureau Official for Public Diplomacy and Public Affairs, U.S. Congress, Senate Committee on Foreign Relations, *Combating Authoritarianism: U.S. Tools and Responses*, hearing, 117th Congress, 2nd sess., March 15, 2022. See also <https://xjdp.aspi.org.au/>. See also Australian Strategic Policy Institute, “The Xinjiang Data Project,” at <https://xjdp.aspi.org.au/>.

significant proportion of these resources. DRL-funded China projects broadly seek to “support the development of civil society, rule of law, freedom of information and expression, and public participation in the PRC.”²⁰⁰ Some programs provide support to Chinese and PRC ethnic minority communities living abroad to address human rights issues in China, particularly in Xinjiang, and to promote “holistic safety for Chinese civil society organizations, human rights defenders, and journalists.”²⁰¹ Separately, the U.S. Agency for International Development (USAID) administers programs to support “livelihood development, cultural preservation, health initiatives, and environmental conservation” for Tibetan communities in China.²⁰² U.S.-funded programs do not provide assistance to PRC government entities and mainly award grants to NGOs and academic institutions. U.S. agencies, particularly the State Department (through the DRL Bureau) and the U.S. Agency for Global Media, also broadly fund programs to promote internet freedom in repressive environments such as China.²⁰³

For FY2024, Congress appropriated \$12 million for DRL China programs and \$10 million to “preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities” in China.²⁰⁴ (Congress also appropriated \$5 million for democracy and internet freedom programs in Hong Kong.²⁰⁵)

Appropriations for Tibetan Exile/Diaspora Communities

Since 2015, Congress has appropriated support for Tibetan communities in India and Nepal (\$8 million in FY2024). In addition, since 2018, Congress has funded programs to strengthen the capacity of the Central Tibetan Administration of the Tibetan exile community in India (\$5 million in FY2024).²⁰⁶ Since 1997, the Ngawang Choephel Fellows Program, administered by the State Department’s Bureau of Educational and Cultural Affairs, brings together Tibetan mid-level leaders from China and the United States in a four week exchange promoting sustainable and inclusive community economic development in Tibetan areas in China.²⁰⁷

²⁰⁰ Department of State, *FY2024 Congressional Budget Justification – Appendix 2*, April 2023, pg. 45.

²⁰¹ Ibid. DRL’s most recent public request for China grant proposals called for projects within the broad areas of “access to information and freedom of expression” and “civic participation, rule of law, and labor rights.” The request describes numerous potential project objectives within these categories such as expanding citizen awareness of censorship and disinformation; improving citizens’ ability to access and share information about human rights and governance; protecting fundamental freedom for PRC human rights lawyers; increasing the resilience of human rights-focused civil society groups; supporting documentation of human rights abuses by the PRC government; and enabling diaspora groups to engage with host governments regarding PRC transnational repression, among others. See Department of State, “Request for Statements of Interest: FY23 China Programs,” November 29, 2023, accessed at <https://www.state.gov/drl-notice-of-funding-opportunity-nof-drl-fy23-china-programs-statements-of-interest/>.

²⁰² See <https://www.usaid.gov/china>, which notes, “No USAID assistance is provided to or through the PRC government or Chinese Communist Party.” These programs are managed by USAID’s Regional Development Mission for Asia, located in Bangkok, Thailand.

²⁰³ See Department of State, “DRL Internet Freedom Annual Program Statement,” November 21, 2023; U.S. Agency for Global Media, “Office of Internet Freedom,” <https://www.usagm.gov/office-internet-freedom/>; and U.S. Agency for Global Media, “Open Technology Fund,” <https://www.usagm.gov/networks/otf/>.

²⁰⁴ See Division F of Further Consolidated Appropriations Act, 2024 (P.L. 118-47) and the accompanying explanatory statement. The Tibet funding is specified at Section 7043(j)(1). The State Department directive is found in the table on pg. 42 of the explanatory statement.

²⁰⁵ Section 7043(g)(2) of P.L. 118-47. Separately and more broadly, the law appropriated \$94 million for internet freedom programs globally—see Section 7050(a) and pg. 58 of the accompanying explanatory statement.

²⁰⁶ P.L. 118-47, Sections 7043(j)(2) and 7043(j)(3).

²⁰⁷ Department of State, Bureau of Educational and Cultural Affairs (ECA) Notice of Funding Opportunity (NOFO): FY2022 Ngawang Choephel Fellows Program.

National Endowment for Democracy Grants

Congress, through SFOPS, appropriates funds to the National Endowment for Democracy (NED), a private nonprofit organization established in 1983 to promote democracy globally. Although expressly not an agency or establishment of the U.S. government, NED is funded chiefly through annual appropriations authorized by the National Endowment for Democracy Act (Title V of P.L. 98-164 ; 22 U.S.C. §§4411 et seq.). NED has played an active role in promoting human rights and democracy in China since the mid-1980s through providing grants to its four affiliated organizations and other civil society organizations.²⁰⁸ Some of NED’s focus areas related to China include supporting Uyghur and Tibetan exile/diaspora organizations; documenting PRC human rights violations in Xinjiang and elsewhere; countering PRC digital authoritarianism; and supporting Chinese human rights defenders and other civil society activists and organizations, among others.²⁰⁹

International Broadcasting

The U.S. Agency for Global Media (USAGM), an independent agency 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.”²¹⁰ The Agency’s 2022-2026 strategic plan prioritizes “access to trusted, compelling, and impactful content,” often through social media, in order to “create a robust response to censorship and disinformation,” including vis-à-vis China.²¹¹ USAGM oversees broadcasting to China through the Voice of America (VOA), a federal broadcasting network, and Radio Free Asia (RFA), a nonprofit 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 in China.

