



Australian Government
Department of Foreign Affairs and Trade



DFAT COUNTRY INFORMATION REPORT PEOPLE'S REPUBLIC OF CHINA

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CONTENTS

ACRONYMS	3
GLOSSARY	5
1. PURPOSE AND SCOPE	7
2. BACKGROUND INFORMATION	8
Country Overview	8
Demography	9
Economic Overview	9
Political System	15
Human Rights Framework	17
3. REFUGEE CONVENTION CLAIMS	19
Race/Nationality	19
Religion	28
Political Opinion (Actual or imputed)	40
Groups of Interest	42
4. COMPLEMENTARY PROTECTION CLAIMS	61
Arbitrary Deprivation of Life	61
Death Penalty	62
Torture	63
Arbitrary Arrest and Detention	63
5. OTHER CONSIDERATIONS	66
State Protection	66
Internal Relocation	69
Treatment of Returnees	69
Documentation and Fraud	70

ACRONYMS

ABC	Australian Broadcasting Corporation
AUD	Australian Dollar
CCP	Chinese Communist Party ('the Party')
CCPA	Chinese Catholic Patriotic Association
COAG	Church of Almighty God or Eastern Lightning
CSO	Civil society organisation
ILO	International Labour Organization
IMAR	Inner Mongolia Autonomous Region
JW	Jehovah's Witnesses or Jehovah's Witness
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex or Asexual
NAR	Ningxia Autonomous Region
NGO	Non-government organisation
PLA	People's Liberation Army
PSB	Public Security Bureau
RIC	Resident identity card
RMB	Renminbi, also referred to as CNY (Chinese Yuan): China's official currency
RSDL	Residential Surveillance at a Designated Location
SARA	State Administration for Religious Affairs
TAR	Tibet Autonomous Region
TSPM	Three-Self Patriotic Movement
UNDP	United Nations Development Programme
UN OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UN OHCHR	United Nations Human Rights Office of the High Commissioner
VPN	Virtual private network, a method to bypass official censorship online
WHO	World Health Organization

Sensitive anniversaries and events

Early March	‘Two Sessions’ – official meetings of the National People’s Congress and the Chinese People’s Political Consultative Conference
10 March	Anniversary of the 1959 Tibet uprising that led to the flight of the Dalai Lama to India
4 June	Anniversary of the deployment of PLA troops against protesters in Beijing’s Tiananmen Square and surrounds in 1989
1 July	Anniversary of the 1997 handover of Hong Kong to China
5 July	Anniversary of the 2009 riots in Urumqi between Han Chinese and Uyghurs
1 October	China’s National Day
Five-yearly CCP Congress is held in October in years ending in 2 and 7 (last Congress was in October 2022)	

GLOSSARY

<i>baizhi</i>	‘White paper’ (in Mandarin) – referring to the ‘white paper’ protests in Beijing, where protesters held up blank sheets of paper to protest against strict censorship rules
<i>bei hexie le</i>	To ‘have been harmonised’ (in Mandarin)– a (polite) way to describe being censored
<i>dibao</i>	Subsistence payment made to the poor, determined by local governments
<i>diu mian zi</i>	‘To lose face’ (in Mandarin) – used to describe actions or situations which cause someone to feel they have lost a sense of self-esteem or the respect of others
Great Firewall	Combination of legislative actions and technologies to regulate the internet in China
<i>guanxi</i>	‘Connection’ (in Mandarin) - social networks and individual relationships that facilitate business and other interactions
<i>hashar</i>	‘Forced labour’ (in Uyghur)
<i>hukou</i>	Government household registration system requiring all citizens to register in their locality of origin and affecting a person’s ability to access services outside of that locality
<i>halal</i>	Allowed under Islamic law
Han Chinese	The <i>Han</i> are the most populous ethnic group in China
<i>haram</i>	Forbidden under Islamic law
<i>liuzhi</i>	System of detention run by China's National Supervision Commission outside the criminal justice system
<i>qigong</i>	Generic term (in Mandarin) for a family of meditative breathing and stretching exercises with a long history in China
<i>shuanggui</i>	System of detention for party members run by the Central Commission for Discipline and Inspection, replaced in 2018 by liuzhi
Sinicisation	Process of adapting foreign and minority concepts and practices to (Han) Chinese culture and practice
tiger chair	Chair with shackles attached for detaining and interrogating prisoners
unregistered church	All Christian religious organisations or venues that have not registered with a governing body, including underground Catholic churches and Protestant ‘house’ churches
WeChat	Social media and payment platform popular in China and amongst Chinese speakers around the world
<i>xie jiao</i>	‘Illegal cult’ or ‘evil cult’ - label used to describe religious movements that authorities regard as anti-government and socially dangerous

Terms used in this report

high risk DFAT is aware of a strong pattern of incidents

moderate risk DFAT is aware of sufficient incidents to suggest a pattern of behaviour

low risk DFAT is aware of incidents but has insufficient evidence to conclude they form a pattern

official discrimination

1. legal or regulatory measures applying to a particular group that impede access to state protection or services that are available to other sections of the population (examples might include but are not limited to difficulties in obtaining personal registrations or identity papers, difficulties in having papers recognised, arbitrary arrest and detention)
2. behaviour by state employees towards a particular group that impedes access to state protection or services otherwise available, including by failure to implement legislative or administrative measures

societal discrimination

1. behaviour by members of society (including family members, employers, or service providers) that impedes access by a particular group to goods or services normally available to other sections of society (examples could include but are not limited to refusal to rent property, refusal to sell goods or services, or employment discrimination)
2. ostracism or exclusion by members of society (including family, acquaintances, employers, colleagues, or service providers)

1. PURPOSE AND SCOPE

1.1 The Department of Foreign Affairs and Trade (DFAT) has prepared this Country Information Report for protection status determination purposes only. It provides DFAT's best judgement and assessment at time of writing and is distinct from Australian Government policy with respect to the People's Republic of China.

1.2 The report provides a general, rather than an exhaustive, country overview. It has been prepared with regard to the current caseload for decision makers in Australia without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.

1.3 Ministerial Direction Number 84 of 24 June 2019, issued under s 499 of the *Migration Act* (1958), states that:

Where the Department of Foreign Affairs and Trade has prepared [a] country information assessment expressly for protection status determination processes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.

1.4 This report is based on DFAT's on-the-ground knowledge and discussions with a range of sources in the People's Republic of China (including the Hong Kong Special Administrative Region) and Australia. It takes into account relevant information from government and non-government reports, including (but not limited to) those produced by the US Department of State, the UK Home Office, the World Bank and the International Monetary Fund; relevant UN agencies, including the United Nations Development Programme (UNDP) and the United Nations Population Fund (UNFPA); leading human rights organisations such as Human Rights Watch (HRW), Amnesty International and Freedom House; international non-government organisations (INGOs) and civil society organisations (CSOs); and reputable news organisations and academic sources. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.

1.5 This report replaces the previous DFAT report on the People's Republic of China published on 22 December 2021.

2. BACKGROUND INFORMATION

COUNTRY OVERVIEW

2.1 China was declared a Republic in 1912 after the Xinhai Revolution of 1911, marking the end of imperial rule. Domestic unrest followed, triggering a civil war between Nationalists and Communists in 1927. Although the Sino-Japanese war prompted limited collaboration, the civil war resumed at the end of World War II. Mao Zedong subsequently proclaimed the People's Republic of China on 1 October 1949, following the Chinese Communist Party's (CCP's) victory against Chiang Kai-shek's Nationalist forces and the latter's withdrawal to Taiwan.

2.2 Between 1958 and 1960, the CCP led the 'Great Leap Forward' campaign, organising China's population into large-scale rural communes to overcome industrial and agricultural problems. The campaign emphasised manpower, rather than machines and capital expenditure. Inefficiencies and natural disasters led to the starvation and death of millions of people by 1962, with most academic estimates ranging between 20 to 40 million deaths. The 'Cultural Revolution' followed in 1966, during which time the CCP sought to 'preserve communism' in China by purging remnants of 'capitalist' and 'traditional elements' of society. The Cultural Revolution completely disrupted China's economy, resulting in the deaths of between 500,000 to 2,000,000 people, and the displacement of millions more.

2.3 Following the death of Mao Zedong in 1976, Deng Xiaoping became the paramount leader of the CCP. Deng led profound economic change through his political and economic reforms, including his hallmark 1979 'reform and opening up' policy, which transformed China's economy from poor, planned and primarily agricultural into the second largest economy in the world. According to World Bank estimates, more than 800 million Chinese people had been lifted out of extreme poverty since 1978.

2.4 Efforts towards political liberalisation have continually been met by staunch resistance from the CCP. The 1989 peaceful student-led demonstrations in Tiananmen Square, which called for a range of political and economic reforms and were met with the declaration of martial law and deployment of troops who opened fire on protesters, is historically emblematic in this regard. The death toll from this incident was estimated from a few hundred to several thousand people. In the years following the Tiananmen Square protests, the Government of China suppressed all references to it and banned all public commemoration.

2.5 China's current leader, Xi Jinping, became General Secretary of the CCP in 2012 and then President in 2013. 2018 constitutional amendments removed presidential term limits, effectively opening a pathway for Xi to rule indefinitely. Xi was re-elected for his third term as President in March 2023, with National People's Congress delegates voting 2,952 in favour and none against.

2.6 Under Xi, the CCP has expanded its oversight of the economy, media, academia, civil society and judiciary, further narrowing the space for freedom of expression (see [Political Opinion \(Actual or imputed\)](#)). Targeted anti-corruption drives and a focus on 'social stability', 'national unity' 'territorial integrity' and 'loyalty to the Party' are hallmarks of Xi's rule. Although Chinese citizens can exercise a significant degree of personal choice in relation to [employment](#), [education](#), travel and [commerce](#), the CCP continues to restrict most forms of organised or published critical [political expression and opposition](#).

DEMOGRAPHY

2.7 A rapidly ageing population and mass urbanisation have characterised China's demographic trends for decades. Official statistics show China's population recorded an annual decline in both 2022 and 2023, the first such decline in six decades. According to the *World Factbook*, China's population was approximately 1.413 billion people (14 per cent of whom are aged over 64 years) in 2023, and its largest mega cities were Shanghai (29.2 million people) and Beijing (21.7 million people). For ethnic demography, see [Race/Nationality](#). For religious demography, see [Religion](#).

2.8 Modern Standard Chinese ('Mandarin') is the national language of China. It is based on the Beijing dialect of Chinese. Although written Chinese is broadly the same between most varieties used by [Han Chinese](#), even when the spoken language is mutually unintelligible, there are two different written forms of Mandarin today: Traditional (preserving the orthodox characters) and Simplified. When the People's Republic of China was established in 1949, the government launched a campaign to promote literacy and education by simplifying the writing system. Simplified Mandarin was formally adopted in mainland China (and in Malaysia, and Singapore) during the 1950s and 1960s. Mandarin speakers in Hong Kong, Macau, and Taiwan continue to use the Traditional writing system.

2.9 Most people throughout China can speak, read and write Mandarin. English is still taught throughout China, but fluency remains low (particularly outside of major cities).

ECONOMIC OVERVIEW

2.10 The World Bank described China in 2023 as an upper middle-income country. The United Nations Development Programme (UNDP) ranked China 75th out of 193 countries in its 2022 *Human Development Index* under the 'High Human Development' category. In December 2020, President Xi declared that China had become a 'moderately prosperous society' and that extreme, rural poverty had been successfully eradicated.

2.11 World Bank figures show China's GDP averaged almost 9 per cent growth per year between 1978 and 2022. This period of growth included the COVID-19 pandemic. China's GDP growth was recorded at 5.2 per cent in 2023, and economists anticipated it would slow in 2024 to 4.8 percent due to longer-term structural trends and external factors. However, economic data on China can be unreliable.

2.12 Economic development across China is uneven. There is a substantial wealth gap between the rich and poor, affected by large-scale, economically driven [internal relocation](#) of migrant workers from rural to more affluent, east coast urban areas with stronger economies. This relocation drive has often led to secondary economic challenges, due to growing workforce shortages in cities of origin.

2.13 China provides official welfare through its social security system, which includes pension, medical, unemployment and maternity benefits. In 2023, many services were provided by provincial, county, or municipal authorities, rendering the quality and availability of services dependant on the financial situation of the local government. A subsistence allowance (*dibao*) could be paid to the poor, but at rates set by local governments.

2.14 The adequacy of social services varied across the country. While comparative provincial level social security benefit data was unavailable in 2024, provinces on the east coast (except Fujian) and in the Pearl River delta generally generated greater income through tax and economic activity and therefore tended to provide better quality social services. Access to social security and basic services also depended on an individual's registered place of residence (see [hukou](#)). Eligibility rules for social security benefits were often opaque. Outcomes could be affected by an applicant's political standing, and benefits have been denied to dissidents and members of banned religions.

2.15 Traditionally, the elderly and those otherwise requiring care have relied on family for physical and financial support. Under China's *Civil Code* (2020), which came into force on 1 January 2021, parents have the right to demand support from their adult children if it is not otherwise forthcoming. In-country sources told DFAT in 2023 that it would be possible for a person without family support to subsist, depending on their individual circumstances, opportunity and intersectional risks (age, health, ability to work and level of education).

Employment

2.16 International Labour Organization (ILO) data showed that China's official urban unemployment rate was consistently around 4.5 per cent from 2011 to 2018. Due to the volatile impact of COVID-19 pandemic restrictions, unemployment rose to 5 per cent in 2020, fell to 4.6 per cent in 2021 and then rose again to 4.9 per cent in 2022. China's State Council reported that the surveyed urban unemployment rate was 5.2 per cent in 2023. According to local media in July 2024, the urban unemployment rate was 5.1 percent for the first half of 2024. However, China's official unemployment rate does not fully capture unemployment among the 290 million-strong migrant worker cohort. In-country sources told DFAT in 2023 that the real rate of unemployment was likely higher, with underemployment a growing problem.

2.17 For decades, China's economy was driven by low-cost manufacturing. As the focus of the economy transitioned from investment and manufacturing towards consumption and services, some low-skilled workers found it difficult to find steady employment. Prior to the onset of the COVID-19 pandemic, the Government of China prioritised the creation of new urban jobs for low-skilled workers, and many laid-off factory workers were employed as delivery drivers and shop workers. As at July 2023, in-country sources told DFAT that the government was attempting to reduce unemployment rates by revitalising the private sector and expanding domestic demand.

2.18 The rising cost of labour and need to build more resilient supply chains has caused some foreign businesses in China to diversify their operations in recent years by outsourcing to countries overseas. In 2023, in-country sources noted a continuing shift towards employment in the service sector, primarily due to the factors discussed above, as well as worsening trade relations with the United States and weak domestic demand for manufactured goods.

2.19 Youth unemployment is a major driver of migration overseas. With 11.8 million graduates from tertiary institutions having entered the job market in 2024, there continued to be an undersupply of high-skilled and high-paid jobs. In June 2023, the unemployment rate for 16-to 24-year-olds in China's urban areas reached 21.3 per cent. In August 2023, China's National Bureau of Statistics announced that the release of the age-specific urban unemployment rate for young people would be suspended. China began distributing information on youth unemployment again in January 2024 using different measurement criteria, with the official rate jobless rate for December 2023 stated at 14.9 per cent. The unemployment rate for youths aged between 16 and 24, excluding students, was 14.2 percent in May 2024 according to China's National Bureau of Statistics.

2.20 Alongside an increasing trend of university graduates having to settle for lower-skilled employment, the challenging labour market in 2023 spawned a popular discourse on *tang ping* ('lying flat'). *Tang ping* refers to young people 'opting out' of the high-pressure work environment in China, scaling back their commitment to work or education, and settling for a lower income and lower consumption-based lifestyle.

2.21 In-country sources told DFAT in 2023 that despite China's shift away from low-cost manufacturing, offshore operations and increases in youth unemployment, the labour market remained robust and could accommodate varying levels of skills and ambition.

Hukou (household registration) system

2.22 *Hukou* is a household registration system that clarifies an individual's place of residence and defines eligibility for social welfare and government services such as education or health services in a local government area. It often reflects an individual's place of birth, or even their parents' place of birth, rather than their current place of residence. The modern *hukou* system is an electronic record held by local police.

