

III. Development of the Rule of Law

CIVIL SOCIETY

Introduction

During the Commission's 2017 reporting year, the Chinese government continued to implement reforms by encouraging the development of social services and welfare-oriented organizations while suppressing civil society organizations and advocates that the government deems "politically sensitive."¹ The Chinese government in recent years has allowed and used "local, limited, and issue-based partnerships" with civil society to strengthen government functions and public image.² Scholars note that the Chinese government, while desirous of the benefits from civil society, has sought to minimize potential political challenges to the government posed by a developed civil society.³ Philip Alston, the UN Special Rapporteur on extreme poverty and human rights, observed after a mission to China in August 2016 that "the role of civil society organizations is becoming increasingly circumscribed and those whose work goes much beyond that of being service providers for the Government are now very much under threat."⁴ Government policies toward grassroots civil society in China remain restrictive,⁵ subordinating civil society organizations and activities to Chinese Communist Party control.⁶ Chinese officials continued to violate⁷ international standards key to civil society⁸ found in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, including the freedoms of association,⁹ assembly,¹⁰ and expression.¹¹

The number of Chinese non-governmental organizations (NGOs) is difficult to determine, in part because of the complex regulatory framework, the existence of unregistered NGOs and informal associations, the pace of growth of the non-governmental and non-profit sector, and the range of different types of such organizations.¹² According to the Ministry of Civil Affairs, at the end of 2016, China had 699,523 registered "social organizations" (*shehui zuzhi*)—the official term for NGOs¹³—that consisted of 359,000 non-governmental, non-commercial organizations (*minban feiqiye danwei*), or what the government now calls social service organizations (*shehui fuwu jigou*); 5,523 foundations (*jijinhui*); and 335,000 social associations (*shehui tuanti*).¹⁴ Many social associations and foundations are government-organized non-governmental organizations (GONGOs) and have close ties to the government.¹⁵ Many grassroots NGOs, with few or no ties to the government, remain unregistered or are registered as business entities due to restrictions and barriers to registration imposed by the government.¹⁶ Experts at a U.S. think tank event this past year estimated that there are as many as 3 million unregistered social organizations in China;¹⁷ past estimates ranged from 1 million to 8 million.¹⁸ According to one European scholar, only "a couple of thousand" Chinese NGOs are comparable to Western NGOs in their purpose and function as organizations promoting solidarity or a specific public interest cause.¹⁹

Continued Crackdown on Civil Society

During this reporting year, the government and Party continued to deepen a crackdown on NGOs and civil society advocates. According to international human rights organizations, Chinese authorities restricted the activities of rights defenders by shrinking the space for expression,²⁰ association,²¹ and assembly.²² Authorities targeted rights advocates affiliated with NGOs this past year, including those promoting religious freedom,²³ worker rights,²⁴ and the environment.²⁵ Examples included the prosecution of pastors and labor advocates as well as the detention of an environmentalist on “state security” grounds.²⁶ International NGO Chinese Human Rights Defenders reported that in 2016, Chinese authorities repeatedly cracked down on rights advocates for “endangering state security,” criminalizing activities “promoting and protecting human rights.”²⁷ Examples of civil society advocates detained, charged, or sentenced this past year included the following:

- In October 2016, authorities in Yuhua district, Changsha municipality, Hunan province, took environmental advocate **Liu Shu** into custody and ordered her to serve 10 days’ administrative detention for allegedly “disclosing counter-espionage-related state secrets.”²⁸ Liu reportedly “suppl[ie]d data to an unidentified contact about environmental pollution.”²⁹ Liu was the director of the environmental NGO Shuguang Environmental Protection and Public Interest Development Center, founded in 2013 to investigate environmental issues, including through large-scale testing of drinking water.³⁰ [For more information on the government’s treatment of environmental advocates, see Section II—The Environment.]
- In November and December 2016, Shenzhen municipality, Guangdong province, public security authorities detained or forcibly disappeared a group of at least 12 rights advocates after they reportedly gathered for dinner on November 14 to discuss current political affairs.³¹ The advocates included **Wang Jun, Deng Hongcheng, Xiao Bing, Ma Zhiquan, Li Nanhai, Ding Yan, Wang Jianhua, Dong Lingpeng, Song Liqian, Wang Wei, and Huang Anyang.**³² These individuals reportedly have been involved in civil society and rights advocacy for vulnerable groups.³³
- In December 2015, Chinese authorities began a crackdown against labor advocates affiliated with labor NGOs in Guangdong.³⁴ In September 2016, the Panyu District People’s Court in Guangzhou municipality, Guangdong, found **Zeng Feiyang, Zhu Xiaomei, and Tang Jian** guilty of “gathering a crowd to disturb social order,” sentencing Zeng to three years’ imprisonment, suspended for four years, and both Zhu and Tang to one year and six months’ imprisonment, suspended for two years.³⁵ State-run media outlet Xinhua reported that Zeng “admitted that he received funding and training from ‘some overseas organizations hostile to China.’”³⁶ In November 2016, the same court found **Meng Han** guilty of “gathering a crowd to disturb social order,” sentencing him to one year and nine months’ imprisonment.³⁷ Zeng, Zhu, Tang, and Meng were affiliated with Panyu Workers’ Services Cen-

ter, a labor NGO in Guangzhou.³⁸ The detention and sentencing of these labor advocates has had a “chilling effect” on labor advocacy in China,³⁹ and while labor NGOs are still operating, many are “lay[ing] low” and cutting back on programming.⁴⁰ [See Section II—Worker Rights for more information on labor NGOs and advocates.]

On July 15, 2017, authorities released Xu Zhiyong, a prominent legal advocate and one of the initiators of the New Citizens’ Movement,⁴¹ after he served a four-year sentence on the charge of “gathering a crowd to disturb order in a public place.”⁴² Authorities alleged that Xu was the “ringleader” of peaceful demonstrations against government corruption and advocacy for equal education rights.⁴³ Police in Tianjin municipality reportedly blocked individuals from meeting Xu at the prison on the day of his release.⁴⁴ After he arrived at his residence in Beijing municipality, plainclothes police and community security guards reportedly blocked people from visiting Xu, barring anyone who was not a neighborhood resident from entering the area near his home.⁴⁵

New Overseas NGOs’ Activities Law Takes Effect

Regulatory developments, particularly the PRC Law on the Management of Overseas Non-Governmental Organizations’ Activities (Overseas NGOs’ Activities Law) that took effect on January 1, 2017, threatened the continued presence of international NGOs (INGOs) in China as well as the independence of domestic NGOs reliant on foreign funding, according to scholars.⁴⁶ The Overseas NGOs’ Activities Law requires that INGOs set up and register a representative office or apply for a temporary activities permit with the Ministry of Public Security (MPS) in order to operate in mainland China.⁴⁷

The Chinese government provided limited clarifications on requirements for INGOs under the law.⁴⁸ Foreign governments and NGOs sought clarification from the MPS on official sponsorship requirements through “professional supervisory units” (PSUs)⁴⁹ that are tasked with overseeing INGOs’ registration and activities, permissible INGO activities, registration requirements for “temporary activities,” and the division of responsibility between PSUs and public security offices in administering INGOs.⁵⁰ On October 14, 2016, the MPS and the Shanghai Municipal Public Security Bureau (PSB) released a draft “Guidebook for Foreign NGOs’ Registration of Representative Offices and Filing of Temporary Activities” at a joint forum in Shanghai, reportedly inviting nine INGOs to comment on the draft.⁵¹ On November 8, the MPS and the Shanghai PSB held a meeting with 11 foreign consulates about preparations for the implementation of the Overseas NGOs’ Activities Law, during which an MPS official said that there would not be a “grace period” for INGOs in complying with the law.⁵² The MPS released the final version of the guidebook on November 28, which described procedures and provided documents required for INGOs to register.⁵³ On December 20—11 days before the implementation date—the MPS released the official list of PSUs, classified by different fields of permissible INGO activity in China.⁵⁴ The extent to which PSUs may be willing or capable of handling the procedures