USAGM has expanded RFA’s China services, including its Uyghur service, which it describes as the “only independent, non-Chinese government sanctioned Uyghur-language news service in the world” and a “primary source for news” on the mass detentions in the Xinjiang.²¹² According to USAGM, RFA’s Mandarin, Cantonese, and English services were “critical” in reporting on the 2022 protests in China against COVID lockdowns and government censorship.²¹³ Appropriations

²⁰⁸ 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.

²⁰⁹ See NED, “Mainland China 2021,” February 14, 2022, at <https://www.ned.org/region/asia/mainland-china-2021/>; “Xinjiang/East Turkistan (China) 2021,” February 15, 2022, at <https://www.ned.org/region/asia/xinjiang-east-turkestan-china-2021/>; and “Tibet (China) 2021,” February 15, 2022, at <https://www.ned.org/region/asia/tibet-china-2021/>. See also NED, “Hong Kong (China) 2021,” February 14, 2022, at <https://www.ned.org/region/asia/hong-kong-china-2021/>.

²¹⁰ See <https://www.usagm.gov/who-we-are/mission/>. See also CRS Report R46968, *U.S. Agency for Global Media: Background, Governance, and Issues for Congress*, by Matthew C. Weed.

²¹¹ U.S. Agency for Global Media, “Truth over Disinformation: Supporting Freedom and Democracy,” USAGM Strategic Plan, 2022-2026.

²¹² U.S. Agency for Global Media, “FY2024 Congressional Budget Justification,” March 13, 2023, p. 81; U.S. Agency for Global Media, “Burke Awards Honories: Uyghur Service, 2019 Winner,” at https://www.usagm.gov/burke_candidate/uyghur-service/.

²¹³ U.S. Agency for Global Media, “FY2024 Congressional Budget Justification,” p. 79.

directives for RFA funding have increased from approximately \$47.6 million in FY2021 to approximately \$60 million annually in the years since.²¹⁴

Sanctions and Other Restrictive Measures

The executive branch, using authorities granted by Congress, has imposed a number of new restrictive measures related to human rights in China in recent years, particularly since 2019. The PRC government has imposed some retaliatory sanctions in response to various U.S. actions.²¹⁵ Some reports have highlighted purported loopholes and possible weaknesses of U.S. measures imposed to date, and some analysts have argued that U.S. measures are more likely to compel changes in PRC policy and practices if more like-minded governments take similar actions.²¹⁶

Targeted Sanctions Against Individuals and Entities

The Global Magnitsky Human Rights Accountability Act (Global Magnitsky Act; Title XII, Subtitle F of P.L. 114-328, as amended) authorizes the President to impose economic sanctions on, and deny entry into the United States to, foreign individuals or entities identified as engaging in human rights violations or corruption.²¹⁷ Congress also specifically authorized Xinjiang-related economic and entry denial sanctions through the Uyghur Human Rights Policy Act (UHRPA; P.L. 116-145, as amended). Separately, a recurring SFOPS provision at Section 7031(c) requires the Secretary of State to deny visas to enter the United States to foreign officials credibly implicated in significant corruption or a gross violation of human rights, as well as immediate family members of the foreign official.²¹⁸ SFOPS Section 7031(c) designations may be made either publicly or privately.

To date, the executive branch has utilized these authorities to publicly impose economic and/or visa sanctions on a total of 20 current or former non-Hong Kong PRC officials or PRC entities in connection with human rights violations or abuses in China, with some individuals designated under multiple authorities (see **Table 1** below). Of these, 14 individuals and entities have been designated in connection with human rights violations in Xinjiang. Among those designated is now-former XUAR Party Secretary Chen Quanguo, whose July 2020 designation was believed to

²¹⁴ See most recently regarding FY2024, pp. 14-15 of the explanatory statement accompanying Division F of P.L. 118-47.

²¹⁵ For example, see BBC, “Xinjiang: Rubio and Cruz Hit With Tit-For-Tat China Sanctions,” 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; Department of State, “PRC Sanctions on U.S. Officials,” press statement, March 27, 2021; Bethany Allen-Ebrahimian, “China Fires Back at U.S. Sanctions,” *Axios*, December 29, 2023.

²¹⁶ For example, see Eliot Chen and Katrina Northrop, “Washington’s Xinjiang Fix,” *The Wire China*, December 31, 2023; Sui-Lee Wee, “China Still Buys American DNA Equipment for Xinjiang Despite Blocks,” *New York Times*, June 11, 2021; Marti Flacks and Madeleine Songy, “The Uyghur Forced Labor Prevention Act Goes into Effect,” Center for Strategic and International Studies, June 27, 2022.

²¹⁷ The Global Magnitsky Act is implemented through Executive Order 13818, which expands the scope of sanctionable targets relative to the law. See Executive Order 13818, “Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption,” 82 *Federal Register* 60839, December 20, 2017; CRS Report R46981, *The Global Magnitsky Human Rights Accountability Act: Scope, Implementation, and Considerations for Congress*, by Michael A. Weber.