2.23 *Hukou* policies were decentralised in the 1990s, with local governments allowed to set their own rules about registering new citizens. Practical *hukou* reform remains at an early stage. In-country sources told DFAT in 2023 that some local governments had begun issuing 'temporary *hukou*' to allow migrant workers similar entitlements to locals, including subsidised health insurance and access to local hospitals for treatment. More restrictive points systems to obtain *hukou* in some cities of over 5 million people still exist, where good employment records, education and housing may be an advantage.

2.24 In August 2023, the Ministry of Public Security announced plans to lower the bar for obtaining an urban *hukou*, encouraging local governments in cities of 3-5 million people to relax requirements and those in cities of below 3 million people to eliminate all requirements entirely. Jiangsu Province's government responded by scrapping all limits on non-residents applying for *hukou* in 11 of its 13 cities. Zhejiang Province also lifted restrictions for obtaining *hukou* for all of its cities except Hangzhou. Larger cities like Shanghai and Chengdu have eased the process of obtaining *hukou* for certain groups, like recent graduates. Improvements to its points-based policy were also announced as part of *hukou* reform in cities like Beijing. The outcomes document of the July 2024 Third Plenum of the CCP Central Committee (a significant meeting guiding national economic strategy) foreshadowed further, gradual relaxations to the *hukou* system.

2.25 Migration away from cities to regional areas also occurs, although much less commonly. The very high cost of living in some large cities and demanding working culture in corporate China has forced some young people to return to their family and home regions. From 2021, some former emigrants were being enticed back by improved infrastructure and services in rural areas that had accompanied China's rapid development.

2.26 The Government of China regards all children born to a Chinese citizen parent as Chinese citizens, regardless of the country where the child was physically born (*Jus sanguinis* or citizenship by descent). These children are linked to or inherit their parents' *hukou* registration and can obtain travel documents from China's embassies overseas (see [People affected by family planning policies](#)). Individuals born to non-Chinese citizen parents do not inherit *hukou*. Foreigners or non-Chinese citizens are not eligible for *hukou* and cannot be added to a spouse's or their family's *hukou*.

2.27 The Government of China can legally cancel *hukou* registration when an individual has been abroad for more than a year, if they have not applied for specific approval. In practice, cancellation rarely occurs due to a lack of coordination between local police and border officials. The vast majority of China's citizens residing overseas, even for extended periods of time, still have their *hukou* intact.

2.28 Children born in violation of the former 'two-child' or 'one-child' policies, known as *heihaizi* (black children), have been eligible to apply for *hukou* since 2015. These children, who were born out of plan (or their parents), are able to approach authorities in China or at embassies overseas to retroactively register births (see also [People affected by family planning policies](#); [Single Women](#); [Children](#)).

Education

2.29 China's school system is state-led, with decentralised delivery delegated to county-level governments. Children are required to attend nine-years of compulsory education, which includes six years of primary school and three years of middle school. An additional three years of high school is also available, although is not

compulsory. Two to three weeks of ‘military training’ is required for matriculation in high schools and universities, which is generally completed before the start of the academic year.

2.30 The language of instruction in China is Mandarin. In a Ministry of Education official statement from August 2019, the Government of China stated that a shift towards Mandarin, new national textbooks and curriculum standards were part of efforts to ‘standardise’ education across China. A Ministry of Education statement from 2019 noted that changes had already been implemented in ‘ethnic schools’ in Xinjiang in 2017 and Tibet in 2018 (see also [Race/Nationality](#)). The 2019 Ministry of Education statement cited explanations for the change including President Xi Jinping’s emphasis on shared language as a crucial link for communication and, in turn, for mutual understanding and ‘common identification’. The change also focused on improving mastery of the ‘common national language’ as the basis for more success in the job market, in receiving modern arts and sciences education, and in better integration into society. International media reported in 2022 that individuals who had spoken out publicly against education policies mandating the teaching of Mandarin in ethnic minority areas had been arrested, including a number of Tibetans in Qinghai in 2021.

2.31 The *Patriotic Education Law* (2024) came into effect on 1 January 2024, covering areas such as ideology and politics, history and culture, ‘the beauty of the motherland’, and national unity and ethnic solidarity. The *Patriotic Education Law* (2024) requires the education system to instil patriotism by incorporating CCP’s ideologies within school curriculums. The *Patriotic Education Law* (2024) was passed as part of the CCP’s broader efforts to assert increased control over the education system, to limit foreign influences and shape young minds to align with the Party’s agenda.

2.32 Education standards vary considerably across China. The quality of education was generally higher in urban rather than rural areas in 2023. This disparity was exacerbated by comparatively poor infrastructure, lower household incomes, and less access to skilled teachers in rural areas. Attendance rates were also lower in rural areas, with some rural children not attending school at all. High levels of literacy and education generally mirror higher wealth in large cities and in the eastern provinces. Overall, China had a very high literacy rate in 2020, including 96 per cent for females and 99 per cent for males according to World Bank data.

Health

2.33 The World Bank reported that average life expectancy in China was 79 years in 2022, with higher life expectancy rates in urban compared to rural areas. Mortality rates were highest for non-communicable diseases such as stroke, heart disease, lung diseases and cancer. High rates of tobacco use and exposure to air pollution were leading health risks.

2.34 Since 2015, China has reformed its health system to strengthen the capacity of primary care services, extend and improve social health insurance coverage, ensure comprehensive provision of basic public health services, reform public hospitals, and improve medicines policies. According to research published in the *British Medical Journal*, mark-ups of drug prices in China had largely stopped in public hospitals and at primary healthcare providers in 2022.

2.35 Organisation for Economic Cooperation and Development (OECD) data from 2022 showed that China had a healthcare provider ratio of 2.5 doctors per 1,000 people (equivalent to the Republic of Korea and Japan), and 3.5 nurses per 1,000 people. China also provides a publicly subsidised Traditional Chinese Medicine system.

2.36 China’s basic health insurance (BHI) system covered over 95 per cent of the population in 2023 according to the World Health Organization (WHO). Health insurance was divided into Employee Hospitalisation Insurance and Residents Insurance. Employee Hospitalisation Insurance could be accessed by

approximately 25 per cent of China's population and covered urban employees and retirees of state-owned enterprises (SOEs), as well as employees of some private-sector businesses. Employee plans typically had personal health accounts that could be used for medicines and outpatient treatments. Companies, not employees, contributed an amount equal to as much as 9.8 per cent of a worker's salary. The remaining 75 per cent of China's population was covered by BHI Residents Insurance. Residents Insurance was used by farmers, migrant workers, children, and some private-sector employers. Co-payments, payment ceilings and limits applied. People with Residents Insurance may or may not have personal health accounts.

2.37 In addition to China's BHI, commercial health insurance and medical mutual aid activities were also available. For individuals who could not afford individual premiums for publicly financed health insurance or cover out-of-pocket spending, a medical financial assistance program funded by local governments and social donations served as a safety net.

2.38 In-country sources told DFAT in 2023 that public healthcare in China was generally comparable to international standards, however quality and access to services varied significantly between urban and rural areas. Urban centres generally had better quality healthcare, especially in advanced cities like Beijing, Shanghai, Guangzhou, and Shenzhen. China's ageing population also placed significant strain on the public healthcare system. Healthcare in China was relatively cheap for locals in 2023, with costs heavily subsidised by the BHI system. In July 2023, in-country sources reported the cost to see a doctor in Beijing was around RMB 19 (approximately AUD 4). In major cities, private healthcare facilities staffed by Western-trained physicians were also readily available for those who could afford it, but at more expensive rates.

2.39 Due to recent reforms to the *hukou* system, access to healthcare services had improved since 2020 for domestic migrant workers who had moved from their province of birth to access employment, especially in cities on the east coast and around the Pearl River delta. Under *hukou* reforms, local governments had the ability to implement their own migration policies and had begun selectively issuing 'temporary *hukou*' to allow migrant workers similar entitlements to locals. These entitlements often included subsidised health insurance and access to local hospitals for treatment, although this may not have applied to the children of domestic migrants.

2.40 To improve access to medicines, China has increased research and development funding for generic drugs. All medicines on China's National Essential Medicines List were now reimbursable under health insurance as at 2022. In-country sources told DFAT in 2023 that most medicines were readily available in urban centres, although could be harder to source in rural areas. More difficult-to-source brand-name medicines were often substituted by lower-cost generics of similar quality.

Mental health

2.41 China's *Mental Health Law* (2012) is aimed at protecting the human rights of people living with mental health conditions by requiring psychiatric treatment to be voluntary in the majority of circumstances, and noting seclusion and restraints should only be used if there were no alternatives. However, a 2022 study published in the *International Journal of Mental Health Systems* reported that involuntary admission to psychiatric hospitals continued to occur in 70 per cent of cases, while a 2016 study published in the *Psychiatry Research* journal stated that physical restraints were still used in 22 per cent of cases in psychiatric hospitals.

2.42 The WHO estimated that approximately 4 per cent of people in China are living with depression, and 3 per cent with an anxiety disorder. Although demand for mental health services is growing, many people remain reluctant to seek help due to stigma. According to a study exploring mental health stigma and mental health knowledge amongst China's population published in *BMC Psychology* in 2020, approximately 45 per cent of participants thought most people would not accept a former patient of a mental health facility as a close friend, 70 per cent thought that most young women would not date a man who had been hospitalised

with a serious mental health condition, and almost 55 per cent of participants would not employ a person who was a former patient of a mental health facility.

2.43 The Government of China has increased investment in mental health services in recent years and stated plans for at least 80 per cent of people living with depression to have access to treatment by 2030. While mental health services were typically covered under BHI, availability and quality varied depending on location. Required medications to treat most mental health conditions were generally available in 2023. The majority of mental health resources were found in provincial capitals in the more developed east coast of the country. Mental health services were generally concentrated in large specialty hospitals, rather than within the community and primary healthcare sector. The workforce was primarily made up of psychiatrists and nurses, with few counsellors or therapists generally available. Services were typically provided on an outpatient basis. International academics reported that the centralised system of mental healthcare was not adequate to meet China's mental healthcare needs in 2022.

People living with HIV

2.44 Official statistics released by the WHO in 2018 (most recent data available) showed there were approximately 1.25 million people living with HIV in China. The Chinese Center for Disease Control and Prevention, as well as in-country sources, reported that the number of cases of HIV/AIDS had dropped by 13 per cent during the COVID-19 pandemic, primarily due to reduced interpersonal contact because of social distancing restrictions. In-country sources told DFAT that overall HIV infection rates continued to decline in 2023.

2.45 The Government of China provides subsidised testing and treatment of people living with HIV and AIDS and funds infection control programs. Following transmission of HIV through plasma donation at blood collection centres, the *National Free Antiretroviral Therapy Program* was introduced in 2003, which increased antiretroviral therapy coverage among HIV-infected patients. A focus on early detection has meant that HIV/AIDS no longer needed to be fatal in 2023 and was instead considered a chronic disease in China that could be managed with long-term treatment.

2.46 At the district level, government and provincial authorities jointly fund 'Volunteer Associations of STD/AIDS Prevention and Control' centres that provide public health education on HIV/AIDS. These centres also provide advice on treatment options and how to obtain free anti-retroviral drugs. Eligibility for services in 2023 was based on physical residence, study, or employment location, not hukou registration. Online apps, such as 'Blued', also played an important role in promoting HIV services on the internet in 2023. Apps provided information on HIV prevention that could be accessed discretely through chat rooms, online partner notifications, online test slips, banner ads, and interactive targeted interventions and websites that focused on populations at higher risk of HIV.

2.47 Laws are in place in China to tackle discrimination against those living with HIV in relation to employment, medical care and education, including: the *Law on the Prevention and Treatment of Infectious Diseases* (2004), *National AIDS Regulation* (2006) and the *Employment Promotion Law* (2008). In-country sources told DFAT in 2023 that legal pathways and mechanisms of redress existed to tackle complaints of official discrimination or lack of access to government services. People have successfully sued employers under China's laws. For example, a teacher in Southeast China won a precedent-setting court case in 2013 and received compensation after he was denied a teaching post because a pre-employment health check showed that he was HIV-positive.

2.48 Provincial governments have undertaken public education campaigns to change societal attitudes towards people living with HIV, which in-country sources stated in 2023 had begun to reduce stigma. Government-sponsored campaigns to reduce stigma have aired on television, appeared in social media, and were delivered on university campuses. Events like the 'International AIDS Anti-Discrimination Day', aimed at

eliminating discrimination against people living with HIV, were widely publicised. Nevertheless, people living with HIV/AIDS sometimes faced discrimination, especially in the workplace. There have been instances reported where employees were forced to go on extended leave or had their employment terminated when their HIV status was disclosed.

2.49 DFAT assesses people living with HIV generally do not experience official discrimination based on their HIV status or barriers in relation to accessing government services. People living with HIV face a moderate risk of societal discrimination in the form of access to employment. As at the time of publication in 2024, DFAT was not aware of violence being perpetrated against people living with HIV because of their HIV status alone. Elevated intersectional risks may be of relevance for LGBTQIA+ persons (see [Sexual Orientation and Gender Identity](#)).

POLITICAL SYSTEM

2.50 China is a one-party state governed by the CCP. While minor parties formally exist, they are vetted by, and are subordinate to, the CCP. The CCP's main groupings in order of size (largest to smallest) and amount of real political power (least to most) are: the Central Committee, the Politburo and the Politburo Standing Committee (PBSC).

2.51 From the 99 million members in Party cells, around 2300 delegates are elected to the National Party Congress, a conclave that meets every five years. The main function of the National Party Congress is to elect the Central Committee of around 380 members, which exercises the functions of the Congress outside of its five-yearly meeting. The decision-making body of the Central Committee is the Politburo, comprised of the 24 most senior members of the Party and exercising the functions and powers of the Central Committee out of session. Power is then further concentrated in the seven-member PBSC. Each member of the PBSC has a specific portfolio. The General Secretary (Xi Jinping) and the Premier (Li Qiang) are also members of the PBSC.

2.52 Subordinate to the national government are provincial governments and autonomous regional governments. The autonomous regions are areas with high proportions of ethnic minorities, including Guangxi, Inner Mongolia, Ningxia, Tibet, and Xinjiang, who were nominally provided with a higher degree of autonomous decision making under the Constitution. Subordinate to provincial governments and autonomous regions are prefectures, counties, autonomous counties, townships and villages. Beijing, Chongqing, Shanghai, and Tianjin are municipalities directly subordinate to the national government. The CCP is embedded in each level of government and reports upward from the village level right through to the national level in Beijing.

2.53 Governments at the provincial level and below are responsible for most public expenditure on health, education, unemployment insurance, social security, and welfare. For this reason, these services differ from place to place (often village to village or county-to-county), making it difficult to generalise quality of services. For example, low tax receipts in rural areas may reflect infrastructure of poorer quality (see also [Education; Health](#)).

Chinese Communist Party (CCP)

2.54 China's political landscape is dominated by the CCP. While the Party, executive, [legislature](#), and [judiciary](#) are ostensibly separate entities, China's Constitution makes clear that all organs are subordinate to the CCP. Government agencies, judicial organs, and businesses have parallel Party structures and/or host Party 'cells' (see below), and senior officials in government, the judiciary, SOEs and the legislature also concurrently hold positions with the CCP.

2.55 The CCP is organised into 'cells', which might be known as 'committees' or 'branches'. Any organisation with more than three CCP members (there is about 1 party member for every 15 citizens) must

have a Party cell. There are about 5 million Party cells that exist in government, private and social enterprises and in neighbourhood associations. Cells report to committees above them, which might report to a government organisation above them and eventually a reporting line exists all the way to the Central Government in Beijing.

2.56 In the past, the Party had a higher proportion of farmers and workers, but today's CCP members are predominantly young people and university degree holders. About two-thirds of CCP members are male. Party membership is selective – the process to join can involve several years of study, exams, and background checks. More than one attempt to join is common. The benefits to joining include prestige and connections, or *guanxi*, that would not otherwise be available. *Guanxi* is extremely important in Chinese culture and can significantly enhance career or financial success.

2.57 The party has an extensive human resources organisation ('the Organisation Department') that is involved in placement of people in senior positions in government or SOEs. The Party has a large Propaganda Department. The Central Commission for Discipline Inspection is responsible for compliance to party regulation and [corruption eradication](#).