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for sponsoring NGOs remained unclear.⁵⁵ Central- and provincial-level public security agencies set up offices and online platforms to serve INGOs seeking registration in China.⁵⁶

According to statistical data released by the MPS, by July 31, 2017, a total of 168 INGO representative offices and 191 temporary activities had registered in China.⁵⁷ Out of those registered, the United States had the highest number of registered INGO representative offices at 50, followed by Hong Kong at 38, Japan at 14, and Germany and South Korea each at 13.⁵⁸ Beijing ranked first for the highest number of total representative offices registered at 54, followed by Shanghai at 35, Yunnan province at 17, and Guangdong province at 12.⁵⁹ Registered INGO representative offices had partnering PSUs from varying fields, with 66 representative offices partnering with PSUs in the trade sector, 25 partnering with PSUs in civil affairs, 21 partnering with PSUs in health and population planning, and 8 partnering with PSUs in education.⁶⁰ Asia Society's ChinaFile published data analysis on INGOs registered by the end of July and found that out of the total number of registered INGOs from the United States, 19 percent worked in the field of trade; 13 percent each worked in the fields of health and education; and 9 percent worked in the environmental field.⁶¹ MPS reported that INGOs had filed a total of 191 temporary activities in China by the end of July.⁶² ChinaFile found that a majority of temporary activities that began on or before July 31 were conducted by Hong Kong INGOs; the provinces with the most temporary activities were Sichuan, Guizhou, Guangdong, and Yunnan; and the most common fields of work were youth, education, and poverty alleviation.⁶³

The operating environment for INGOs in China has become more restricted and uncertain under the new Overseas NGOs' Activities Law. Reports indicate that INGOs are under greater scrutiny,⁶⁴ and the law enables the Chinese government to surveil and collect information on such organizations.⁶⁵ Experts see the law as potentially threatening to the existence and activities of overseas organizations that previously operated in a "grey area."⁶⁶ In addition, domestic NGOs, as one commentator noted, may face "increasingly harsh penalties" under the expanded legal and regulatory framework amidst "heightened security concerns" over civil society.⁶⁷ The law may further hinder the work of domestic NGOs in China, as many of them rely on sources of funding outside of mainland China.⁶⁸ The uncertainty fostered by the Overseas NGOs' Activities Law has given rise to suggestions as to how INGOs may legally operate in China.⁶⁹ Two European experts proposed "smart indigenization," whereby INGOs primarily provide financial resources and indirect institutional support "to build up human and organisational capacity in China's nascent civil society sector."⁷⁰ According to the China Human Rights Lawyers Concern Group, the Overseas NGOs' Activities Law has "[made] it more risky for lawyers to cooperate and work with international NGOs."⁷¹

Authorities Detain Taiwan NGO Volunteer Lee Ming-cheh

On March 19, 2017, authorities detained Taiwan human rights NGO volunteer Lee Ming-cheh, a manager at Wenshan Community College in Taipei, Taiwan, while he was traveling to Zhuhai municipality, Guangdong province, via Macau, to arrange medical treatment for his mother.⁷² Ten days after Lee disappeared, the State Council Taiwan Affairs Office (TAO) confirmed that Chinese authorities were investigating Lee for “endangering state security.”⁷³ On May 26, the TAO confirmed that state security authorities in Hunan province had formally arrested Lee on suspicion of “subversion of state power.”⁷⁴ State-run media reported that Lee had “colluded with mainlanders,” “established illegal organizations,” and “plotted and carried out activities to subvert state power.”⁷⁵ The report also said that authorities had put Lee under “coercive measures,”⁷⁶ raising concern that he may be at risk of torture.⁷⁷ International human rights organizations and media outlets reported Lee may be the first foreign NGO worker whom authorities detained after the Overseas NGOs’ Activities Law came into effect in 2017, citing the shrinking space for INGO activities under the new legislation.⁷⁸ On March 30, a group of domestic and international NGOs released a joint statement expressing concern about Lee’s detention.⁷⁹ The NGOs demanded Lee’s immediate release, details on his detention, his right to legal counsel of his choosing, and access to medical care.⁸⁰