²¹⁸ This requirement is subject to certain exceptions, and may be waived by the Secretary of State if the Secretary determines that such waiver “would serve a compelling national interest” or “the circumstances which caused the individual to be ineligible have changed sufficiently.” See, most recently, Section 7031(c) of P.L. 118-47.

be the first time the United States had sanctioned a CPC Politburo member.²¹⁹ Some Members of Congress have called for additional sanctions and other restrictions related to Xinjiang, Tibet, or other issues.²²⁰

The June 2020 enactment of the UHRPA preceded the first tranche of Xinjiang-related sanctions. The sanctions announced in July 2020 were pursuant to the aforementioned global authorities rather than the UHPRA, however, as have been most subsequent actions. The executive branch appears to have waited until December 2023 to submit its first sanctions report to Congress pursuant to the UHRPA, after President Biden designated authorities under the law to the Secretaries of State and the Treasury.²²¹

Table I. Chronological List of PRC Officials and Entities Publicly Sanctioned in Connection with Human Rights in China (not including Hong Kong)

Date	Name – Position (if specified)	Issue	Designation Authority
December 2017	Gao Yan – Beijing Public Security Bureau Chaoyang Branch Director	Human rights violations against activist Cao Shunli	Global Magnitsky
July 2020	Chen Quanguo - XUAR Party Secretary	Xinjiang	Global Magnitsky, 7031(c)
July 2020	Zhu Hailun - Deputy Secretary of Xinjiang's People's Congress and former Party Secretary of the Xinjiang Political and Legal Committee	Xinjiang	Global Magnitsky, 7031(c)
July 2020	Wang Mingshan - Director and Party Secretary of the Xinjiang Public Security Bureau	Xinjiang	Global Magnitsky, 7031(c)
July 2020	Huo LiuJun - Former Party Secretary of the Xinjiang Public Security Bureau	Xinjiang	Global Magnitsky
July 2020	Xinjiang Public Security Bureau	Xinjiang	Global Magnitsky
July 2020	Xinjiang Production and Construction Corps (XPCC)	Xinjiang	Global Magnitsky
July 2020	Peng Jiarui - Deputy Party Secretary and Commander of the XPCC	Xinjiang	Global Magnitsky

²¹⁹ Department of the Treasury, “Treasury Sanctions Chinese Entity and Officials Pursuant to Global Magnitsky Human Rights Accountability Act,” press release, July 9, 2020. Later, the executive branch announced sanctions against another Politburo member, Wang Chen, in relation to developments in Hong Kong.

²²⁰ For example, see House Select Committee on the Chinese Communist Party, “Letter to Secretaries Blinken and Myorkas on Sanctions CCP Henchmen Committing Uyghur Genocide,” September 19, 2023; Senator Marco Rubio, “Rubio, Gallagher Statement on Biden Admin’s Watered-down Sanctions on Chinese Officials Conducting Genocide,” December 8, 2023; Congressional-Executive Commission on China, “Chairs Seek Export Controls on Technology Used for Mass Biometric Data Collection in Tibet,” October 23, 2023.

²²¹ Section 6 of the UHRPA requires a report on persons determined responsible for certain Xinjiang-related human rights and designated for sanctions within 180 days after enactment and annually thereafter. See White House, “Memorandum on the Delegation of Certain Functions and Authorities Under the Uyghur Human Rights Policy Act of 2020 and Public Law 117-78,” December 7, 2023; Department of State, “Report to Congress on the Imposition of Sanctions Pursuant to the Uyghur Human Rights Policy Act Pursuant to Sec. 6(a) of the Uyghur Human Rights Policy Act of 2020, P.L. 116-145,” December 8, 2023.

Date	Name – Position (if specified)	Issue	Designation Authority
July 2020	Sun Jinlong - Former Political Commissar of the XPCC	Xinjiang	Global Magnitsky
December 2020	Huang Yuanxiong – Chief of the Xiamen Public Security Bureau Wucun Police Station	Human rights violations against Falun Gong practitioners	7031(c)
March 2021	Wang Junzheng - Secretary of the Party Committee of the XPCC	Xinjiang	Global Magnitsky
March 2021, December 2021	Chen Mingguo - Director of the Xinjiang Public Security Bureau	Xinjiang	Global Magnitsky, 7031(c)
May 2021	Yu Hui - former Office Director of the “Central Leading Group on Preventing and Dealing with Heretical Religions” of Chengdu	Human rights violations against Falun Gong practitioners	7031(c)
December 2021	Shohrat Zakir – Former Chairman of the XUAR	Xinjiang	Global Magnitsky, 7031(c)
December 2021	Erken Tuniyaz – Acting Chairman of the XUAR and former Vice Chairman of the XUAR	Xinjiang	Global Magnitsky, 7031(c)
December 2021, December 2023	Hu Lianhe – Deputy Director General of the United Front Work Department’s Eighth Bureau on Xinjiang and Deputy Director of the Xinjiang Work Coordination Small Group	Xinjiang	7031(c), Global Magnitsky
December 2022	Wu Yingjie – former Tibet Autonomous Region Party Secretary	Tibet	Global Magnitsky
December 2022	Zhang Hongbo – Director of the Tibetan Public Security Bureau	Tibet	Global Magnitsky, 7031(c)
December 2022	Tang Yong – Former Deputy Director of the Chongqing Area Prisons	Human rights violations against Falun Gong practitioners	7031(c)
December 2023	Gao Qi – Former leader of the Yili Kazakh Autonomous Prefecture	Xinjiang	Global Magnitsky, UHRPA, 7031(c)

Source: Department of the Treasury and Department of State press releases and reporting pursuant to the Uyghur Human Rights Policy Act.