Corruption

2.58 China ranked 76 out of 180 countries and territories in Transparency International's 2023 *Corruption Perceptions Index* (where 1 is perceived to be least corrupt). The 2023 US Department of State *China Human Rights Report* described corruption in China as 'serious', noting frequent corruption in court decisions and areas 'heavily regulated by the government', such as land usage rights, real estate, mining and infrastructure development, which it described as susceptible to fraud, bribery and kickbacks (see also [Documentation and Fraud](#); [Entry and exit procedures](#)).

2.59 In some instances, what might be perceived as corruption by those not of Chinese cultural background may be viewed by Chinese people as *guanxi* in China. *Guanxi*, (literally 'connection') is a system where progress in business or government relies on patronage networks – giving and receiving 'face' (*mianzi* – esteem, prestige) and exchanging favours or gifts. Good *guanxi* can obtain favourable business, social and legal outcomes, and bad *guanxi* can make them impossible.

2.60 The CCP takes allegations of corruption seriously, viewing it as a threat to its legitimacy. Penalties for corruption can, and have, included [death](#) in some serious and high-profile cases. For example, suspended death sentences were handed out to former CCP secretary of Hangzhou, Zhou Jiangyong, in 2023 and former vice minister of public security, Sun Lijun, in 2022 for accepting bribes. Allegations of corruption by officials are investigated by Party organs in the first instance, including the Central Commission for Discipline and Inspection and the National Supervisory Commission. While officials are generally investigated by these organs for alleged crimes related to fraud, financial misappropriation and other activities traditionally defined to constitute corruption, these organs appear also to investigate officials deemed to [lack loyalty and ideological purity](#).

2.61 On taking office in 2013, President Xi launched a nationwide anti-corruption campaign against high and low-ranking corrupt officials. In its first year alone, more than 180,000 officials were disciplined. In the following decade, 3.7 million cadres were punished, including about 1 per cent of national and provincial leaders. In early January 2024, during the third plenary session of the CCP's Central Commission for Discipline Inspection, a major anti-corruption meeting, President Xi stated that there would be no let up in the intensity of the Party's perennial anti-corruption campaign under his leadership. In 2024, local media reported on rolling anti-corruption campaigns focusing on senior officials within the [financial sector](#), resulting in many [arrests](#) and [convictions](#).

HUMAN RIGHTS FRAMEWORK

2.62 China is a party to some core international human rights instruments. It is not a party to the *Optional Protocol of the Convention against Torture*, *Second Optional Protocol to the International Covenant on Civil and Political Rights*, aimed at the abolition of the death penalty, and *Convention for the Protection of All Persons from Enforced Disappearance*. China is signatory to the *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights*, but has not ratified them, nor specified a timeline in which it intends to do so. By not signing these treaties, China has refrained from becoming a party to them and being bound by its legal obligations in regards to the right to freedom of religion or belief, freedom of expression (including academic freedom), freedom of association and assembly, and other important civil and political rights. See the [UN Office of the High Commissioner for Human Rights](#) (UN OHCHR) website for full details.

2.63 Chapter 2 of the Constitution covers the rights and duties of citizens. It includes a [right to vote](#), '[right to criticise state organs and their employees](#)' and freedom of [speech](#) and [religious belief](#). The Constitution notes that the state 'respects and preserves human rights'. However, in practice, all of these rights are heavily restricted, especially if they are perceived as a threat to political or social stability (see also [Security Situation: Arbitrary Arrest and Detention](#)). The Constitution is non-justiciable, meaning that constitutional rights cannot be pursued in court.

2.64 In 2019, the Government of China released a white paper on human rights for the 70th anniversary of the establishment of the People's Republic of China. It emphasised 'happiness' (asserting that 'living a happy life is a primary human right'), poverty eradication, and rights to food, water, housing, and health. China's authorities consider the right to subsistence and development primary human rights. In comparison, the United Nations Universal Declaration on Human Rights promotes equal and inalienable rights to life, liberty, security, and freedom.

Security Situation

2.65 China has a vast security apparatus comprised of law enforcement, military, paramilitary, governmental and intelligence agencies. China's Ministry of Finance reported that 6.1 per cent of national government spending in 2017 (approximately AUD255 billion) was appropriated to domestic security. Exact numbers of security personnel are not publicly available, however the Party Committee of the Ministry of Public Security confirmed in 2022 that 1.9 million police officers worked in public security organs across China and possessed at least basic qualifications in law enforcement.

2.66 According to research compiled by Comparitech and IHS Markit in 2023, China's cities were under the heaviest CCTV surveillance in the world. 2023 estimates indicated there were at least 600 million surveillance cameras operating in China, or almost one camera for every two people. In China's more developed cities, monitoring and surveillance capabilities were both pervasive and advanced. Facial recognition and other identity monitoring technologies were widely used in 2024 for surveillance, including to track the movements of those on a vast array of 'blacklists', like [Uyghurs](#) and [Tibetans](#), former drug users, individuals with mental health issues and known [activists](#). In-country sources told DFAT in 2023 that CCTV surveillance had become so pervasive, with such a high level of coverage, that an individual's movements could be tracked in real time.

2.67 Violent crime was uncommon in China in 2023 and according to international media, continued to decline. However, petty crime, scams, and isolated bandit attacks in very remote border areas still occurred.

2.68 Threats to national security related to 'terrorism' and 'civil unrest' were low in 2023, however, isolated incidents occurred. For example, violent clashes broke out in Nagu, Yunnan in May 2023 between locals and the police who were attempting to demolish the dome of the historic Najiaying Mosque. In November 2022 large labour demonstrations occurred in Guangzhou.

2.69 According to a statement from China's Ministry of Public Security on 14 November 2015, the security crackdown in [Xinjiang](#) was due to incidents allegedly involving Uyghur separatists and terrorists. These included the 2009 riots in Urumqi, attacks in Beijing in 2013 and Kunming in 2014, as well as other incidents in Xinjiang in 2013 and 2014. As at the time of publication in 2024, DFAT was not aware of more recent incidents (see also [Uyghurs](#)).

2.70 The Government of China cites links between separatists and foreign militant organisations targeting China, including the East Turkestan Islamic Movement. Authorities reported that no new violent attacks had occurred in recent years as a result of counter-terrorism and social stability policies in place in Xinjiang. On 23 January 2024, China's State Council released a white paper titled *China's Legal Framework and Measures for Counterterrorism* to justify that its actions were lawful and in line with domestic legal frameworks. The Associated Press news agency reported in 2022 that incarceration rates in [Uyghur](#)-majority areas of Xinjiang were some of the highest in the world - more than 30 times higher than the rest of China as a whole. Available data regarding prosecutions of Uyghurs in China between 2017 and 2021 published in Yale Macmillan Center's 2024 *Uyghur Race as the Enemy* report showed that a total of 540,826 individuals had been prosecuted in Xinjiang, resulting in a cumulative sentencing of 4.4 million years in prison, or an average prison sentence handed down of 8.8 years per person. The World Prison Brief at the University of London noted that this figure only accounted for sentenced prisoners in China's Ministry of Justice prisons, which excluded large numbers of Uyghurs held in pre-trial detention, administrative detention and 're-education' camps (see also [Arbitrary arrest and detention](#); [Judiciary](#); [Detention and prison](#))

2.71 Laws in China maintain a broad definition of 'national security' and 'protected information', leaving significant room for interpretation by security authorities, including under the *Anti-Espionage Law* (2023) and 2024 amendments *State Secrets Law* (1988). Those viewed as aiding foreign actions contrary to the CCP's interests face severe legal consequences including life imprisonment and capital punishment.

2.72 The *Law on Foreign Relations* (2023) codifies China's 'right' to take corresponding countermeasures and restrictive measures against acts that violate 'international law and norms' and endanger the country's sovereignty, security and development interests. Article 22 of the *Law on Foreign Relations* (2023) states China is committed to the principle of universality of human rights, but adds the key qualifier 'in light of the realities of countries'. Articles 30 and 31 of the *Law on Foreign Relations* (2023) declares that international treaties shall not contravene the constitution, which potentially creates greater scope for China to disregard international law and treaties if deemed they undermine 'the sovereignty of the state, national security and public interests'.

3. REFUGEE CONVENTION CLAIMS

RACE/NATIONALITY

3.1 The Government of China officially recognises 56 ethnic groups. In 2023, the Han Chinese represented over 91 per cent of the total population and were seen as the most socially, politically and economically dominant ethnic group. The remaining 55 ethnic groups, some of which live in 'autonomous regions', were customarily and collectively referred to as 'ethnic minorities'. In 2021, the National Bureau of Statistics of China reported that the rate of population growth among ethnic minorities was twice that of Han Chinese between 2010 and 2020.

3.2 Article 33 of the Constitution states that all citizens are 'equal before the law' and the government 'respects and preserves human rights'. Historically, China had promoted a limited degree of preferential treatment for minority groups in areas such as [birth planning](#), access to [education](#), loans and [employment](#). However, this approach has been steadily wound back since 2014. At the Sixth National Congress of the State Council for the Recognition of Inter-ethnic Unity and Progress held in 2014, President Xi announced that the people of all ethnic groups needed to be guided 'to firmly establish a correct concept of motherland, of history and of ethnicity, and consciously safeguard the best interests of the country and the overall situation of inter-ethnic unity'.

3.3 Language and cultural policies in China are geared towards promoting a singular Chinese identity, in part by muting the ability of ethnic minorities to express other identities. The government announced in January 2021 that local regulations that had allowed ethnic minority schools to teach in minority languages were incompatible with China's Constitution, and the use of ethnic minority languages would be rolled back. The representation of officials who belong to ethnic minorities on the CCP's Central Committee was also in decline and hit a 10-year low in 2022. In 2023, there were no members who were ethnic minorities on the Politburo, and only one member who was from an ethnic minority group serving as a party secretary of a provincial level jurisdiction. An intensified 'Sinicisation' (*zhongguo hua*) campaign, which began by focusing on [religion](#) in 2015, had placed even greater assimilatory pressures on ethnic minorities in 2024 to conform to an idealised, Han-centric Chinese identity.

Mongols (in China)

3.4 Approximately 6 million Mongols live in China, predominantly in the Inner Mongolia Autonomous Region (IMAR) and neighbouring provinces. Mongols in China are ethnically, culturally, and religiously distinct from China's Han Chinese population and share close ties with Mongolic groups in Mongolia and Russia. Most Mongols in China practice [Tibetan or Vajrayana Buddhism](#), although some maintain shamanist practices. In 2024, a Mongol woman named Wang Lixia was serving as chair of the IMAR in a position equivalent to a provincial governor.

3.5 Mongol peoples in China collectively self-identify as ‘Southern Mongols’ (*Uvur Mongol*), but among themselves usually use the names of their specific Mongol subgroups (i.e. Chahars, Gorlos, Khorchin, Ordos, Tumed, etc.). *Uvur* in the Mongolian language means ‘southern’ and refers to the areas south (and west) of the Gobi Desert where Mongols historically resided.

3.6 Han Chinese transmigration to the IMAR has been significant. Han Chinese form a majority in the IMAR, with Mongols now making up only 17 to 20 per cent of the population. [Transmigration](#), land appropriation and Mongol [protests](#) against appropriation predate the 1949 revolution. In 2019, a number of Mongol activists were placed in criminal detention for their involvement in organising protests against grazing bans targeting nomadic pastoralist herding communities near Lake Dalainuur in IMAR’s Heshigten Banner. Activists O. Sechenbaatar, Tsogjil and Baldan were subsequently charged with ‘obstructing officials in the course of their duty’ and ‘picking quarrels and stirring up trouble’. In June 2023, herders in Zaruud, IMAR, were run over by a bulldozer while protesting the sale of collectively owned grazing land to a Chinese company, with other Mongol activists in the area beaten up by company officials as they tried to block access to the land. Mongols in China protesting the appropriation of their traditional grazing land have also been arrested by authorities after speaking with international media outlets.

3.7 In 2020, the Inner Mongolian Educational Department announced plans to change the [language of instruction](#) from Mongolian to Mandarin for IMAR’s nine years of compulsory schooling. This change of language came into full force on 1 September 2023. The new mode of education replaced Mongolian language instruction with Mandarin-language instruction across all school subjects, with the exception of a single Mongolian language and literature course. According to international media and academic researchers who captured witness accounts in August and September 2020, Mongols raised concerns that the proposal had not involved consultation and was counter to Article 4 of China’s Constitution and Article 36 of the *Regional Ethnic Autonomy Law* (1984), both of which granted ethnic minorities the right to use their own language as a means of education.

3.8 International media released a leaked recording from government officials in Hohhot, IMAR, from September 2020 stating that Mongol students would be required to take college entrance exams in Mandarin from 2025, rather than in Mongolian. This change forces Mongols to compete directly against millions of Han Chinese high school graduates in the world’s most competitive university entrance test (*gaokao*) in a non-native language (see also [Uyghurs](#); [Tibetans](#)). International academics stated in 2020 that the change of language in college entrance exams was likely to further marginalise and systemically exclude young Mongols from higher education and the job market in China.

3.9 Resistance to the elimination of Mongolian language instruction in education in the IMAR in 2020 was largely peaceful, including submission of petitions and parental decisions to keep children at home. According to information provided to academic researchers in 2020, opposition to the change was reportedly strongest in IMAR’s Shiliin Gol League, with some township level units submitting petitions signed by 100 per cent of households. *The Diplomat* reported in September 2020, that parents who refused to send their children to school had been detained by authorities. According to *SBS News*, local authorities in the IMAR in 2020 warned Mongols against speaking out on social media on the ‘issues’ occurring in Inner Mongolia, including with those who were residing in Australia.

3.10 In 2021, international human rights advocates and academics stated the Government of China had implemented changes to language policies in order to forcibly assimilate Mongols and destroy their culture. The use of Mongolian language had already been in decline before the change in policy, as Mongols had been forcibly resettled from their traditional lands to Han-majority cities where Mandarin was dominant. International media, including *Radio Free Asia* and *SBS News*, reported in 2020 that several Mongols had committed suicide as acts of protest over plans to phase out Mongolian-medium education and language teaching in IMAR’s schools.

3.11 Authorities are increasingly imposing restrictions on elements of Mongol cultural expression in China, including banning books on the history of the Mongols, removing references to their historic achievements, and erasing Chinggis Khan (Genghis Khan) from history. For example, international media reported in May 2023 that prominent historian and Mongol activist, Lhamjab Borjigin, was arrested for breaching the terms of his ‘indefinite’ residential surveillance after he stated he would publish a three-volume history of the suppression of Mongol identity by the CCP in what is today the IMAR. In September 2023, international media reported that authorities had banned a textbook in use in IMAR since 2004, titled *A General History of the Mongols*, stating that the version of history was not in keeping with the official narratives because it did not go far enough in making the Mongols appear part of the Chinese nation.

3.12 In September 2023, authorities banned a previously approved theatre production titled *The Mongol Khan*, which was to be performed in the city of Hohhot, IMAR. International media reported that authorities had shut down power to the venue, denied access to the building, banned production staff from wearing traditional Mongolian dress (*deel*) in public and then put the entire cast under constant surveillance. In 2020, international academics stated that China’s Bureau of Cultural Heritage had engaged in a biased rewriting of Mongol culture in favour of a new national narrative, after references to ‘Genghis Khan’, ‘Empire’ and ‘Mongol’ were removed from exhibits about Mongol history. Officials at the local history museum in Hohhot told the international media in 2023 that the Chinggis Khan exhibit had been scuttled because they didn’t want to ‘highlight any ethnicity over another’.

3.13 On 6 July 2024, the CCP IMAR Committee officially launched a campaign to rebrand to Mongol culture in China and the cultural and historical heritage of IMAR as ‘northern frontier culture’ (*bei jiang wenhua*), by ‘intermingling’ different ethnic groups ‘to forge a strong sense of community for the Chinese nation’. The state-run *Inner Mongolia Daily* reported on 17 July 2024 that the purpose of the ‘northern frontier culture brand’ was to ‘educate and guide the people of all ethnic groups to firmly establish a correct view of the country, history, nation, culture, and religion’. International academics stated in August 2024 the ‘northern frontier culture’ campaign was being used to show that the place where Mongols in China lived was ‘not the Mongolian homeland but rather an integral part of the People’s Republic of China, that this region has always been a multiethnic region fused together by the Han and the Mongols and other ethnic groups’. As at August 2024, the term ‘northern frontier culture’ appeared almost exclusively in Mandarin language sources and was primarily aimed at shaping the attitudes of a domestic audience.