Overall Regulatory Environment

This past year, the Chinese government continued to strengthen its policy of carrying out inspections and promoting ideological guidance over civil society. In March 2017, following two State Council directives to carry out inspections of the market and social organizations released in 2015 and 2016,⁸¹ the Ministry of Civil Affairs (MCA) passed a measure to advance the official inspection of social organizations, urging registration authorities to conduct both planned and random inspections of civil society groups.⁸² Party-building in social organizations—whereby Party members at social organizations form internal supervisory groups—continued to be a priority of the Party and government.⁸³ A leading small group on Party-building in social organizations, administered by the MCA, issued a document in March 2017 that prioritized work on the Party’s ideological guidance for NGOs, building Party groups in organizations, and recruiting new “outstanding and talented individuals” from NGOs as cadres.⁸⁴ Although the MCA released revised drafts of the three major regulations that govern the registration and management of social organizations,⁸⁵ social service organizations,⁸⁶ and foundations⁸⁷ for public comment in 2016, the MCA had not released the final versions as of August 2017.

Changes and Progress in the Philanthropic Sector

The Chinese government continued efforts to strengthen the philanthropic regulatory framework under the PRC Charity Law to increase the level of giving in China. In the first year after the law’s March 2016 passage, 260 national- or provincial-level organizations acquired “charitable” status and 13 provinces and municipalities

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reportedly began approving charities.⁸⁸ In addition to registering charities, the law provides a legal framework for public fundraising⁸⁹ and increasing tax incentives,⁹⁰ toward which the Chinese government took steps this past year. On February 24, 2017, the National People's Congress Standing Committee adopted a revision to the PRC Enterprise Income Tax Law, enabling donations over 12 percent of an enterprise's annual total profit to be carried over and deducted from taxable income during the following three years.⁹¹ The law previously limited annual deductions from charitable donations to 12 percent of the company's annual profit.⁹² Despite these efforts, an expert at Tsinghua University reportedly said that implementation of the Charity Law will depend on various factors, including the availability of open information to the public and the level of oversight to prevent malfeasance.⁹³ In 2016, the Charities Aid Foundation, an international organization, ranked China last among 140 countries in its World Giving Index, down one place from 2015.⁹⁴ In order to foster Chinese philanthropy over the long term, one observer pointed out that the Chinese government should build the financial and legal infrastructure necessary to facilitate philanthropic funds and endowments, and to "professionalize" the management process of organizations.⁹⁵ According to the 2016 Blue Book on Rule of Law, the Charity Law needs accompanying regulations with more concrete implementing details in order to become operational.⁹⁶

Notes to Section III—Civil Society

¹ See, e.g., Human Rights Watch, “China: Three Activists Feared ‘Disappeared,’” 16 December 16; Chinese Human Rights Defenders, “They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016),” February 2017, 2, 27.

² Ming Hu et al., “Termination of Nonprofit Alliances: Evidence From China,” *Voluntas*, Vol. 27, Issue 5 (October 2016), 2509.

³ Rong Zhao et al., “Understanding Service Contracting and Its Impact on NGO Development in China,” *Voluntas*, Vol. 27, Issue 5 (October 2016), 2233; Hui Qin, “Understanding China’s Third Sector,” *Stanford Social Innovation Review*, 16 February 17.

⁴ UN Office of the High Commissioner for Human Rights, “End-of-Mission Statement on China, by Professor Philip Alston, United Nations Special Rapporteur on Extreme Poverty and Human Rights,” 23 August 16; UN Human Rights Council, Report of the Special Rapporteur on Extreme Poverty and Human Rights on His Mission to China, Philip Alston, A/HRC/35/26/Add.2, 28 March 17, para. 32.