Notes: Positions indicated are as described by the Treasury or State Department in relevant designation announcements and may not reflect positions now occupied by the designated individuals. For individuals designated separately under multiple authorities, position descriptions are drawn from the most descriptive and/or recent designation announcement. This list does not include all PRC persons designated for human rights-related reasons. For instance, the Treasury Department has also imposed sanctions against PRC individuals and entities in connection with human rights abuses aboard PRC fishing vessels.

Visa Restrictions Against Unspecified Individuals. The State Department has also drawn on broad authority under the Immigration and Nationality Act (INA) and other authorities to impose

visa restrictions against unspecified PRC individuals in connection with human rights-related issues.²²² These include visa restrictions against

- unspecified PRC government and CPC 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” (announced October 2019, with additional unspecified officials announced restricted in July 2020),²²³
- unspecified PRC and CPC officials “substantially involved in the formulation or execution of policies related to access for foreigners to Tibetan areas,” pursuant to the Reciprocal Access to Tibet Act of 2018 (P.L. 115-330, announced July 2020);²²⁴
- unspecified “employees of Chinese technology companies that provide material support to regimes engaging in human rights abuses globally,” including Huawei (announced July 2020);²²⁵
- unspecified PRC officials “believed to be responsible for, or complicit in, policies or actions aimed at repressing religious and spiritual practitioners, members of ethnic minority groups, dissidents, human rights defenders, journalists, labor organizers, civil society organizers, and peaceful protestors” (announced December 2020);²²⁶
- unspecified PRC officials “believed to be responsible for, or complicit in, policies or actions aimed at repressing religious and spiritual practitioners, members of ethnic minority groups, dissidents, human rights defenders, journalists, labor organizers, civil society organizers, and peaceful protestors in China and beyond” (announced March 2022);²²⁷ and
- unspecified PRC officials involved “in the forcible assimilation of more than one million Tibetan children in government-run boarding schools” (announced August 2023).²²⁸

Export Controls

The Export Control Reform Act of 2018 (Title XVII, Subtitle B of P.L. 115-232; 50 U.S.C. §§4801 et seq.), which authorizes export controls on dual-use goods, includes a statement of policy that export controls are to be used in part to “carry out the foreign policy of the United

²²² Immigration and Nationality Act of 1952 (P.L. 82-414), Section 212, as amended (8 U.S.C. §1182).

²²³ 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.

²²⁴ Department of State, “Implementing Visa Restrictions Under the Reciprocal Access to Tibet Act,” press statement, July 7, 2020.

²²⁵ Department of State, “U.S. Imposes Visa Restrictions on Certain Employees of Chinese Technology Companies that Abuse Human Rights,” press statement, July 15, 2020. See also Department of the Treasury, “Treasury Sanctions CEIEC for Supporting the Illegitimate Maduro Regime’s Efforts to Undermine Venezuelan Democracy,” press release, November 30, 2020.

²²⁶ Department of State, “Additional Restrictions on the Issuance of Visas for People’s Republic of China Officials Engaged in Human Rights Abuses,” press statement, December 21, 2020.

²²⁷ Department of State, “Promoting Accountability for Transnational Repression Committed by People’s Republic of China (PRC) Officials,” press statement, March 21, 2022.

²²⁸ Department of State, “Announcement of Visa Restrictions to Address Forced Assimilation in Tibet,” August 22, 2023.

States, including the protection of human rights and the promotion of democracy.”²²⁹ Through a series of actions beginning in 2019, the U.S. Department of Commerce has added approximately 80 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.²³⁰ These actions, reflective of decisions by an interagency End-User Review Committee (ERC), generally impose a presumption of license denial for the export of controlled items to these entities.

The Commerce Department identified most of the added entities as being implicated in repression in Xinjiang in particular. Added entities include Public Security Bureaus in Xinjiang, the Xinjiang Production and Construction Corps (XPCC), and numerous PRC companies, including technology companies involved in surveillance and facial recognition products. (The United States also continues to impose some controls on exports to the PRC that were enacted in response to the 1989 Tiananmen Square crackdown—see “Other Restrictions,” below.)

In November 2023, BIS removed from the Entity List the PRC Ministry of Public Security’s Institute of Forensic Science, which had been added in June 2020 in connection with human rights violations and abuses in Xinjiang.²³¹ The removal coincided with agreement at a November 2023 Biden-Xi summit to resume bilateral cooperation on counternarcotics issues.²³² The removal prompted criticism from some Members of Congress, while, according to executive branch officials, helping to secure improved cooperation from China to combat fentanyl trafficking.²³³

Forced Labor Import Restrictions

Section 307 of the Tariff Act of 1930, as amended, prohibits the importation of products “mined, produced, or manufactured wholly or in part” by forced labor, convict labor, and/or indentured labor under penal sanctions.²³⁴ Beginning in 2019, U.S. Customs and Border Protection (CBP) issued numerous “withhold release orders” (WROs) against imports from the PRC suspected to be connected to Xinjiang-related forced labor.²³⁵

The December 2021 Uyghur Forced Labor Prevention Act (P.L. 117-78) in part subjects products mined, produced, or manufactured in China’s Xinjiang region or by certain Xinjiang-related

²²⁹ 50 U.S.C. §4811(2)(D). See also CRS Report R46814, *The U.S. Export Control System and the Export Control Reform Act of 2018*, by Paul K. Kerr and Christopher A. Casey.