3.14 DFAT assesses Mongols in China face a moderate risk of official discrimination based on their race in the form of harassment, [arbitrary detention](#), and prosecution for security-related offences. Mongols in China also face official discrimination when accessing government employment and education. Mongols in China face a high risk of official discrimination if they protest or publicly advocate for greater rights, autonomy, or self-determination. DFAT assesses Mongols in China face a low risk of societal discrimination.

3.15 Many Mongols in China share religious beliefs and practices in common with [Tibetan](#) Buddhists. As with Tibetan [Buddhists](#), veneration of the Dalai Lama is likely to lead to arrest. DFAT assesses Mongols in China face a moderate risk of official discrimination based on their religion in the form of harassment, [arbitrary detention](#), and prosecution for so-called religious offences.

Tibetans

3.16 Tibetans come from a number of related ethnic groups that share linguistic and cultural similarities, most of which practice Tibetan or Vajrayana Buddhism. Tibetans are ethnically, culturally, and religiously distinct from China’s Han Chinese population. The current number of Tibetans in China is uncertain, however estimates vary between 5 million and 7 million people in Tibet Autonomous Region (TAR) and the neighbouring

provinces of Qinghai, Gansu and Sichuan. Access to verifiable information on the situation in the TAR is limited, as entry to the region continued to be heavily restricted by the government in 2023.

3.17 Since October 2023, the CCP has accelerated the replacement of the name 'Tibet' in English language communications with 'Xizang' – a Romanised version of its Mandarin name. Local media in October 2023 quoted local academics linked to the CCP as saying that the name 'Tibet' needed to be changed because it was geographically misleading to the international community because it not only encompassed the TAR, but also Tibetan-related areas of Qinghai, Sichuan, Gansu, and Yunnan provinces. Tibet, Tibetans and TAR will be used throughout this report as they are the names most commonly employed and understood by the international community.

3.18 The TAR is one of the poorest regions in China. The government began investing in poverty alleviation and economic development in the region in the mid-1990s, and has made official statements that investment has significantly reduced poverty. This has been achieved in part by relocating nomadic people to 'resettlement sites' where they have received training and education. The government stated that these moves were voluntary, however human rights groups reported that such movements were forced and movement away from nomadic lands was disruptive to traditional herding lifestyles. In 2021, Tibetans speaking with international media on condition of anonymity stated that economic development had not benefitted Tibetans so much as the hundreds of thousands of Han Chinese who had migrated to the TAR.

3.19 Freedom House's 2023 *Freedom in the World* report noted expressions of Tibetan identity, such as voicing support for the Dalai Lama or use of the Tibetan flag, had been severely punished, including with detention and prison sentences. The 2022 US Department of State *Tibet Human Rights Report* stated that authorities electronically and manually monitored private correspondence and searched, without warrant, mobile phones and private homes for writings, photographs or teachings of the Dalai Lama and other restricted items.

3.20 According to the 2022 US Department of State *Tibet Human Rights Report*, authorities employed surveillance systems in TAR, including the use of facial recognition and smart identity cards, as well as the 'grid system' to facilitate authorities' efforts to identify individuals considered to be 'extremist' or 'splittist'. The grid system grouped households and other establishments and encouraged them to report problems, including financial problems and political transgressions in other group households, to authorities.

3.21 Human Rights Watch reported in 2022 that authorities had arbitrarily collected DNA from Tibetans in the TAR. Blood samples for DNA collection had been systematically gathered in municipalities in TAR from all boys aged five, including children attending kindergartens since at least June 2016. Local police stated in 2022 that they did not need credible evidence of any criminal conduct to obtain DNA samples and Tibetans could not decline to provide them. Authorities in Chamdo municipality of TAR stated in 2022 that the mass collection of DNA was necessary for public security organs to detect and crack down on illegal and criminal elements.

3.22 In 2023, the UN OHCHR reported that approximately one million Tibetan children had been separated from their families and forcibly placed into China's state-run boarding schools where lessons were conducted solely in Mandarin Chinese. Three UN Special Procedures mandate holders stated in February 2023 that China's state-run boarding school system acted as a mandatory large-scale program intended to 'assimilate' Tibetans into majority Han Chinese culture, contrary to international human rights standards.

3.23 On 27 April 2023, UN Special Rapporteurs for contemporary forms of slavery and trafficking in persons stated that they were concerned about 'labour transfers' and 'vocational training' programs in Tibet. Since 2015, hundreds of thousands of Tibetans had reportedly been coerced into low-paid employment for cultural and political indoctrination. In a 2022 report to the UN General Assembly, the UN Special Rapporteur on contemporary forms of slavery reported that state mandated systems involving involuntary work that indicated forced labour were identified in the TAR, 'where an extensive labour transfer programme has shifted

mainly farmers, herders and other rural workers into low-skilled and low-paid employment'. Credible reports of Tibetan forced labour appeared in open-source materials in 2023 and Tibetans have made plausible statements to the UN experts and human rights organisations, which provide a strong indication of a pattern of incidents occurring. Although DFAT was unable to verify these claims in 2023, it considers them plausible.

3.24 The 2022 US Department of State *Tibet Human Rights Report* stated that Tibetan applicants for jobs may be subject to political background checks and those with religious or political views not aligned with the government may be refused employment. International media reports from October 2023 stated that Tibetans seeking employment in the public sector must comply with government requirements to be 'trustworthy and reliable citizens', renounce the Dalai Lama, refrain from separatism and remain loyal to the CCP. In 2023, Freedom House reported that because the majority of rural-dwelling ethnic Tibetans did not speak Mandarin, they had limited employment opportunities. Human rights NGOs reported that in 2022, local authorities had also begun requiring Tibetan parents to attend Mandarin language training in order for them to teach their children Mandarin.

3.25 Tibetans often have difficulty obtaining or renewing passports. In-country sources told DFAT in 2023 that some Tibetans hold passports obtained through bribery, or after giving undertakings that they would not engage in political activity while overseas. According to the 2022 US Department of State *Tibet Human Rights Report*, when Tibetans do hold passports, they often do not use them to avoid triggering exit controls. In 2023, Freedom House reported that movement restrictions were also enforced inside Tibet, especially to regions that have international borders. Freedom House further reported that Tibetans were largely unable to leave the country, and if they could, they faced the risk of detention upon return to China (see also [Treatment of returnees](#)).

3.26 DFAT assesses Tibetans face a high risk of official discrimination in the TAR and other Tibetan regions in China on the basis of their race and religion in the form of harassment, [arbitrary detention](#), and prosecution for so-called religious and security-related offences. DFAT assesses Tibetans also face official discrimination when accessing public and social services, housing, government employment and education. DFAT assesses Tibetans face a high risk of societal discrimination.

Uyghurs

3.27 Uyghurs are a Turkic-speaking, predominantly Sunni [Muslim](#) people native to Central Asia. Uyghurs are ethnically, culturally and religiously distinct from Han Chinese and share close ties with Turks, Uzbeks, Kazakhs, Turkmen, Kyrgyz and Azeris. There are an estimated 12 million Uyghurs in China, the majority of whom reside in Xinjiang, but also live as a minority in Gansu, Qinghai, Tibet and Hunan. In-country sources told DFAT in 2023 that Uyghurs experience persistent intimidation by authorities, and that the risk of being [arbitrarily detained](#) had instilled a sense of fear amongst the Uyghur community, promoting a habit of self-censorship that made engaging with this community difficult.

3.28 Access to information on-the-ground in Xinjiang was still limited and travel to the region by foreigners closely monitored in 2023 following the government-led security crackdown in Xinjiang, which peaked in intensity between 2017 and 2019 (see [Security Situation](#)). In an August 2022 official statement, the Information Office of the People's Government of Xinjiang Uyghur Autonomous Region (XUAR) stated that China maintained 'high pressure' and took 'decisive measures' to tackle violent terrorists and separatists in Xinjiang, an 'inalienable part' of its territory.

3.29 Following an intensive examination process and visit to Xinjiang in May 2022, the UN OHCHR concluded in August 2022 that China had committed 'serious human rights violations' in applying counter-terrorism and counter-extremism strategies targeting Uyghurs. In addition, the extent of the [arbitrary and discriminatory detention](#) of Uyghurs, in the context of restrictions and deprivation of fundamental rights

enjoyed individually and collectively, may constitute ‘crimes against humanity’. In 2024, the International Service for Human Rights stated that ‘despite Beijing’s efforts to discredit it, the Xinjiang report and its recommendations chart the way forward for meaningful human rights change in the Uyghur region’.

3.30 The Australian Government's position is that a determination of whether the crime of genocide or particular crimes against humanity have been committed is a matter for appropriate courts and tribunals. Genocide and crimes against humanity have particular definitions under international law. The US Government, a number of Parliaments (Canada, Netherlands, France and the United Kingdom) and the NGO-initiated ‘Uyghur Tribunal’ have characterised human rights violations in Xinjiang as genocide. There has not, at time of publication in 2024, been an independent determination by an appropriate court or tribunal.

3.31 International human rights organisations, academics and the international media have documented the Government of China’s use of inward migration by Han Chinese to alter the demographic balance in Xinjiang. The so-called leaked *Xinjiang Police Files* of March 2022 stated the government’s view that ‘severe imbalances in the distribution of the ethnic population’ necessitated the moving of 300,000 Han Chinese settlers into southern Xinjiang’. Local governments have actively promoted inter-marriage between Han Chinese men and Uyghur women. *The Diplomat* reported in 2022 that potential Uyghur brides who refused offers to marry Han Chinese men were being threatened with imprisonment.

3.32 Restrictive family planning policies and the use of coercive measures to control Uyghur women’s fertility has reportedly shifted the demographic balance in favour of Han Chinese in Xinjiang. In 2020, the Associated Press reported that government officials subjected Uyghur women to pregnancy checks and then forced upon them intrauterine devices, sterilisation and abortion. According to leaked lists of Uyghur camp detainees published in 2021, in some areas of Xinjiang, both Uyghur women and men were detained and later sentenced to prison terms for ‘having too many children’. According to the most recent available official statistics from the 2018 *Xinjiang Statistical Yearbook*, birth rates in the mostly Uyghur regions of Hotan and Kashgar declined by more than 60 per cent from 2015 to 2018. In 2020, birth rates fell a further 24 per cent across Xinjiang, compared with a drop of only 4.2 per cent nationwide in China.

3.33 Expressions of Islamic or Uyghur identity in Xinjiang are subject to strict controls, with restrictions placed on cultural dress, beards, language and dietary habits. For example, international media reported on the 2019 arrest and sentencing to 15 years in prison of Zahir Memet for ‘wearing long clothes, covering her face, and wearing a hijab’ between May 2010 and 2015, against the advice of local village officials. In-country sources told DFAT in 2023 that Uyghurs were not allowed to grow beards or use certain expressions, including the traditional greeting *As-salamu alaykum*, for fear of getting into trouble with authorities. According to international media reports in 2020, Uyghurs were forced by officials to consume *haram* foods like pork and drink alcohol. Uyghurs were also banned from naming children ‘overly religious’ names and threatened they would be barred from the *hukou* household registration system that provided access to healthcare and education. In June 2024, Human Rights Watch reported that authorities in Xinjiang had systematically changed the names of 630 villages in Xinjiang that authorities deemed had ‘religious, historical, or cultural meaning for Uyghurs’. UN OHCHR raised concerns in 2022 that the Government of China’s laws and policies to restrict and suppress practices that are part of the Uyghur identity and cultural life may be considered discrimination against the minority on prohibited grounds.

3.34 In-country sources told DFAT in 2023 that Muslim holy books such as the Quran were rarely available in mosques, bookshops, or homes in Xinjiang. In-country sources further reported that books written in the Uyghur script were restricted in local libraries and locked away, with access only granted upon written permission from an individual’s work unit. Religious practices such as attending worship at mosques or fasting were actively discouraged or banned in Xinjiang. Access to sites of religious significance were restricted for Uyghurs. International Human rights organisations such as Amnesty International and Human Rights Watch reported in 2021 that Islamic religious ceremonies had been disrupted, and Islamic devotional items and

artefacts destroyed by government officials. In 2022, UN OHCHR determined that generalised restrictions on a wide range of manifestations of accepted religious tenets in Xinjiang were not necessary for, or proportional to the government's stated goal of extinguishing religious extremism.

3.35 Reports of mosques being closed down or modified are commonplace under the government's Sinicisation campaign to transform religious beliefs, faith, practice and rituals in accordance with a Chinese identity promoted by the Party. According to in-country sources, mosques in Uyghur majority areas of Xinjiang were more likely to have been demolished, abandoned, repurposed or architecturally modified than in other areas of the country. Using satellite imagery, ASPI estimated that approximately 16,000 mosques in Xinjiang (65 per cent of the total) had been destroyed or damaged by 2020. Of those, an estimated 8,500 had been demolished outright, in apparent contravention of China's *Law on Regional Ethnic Autonomy* (1984), allowing minority communities to protect their own cultural heritage. On 1 February 2024, the *Xinjiang Regulations on Religious Affairs (Amendments)* (2024) came into force, under which religions in the region must 'practice the core values of socialism' and 'adhere to the direction of Sinicisation'. Under the *Xinjiang Regulations on Religious Affairs (Amendments)* (2024), Sinicisation applies to all places of worship, which would 'reflect Chinese characteristics and style in terms of architecture, sculptures, paintings, decorations'.

3.36 In 2021, the Council on Foreign Relations reported that Xinjiang was managed under a 'grid' or 'double-linked household management' system with cities and villages divided into 'squares' of about 500 people each. Each square had a police station that closely monitored the identity of people in its square and could restrict their movement, take biometric data and search mobile phones. Data was then fed into a database that, according to a former government worker quoted by Amnesty International in a June 2021 report, recorded details of people's lives, habits, and relationships. In 2019, the International Consortium of Investigative Journalists reported, based on leaked documents dated from 2017, that data in the database was fed into an algorithm that identified potential subjects of arrest.

3.37 Mass surveillance has been a feature of daily life in Xinjiang since in 2018. As at 2023, Urumqi had approximately 2.1 million CCTV cameras, or 439 cameras per 1,000 people. These cameras were often equipped with facial recognition capabilities able to detect Uyghurs and single out individuals who had security alerts against their name. Uyghurs had been singled out and forced to download/install the Android app *Jingwang* (clean internet) on their mobile devices since 2017. Local police ensured the *Jingwang* app was installed through spot-checks of mobile phones on the street. The app recorded each device's identifying information, scanned its external storage for files it deemed dangerous, and transmitted the information to government servers.

3.38 Technological surveillance in Xinjiang has been supplemented with physical surveillance in the form of enforced homestays with Han Chinese 'big brothers and sisters', who monitor and restrict traditional cultural practices of Uyghurs. Under the *jie dui renqin* (United as One Family) campaign, which commenced in 2018 and continued in 2023, Han Chinese assessed Uyghurs' level of loyalty to China, Mandarin language capability, and degree of attachment to Islam, before they made recommendations on who should undergo 're-education'. International media reported that more than one million government workers, mostly ethnic Han Chinese, were sent to Uyghur homes in Xinjiang in the year 2018 alone. Citing the 'discriminatory nature' of the state-run boarding school system in Xinjiang as at September 2023, which violated minorities' rights to 'education without discrimination, family life and cultural rights', UN experts stated 'schools in Xinjiang are teaching almost exclusively in the 'official language' [Mandarin] with little or no use of Uyghur as medium of instruction, and that the separation of mainly Uyghur and other minority children from their families could lead to their forced assimilation into the majority Mandarin language and the adoption of Han cultural practices'.

3.39 Amnesty International's June 2021 special report on Muslims in Xinjiang titled *Like We Were Enemies in a War* noted that those identified for re-education or arrest were removed from their homes, often in the

middle of the night or under the pretence of being called to a police station to produce documents. Detainees were reportedly interrogated at police stations where Amnesty reported they were placed in ‘tiger chairs’ (a chair with shackles attached, which some human rights groups believe to be a form of [torture](#)), were extorted and detained in crowded and unsanitary conditions. Deaths reportedly occurred during police questioning. The Uyghur Tribunal stated in 2021 that a significant number of Uyghurs had died in custody as a result of methods of detention, torture, other violence and lack of care, including medical attention (see also [Deaths in custody](#)).