⁵ CIVICUS, “Bleak Outlook for Chinese Civil Society in 2017,” *Monitor*, 15 February 17; Human Rights Watch, “China Should End Restrictions on Civil Society Participation in Anti-Poverty Policies, and Cooperate With UN Mandate-Holders Without Interference,” 9 June 17. See also Paul Woods, “From Restrictive to Prescriptive? Prospects for China’s Church Engaging With the Civil Society,” *Transformation*, Vol. 33, Issue 1 (2016), 38; Ming Hu et al., “Termination of Nonprofit Alliances: Evidence From China,” *Voluntas*, Vol. 27, Issue 5 (October 2016), 2501.

⁶ Party Central Committee General Office and State Council General Office, Opinion on Reforming Management System of Social Organizations To Promote Social Organizations’ Healthy and Orderly Development [Guanyu gaige shehui zuzhi guanli zhidu cujin shehui zuzhi jiankang youxu fazhan de yijian], issued 21 August 16, 2(2–3); Ben Blanchard, “China To Strengthen Communist Party’s Role in Non-Govt Bodies,” *Reuters*, 21 August 16; Ministry-Administered Leading Small Group on the Work of Party-Building in Social Organizations, “Key Work Points for Ministry-Administered Party-Building in Social Organizations in 2017” [Buguan shehui zuzhi 2017 nian dangjian gongzuo yaodian], 6 March 17, reprinted in Ministry of Civil Affairs, 10 March 17, 2(5)–(7); Ministry of Civil Affairs, “Ministry of Civil Affairs Convenes Meeting on Promoting Ministry-Administered ‘Two Comprehensive Coverages’ Work for Social Organizations,” [Minzhengbu zhaokai buguan shehui zuzhi ‘liang ge quan fugai’ gongzuo tuijin hui], 10 March 17; Bo Wei, “Party-Building Work To Lead Grassroots Social Organizations’ Healthy Development” [Dangjian gongzuo yinling jiceng shehui zuzhi jiankang fazhan], *Philanthropy and Public Interest News*, reprinted in *Xinhua*, 24 May 17; Chinese Communist Party Central Committee General Office, Opinion on Strengthening Party-Building Work in Social Organizations (Provisional) [Guanyu jiaqiang shehui zuzhi dang de jianshe gongzuo de yijian (shixing)], issued 28 September 15, item 2.4(1).

⁷ Chinese Human Rights Defenders, “They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016),” February 2017, 1–2; “Crackdown Against Civil Society in China Continues,” *Voice of America*, 14 June 17. See also CECC, 2016 Annual Report, 6 October 16, 223–25.

⁸ UN Human Rights Council, Report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Maina Kiai, A/HRC/35/28, Advance Unedited Version, 23 May 17, paras. 23–24.

⁹ Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of 10 December 48, art. 20; International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 22.

¹⁰ *Ibid.*, art. 20; *Ibid.*, art. 21.

¹¹ *Ibid.*, art. 19; *Ibid.*, art. 19.

¹² International Center for Not-for-Profit Law, “Civic Freedom Monitor: China,” last visited 28 August 17.

¹³ Karla W. Simon and Holly Snape, “China’s Social Organisations After the Charity Law,” *Made in China*, Vol. 2, Issue 1 (January–March 2017), 26–27.

¹⁴ Ministry of Civil Affairs, “Social Service Seasonal Statistics Quarterly Report (Fourth Quarter of 2016)” [Shehui fuwu tongji jibao (2016 nian 4 jidu)], 20 February 17.

¹⁵ Shawn Shieh, “Mapping the Dynamics of Civil Society: A Model Analysis of Trends in the NGO Sector,” in *NGO Governance and Management in China*, eds. Reza Hasmath and Jennifer Y.J. Hsu (Abingdon: Routledge, 2016), 48; International Center for Not-for-Profit Law, “Civic Freedom Monitor: China,” last visited 28 August 17.