²³⁰ See BIS notices in the Federal Register concerning the addition of entities to the entity list: 84 *Federal Register* 54002 (October 9, 2019); 85 *Federal Register* 34503 (June 5, 2020); 85 *Federal Register* 44159 (July 22, 2020); 85 *Federal Register* 83416 (December 22, 2020); 86 *Federal Register* 33119 (June 24, 2021); 86 *Federal Register* 36496 (July 12, 2021); 87 *Federal Register* 77505 (December 19, 2022); 88 *Federal Register* 13673 (March 6, 2023); 88 *Federal Register* 18983 (March 30, 2023); and 88 *Federal Register* 38739 (June 14, 2023).

²³¹ Department of Commerce, “Addition of Certain Entities to the Entity List; Revision of Existing Entries on the Entity List,” 85 *Federal Register* 34503, June 5, 2020; Department of Commerce, “Entity List Removal,” 88 *Federal Register* 80131, November 17, 2023.

²³² CRS In Focus IF10890, *China Primer: Illicit Fentanyl and China’s Role*, by Ricardo Barrios, Susan V. Lawrence, and Liana W. Rosen; Nike Ching, “US Lifts Sanctions on Chinese Institute to Seek Fentanyl Cooperation,” *Voice of America*, November 16, 2023.

²³³ House Foreign Affairs Subcommittee on Indo-Pacific Hearing on “Protecting Emerging Technologies for Peace and Stability in the Indo-Pacific,” January 17, 2024.

²³⁴ 19 U.S.C. §1307. Section 910 of the Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114-125) eliminated a prior long-standing “consumptive demand” exception to this prohibition.

²³⁵ For example, 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.” See U.S. Customs and Border Protection, “CBP Issues Region-Wide Withhold Release Order on Products Made by Slave Labor in Xinjiang,” January 13, 2021.

entities to a rebuttable presumption that they are prohibited from importation pursuant to Section 307. CBP publishes statistics on the number and value of shipments detained pursuant to the UFLPA,²³⁶ and the executive branch has gradually expanded the number of entities explicitly identified as producing goods that are restricted under the law (including those participating in programs involving forced labor transfers out of Xinjiang).²³⁷ Some Members of Congress have raised UFLPA implementation questions and concerns.²³⁸ (See also CRS In Focus IF11360, *Section 307 and Imports Produced by Forced Labor*.)

The executive branch has separately produced and iteratively updated a “Xinjiang Supply Chain Business Advisory” highlighting the “heightened risks for businesses with supply chain and investment links to Xinjiang, given the entities complicit in forced labor and other human rights abuses there and throughout China.”²³⁹

Restrictions on Investments in PRC Surveillance Technology Firms

The Biden Administration in June 2021 expanded the scope of a Trump Administration executive order restricting U.S. investments in certain PRC firms that support China’s military-industrial complex to also cover certain PRC surveillance technology firms “that contribute—both inside and outside China—to the surveillance of religious or ethnic minorities or otherwise facilitate repression and serious human rights abuses.”²⁴⁰ The Treasury Department, using its discretion under the expanded executive order, prioritizes targeting entities involved in “surveillance of persons by Chinese technology companies that occurs outside of the PRC” or “the development, marketing, sale, or export of Chinese surveillance technology that is, was, or can be used for surveillance of religious or ethnic minorities or to otherwise facilitate repression or serious human rights abuse.”²⁴¹ The PRC surveillance technology firms subject to restrictions under this program to date (including Hikvision, Huawei, Megvii, and SenseTime, among others) are also generally separately subject to U.S. export controls in connection with human rights violations and abuses within China (see “Export Controls” above) or for other reasons.

Other Restrictions

Tiananmen Sanctions. China is subject to some U.S. sanctions that were imposed in response to the June 1989 Tiananmen Square crackdown, although many such sanctions are no longer in effect or have been made obsolete by other circumstances. Remaining Tiananmen-related sanctions suspend development financing programs of the Overseas Private Investment Corporation (OPIC), which has been succeeded by the U.S. International Development Finance

²³⁶ See <https://www.cbp.gov/newsroom/stats/trade/uyghur-forced-labor-prevention-act-statistics>.

²³⁷ See <https://www.dhs.gov/uflpa-entity-list>.

²³⁸ For example, see Congressional-Executive Commission on China, “Bipartisan Group of Lawmakers Seeks Answers from Administration About Enforcement of Forced Labor Legislation,” April 11, 2023, <https://www.cecc.gov/media-center/press-releases/bipartisan-group-of-lawmakers-seeks-answers-from-administration-about>.

²³⁹ See Department of State, “Xinjiang Supply Chain Business Advisory,” at <https://www.state.gov/xinjiang-supply-chain-business-advisory/>.

²⁴⁰ White House, “FACT SHEET: Executive Order Addressing the Threat from Securities Investments that Finance Certain Companies of the People’s Republic of China,” June 3, 2021; Executive Order 14032, “Addressing the Threat from Securities Investments That Finance Certain Companies of the People’s Republic of China,” 86 *Federal Register* 30145, June 7, 2021.