3.40 The large-scale process of [arbitrary detention](#) of Uyghurs in Xinjiang first came to international attention in 2017 and reports became more prevalent after legislation was implemented in late 2018 allowing local governments to set up ‘vocational skills education and training centres’ and other types of ‘transformation through education organs’. In 2018, the UN Committee on the Elimination of Racial Discrimination stated it had concerns that China had turned XUAR into something that resembled a massive internment camp shrouded in secrecy, adding that it was a ‘no rights zone’. The UN Committee on the Elimination of Racial Discrimination also noted credible estimates that upwards of a million people were held in so-called ‘counter-extremism centres’ and another two million had been forced into so-called ‘re-education camps’ for political and cultural indoctrination. Although independently verifiable data on the extent of Xinjiang’s post-2017 detention system was difficult to access, researchers at ASPI located, mapped and analysed over 380 suspected detention facilities.

3.41 According to the State Council Information Office of the People’s Republic of China, ‘vocational education and training centres’ were established in 2017, in accordance with the law, to ‘prevent the breeding and spread of terrorism and religious extremism’. Between October 2019 and May 2021, Amnesty International interviewed dozens of former detainees about their experiences in these internment camps and all reported being forced to attend classes about China’s history, law, politics, culture and language. Former detainees also told Amnesty International that life in the camps was heavily regimented, to the extent that use of languages other than Mandarin (which some detainees did not speak), or touching one’s face, was punished in case it was a form of prayer. According to Human Rights Watch, leaked files from 2019 detailed how some of those detained in the camps were not charged with any crime and their families were told they were ‘held for their own good’. As at April 2023, the distinction between people being held for ‘re-education’, on pre-trial remand or other forms of detention remained unclear.

3.42 Former Uyghur detainees have spoken out publicly about their experiences in detention, with individual experiences varying by location and year. In 2022, the Uyghur Tribunal heard that many of those detained had been [tortured](#) for no apparent reason, by methods such as: pulling off fingernails; beating with sticks; detaining in ‘tiger chairs’ where feet and hands were locked in position for hours or days without a break; confinement in containers up to the neck in cold water; and detention in cages so small that standing or lying was impossible. The Uyghur Tribunal also heard in 2022 how detained women and men had been raped and subjected to extreme sexual violence, with some female detainees having had their vaginas and rectums penetrated by electric shock rods and iron bars, while others were raped by men who paid to be allowed into the detention centre. The Council on Foreign Relations’ 2021 *Backgrounder: China’s Repression of Uyghurs in Xinjiang*, reported how detainees were forced to renounce Islam, learn Mandarin and pledge loyalty to the CCP. Former detainees also reported sleep deprivation, shackling, beating, sexual abuse, electric shocks, being placed in stress positions and being subject to unhygienic and overcrowded conditions. In Amnesty International’s interviews carried out between 2019 and 2021, detainees reported instances of ‘healthcare without consent’, where blood was drawn for unknown purposes and unknown substances were injected into detainees.

3.43 International media reported that between 2014 and 2019, authorities had relocated more than ten per cent of Xinjiang’s population (over two and a half million people) through ‘labour transfers’ to other regions of China. The US Department of Labor estimated in 2021 that 100,000 Uyghurs and other ethnic minority ex-

detainees in China were working in conditions of 'forced labour' following detention in re-education camps, with many more rural poor workers experiencing 'coercion without detention'. For example, the international media reported in October 2023 that hundreds of Uyghur inmates from Keriye Prison in Xinjiang were forced to work 12-14 hour days at local farms and factories. In a 2022 report to the UN General Assembly, the UN Special Rapporteur on contemporary forms of slavery stated it was 'reasonable to conclude that forced labour among Uyghur, Kazakh and other ethnic minorities in sectors such as agriculture and manufacturing has been occurring in the Xinjiang Uyghur Autonomous Region of China'. The UN Special Rapporteur on contemporary forms of slavery further stated that 'given the nature and extent of powers exercised over affected workers during forced labour, including excessive surveillance, abusive living and working conditions, restriction of movement through internment, threats, physical and/or sexual violence and other inhuman or degrading treatment, some instances may amount to enslavement as a crime against humanity, meriting a further independent analysis'. International media reported in February 2024 that Xinjiang's 'Poverty Alleviation Through Labor Transfer' program continued to expand in 2023 and authorities were actively preventing Uyghurs from 'abandoning state-arranged jobs'. Allegations of forced labour (*hashar*) are common in open-source materials, and although DFAT was unable to verify these claims in 2023, considers them plausible.

3.44 Some detained Uyghurs have later been released from detention, a minority of whom have been able to provide testimony of their lived experience to parties outside of China. Authorities refer to releases as 'graduations' because detainees had completed their courses and gained employment. According to Amnesty International, as at 2021 detainees could be released based on the following conditions: good behaviour, academic achievement, at least one year of detention and 'ideological transformation'. Former detainees faced the prospect of being returned to camps and some reported they had signed documents acknowledging this before being release.

3.45 In-country sources told DFAT that some security restrictions had been lifted in Xinjiang by 2023. In the Post COVID-19 era, President Xi directed local officials to 'show the new face of Xinjiang's openness and self-confidence', leading to a series of choreographed and stage-managed tours for foreign visitors in order to combat 'negative opinions'. Nevertheless, the majority of Uyghur areas retained an oversized police and court presence in 2023, which was still used for processing detainees through the justice system. Police presence remained strong, with international media reports from December 2023 stating that there were more police in Xinjiang per capita than anywhere else in China. However, the overall police presence had become less visible and there were fewer checkpoints, as security services employed more sophisticated technology-driven measures in response to international pressure. Some, but not all, of the known detention centres had closed by 2023. DFAT was unable to verify in 2023 which detention centres had been closed and the exact numbers of Uyghurs still detained. However, international journalists, human rights campaigners and scholars continue to report on thousands of Uyghurs who remain unaccounted for in 2023.

3.46 Some Uyghurs reported in 2023 that they could travel internally within Xinjiang, but sometimes faced difficulties traveling to other areas of China and were often prevented from going overseas. Since 2016, authorities have ordered Xinjiang residents to turn in their passports or told residents that no new passports were available. Uyghurs, particularly those residing in Xinjiang, continued to report great difficulty in getting passport applications approved in 2023.

3.47 DFAT assesses Uyghurs in Xinjiang and in other parts of China face a high risk of official discrimination on the basis of their race and religion in the form of arbitrary arrest and detention, prosecution for religious and security offences, physical and technical surveillance and harassment, and physical violence. DFAT assesses Uyghurs also face a high risk of official discrimination in accessing public and social services, housing, government employment and education. DFAT assesses Uyghurs face a high risk of societal discrimination.

3.48 DFAT assesses internal relocation within China is not a reasonable option for Uyghurs, as it is unlikely they would be able to integrate successfully into China's Han Chinese-dominated mainstream society due to

persistent official and societal discrimination. Even Mandarin-educated middle-class Uyghurs continued to be judged in 2023 not only by their own behaviour, actions, and loyalty, but also by that of their extended family and friends. Any Uyghur or family member of a Uyghur who publicly speaks out about their treatment, regardless of their profile, is likely to be subject to further attention by the Government of China.

RELIGION

3.49 The Government of China officially recognises five religions: Buddhism, Catholicism, Daoism (Taoism), Islam and Protestantism. Confucianism, a philosophy sometimes viewed as a religion in the West, has long shaped Chinese culture. The US Government estimated in 2021 that 52.2 per cent of China's population were not affiliated with any religion, 21.9 per cent practiced traditional folk religion, 18.2 per cent were Buddhist, 5.1 per cent were [Christian](#) and 1.8 per cent were [Muslim](#). However, local academics told DFAT in 2023 that wide discrepancies existed in the number of reported religious believers and religiosity in China in general, due to a lack of reliable and accurate data, as well as fear of self-identifying as part of a group that could be singled out.

3.50 Article 36 of China's Constitution states that citizens enjoy 'freedom of religious belief' and 'no State organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion'. The government is officially obliged to protect 'normal religious activities', while ensuring that individuals do not 'make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state'. The Constitution explicitly states that 'religious bodies and religious affairs are not subject to any foreign domination'. Human Rights Watch has stated that the ambiguous formulation of 'foreign domination' left ill-defined what was and what was not permissible in relation to religion in China.

3.51 President Xi launched a campaign in 2016 to tighten CCP control over religious communities by 'integrat[ing] religious belief with Chinese culture'. Under this 2016 campaign, the CCP tasked the [UFWD](#) with the 'Sinicisation of religions' to ensure 'socialist core values' played a leading role. In practice, according to the 2023 US Department of State *Report on International Religious Freedom in China*, the State Administration for Religious Affairs (SARA) was responsible for ensuring all clergy register with the government and avoided all political activity, except for demonstrating support for the CCP. The 2023 US Department of State *Report on International Religious Freedom in China* further stated that clerical staff in 2021 were officially required to 'love the motherland' and 'support the socialist system'. Clergy may have been directed by SARA to change elements of worship, such as hymns, clerical attire or architecture to better align with Chinese cultural, aesthetic or political traditions. Finances of religious groups were also strictly regulated and monitored by the state.

3.52 The *Revised Regulations on Religious Affairs* (2018) were introduced to ensure national unity and protect against 'dangerous behaviours'. The *Revised Regulations on Religious Affairs* (2018) specified that citizens were still entitled to the right of freedom of religious belief, however Article 3 was amended to state that the management of religious affairs should adhere to the principles of protecting legitimate religious activities, curbing, and preventing illegal and extreme practices, resisting infiltration and fighting crime. Another new article, Article 4, prohibited individuals and organisations from creating contradictions and conflict between different religions, within a single religion, or between religious and non-religious citizens; from advocating, supporting, or funding religious extremism; and from using religion to undermine ethnic unity, divide the nation, or carry out terrorist activities. In-country sources told DFAT in 2023 that *Revised Regulations on Religious Affairs* (2018) explicitly prioritised national security considerations, aimed at countering 'harmful' foreign influences on China's officially recognised religions, over individuals' religious freedoms.

3.53 The *Measures for the Administration of Internet Religious Information Services* (2022) came into effect on 1 March 2022, banning the use of the internet to promote extremism, 'religious fanaticism' or messages that were not consistent with the CCP's wishes. A permit was now required to proselytise online. In-country sources told DFAT in 2023 that even registered churches were forced to cease streaming their popular online services after these measures came into effect.

3.54 SARA's *Measures for the Administration of Places of Religious Activity* (2023) came into force on 1 September 2023 and govern the establishment and operation of religious venues in China. The *Measures for the Administration of Places of Religious Activity* (2023) formalised: existing obligations placed on religious venues and their management to teach and promote political orthodoxy (including upholding the CCP's leadership and Xi Jinping Thought); adherence to the Sinicisation of religion (by enforcing the use of Mandarin at services and ensuring the architecture complies with the classical 'Chinese' style); limits on religious activities to the confines of government-approved venues, and; prevention of foreign forces from 'using religion for infiltration'. According to in-country sources, these changes in 2023 sought to isolate religious venues from each other to reduce the influence of individual leaders, who may have threatened the authority of the CCP. To support these changes, religious management personnel had term limits imposed on their rule and all major decisions must now be made by a committee vote, not an individual leader.

3.55 Regulations prohibiting proselytisation were generally enforced across China in 2023-24, and religious education for those under 18 years was not permitted. For example, international media reported in June 2024 that Heyrinisa Memet was sentenced to 14 years in prison for 'providing religious instruction to youth' after she was found to have taught the Quran to teenage children in her neighbourhood at their request. In-country sources told DFAT that between 2020 and 2023 the number of foreign religious workers and foreign NGOs working in areas with a religious focus in China decreased significantly. Formal and informal restrictions were also placed on church officials travelling overseas, often with little explanation, which included the need to obtain official permissions due to concerns over potential susceptibility to foreign influence.

3.56 According to testimony from the 2020 US Commission on International Religious Freedom's Hearing on Technological Surveillance of Religion in China, religious gatherings in China were subject to close monitoring by authorities. Technical surveillance, including CCTV cameras and audio recording equipment was overtly installed in all registered religious buildings and places of worship to monitor leaders and their congregations. Religious sites and those attending them were monitored using technical, biometric surveillance which leverages artificial intelligence (AI) to identify individuals, meaning that people could be specifically identified among crowds. Smartphone location data, vehicle location data and checkpoint logs could also be combined with facial recognition technology, and video feeds from buses, streets, and drones to identify when individuals in the same religious network met together covertly.

3.57 A religious screening process is carried out on all applicants who wish to apply for membership in the CCP and they can be rejected if they are found to 'embrace religious beliefs'. Current members of the CCP who have been found to have participated in or embrace religions were required to 'rectify' their beliefs, according to the Global Times. Membership in the CCP was widely considered a prerequisite for career success in government-related fields. According to the 2023 US Department of State *Report on International Religious Freedom*, enforcement of these rules on Party membership was inconsistent.

3.58 Professor Fenggang Yang of Purdue University described religious groups in China in 2019 as operating in a 'red', 'grey' or 'black' market. The 'red market' groups were the officially sanctioned churches, such as the 'patriotic associations', the name used for officially sanctioned organisations that represented the five recognised religions. 'Grey markets' included unofficial but tolerated (to a degree) religious gatherings. 'Black markets' included underground movements and *xie jiao*. However, according to in-country sources in 2023, space for religious freedom had shrunk considerably since 2019. Following the lifting of COVID-19 restrictions in 2023, in-country sources reported that there was even less scope for autonomy for all religious activities in

China. More vigorous efforts to enforce the Sinicisation of religions had reversed any trend of tolerance towards 'grey market' unofficial religious gatherings.

3.59 Private forums operating outside of officially sanctioned religious organisations (including so-called 'house', 'family' and 'underground' churches) have come under heavy pressure to align their activities with those of the CCP. In-country sources told DFAT in 2023 that unregistered religious organisations had begun to pragmatically include pro-CCP messaging in their sermons to come into line with new regulations and ensure their ongoing survival, and noted that those who failed to cooperate with authorities had been closed down.

3.60 Increased state efforts to exert control over religious movements occurring under President Xi are just one facet of a broader CCP-led campaign to assert more control over society, ensuring that citizens' first loyalty is to China, not to a religious community, ethnicity or social group. Religions with a cultural centre outside China, such as Christianity and Islam, are viewed by the CCP with additional suspicion due to concerns that their 'foreign influence' could threaten the Party's interests. Adherents of Buddhism (except [Tibetan Buddhism](#)), Confucianism, Daoism, folk religions, and syncretic combinations of these that the Government of China considers not to have influences from 'foreign religions', and are not associated with other foreign influences, were unlikely to experience significant government-related restrictions.

3.61 Overall, an individual's ability to practise religion is dependent on whether they worship in registered or unregistered institutions, whether they practise openly or privately, and whether an individual's religious expression or the religion itself is perceived by the CCP to be closely tied to other ethnic, political and security issues. In-country sources told DFAT in 2023 that there was generally more religious freedom in Southern China, with less onerous restrictions placed on religions operating in the provinces of Guangdong and Fujian. However, religious leaders of both registered and unregistered religious institutions were subject to greater scrutiny from authorities than ordinary worshippers.

3.62 In a 2022 report, akin to other countries in East Asia, the Pew Research Centre ranked social hostility to people of different religions as 'low' in mainland China, and much lower than in Australia. While less common, isolated cases of religious discrimination have occurred. Some segments of Chinese society possess either founded or unfounded fears that establishing too close connections with religious adherents could attract adverse attention from the government.

3.63 DFAT assesses adherents of Buddhism (except for those who follow teachings of the Dalai Lama, like [Tibetans](#) and [Mongols](#)) and Daoism do not face risk of official discrimination. Specific assessments for [Christian denominations](#), [Muslims](#) and [Xie jiao](#), including their ability to practise religions and official discrimination, are provided in individual sections below. DFAT assesses adherents of Buddhism, [Catholicism](#), Daoism, [Islam](#) (except for [Uyghurs](#) and other Muslim ethnic minorities in Xinjiang) and [Protestantism](#) face a low risk of societal discrimination. DFAT assesses individuals involved in [xie jiao](#) face a moderate risk of societal discrimination.

Christians

3.64 Official Government of China statistics show that there are 38 million Christians who worship at officially registered churches, however, due to this narrow definition, estimates of the Christian population in China vary significantly in practice. By contrast, the 2023 US Department of State *International Religious Freedom Report* estimated that 5.1 per cent of the population of China was Christian (about 72 million people), although higher estimates (more than 100 million) also exist.