¹⁶ International Center for Not-for-Profit Law, “Civic Freedom Monitor: China,” last updated 9 June 17; Shawn Shieh, “Mapping the Dynamics of Civil Society: A Model Analysis of Trends in the NGO Sector,” in *NGO Governance and Management in China*, eds. Reza Hasmath and Jennifer Y.J. Hsu (Abingdon: Routledge, 2016), 52–53. See also Isabel Hilton et al., “The Future of NGOs in China: A ChinaFile Conversation,” *Asia Society, ChinaFile*, 14 May 15.

¹⁷ Carolyn Hsu et al., “The State of NGOs in China Today,” *Brookings Institution*, 15 December 16.

¹⁸ Deng Guosheng, “The State of and Obstacles to Chinese Grassroots NGO Development” [Zhongguo caogen NGO fazhan de xianzhuang yu zhang’ai], *Social Outlook*, reprinted in *Shanda 960*, Vol. 5 (June 2010). In 2010, Tsinghua University professor Deng Guosheng estimated that there were 1 to 1.5 million grassroots NGOs in China, of which 90 percent were unregistered. Shawn Shieh, “Mapping the Dynamics of Civil Society,” in *NGO Governance and Management in China*, eds. Reza Hasmath and Jennifer Y.J. Hsu (Abingdon: Routledge, 2016), 53. More recent estimates on unregistered NGOs from 2014 range from 40 to 70 percent. “Chinese Civil Society: Beneath the Glacier,” *Economist*, 12 April 14; Kristie Lu Stout, “People Power in the

People's Republic of China," CNN, 26 June 14. In 2014, the Economist estimated that there were 1.5 million unregistered groups while CNN reported an estimate of 2 million. Li Fan, "The Current State of Civil Society in China" [Woguo gongmin shehui de xianzhuang], Tianze Economic Research Institute (Unirule), Biweekly Forum, 12 September 14. Li Fan, director of World and China Institute, a Chinese NGO research center, claimed that China has 8 million unregistered NGOs, while Hu Xingdou, an economics professor at the Beijing Institute of Technology, and Xu Xin, a law professor at Beijing Institute of Technology, both questioned Li's claim, saying that Li's definition of what constitutes an NGO was too broad. His calculations included groups such as quasi-governmental mass organizations, spun-off government units, business associations, recreational clubs, virtual groups, and rural mutual aid groups.

¹⁹Elizabeth C. Economy, "Podcast: The Future of China's Civil Society," Council on Foreign Relations, Asia Unbound (blog), 7 March 17, 4 min. 5 sec. The podcast episode featured University of Nottingham Assistant Professor Andreas Fulda, who estimated that "maybe a couple thousand" NGOs in China were comparable to those in the West in their function.

²⁰Human Rights Watch, "China: Three Activists Feared 'Disappeared,'" 16 December 16; Chinese Human Rights Defenders, "They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016)," February 2017, 2.

²¹Chinese Human Rights Defenders, "They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016)," February 2017, 2.

²²Ibid.

²³See, e.g., ChinaAid, "Authorities Arrest Highest-Profile Pastor Since Cultural Revolution," 10 January 17; Yaxue Cao, "The Shepherds of Living Stone Church," China Change, 25 December 16.

²⁴See, e.g., Michael Forsythe, "3 Labor Activists in China Get Suspended Prison Terms," New York Times, 26 September 16. See also "Prosecution of Labor Advocates Has Chilling Effect on Labor NGOs, Strikes Continue," Congressional-Executive Commission on China, 22 February 17.

²⁵See, e.g., "China Jails Environmental Activist for 'Revealing State Secrets,'" Radio Free Asia, 11 October 16.

²⁶ChinaAid, "Authorities Arrest Highest-Profile Pastor Since Cultural Revolution," 11 January 17; Yaxue Cao, "The Shepherds of Living Stone Church," China Change, 25 December 16; "Prosecution of Labor Advocates Has Chilling Effect on Labor NGOs, Strikes Continue," Congressional-Executive Commission on China, 22 February 17; "China Jails Environmental Activist for 'Revealing State Secrets,'" Radio Free Asia, 11 October 16.

²⁷Chinese Human Rights Defenders, "They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016)," February 2017, 2-3. See also "China Jails Environmental Activist for 'Revealing State Secrets,'" Radio Free Asia, 11 October 16.