²⁴¹ Department of the Treasury, Frequently Asked Questions on “Chinese Military Companies Sanctions,” June 3, 2021, accessible at <https://ofac.treasury.gov/faqs/topic/5671>.

Corporation,²⁴² and restrict export licenses for U.S. Munitions List (USML) items and crime control detection instruments and equipment.²⁴³

Religious Freedom and Human Trafficking Restrictions. China is also subject to restrictions due to its repeated designation as a Country of Particular Concern (CPC) under the International Religious Freedom Act (IRFA; P.L. 105-292, as amended).²⁴⁴ To satisfy IRFA's requirement to take action against CPCs, successive Administrations have referred to the above-mentioned restriction on exports to China of crime control or detection instruments or equipment enacted following the Tiananmen crackdown.²⁴⁵ Separately, China's repeated designation as a "Tier 3" country for insufficient efforts to combat human trafficking under the Trafficking Victims Protection Act (TVPA; Division A of P.L. 106-386, as amended) has resulted in restrictions on nonhumanitarian and nontrade-related foreign assistance and arms sales.²⁴⁶ Also due to China's Tier 3 status under the TVPA, as well as pursuant to other human rights-related laws, the United States has limited its support for international financial institution lending to China.²⁴⁷

Xinjiang Atrocity Crime Determinations

Some observers have argued that PRC policies and actions in Xinjiang constitute international atrocity crimes, potentially including genocide as defined by the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.²⁴⁸ The Consolidated Appropriations Act, 2021 (P.L. 116-260, Division K, Section 7043(f)(4)), as articulated in the explanatory statement accompanying the bill, required that the Secretary of State submit to Congress within 90 days of enactment (March 27, 2021) 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.

On January 19, 2021, the last full day of the Trump Administration before Biden's January 20, 2021 inauguration, then-Secretary of State Michael R. Pompeo announced a determination that the PRC had committed both crimes against humanity and genocide against Uyghurs and other minority groups in Xinjiang.²⁴⁹ 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 the

²⁴² According to the State Department, "OPIC's successor, the U.S. International Development Finance Corporation, currently does not operate in China." See Department of State, "2023 Investment Climate Statements: China," July 26, 2023.

²⁴³ See Foreign Relations Authorization Act of 1990-1991 (P.L. 101-246), §902(a)(1), (3), and (4); 22 U.S.C. §2151 note.

²⁴⁴ For background, see CRS In Focus IF10803, *Global Human Rights: International Religious Freedom Policy*.

²⁴⁵ See, most recently, Department of State, "Secretary of State's Determinations Under the International Religious Freedom Act of 1998 and Frank R. Wolf International Religious Freedom Act of 2016," 89 *Federal Register* 3980, January 22, 2024.

²⁴⁶ See CRS In Focus IF10587, *Human Trafficking and U.S. Foreign Policy: An Introduction*.

²⁴⁷ See §701(a) of the International Financial Institutions Act (P.L. 95-118); 22 U.S.C. §262d. See also relevant Tibet-related provisions in Consolidated Appropriations Act, 2021 (P.L. 116-260), §7043(h)(1) and Foreign Relations Authorization Act, FY2003 (P.L. 107-228), §616.

²⁴⁸ Article II of the Convention defines genocide as certain acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group."

²⁴⁹ Department of State, "Determination of the Secretary of State on Atrocities in Xinjiang," press statement, January 19, 2021. Subsequent news reporting indicated that there was some 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.

genocide determination, Pompeo stated that PRC authorities “are engaged in the forced assimilation and eventual erasure of a vulnerable ethnic and religious minority group.” Pompeo called on the PRC to reverse its policies and for “all appropriate multilateral and relevant juridical bodies” to pursue accountability for the atrocities. Secretary of State Blinken and other Biden Administration officials concurred with the prior Administration’s determination. In the years following the determination, the State Department has repeatedly referred to genocide and crimes against humanity in Xinjiang as “ongoing” or “continuing.”²⁵⁰

The crime of genocide, unlike crimes against humanity, requires evidence of intent to destroy a particular group, and some experts view the intent standard as challenging to prove.²⁵¹ As noted above, an August 2022 United Nations assessment stated that PRC policies and practices in Xinjiang “may constitute international crimes, in particular crimes against humanity.”²⁵² Some nongovernmental assessments have alleged crimes against humanity and some have alleged genocide.²⁵³

Legislation and Policy on Tibet

Since the Dalai Lama’s first visit to the United States in 1979, Congress has shown support for Tibetans, awarding the Tibetan spiritual leader the Congressional Gold Medal in 2006. The Dalai Lama has met with four sitting U.S. presidents, starting with George H.W. Bush in 1991. In June 2024, a congressional delegation met with the Dalai Lama in Dharamsala, India.²⁵⁴ China has strongly denounced many U.S. actions on Tibet.²⁵⁵

The Tibetan Policy Act of 2002 (TPA; Title VI, Subtitle B of P.L. 107-228) guides U.S. policy towards Tibet. Its stated purpose is “to support the aspirations of the Tibetan people to safeguard their distinct identity.”²⁵⁶ 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. In

²⁵⁰ See, for example, Department of State, “J/GCJ Ambassador at Large Van Schaack’s Remarks for Uyghur Genocide Recognition Day,” December 11, 2023; Department of State, “2023 Country Reports on Human Rights Practices: China.”