3.65 Official regulation of Christianity in China is in accordance with broader policies towards the Sinicisation of religions. In-country sources told DFAT in 2023 that official church services were required to begin with patriotic messages to 'love the Party, love the homeland and love socialism'. While CCP approved

Bibles were available for personal use, all content contradicting socialism was censored. Those who sold or distributed non-CCP approved bibles without authorisation faced arrest and prolonged detention. For example, *Bitter Winter* reported in 2023 that Chang Hao, a preacher in a small rural church in Zhenxiong County, Yunnan, had been arrested for possessing unauthorised Bibles and distributing COVID-prevention masks inscribed with Bible verses. Online Bible references were also censored and often, sacred images and representations, such as those of the Virgin Mary, had been replaced with portraits of Xi Jinping. Censorship of religious materials was prolific in 2023 and enforced by several government entities, including the SARA and the Cyberspace Administration.

3.66 DFAT assesses Christians face a moderate risk of official discrimination when attempting to practice their faith, in accordance with established religious doctrine, when it conflicts with CCP approved practice. DFAT assesses Christians face a low risk of official discrimination on the basis of their religion when accessing public and social services, housing, government employment and education. DFAT assesses official discrimination would likely relate to an individual's activism or failure to comply with CCP directives, rather than anything specifically related to their Christian faith. As at the time of publication in 2024, DFAT was not aware of violence perpetrated against Christians because of their religion.

Catholics

3.67 Catholic doctrine, ecclesiastical law, and the appointment of leaders (bishops) around the world are managed directly by the Catholic hierarchy headquartered in the Vatican. In China, however, the Chinese Catholic Patriotic Association (CCPA) is the sole 'official' government body responsible for the Catholic Church. As at 2024, the CCPA did not recognise the authority of the Holy See or its supreme pontiff, the Pope.

3.68 In-country sources estimated in 2023 that there were around 10 million Catholics in China, with 60 per cent belonging to unregistered churches associated with the Holy See. There was no single unregistered Catholic Church in China, as churches tended to be 'underground', uncoordinated, and hard to unify. Depending on the region and provinces, unregistered churches may be dominant or work closely with registered churches. Several Vatican-approved but CCPA-unapproved bishops were still operating 'underground', in a capacity separate from the CCPA in 2023 according to in-country sources.

3.69 For some of China's Catholics, allegiance to the Catholic Church hierarchy in the Vatican is an important part of their faith because of their belief in a succession of authority that can be traced back to St Peter, a contemporary of Jesus. For these Catholics, CCP-appointed priests and bishops are unable to validly confer sacraments that are central to their beliefs. On this basis, they refuse to participate in religious activities associated with the CCPA and are not able to practice their religion freely.

3.70 Under the *Holy See-China: Provisional Agreement on Nomination of Bishops* (2018), China agreed to recommend bishops before they were appointed by the Pope. Until this time, the Holy See had appointed its own bishops in China from among the unregistered 'underground' churches, who were often harassed, detained, and jailed by authorities. After further consultation and assessment, the Agreement was renewed in 2022.

3.71 In-country sources told DFAT in 2023 that the *Holy See-China: Provisional Agreement on Nomination of Bishops* (2018) had experienced significant implementation difficulties. For example, the government unilaterally appointed President of CCPA, Shen Bin, as Bishop of Shanghai in April 2023 in direct contravention of the Agreement under which the Pope would choose the successors of Christ's apostles. Pope Francis acceded to the government's appointment in July 2023, as a 'pastoral gesture for the sake of the Catholics of Shanghai', despite it being a violation of the 2018 agreement. Under the *Holy See-China: Provisional Agreement on Nomination of Bishops* (2018), Pope Francis subsequently appointed Father Taddeo Wang Yuesheng as the Bishop of Zhengzhou on 16 December 2023, Father Pietro Wu Yishun as Bishop of Shaowu (Minbei) in Fujian Province on 16 December 2023, and Father Anthony Sun Venjun as Bishop of the Diocese

of Weifang on 29 January 2024. In August 2024, the Government of China recognised the authority of the Bishop of Tianjin, Melchior Shi Hongzhen, who had previously been placed under house arrest for refusing to join the CCPA.

3.72 According to international media, under the *Holy See-China: Provisional Agreement on Nomination of Bishops* (2018), some priests serving at unregistered churches were demoted from their positions as bishops and were pressured to join the CCPA. International media reports from 2019 stated that these priests had experienced torture and disappearance due to acts of resistance. According to *Bitter Winter*, particularly forceful efforts to convert underground bishops had occurred in Fujian province. High profile arrests included underground bishops or those that had resigned from the CCPA. In other cases, local authorities closed down or demolished churches or Catholic social service organisations, citing lack of building permits or registration. In-country sources noted that if Catholics were discovered to be attending unregistered churches in 2023, they would likely be warned verbally by authorities to change their behaviour and instructed to only attend official places of worship.

3.73 In-country sources told DFAT in 2023 that tightening restrictions were placed on those permitted to worship in churches, bans applied on proselytising online, and repression intensified against those whose 'primary focus' was on following the Pope instead of the CCP and Xi Jinping. Despite being forced to join the CCPA, in-country sources reported in 2023 that 'unjust restrictions' were still often applied to the operation of Catholic churches, including restricting congregants' access, limiting times of worship, and installing visible CCTV cameras and audio recording equipment on their premises. According to in-country sources, the number of active parishioners had drastically reduced in 2023 as a result of restrictions placed on Catholics.

3.74 DFAT assesses Catholics loyal to the Holy See are only able to practise their religion discreetly in unregistered churches and face a high risk of official discrimination in the form of harassment. DFAT assesses clergy are more likely than congregants to face officially sanctioned harassment, including detention and prosecution for religious-related offences. It is illegal to proselytise, and those who attempt to, are subject to greater scrutiny by authorities and face arrest.

Church of Jesus Christ of Latter-day Saints (Mormons)

3.75 There are a small number of Church of Jesus Christ of Latter-day Saints (Mormons) in China. The Church's website notes the large worldwide Chinese diaspora has exposed many Chinese people to their faith. Mormons practice prosletysation, which is illegal in China (see Religion). In accordance with laws against prosletysation, the Church's website cautions members in China to be careful to comply with local laws and not to distribute church literature or materials or set up social media accounts to discuss their faith. The Church's website states that there are local Sunday worship meetings in China.

3.76 A CNN article from June 2020 reported that Mormon worship meetings took place in China, but with caution. CNN reported that one member of the Church said he was able to tell people he was a Mormon if he was careful not to preach, while others simply said that they were 'Christians'. The CNN article noted there were Mormon worship communities in a number of cities, particularly on the east coast but also in Xi'an and Chengdu. As of the time of publication, DFAT was unaware whether the situation had changed since 2020.

3.77 The construction of a Mormon Temple in Shanghai was announced in April 2020. As at the time of publication, construction had not begun. *CNN* reported in June 2020 that authorities in Shanghai had 'suggested' that 'prior approval' for the announcement had not been sought by the Church. DFAT was unable to source further information about this project, however social media posts from 2021 suggested that the project was not likely to go ahead.

3.78 DFAT assesses Mormons face a high risk of official discrimination based on their religion in the form of harassment. DFAT assesses clergy are more likely than congregants to face officially sanctioned harassment,

including detention and prosecution for religious-related offences. It is illegal to proselytise, and those who attempt to, as well as leaders of the Church, are subject to greater scrutiny by authorities and face arrest.

Jehovah's Witnesses

3.79 There are a small number of Jehovah's Witnesses in China. While in-country sources confirm some Jehovah's Witnesses reside across China, access to detailed population information is very limited due to the risks they face as an illegal religion. Jehovah's Witnesses report that their adherents throughout China have experienced home raids, physical abuse, separation from families (including visa cancellation and deportation of foreign spouses), interrogation, detention and placement in re-education centres. *Bitter Winter* reported in 2019 that Jehovah's Witnesses had been prosecuted under laws that criminalise [*xie jiao*](#).

3.80 Jehovah's Witnesses are politically neutral but practise proselytization as an expression of their faith, which is illegal in China. They are linked to a worldwide religion headquartered in the United States. *Bitter Winter* reported in 2020 that Jehovah's Witnesses had been questioned about their links to foreign actors and their political views.

3.81 DFAT assesses Jehovah's Witnesses face a high risk of official discrimination based on their religion in the form of electronic and physical harassment. DFAT assesses clergy are more likely than congregants to face officially sanctioned harassment, including detention and prosecution for religious-related offences. It is illegal to proselytise, and those who attempt to, as well as leaders of the Church, are subject to greater scrutiny by authorities and face arrest.

Protestants

3.82 The Three-Self Patriotic Movement (TSPM), established in 1949, is the official governing body for Protestant churches in China. 'Three-Self' is a Chinese abbreviation for the church's three principles of self-administration, self-financing and self-evangelisation, taken from 19th century missionary philosophies, and does not refer to the Trinity. The Three-Self Church, officially registered and recognised under the TSPM, comes under the authority of the CCP's [UFWD](#) and is the single state-sanctioned Protestant church in mainland China.

3.83 Historically, many Protestants in China worshiped in unregistered private forums operating outside of TSPM control (mainly in unofficial 'house' churches). COVID-19 restrictions led many house churches to move their services online, which increased the size of their congregations. In 2021, the Government of China significantly increased its ongoing efforts to force unregistered churches to submit to the authority of the TSPM, teach Party-aligned doctrine, cut off association with foreign churches, and subject the appointment of pastors to rules set out by the TSPM.

3.84 Churches that refuse to align with the TSPM have been threatened with official closure or already closed, and have had their leaders (pastors and congregation elders) arrested and detained for subverting the law. In-country sources told DFAT that between 2021 and 2023, authorities had placed pressure on unregistered churches to comply with official CCP regulations by cutting off electricity, forcing landlords to evict members, or using procedural grounds to shut them down. Members of unregistered churches were unlikely to face arrest or detention in 2023, and in most instances were warned verbally by authorities to only worship at registered churches.

3.85 While the degree to which Protestants can practice their religion freely without discrimination differed from place to place and community to community in 2023, freedom to practice their religion tended to be more favourable in Southern China, especially Guangdong and Fujian. In-country sources told DFAT in 2023 that Protestants did not face much government interference in their freedom to practice their religion, as compared with other [Christian](#) denominations. Due to the nature of Protestant Christianity in China, with its

churches not linked to a central hierarchy or authority besides the TSPM, Protestants were less likely to be seen as a threat to the state and targeted. International academics reported that Protestants had for years been reducing ‘outside influence’ on their churches to achieve more self-sufficiency, with many pastors finding and training more domestic staff so Chinese congregants could take on positions once held by foreign missionaries. In 2023, registered Protestant churches appeared to be well funded, and operated religious shops and publishing houses, as long as they conformed with CCP directives.

3.86 DFAT assesses Protestant Christians face a low risk of official discrimination on the basis of their religion alone, however leaders of non-TSPM affiliated, unregistered Protestant churches (pastors and congregation elders) face a moderate risk of official discrimination on the basis of religion in the form of harassment and possible detention for religious-related offences. It is illegal to proselytise, and those who attempt to, are subject to greater scrutiny by authorities and face arrest.

Muslims

3.87 Approximately 1.8 per cent of China’s population (approximately 25 million people) are Muslims. Muslims live throughout China, however, predominantly reside in the west of the country in the [XUAR](#) (the only Muslim majority province), Ningxia Autonomous Region (NAR), Gansu, [IMAR](#) (mainly Dongxiang Muslims) and Yunnan. Muslims in China are almost entirely Sunni.

3.88 China has 10 major Muslim ethnic groups, the largest of which are the Uyghurs (approximately 12 million) and the Hui (approximately 10 million people). For specific information on Uyghur Muslims, see [Uyghurs](#). The Hui are relatively assimilated into the dominant Han Chinese culture, speak Mandarin and can more easily pass as Han Chinese in day-to-day life due to their physical appearance. They are predominantly based in NAR, Gansu, Qinghai, and Yunnan provinces.

3.89 In January 2019, the government-backed China Islamic Association released a five-year plan for the Sinicisation of Islam. The plan outlined a ‘uniquely Chinese Islam’ distinct from Arabic expressions of Islam, warning against trends of ‘generalisation of the concept of halal’, emulation of ‘foreign clothing styles’, and imitation of ‘foreign styles of mosque architecture’. In practice, this policy resulted in the removal of Arabic script from religious buildings, banning religious clothing and the call to prayer, restricting distribution of the Quran, alterations of mosques and closing non-registered mosques. Penalties for not following the policy have included prison terms of up to three years.

3.90 Islam has been the primary focus of China’s Sinicisation campaign, and religious regulations are vigorously enforced. The Government of China requires Muslim clerics, to be registered, ‘uphold the leadership of the CCP’ and pass a yearly exam to test their ‘ideological knowledge’. Imams must also undergo political education classes as part of a revamped certification program, which has included content related to use of the internet by religious groups, a code of conduct for Islamic religious professionals and Xi Jinping’s speeches. Clerics can only serve in the region where their [hukou](#) is registered, which effectively disbarred hundreds of itinerant imams.

3.91 Sinicisation of mosques, including removing Arabic text and architectural features, was occurring throughout China in large cities like Beijing and Shanghai in 2023, but was most prevalent in western China. Since 2018, Hui mosques across NAR were forcibly renovated or shuttered and religious schools were demolished. In a prominent example, international media reported in 2018 on authorities in NAR’s Tongxin county efforts to demolish the Weizhou Grand Mosque after stating it lacked the right building permits, leading to mass protests. Facing local resistance, authorities visited every household in Weizhou and reportedly pressured residents to sign letters stating their acquiescence to ‘renovate’ the mosque by removing its main dome and domed minarets. State employees were threatened in 2019 with being fired if they did not sign the letter. The Weizhou Grand Mosque was then closed, with its main dome and minarets replaced with tiled

Buddhist-style pagodas. Violent clashes have also broken out in other areas of China, including Nagu, Yunnan in 2023 aimed at stopping efforts to demolish the dome of the historic Najiaying Mosque. In-country sources told DFAT in 2023 that there was nothing the Hui community could do to stop the authorities' persistent attempts to Sinicize mosques in Yunnan.

3.92 Anti-Muslim sentiment is common on social media in China. China's state media exerts a profound influence on how citizens understand Islam and interact with Muslims. Coverage of Muslims on China's local media outlet the *People's Daily*, exhibits a stark contrast between how it generally depicts 'foreign' Muslims as violent and religious extremists, compared with 'domestic' Muslim communities, including Hui and Uyghurs, who are lauded for their contributions to China's economic development and societal harmony. Messaging in the *People's Daily* - a local Mandarin language news sources - often differs markedly from that in international, English-language state-official news sources like *Xinhua*, *Global Times* and *China Daily* that favourably report on relations between China and Muslim-majority nations.

3.93 The degree to which Muslims can attend mosques, adhere to religious observances like Ramadan, possess religious scriptures and wear headscarves, beards, or other expressions of religious piety, differed across China in 2023. Restrictions on expression of Muslim religious identity were particularly pronounced in regions like [Xinjiang](#), and were less so in regions where Muslims formed a smaller part of the population, or where Muslim minorities were more heavily integrated into mainstream Han Chinese society. For example, Hui were generally permitted by authorities to attend prayers at mosques, wear *taqiyah* (white caps) or head scarves and possess Qurans, while [Uyghurs](#) were not.

3.94 Non-Uyghur Muslims did not generally face restrictions on travel internally within China in 2023, although were sometimes subject to additional security checks or specifically targeted for monitoring and surveillance. The 2023 US Department of State *International Religious Freedom Report* noted that [Uyghur](#) Muslims, along with other minorities, often had difficulty finding accommodation when they travelled.

3.95 DFAT assesses Muslims are not generally able to practise their religion freely and face a moderate level of official discrimination in the form of harassment and restrictions on access to education. DFAT assesses Uyghur Muslims in particular face a high risk of official discrimination related to their religion (see [Uyghurs](#)). It is illegal to proselytise, and those who attempt to, are subject to greater scrutiny by authorities and face arrest.

Illegal new religious movements (*xie jiao*)

3.96 Some new religious movements, known as *xie jiao*, are illegal in China. The translation of the term *xie jiao* is debated, with scholars pointing to its historic translation as 'heterodox religion', however it has negative connotations when used by the Government of China (akin to 'evil cult') and is unlikely to be used by adherents of new religions themselves. Restrictions against *xie jiao* date back to the Ming Dynasty. The China Anti-xie-jiao Association publishes an unofficial list of *xie jiao*, which includes 23 movements. There is an official list of *xie jiao* published by the government, which can change quickly, making it difficult to determine at any time whether a particular religious movement is banned.