²⁸"For Exposing Pollution Data, NGO Leader Liu Shu Detained" [Pilu wuran shuju huanbao NGO fuzeren liu shu bei bu], Radio Free Asia, 11 October 16; "China Jails Environmental Activist for 'Revealing State Secrets,'" Radio Free Asia, 11 October 16; "Changsha Environmental Public Interest Figure Liu Shu Accused of 'Disclosing State Secrets,' Detained by Police" [Changsha huanbao gongyi renshi liu shu bei zhi "xielou guojia mimi" zao jingfang juliu], Radio Free Asia, 11 October 16.

²⁹Ibid.

³⁰Ibid.

³¹Chinese Human Rights Defenders, "[CHRB] Eleven Activists Remain Forcibly Disappeared in Shenzhen, at Risk of Torture in Police Custody (1/5-1/12/2017)," 12 January 17; Human Rights Campaign in China, "Shenzhen Crackdown, Shenzhen Public Security Bureau Prohibits Meeting With Lawyer, Claims Li Jiangpeng Case One of Endangering State Security, Meeting May Hinder Investigation or Possibly Leak State Secrets" [Shenzhen da zhuabu shenzhen shi gong'anju yi li jiangpeng anjian shu weihai guojia anquan fanzui anjian huijian you ai zhencha huo zhe keneng xielou guojia mimi ju jue lushi huijian], 27 May 17.

³²Chinese Human Rights Defenders, "[CHRB] Eleven Activists Remain Forcibly Disappeared in Shenzhen, at Risk of Torture in Police Custody (1/5-1/12/2017)," 12 January 17. For more information, see the Commission's Political Prisoner Database records 2017-00050 on Deng Hongcheng, 2017-00062 on Wang Jun, 2017-00063 on Li Nanhai, 2017-00064 on Xiao Bing, 2017-00065 on Wang Wei, 2017-00066 on Ma Zhiqian, 2017-00067 on Ding Yan, 2017-00068 on Dong Lingpeng, 2017-00070 on Wang Jianhua, 2017-00096 on Song Liqian, and 2017-00097 on Huang Anyang.

³³Human Rights Campaign in China, "Ten People Remain Missing in Shenzhen Crackdown; Lawyers Accompany Family to Bantian Police Station To Learn About Family Members' Disappearance but Police Offered Conflicting Information, Saying They Had Not Handled This Case and Refusing To Issue Case Acceptance Receipts for Missing Person Cases" [Shenzhen da zhuabu shiren rengran shilian jia shu zai lushi peitong xia qianwang bantian paichusuo liaojie jieren shilian qingkuang dan paichusuo xinxi qianhou maodun dafu meiyou banli ci'an bing yi renko shizong an bu shuyu anjian wei you ju jue tigong anjian shouli huizhi], 29 November 16; Chinese Human Rights Defenders, "[CHRB] Eleven Activists Remain Forcibly Disappeared in Shenzhen, at Risk of Torture in Police Custody (1/5-1/12/2017)," 12 January 17.

³⁴Michael Forsythe and Chris Buckley, "China Arrests At Least 3 Workers' Rights Leaders Amid Rising Unrest," New York Times, 5 December 15; Yaxue Cao, "Chinese Authorities Orchestrate Surprise Raid of Labor NGOs in Guangdong, Arresting Leaders," China Change, 10 December 15.

³⁵"Zeng Feiyang, Tang Huanxing, and Zhu Xiaomei Sentenced at First Instance Trial for Gathering a Crowd To Disturb Social Order, Three Defendants Admit Guilt, Express Remorse" [Zeng feiyang tang huanxing zhu xiaomei juzhong raoluan shehui zhixu an yishen dangting xuanpan san beigao biaoshi renzui huizui], Xinhua, 26 September 16. For more information, see

the Commission's Political Prisoner Database records 2015-00427 on Zeng Feiyang, 2015-00428 on Zhu Xiaomei, and 2016-00017 on Tang Jian.