²⁵¹ Article II of the Genocide Convention defines genocide as certain acts “committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.” According to one human rights expert, “The issue for the qualification of the crime of genocide is that the bar is extremely high. You have to demonstrate the intent of the state[] to commit genocide, and that generally is quite difficult because states know better than to write a memo saying, ‘Let’s commit genocide.’” See remarks by Nicholas Bequelin in Isaac Chotiner, “Why Hasn’t the U.N. Accused China of Genocide in Xinjiang?” *The New Yorker*, September 13, 2022.

²⁵² UN Office of the High Commissioner for Human Rights, “OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China.”

²⁵³ For example, see Newlines Institute and Raoul Wallenberg Centre for Human Rights, “The Uyghur Genocide: An Examination of China’s Breaches of the 1948 Genocide Convention,” March 2021; Human Rights Watch, “‘Break Their Lineage, Break Their Roots’: Crimes Against Humanity Targeting Uyghurs and Other Turkic Muslims,” April 19, 2021.

²⁵⁴ Foreign Affairs Committee, “McCaul’s Bipartisan Delegation Meets with Dalai Lama,” June 20, 2024.

²⁵⁵ For example, following the June 2024 U.S. congressional trip to Dharamsala, the PRC Foreign Ministry stated, “Xizang’s [Tibet’s] affairs are China’s internal affairs, which brook no external interference. We urge the US to fully recognize the importance and high sensitivity of Xizang-related issues, earnestly respect the core interests of China, abide by the commitments it has made to China on Xizang-related issues, have no contact with the Dalai group in any form, and stop sending the wrong signal to the world.” Consulate-General of the People’s Republic of China in Los Angeles, “Foreign Ministry Spokesperson Lin Jian’s Regular Press Conference on June 20, 2024.”

²⁵⁶ For more information about the Tibetan Policy Act, see CRS Report R43781, *The Tibetan Policy Act of 2002: Background and Implementation*.

December 2021, Secretary of State Blinken designated Uzra Zeya as Special Coordinator.²⁵⁷ Zeya serves concurrently as Under Secretary of State for Civilian Security, Democracy, and Human Rights.

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 whose visas were denied or revoked in the previous year.

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.

The Promoting a Resolution to the Tibet-China Dispute Act (P.L. 118-70), which became law on July 12, 2024, finds in part that the “United States Government has never taken the position that Tibet was a part of China since ancient times” and that the “dispute between Tibet and the [PRC] must be resolved in accordance with international law, including the United Nations Charter, by peaceful means, through dialogue without preconditions.” The Act states that it is the sense of Congress that U.S. public diplomacy efforts “should counter disinformation about Tibet from the [PRC] and the Chinese Communist Party, including disinformation about the history of Tibet, the Tibetan people, and Tibetan institutions, including that of the Dalai Lama.”

Since 2021, the State Department in its annual human rights reports has not explicitly referred to Tibetan areas in China as “part of the [PRC]” as in previous years.²⁵⁸ In its 2023 annual report to Congress on Tibet negotiations, the State Department stated,

The U.S. government remains concerned by the lack of meaningful autonomy for Tibetans within the PRC, ongoing abuses of the human rights of Tibetans in the PRC, and efforts by PRC authorities to eliminate the distinct religious, linguistic, and cultural identity of Tibetans...The U.S. government believes that a negotiated resolution that leads to meaningful autonomy for Tibetans and ensures they are able to freely practice their

²⁵⁷ Department of State, “Designation of Under Secretary Uzra Zeya as the U.S. Special Coordinator for Tibetan Issues,” press statement, December 20, 2021. During the Trump Administration, 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. Department of State, “Designation of a United States Special Coordinator for Tibetan Issues,” Michael R. Pompeo, Secretary of State, press statement, October 14, 2020.

²⁵⁸ Department of State, “2020 Country Reports on Human Rights Practices: China—Tibet,” March 30, 2021; Department of State, “2019 Country Reports on Human Rights Practices: China—Tibet,” March 11, 2020.

religion, culture, and language provides the best hope for long-term stability in the region.²⁵⁹

Multilateral Diplomacy

The United States has engaged in multilateral diplomacy to advocate for improved human rights conditions in China. Some 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.²⁶⁰ Other analysts have suggested that a U.S. emphasis on democracy vs. autocracy may undermine broader U.S. competition with China by alienating some potential U.S. partners.²⁶¹ The prospects for an effective multilateral approach to China on issues of human rights are unclear given other countries' varying interests and priorities in their relations with the PRC. The United States and China now appear to regularly compete to garner support for their positions on human rights issues in China at the United Nations and other multilateral fora. China has exhibited success in attracting defenders of its policies among some countries with which it appears to share common ground on ideology or policy, including other authoritarian governments and many developing countries.