3.97 Article 300 of China's *Criminal Code* (2020) states, 'whoever organizes or exploits a secret society or an evil organization, a cult, or a superstitious belief to undermine the enforcement of laws and administrative regulations shall be sentenced to fixed-term imprisonment of not less than 3 years but not more than 7 years, and concurrently, a fine'. If the circumstances were especially serious, an offender could be sentenced to fixed-term imprisonment of not less than 7 years or life imprisonment, and concurrently, a fine or confiscation of property. If the circumstances were relatively minor, the offender could be sentenced to fixed-term imprisonment of not more than 3 years, short-term custody, non-custodial correction, or deprivation of political rights, and concurrently, a fine. Article 300 of China's *Criminal Code* (2020) can be used in cases where 'superstitious beliefs' are used to 'deceive another person', resulting in serious injuries or death. In some cases,

being found in possession of literature of a *xie jiao* had been regarded as sufficient for the application of Article 300. According to research conducted by Dui Hua, an American human rights research foundation, there were 3,550 people tried for violating Article 300 in 2018 (the most recent information available).

3.98 Many *xie jiao* began as a formal expression of a syncretic mix of Buddhism, Daoism and Confucianism ('three religions in one') along with cultural practices, which from a Western perspective are sometimes difficult to separate from religious practices. Some later incorporated foreign religions into their mix of beliefs, especially [Christianity](#) and [Islam](#), in essence becoming 'five religions in one'. Many of these religions obscure their historic background, and adherents might not recognise their new religious movement as influenced by other religions.

3.99 Membership in a *xie jiao* is illegal in China, and the profile of a person who is a member – whether they are a leader or an ordinary believer – was not relevant in 2023 to the chances of arrest once detected. Even low-profile worshippers in a *xie jiao* were subject to arrest to in 2023. International academics Utiraruto Otehode and Benjamin Penny stated in a 2020 article that some sects and new religious movements (at least those based on *qigong*, a breathing technique upon which Falun Gong is based) may not have been specifically banned but instead watched or categorised as 'problematic' or 'harmful'.

Church of Almighty God (COAG) or Eastern Lightning

3.100 The Church of Almighty God (also known as Eastern Lightning, among other names, and often abbreviated in English to 'COAG' or 'CAG') was banned as a *xie jiao* in November 1995. COAG operates in secret, both to avoid detection and as a general matter of faith practice. There are no authoritative estimates of the population of COAG adherents in China, however adherents live predominantly in northeast and southeast of the country. COAG receives academic attention from a small number of foreign researchers, who mostly take a sympathetic view of the religion. Mainstream Western media occasionally reports on COAG, but based on reports from Christian groups that are often critical of the Church.

3.101 COAG adherents believe Jesus returned to earth in the 20th century as a woman referred to as 'Almighty God'. The central COAG text is called the *Word Appears in the Flesh*, a 2,400-page book presenting the Almighty God's sayings, which must be studied by every member. COAG adherents believe they are in a constant mortal struggle against the 'Great Red Dragon' (thought to be a reference to the CCP according to scholars) and that membership of the group will bring salvation from an impending apocalypse. COAG adherents believe that 'Almighty God' came to inaugurate the 'third and final age of humanity', or 'the Age of Kingdom', which follows 'the Age of Law' (the Old Testament) and 'the Age of Grace' (of Jesus).

3.102 Little is known about the identity of the central female figure, 'Almighty God,' which may be because of secrecy enforced by the religion. In 2021, Protestant-linked sources reported that she never existed at all, and the Church had denied claims that she was called 'Yang' or 'Deng' or that she came from Henan Province. International academics reported in 2021 that different beliefs about her identity existed amongst Church followers and were aware of some members denying that any such figure existed at all. International academics also stated in 2021 that some followers paid little attention to the female Christ figure, without denying her existence. Similarly, some COAG texts referred to 'Almighty God' using male pronouns. Some adherents believe that a woman came to earth as a new incarnation of Christ and the 'ordinariness' of this woman appealed to some rural female adherents.

3.103 There are no formal liturgy or sacraments in the COAG movement, but weekly study meetings occur. While international academics in 2021 reported that COAG followed a hierarchy, some COAG adherents may not understand the hierarchy or leadership of the religion, or deny that it exists. Due to the secrecy that surrounds COAG, a common understanding may not be reached by members, and questions about practice could be genuinely answered differently by different adherents. COAG religious texts were available on the

internet in 2023 and could be downloaded within China by those with a virtual private network (VPN) to bypass China's internet censorship (the 'Great Firewall').

3.104 COAG is controversial. International media has reported on COAG involvement in homicides and kidnappings. International media also reported in 2020 that COAG adherents were forced to break away from families and sell their possessions to give the proceeds to the Church. These media reports have been disputed by COAG and some international academics. For example, reports that COAG had run a Hebrew-language websites to push right-wing propaganda and interfere with the 2019 Israeli election were described by US academic Holly Folk as 'outside their normal practice'. In 2019, Folk told *Buzzfeed* that COAG was a victim of propaganda and impersonation at the hands of the Government of China.

3.105 While small [Protestant](#) groups have often come out strongly against COAG, their criticisms could be inaccurate. Antagonisms may stem from COAG efforts in the early 1990s to convert Christian believers from both unregistered 'house' and TSPM churches. International academics reported in 2021 that converting members of Protestant churches to the COAG remained a key priority for its evangelisation work, which was illegal in China. International scholars reported in 2021 that some Protestants were cooperating with authorities to help identify COAG activity and arrest members.

3.106 According to research conducted by Dui Hua in 2020, court cases involving COAG in China 'rarely involve violence', suggesting that most cases related to membership of the group rather than alleged violent crime. Dui Hua reported in 2020 that the majority of the cases coincided with a prophesied apocalypse in 2012 and an incident in which a person was murdered in a McDonald's restaurant in Shandong in 2014, in which COAG denied involvement. Dui Hua reported that this had occurred at the hands of a schismatic group, not members of COAG itself.

3.107 In its 2023 annual report on religious persecution, COAG reported that 12,463 members were arrested in large-scale raids conducted in multiple provinces, and 2,207 members were imprisoned. The Belgium-based NGO Human Rights without Frontiers stated that as at 1 June 2020, there were 4,020 COAG members in its *Prisoners' Database for China*. DFAT was unable to verify these claims in 2023, however considered them plausible.

3.108 DFAT assesses COAG members face a high risk of official discrimination based on their religion. COAG is banned in China and reports of widespread arrests of its members are credible. It is illegal to proselytise, and those who attempt to, as well as leaders in the Church, are subject to greater scrutiny by authorities. DFAT is unable to verify whether a former member or a person imprisoned for membership would be placed on an [exit control list](#), however considers it plausible. DFAT assesses COAG members face a moderate risk of societal discrimination due to high-profile anti-*xie jiao* campaigns that are critical of the group. Inability to practise openly and alleged (but disputed) isolation of members from family and society could reduce exposure to societal discrimination.

Falun Gong

3.109 Falun Gong (Falun Dafa) is based on the practice of *qigong*, a generic term for a family of meditative breathing and stretching exercises with a long history in China. *Qigong* experienced a resurgence in popularity in the 1980s and 1990s, and Li Hongzhi (commonly referred to by followers as 'Master Li') established Falun Gong in 1992 at the same time as similar movements. Falun Gong is the most well-known *qigong* group outside China, however others exist and many of them are banned or monitored in China. No official data exists on the number of practitioners because the religion was banned in China in 1999, remains illegal, and operates in secret to avoid detection by authorities. Unofficial estimates of Falun Gong practitioners in China vary up to tens of millions.

3.110 Core to Falun Gong beliefs is the reading and re-reading of the *Zhuan Falun*, their sacred text comprising a series of lectures made by Li Hongzhi. International academics told DFAT in 2021 that a thorough knowledge and constant re-reading of the *Zhuan Falun* was central to Falun Gong beliefs; one could not be Falun Gong without that practice. By performing exercises, following the moral teachings of the religion and reading and re-reading the sacred text *Zhuan Falun*, believers of Falun Gong hoped to ascend to a state of perfection or ‘cultivation’.

3.111 Practitioners may not see Falun Gong as a religion, instead viewing it as a method for ‘cultivation’ or as a science. Unlike other *qigong* practices, Falun Gong has moral teachings and supernatural aspects. International academics told DFAT in 2021 that these teachings and aspects did not form a core part of Falun Gong belief or practice, at least for most members. The Government of China and some former members reported in 2021 that Falun Gong encouraged isolation from families or the refusal of medical treatment. Falun Gong denied these reports.

3.112 Authorities actively search for and prosecute Falun Gong practitioners. Adherents have been imprisoned for between three and seven years under Article 300 of China’s *Criminal Code* (2020). The Falun Dafa Infocenter reported in 2023 there were 1,381 cases of official harassment and 1,752 arrests between January and June 2023. According to *Minghui*, a Falun Gong-affiliated publication, 3,457 Falun Gong practitioners were arrested in 2023. DFAT was unable to verify these claims in 2023, however considered them plausible.

3.113 Due to fear of arrest, members of Falun Gong do not openly proselytise in China and there is no initiation ceremony. Unlike some other new religious movements, there are no ‘gradations’ of knowledge where one has to be admitted or inducted into knowledge after perhaps being a believer for a certain time or paying a fee. While Falun Gong practitioners were generally able to practise privately in their homes in China in 2022, they often faced difficulty finding landlords who would rent them apartments.

3.114 Falun Gong, unlike some other *xie jiao*, is generally not secretive about its beliefs and practices outside of China. Most Falun Gong beliefs are published on the organisation’s websites. Repression of the religion has become a key theme of its teaching and practice abroad. Practitioners are often involved in anti-Chinese government activism, including in Australia.

3.115 Lawyers defending Falun Gong practitioners in China risk their careers, among other things, because challenging the government’s designation of a cult organisation has been deemed in breach of the *Measures on the Administration of Lawyers’ Practice* (2016) and could lead to their licence to practice being invalidated. According to ongoing reporting by Dui Hua, China’s Ministry of Justice, Domestic Security Bureau of the Public Security Ministry, and subordinate departments, pressure human rights lawyers representing Falun Gong practitioners to resign from these cases due to the ‘negative impact on society’ (see also [Human Rights Defenders](#)).

3.116 Many publicly available sources report imprisoned Falun Gong practitioners and their lawyers have been subjected to psychiatric experimentation and organ harvesting. On 12 June 2021, 12 UN experts stated that they were ‘extremely alarmed by reports of alleged ‘organ harvesting’ targeting minorities, including Falun Gong practitioners’, [Uyghurs](#), [Tibetans](#), [Muslims](#) and [Christians](#), in detention in China’. These UN experts said they had received credible information that detainees from ethnic, linguistic or religious minorities may have been forcibly subjected to blood tests and organ examinations such as ultrasound and x-rays, without their informed consent; while other prisoners were not required to undergo such examinations. UN experts stated that the results of the examinations were reportedly registered in a database of living organ sources that facilitated organ allocation. The China Tribunal, initiated by the International Coalition to End Transplant Abuse in China, investigated organ harvesting in China. The China Tribunal concluded in 2019 that ‘forced organ harvesting has been committed for years throughout China on a significant scale and that Falun Gong

practitioners have been one – and probably the main – source of organ supply’. DFAT was unable to verify these claims at the time of publication in 2024.

3.117 DFAT assesses Falun Gong practitioners, their lawyers and human rights advocates face a high risk of official discrimination. Falun Gong is banned in China and DFAT assess reports of widespread arrests of its members are credible. It is illegal to proselytise and those who attempt to, as well as leaders of the movement, are subject to greater scrutiny by authorities. DFAT is unable to verify whether a former member or a person imprisoned for membership would be placed on an [exit control list](#), however considers it plausible. DFAT assesses Falun Gong practitioners, if exposed, face a moderate risk of societal discrimination due to the effects of sustained public campaign against them.

The Local Church (Shouters)

3.118 The term ‘Local Church’ refers to the descendants of a Christian-based religious movement from the 1960s. They are often collectively referred to as ‘Shouters’, which refers to the loud and energetic worship practices of the various groups. Shouters are congregationally based, not led by a hierarchy or as part of a communion of churches and have experienced multiple splits and schisms.

3.119 Groups collectively designated as ‘Shouters’ often have little or nothing to do with each other, except for perhaps a shared history. They were of Protestant Christian origin but may now be indistinguishable from other small Protestant groups or share little resemblance with them. Members of these groups may not call themselves ‘Shouters’, instead using ‘Local Church’ or ‘the Assembly’ or another name. The term ‘Shouters’ has sometimes been used pejoratively by critics or the government.

3.120 Shouters may or may not be treated by the Government of China as a *xie jiao*. Some groups have been absorbed by TSPM, while others operate independently. *Bitter Winter* published an article in May 2021 in which American scholar J. Gordon Melton claimed groups that accepted the teachings of founder ‘Chairman Nee’ (in Mandarin, ‘the Old Local Church’) were not *xie jiao* but those groups who recognised the teachings of later leader ‘Watchman Lee’ or ‘Witness Lee’ (in Mandarin ‘Local Church’ or perhaps ‘New Local Church’) were *xie jiao*. DFAT was unable to verify this claim in 2023, however, understands that distinctions between different groups were not well understood by authorities, and arrests of either group was possible.

3.121 A 2020 reference in China’s media consistent with anti-*xie jiao* messaging, quoted Xining (the capital of Qinghai in Western China) police as saying that Shouters were illegal and ‘pretend to be Christianity’. In 2020, Beijing-based leaders of ‘the Assembly’ were sentenced to three years in prison for ‘organising a cult to undermine implementation of the law’. *Bitter Winter* reported in 2021 that a crackdown was occurring aimed at Shouters in Beijing, Jiangsu and Guangxi. DFAT was unable to verify these claims in 2023, however considered them plausible.

3.122 DFAT assesses individuals perceived by authorities to be ‘Shouters’, whether or not they self-identify as such, face a high risk of official discrimination based on their religion. DFAT assesses that identification as a ‘Shouter’, regardless of which church an adherent belongs to, could lead to government attention, including imprisonment under the same provisions of law as other *xie jiao*. It is illegal to proselytise and those who attempt to are subject to greater scrutiny by authorities. DFAT is unable to verify whether a former member or a person imprisoned for membership would be placed on an [exit control list](#), however considers it plausible. DFAT notes the Shouters reflect many different groups, making it is difficult to comment on societal discrimination as a group, but assesses that a ‘Shouter’, if exposed, faces a moderate risk of societal discrimination due to the government’s sustained public campaign against them.

Yi Guan Dao

3.123 Yi Guan Dao (YGD, also Tian Dao or I-Kuan Tao) is a syncretic Chinese religion combining elements of Buddhism, Confucianism and folklore. In December 1950, YGD was the target of a nationwide crackdown, after which the group was driven underground. YGD sought to re-establish itself following China's Cultural Revolution and quickly became the target of a campaign of arrests in 1983. As of 1999 (most recent available data), the Japanese publication *Tokyo Sentaku* reported that there were 2 million YGD followers in Sichuan, equal to 2.4 per cent of the province's total population.

3.124 YGD beliefs may take different forms in different communities and can be influenced by different religions when established in different places around the world. Most practitioners are vegetarian. As with other *xie jiao*, the range of communities and propensity to split means that different adherents can have different beliefs.

3.125 In-country sources reported in 2019 that YGD followers in mainland China were likely to be concentrated in Guangdong and Fujian provinces. The current status of YGD was not clear in 2023, but data on court cases reported on in 2021 by Dui Hua found that arrests and imprisonment of members had occurred, for example for proselytisation activities. YGD was not as large as it was in the 20th century, but reports of attention by authorities continued in 2023.

3.126 DFAT assesses members of YGD face a moderate risk of official discrimination based on their religion. Its members are not allowed to practise their religion freely. It is illegal to proselytise and those who attempt to, as well as leaders of the movement, are subject to greater scrutiny by authorities and arrest. DFAT is unable to verify whether a former member or a person imprisoned for membership would be placed on an [exit control list](#), however considers it plausible. DFAT assesses that a follower of YGD, if exposed, faces a moderate risk of societal discrimination due to the government's sustained public campaign against them.