³⁶“China Court Sentences Trio for Disturbing Social Order,” Xinhua, 26 September 16.

³⁷“Guangdong Labor Rights Defender Meng Han Found Guilty of Gathering a Crowd To Disturb Social Order, Sentenced to 21 Months in Prison” [Guangdong laogong weiquan renshi meng han juzhong raoluan shehui zhixu zuicheng, pan jian 21 ge yue], Initium Media, 4 November 16. For more information on Meng Han, see the Commission's Political Prisoner Database record 2014-00026.

³⁸Catherine Lai, “Guangdong Labour Activist Meng Han Sentenced to 1 Year, 9 Months,” Hong Kong Free Press, 3 November 16; Rights Defense Network, “‘12/3 Guangzhou Labor NGO Case’ Arrests Approved for Four Individuals, One Released, Whereabouts of Two Unknown” [“12.3 guangzhou laogong NGO an” jin si ren bei pizhun daibu, yiren huoshi, liangren wu xialuo], 8 January 16.

³⁹Dexter Roberts, “Beijing Wants One Union To Rule Them All,” Bloomberg, 10 November 16; “Labor Conflicts at Hong Kong-Invested Enterprises in Mainland Worsen, Strikes Increase 30 Percent” [Neidi gangzi qiye laozi ehua gongchao zeng san cheng], Radio Free Asia, 12 October 16; Aaron Halegua, “Who Will Represent China's Workers? Lawyers, Legal Aid, and the Enforcement of Labor Rights,” New York University School of Law, U.S.-Asia Law Institute, October 2016, 2.

⁴⁰Aaron Halegua, “Who Will Represent China's Workers? Lawyers, Legal Aid, and the Enforcement of Labor Rights,” New York University School of Law, U.S.-Asia Law Institute, October 2016, 36–37.

⁴¹For information on the New Citizens' Movement and Xu Zhiyong, see 2014 CECC Annual Report, 133–34.

⁴²Rights Defense Network, “Well-Known Rights Defender Xu Zhiyong Completed Sentence and Released, Group Prevented From Welcoming Him” [Zhuming renquan hanweizhe xu zhiyong jin xingman huoshi zhongren yingjie pukong], 15 July 17.

⁴³Andrew Jacobs and Chris Buckley, “China Sentences Xu Zhiyong, Legal Activist, to 4 Years in Prison,” New York Times, 26 January 14. See also “Xu Zhiyong Tried for Advocacy of Education Equality and Official Transparency,” CECC China Human Rights and Rule of Law Update, No. 1, 5 March 14; “Officials Detain Xu Zhiyong Amidst a Crackdown on Individuals Calling for Greater Government Accountability,” Congressional-Executive Commission on China, 1 August 13. For more information on Xu Zhiyong, see the Commission's Political Prisoner Database record 2005-00199.

⁴⁴Civil Rights & Livelihood Watch, “Beijing Xu Zhiyong Released Today, Residence Under Strict Surveillance” [Beijing xu zhiyong jinri chuyu juzhu di zao yanmi jiankong], 15 July 17.

⁴⁵Ibid.

⁴⁶Andreas Fulda, “A New Law in China Is Threatening the Work of International NGOs,” The Conversation, 6 January 17; Scott Wilson, “China's NGO Regulations and Uneven Civil Society Development,” University of Nottingham, China Policy Institute: Analysis (blog), 15 February 17; Kenneth Roth, “The Great Civil Society Choke-Out,” Foreign Policy, 27 January 17. For the full text of the law, see PRC Law on the Management of Overseas Non-Governmental Organizations' Activities [Zhonghua renmin gongheguo jingwai feizhengfu zuzhi jingnei huodong guanli fa], passed 28 April 16, effective 1 January 17.

⁴⁷PRC Law on the Management of Overseas Non-Governmental Organizations' Activities [Zhonghua renmin gongheguo jingwai feizhengfu zuzhi jingnei huodong guanli fa], passed 28 April 16, effective 1 January 17, art. 9.

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