The Trump Administration curtailed U.S. participation in some multilateral human rights organizations, most prominently by announcing the U.S. withdrawal from the UN Human Rights Council in June 2018.²⁶² The Trump Administration based its decision on grounds including the Council's perceived disproportionate focus on Israel and the election of countries with poor human rights records as Council members. At the same time, the United States continued to participate in some Council activities in its capacity as a UN member state and joined some multilateral statements related to human rights in China.²⁶³

The Biden Administration increased the United States' emphasis on multilateral approaches as a means of addressing human rights issues, including vis-à-vis the PRC. The United States rejoined the UN Human Rights Council and was elected to a three-year term that began in January 2022. After the August 2022 release of an OHCHR report on human rights in Xinjiang, the United States supported a resolution at the Council to hold a debate on the human rights situation in Xinjiang in early 2023. The draft resolution, which the State Department described as "the first time since the Council's founding that a member pursued formal action to address the human rights situation" in China, ultimately failed by a vote of 17 in favor, 19 against, and 11 abstentions.²⁶⁴ In January 2024, the United States participated in the Human Rights Council's Universal Periodic Review for China. In September 2024, a State Department spokesperson

²⁵⁹ Department of State, "Report to Congress on Tibet Negotiations, Section 613(b) of the Tibetan Policy Act of 2002 (22 U.S.C. 6901 note)," June 30, 2023.

²⁶⁰ See, for example, Andrew J. Nathan, "Getting Human Rights Right: Consistency, Patience, Multilateralism, and Setting a Good Example," Brookings Institution, November 2020.

²⁶¹ See, for example, Thomas Pepinsky and Jessica Chen Weiss, "The Clash of Systems?" *Foreign Affairs*, June 11, 2021.

²⁶² For more information on the UN Human Rights Council and U.S. participation, see CRS Report RL33608, *The United Nations Human Rights Council: Background and Policy Issues*.

²⁶³ For example, see 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. The United States also led multilateral statements on China in connection with multilateral meetings focused on the issue of international religious freedom.

²⁶⁴ Department of State, "Outcomes of the 51st Session of the UN Human Rights Council," Fact Sheet, October 17, 2022; United Nations Office of the High Commissioner for Human Rights, "Human Rights Council Adopts 21 Texts and Rejects One Draft Decision, Extends Mandates on Older Persons, Right to Development, Arbitrary Detention, Mercenaries, Slavery, Indigenous Peoples, Safe Drinking Water and Sanitation," October 6, 2022.

announced that the United States would not run for re-election to the Human Rights Council for a second consecutive term beginning in 2025 because other countries running in the same group—Spain, Iceland, and Switzerland—“are countries with a very strong record of support for human rights.” The spokesperson added that the United States was “slated to run again in 2028.”²⁶⁵

The Biden Administration launched recurring multilateral “Summit for Democracy” meetings focused on themes of promoting human rights and defending against authoritarianism. The meetings, attended by leaders and officials from governments around the world, have drawn sharp criticism from China’s government and state media.²⁶⁶ The Administration also pursued some relevant bilateral initiatives with third governments, such as the January 2023 launch of a U.S.-Japan task force to promote human rights and internationally recognized labor rights, “including prohibiting the use of forced labor in supply chains.”²⁶⁷ The State Department has continued a recurring dialogue on China with the European Union (EU) European External Action Service that was launched late in the Trump Administration and that in part aims to support coordinated responses to PRC human rights violations.²⁶⁸ Among legislatures, the Inter-Parliamentary Alliance on China (IPAC), established in June 2020, provides a platform for international coordination on human rights and other issues.

The United States has imposed some sanctions in coordination with like-minded governments. In particular, on March 22, 2021, the United States, Canada, the United Kingdom, and the EU announced sanctions against certain PRC officials in Xinjiang.²⁶⁹ The same day, Secretary of State Blinken and the foreign ministers of Canada and the United Kingdom released a joint statement expressing “deep and ongoing concern regarding China’s human rights violations and abuses in Xinjiang,” with Australia and New Zealand also issuing a separate joint statement sharing those concerns.²⁷⁰

²⁶⁵ Department of State, “Department Press Briefing – September 30, 2024,” September 30, 2024.

²⁶⁶ Department of State, “The Summit for Democracy,” November 2022, at <https://www.state.gov/summit-for-democracy/>; PRC Ministry of Foreign Affairs, “Foreign Ministry Spokesperson’s Statement on the ‘Summit for Democracy’ Held by the United States,” December 11, 2021; Mareike Ohlberg and Bonnie S. Glaser, “Why China is Freaking Out Over Biden’s Democracy Summit,” *Foreign Policy*, December 10, 2021; Shi Jiangtao, “As China Lashes Out at US Democracy Summit, Analysts Warn of More Division,” *South China Morning Post*, March 27, 2023.

²⁶⁷ United States Trade Representative, “United States and Japan Launch Task Force to Promote Human Rights and International Labor Standards in Supply Chains,” January 6, 2023.

²⁶⁸ Department of State, “Joint Statement on the Consultations between European External Action Service Secretary General Sannino and United States Under Secretary Nuland,” February 23, 2024.

²⁶⁹ Department of the Treasury, “Treasury Sanctions Chinese Government Officials in Connection with Serious Human Rights Abuse in Xinjiang,” March 22, 2021; Global Affairs Canada, “Canada Joins International Partners in Imposing New Sanctions in Response to Human Rights Violations in Xinjiang,” March 22, 2021; United Kingdom Foreign, Commonwealth & Development Office, “UK Sanctions Perpetrators of Gross Human Rights Violations in Xinjiang, Alongside EU, Canada and US,” March 22, 2021; Council of the European Union, “EU Imposes Further Sanctions Over Serious Violations of Human Rights Around the World,” March 21, 2021.

²⁷⁰ Department of State, “Joint Statement on Xinjiang,” media note, March 22, 2021; Australian Minister of Foreign Affairs, “Joint Statement on Human Rights Abuses in Xinjiang,” March 23, 2021.

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