POLITICAL OPINION (ACTUAL OR IMPUTED)

3.127 Article 35 of China's Constitution states that citizens enjoy freedom of speech, the press, assembly, association, procession, and demonstration. In practice, a wide-ranging number of topics are considered sensitive and are censored, with those raising them liable to a range of formal punishments under China's laws. In-country sources told DFAT in 2023 that censorship had increased significantly in recent years, especially since 2020.

3.128 Censorship of all kinds is pervasive in China and the range of topics that are considered sensitive is broad. Sensitive issues include, but are not limited to: commentary on [political](#) issues and events (including the policy direction of the CCP and nation, as well as anniversaries like the 4 June Tiananmen Square massacre), [economic](#) issues, [health](#) (including COVID-19 origins and the handling of the outbreak); land and property rights, environmental issues, labour rights, [religious or ethnic](#) issues (including [Chinggis Khan](#), the [Dalai Lama](#) and so-called separatist movements linked to '[East Turkestan](#)'), other human rights issues, and the legitimacy of central authorities and the CCP. The sensitive nature of a topic may change quickly, making it difficult to compile a more comprehensive list in 2024. The arts, literature, and music are also censored as part of 'cultural management' policies to bring them into line with approved government messaging.

3.129 Authorities discourage the portrayal of the Government of China, CCP, armed forces, nationalists, or China's economic situation in a 'negative light'. In a highly publicised example from May 2023, a comedian who made jokes about a slogan used by President Xi regarding China's military had his shows cancelled. The comedy club that hosted the show in Beijing was also fined about AUD 3 million. The *New York Times* reported in May 2023 that the comedy incident was part of a wider crackdown on creative industries and performers, who must have their performances vetted.

3.130 Tolerance for private criticism of the Government of China or CCP, even if only among friends and family, has reduced significantly since 2019 because potential 'red lines' had become less clear. The government intensified its national security drive and in June 2020 announced 'material rewards' of up to and above RMB 100,000 (AUD 21,000) for tip-offs about anyone 'endangering national security'. The Ministry of State Security, which oversees intelligence and counterintelligence within China and overseas, in August 2023 encouraged citizens to actively participate in 'counter-espionage work'. As part of President Xi's push for more control by the CCP over society, all criticism has become viewed through a 'national security lens', which international academics told DFAT in 2023 was aimed at fostering a culture of self-censorship.

3.131 Those who express political views that challenge the authority or interests of the CCP can face severe penalties. Criminal punishment can include a period of deprivation of 'political rights', with denial of freedoms such as expression or assembly, and can be applied to dissidents broadly. These deprivations make it difficult to find employment, travel, or obtain a residence or accommodation. The families of, and those who associate closely with, political activists may find their rights similarly circumscribed.

3.132 In-country sources report that a sustained government crackdown since 2022 had led to a significant reduction in the ability for activists and human rights lawyers to operate in China. For example, Zhiyong Xu and Jiayi Ding, prominent human rights lawyers, were sentenced to 14 and 12 years in prison respectively after being charged with subversion in 2023. They had promoted a 'New Citizens Movement', which encouraged citizens to exercise their constitutionally guaranteed freedom of speech, and organised a gathering of about 20 lawyers and activists in Xiamen in 2019. Human Rights Watch stated in 2022 that authorities often punished protesters, perceived to be challenging the CCP's hold on power, with long prison sentences under poor conditions.

3.133 On 21 June 2024, the Government of China issued a set of judicial guidelines imposing criminal punishments on 'acts of separatism' and 'inciting separatism' related to Taiwan independence, with immediate effect. The guidelines are not legislation, but provide instructions on how to apply several existing laws to 'Taiwanese independence separatists'. The guidelines (Articles 2 and 7) provide a specific list of acts for the crimes of separatism or inciting separatism, including: initiating or establishing 'Taiwan Independence' separatist organisations; seeking to change the legal status of Taiwan as part of China; 'wantonly misrepresenting the reality that Taiwan is part of China' in fields such as education, culture, history or news media; suppressing political parties, groups, or persons that support the peaceful development of cross-strait relations and national reunification; and promoting 'Taiwan Independence' separatist ideas and their separatist principles, plans and programs. Punishment under the guidelines range from sentences spanning 3-10 years in prison, life sentences or even the [death penalty](#) for 'ringleaders' or those who had committed 'major criminal acts'. The guidelines stipulate harsher sentencing for acts committed in collusion with foreign or 'non-mainland' institutions or individuals. They also stipulate that trial in absentia may apply for 'diehard Taiwan independence' elements.

3.134 The implications of restrictions on the expression of political opinion in China are wide-ranging, and the following sections on [activists and civil society](#), [protesters](#), [media](#) and the [social credit system](#) provide further detail.

GROUPS OF INTEREST

Civil Society - including activists, advocates, human rights defenders and lawyers

3.135 Civil society in China is heavily restricted, and there is little tolerance from authorities shown to organisations that choose to operate outside of government control. All civil society organisations (CSOs) and their activities must be registered with local authorities as part of a process to ensure they function as quasi-government bodies. CSOs face pressure to accept government funding, which entails explicit obligations to align their activities closely with official policies. In 2023 there were very few CSOs in China that met the UN's definition as 'non-State, not-for-profit, voluntary entities formed by people in the social sphere that are separate from the state and the market'.

3.136 International NGOs (INGOs) are governed under the *Law on Administration of Activities of Overseas Nongovernmental Organizations in Mainland China* (2017). To legally operate in China, INGOs are required to set up a local representative office or file documentation (*bei'an*) to carry out 'temporary activities'. The Ministry of Public Security and its provincial-level public security departments are the registration authorities for INGOs and a government sponsor is needed in order to carry out the registration (including INGOs based in Hong Kong, Macau or Taiwan). INGOs reported in 2023 that it was extremely difficult for them to register or re-register their activities in China. CSOs and individuals put themselves at risk of official discrimination if they cooperate or accept funding from unregistered INGOs.

3.137 In-country sources told DFAT that the already small space for civil society in China has shrunk further since 2022. Most influential CSOs had been closed down by authorities and replaced by state-run foundations by 2023. The few remaining independent CSOs were subject to high levels of physical and technical surveillance and harassment from authorities if they were perceived to work on politically sensitive issues. In-country sources reported that CSOs placed themselves at risk when engaging with foreigners or accepting funding from them. According to the UN Human Rights Council's *Cooperation with the United Nations, its representatives and mechanisms in the field of human rights* report, multiple UN actors stated concerns about intimidation and reprisals against human rights defenders and civil society organisations for their cooperation with the United Nations in 2023. During the *Third Periodic Report of China* in February 2023, the Committee on Economic Social and Cultural Rights noted that 'human rights defenders, non-governmental and civil society organizations had reportedly faced difficulties when trying to attend the Committee's meeting with the State party, as they feared reprisals'. In-country sources told DFAT in 2023 that local police used electronic surveillance, including WeChat, to monitor the actions of unregistered CSOs, listen in on conversations and stop activists from engaging with foreigners, including through the use of pre-emptive detention.

3.138 Activists and members of CSOs can be subject to surveillance, intimidation and harassment by authorities, including phone calls and invitations for 'tea' with authorities (understood to be a euphemism for a private warning in the form of a thinly veiled threat and/or coercion) or simply being asked invasive questions about their activities. In-country sources told DFAT in 2023 that the purpose of such interactions was to encourage activists and CSO members to resign from these organisations, or to promote a culture of self-censorship. Families of activists reported they had been threatened with the loss of jobs if they spoke publicly about the treatment of their relatives. Those who spoke publicly against authorities faced further detention, limiting the number of available sources and information about the treatment of activists. For example, international media reported that Li Qiaochu was detained in 2021 and placed on trial in 2023 after posting to social media the details of [torture](#) allegations by her partner, jailed activist Xu Zhiyong, and human rights lawyer Ding Jiayi. Li Qiaochu was sentenced in February 2024 to three years and eight months in prison for 'inciting subversion of state power' and deprived of political rights for two years. Profiles of activists and CSO

members who may be targeted by authorities are difficult to predict accurately due to a lack of warning until an individual was singled out for an alleged violation (see also [Political Opinion](#); [Groups of Interest](#)).

3.139 For decades, human rights defenders and lawyers have used China's legal system to put forward cases to establish precedents to expand access to individual rights. However, under the rule of President Xi, these types of cases have been 'weeded out' for being against the interests of the state, and offending lawyers disbarred. In-country sources told DFAT in 2023 that public messaging continued to be regularly employed to convey that there was no longer any need to advocate for individual rights because the CCP would look after everyone.

3.140 Human rights defenders and their lawyers have been targeted by authorities for challenging the state on issue of government [transparency](#), [corruption](#), and [human rights abuses](#). Also, the Government of China often links criticism of its human rights record with foreign interference. Charges laid against human rights defenders and their lawyers often include 'picking quarrels and provoking trouble'. Persistent targeting of human rights lawyers has occurred since a major crackdown (the '709 crackdown') was launched in 2015. In-country sources told DFAT in 2024 that there had been a significant increase in cases of human rights defenders and lawyers being pressured to leave Beijing since 2019. Harassment by authorities had included pressuring landlords to evict human rights defenders and their lawyers from housing, having water and power turned off, and regularly summoning them to appear at police stations for questioning. Law firms had been pressured to dismiss lawyers working on human rights cases deemed sensitive by the government. Higher profile lawyers are more likely to attract attention, either because they are more likely to come to the notice of authorities in the first place or because of their higher potential to embarrass authorities.

3.141 Contact with foreign diplomats and embassies had become particularly sensitive in 2024, according to in-country sources. There had been a number of documented high-profile cases of human rights lawyers detained while on their way to meet with foreign embassies. For example, Amnesty International and Human Rights Watch reported on the arrest of Yu Wensheng and his wife Xu Yan, who were enroute for discussions at the European Union's embassy in Beijing in April 2023.

3.142 DFAT assesses high-profile activists, human rights defenders and their lawyers face a high risk of official discrimination in the form of harassment, detention, and imprisonment. DFAT assesses other CSO members that come to the attention of authorities for publicly criticising the government on sensitive issues face a moderate risk of official discrimination in the form of harassment and detention. The hidden nature of low-profile CSO members and their reluctance to speak out makes it difficult to assess the relative risk they may face. DFAT assesses high-profile activists, human rights defenders and their lawyers face a moderate risk of societal discrimination due to fears from family and friends of harassment from authorities, including having their rights circumscribed. DFAT assesses other CSO members face a low risk of societal discrimination.

Chinese nationals in Australia

3.143 DFAT is aware of cases of Chinese nationals in Australia being contacted by China's authorities. Contact has included, but was not limited to, phone calls from local police based in China, aimed at convincing alleged economic fugitives, activists, protesters, and critics to return home 'voluntarily'. China's Ministry of Public Security reported that between 2014 and 2021, over 10,000 Chinese citizens had been successfully returned to China from over 120 countries under its anti-corruption operations 'Fox Hunt' and 'Sky Net'.

3.144 Safeguard Defenders, a Madrid-based NGO, reported that in 2022, China had used a combination of persuasion, intimidation, and various forms of harassment (including surveillance, loss of employment, freezing of assets, and threats to safety or freedom) to obtain the 'voluntary' return of Chinese nationals from overseas. Threats often centred on warnings that family members in China would be arrested or worse unless

they returned. In-country sources told DFAT in 2023 that family connections had been successfully leveraged to facilitate ‘voluntary’ returns from Australia to China since 2014.

3.145 In 2022, international media began reporting on ‘overseas police stations’ in various countries, including Australia. At the time of publication in 2024, Australian intelligence agencies had publicly confirmed that there was no information to indicate a Chinese contact point is operating in Australia, other than the official embassy and consulate presence.

3.146 DFAT assesses Chinese nationals who engage in activity critical of the Government of China while in Australia may be noticed by Chinese authorities, leading to a moderate risk of official discrimination in the form of questioning and detention should they return to China. The amount of leverage needed to persuade an individual to return to China or take other kinds of action would depend on their individual situation, ties with China and risk to family remaining in China.

Protesters and petitioners

3.147 Public demonstrations require permits, which are rarely approved by authorities. Still, spontaneous protests occur, which have been met with police violence. In-country sources told DFAT in 2023 that all types of protests had become much less common, as the consequences for dissent had become harsher in the last decade. Freedom House's *China Dissent Monitor* recorded a total of 383 protests from January to September 2024, the vast majority of which were non-political and related to workers' pay and benefits, land or forced relocation disputes, and housing projects.

3.148 Local disputes with government decisions and officials can be raised at designated petitioning offices in China. Millions of disputes are raised at these offices every year. Local authorities participate in programs that incentivise dispute resolution at the local level, to avoid escalation to higher authorities. In practice, this means local authorities often have motivation to retaliate against petitioners, which might include laying charges for ‘picking quarrels and provoking trouble’. The US Department of State reported in 2023 that local governments had sent personnel to Beijing to force petitioners in the capital to return home. Although retaliation was common, it was not always the outcome, and in some cases the system was effective in resolving disputes.

3.149 In-country sources told DFAT in 2023 that land disputes, local [corruption](#), and labour disagreements were common protest themes. Rapid development and high levels of internal migration have led to an increase in contested development and displacement. While land policies and the process of compulsorily acquiring land varied from place to place, all land in urban areas continues to be owned by the state and rural areas were collectively managed by villages. Disputes often arose when local officials tried to sell land and evict existing tenants after paying low amounts of compensation. China's *Civil Code* (2020), which came into force on 1 January 2021, requires fair and reasonable compensation to be paid for expropriated land, however, it did not define ‘fair and reasonable’, leaving room for interpretation. Specific documentation provided to those who have had land expropriated differs from province to province. Land sales remain an important source of revenue for local governments and corruption in land deals was commonly alleged. In February 2024, international NGOs reported several hundred Tibetans had been detained in Derge County, Sichuan for protesting the construction of the Kamtok (Gangtuo) dam that would displace local villagers and destroy Buddhist monasteries. International NGOs stated that video footage showed police beating protesters before making arrests, and detainees were held incommunicado and denied access to legal representation.

3.150 Under its ‘Zero-COVID’ policy, in place from late 2019 until the last two months of 2022, the Government of China imposed strict restrictions on movement and ability to access goods and services to control COVID-19 transmission. In November 2022, mass protests occurred in major cities against the Zero-

COVID policy. These protests made the international news, with images and accounts posted on Western social media. Protests included those organised by migrant workers in Guangzhou, in response to the apartment building fire in Urumqi and *baizhi* ('white paper') protests in Beijing, where protesters held up blank sheets of paper to protest strict censorship rules.

3.151 In Guangzhou, stay-at-home orders in place during the COVID-19 pandemic were strictly enforced and significantly restricted the ability of migrant workers to earn a living, forcing many into a state of poverty (see *hukou*). In early November 2022, migrant workers complaining of lost wages, food shortages and homelessness took to the streets. Later in November 2022, they were joined by students, as anti-lockdown protesters tore down barriers and threw objects at police officers. International media reported that riot police had escorted protesters away in handcuffs. In-country sources told DFAT in 2023 that although these protests were non-political, their large scale and violent nature made the government nervous, resulting in a decision not to crack down too harshly. There were subsequent arrests in 2023 of individuals who participated in these protests, in fairly low numbers, which in-country sources reported was to avoid public outcry. As at July 2023, arrests in Guangzhou related to the protests had been limited to those leading them, who were specifically targeted by authorities for 'speaking out' and 'pushing the envelope'.

3.152 On 24 November 2022, a fire in an apartment building in Urumqi aggravated existing tensions relating to strict COVID-19 measures and led to a series of protests across China. Protesters reported that the burning building was locked-down as a COVID-19 measure, leaving residents unable to flee the flames and rescuers unable to reach victims. Local, state-run media reported ten people were killed in the fire, while the international media reported that the death toll was higher. The government stated that local authorities in Urumqi were to blame for not 'properly' implementing the anti-COVID-19 measures. Early local media reports stated that 'ringleaders' of the Urumqi apartment building fire protests were arrested, but it was not clear what would identify a ringleader, or whether that meant non-leaders of protesters had avoided arrest.

3.153 News and discontent regarding the fire in Urumqi spread on social media in late November 2022. While government censors responded quickly, protests in a number of cities emerged before censors were able to suppress dissent. In Beijing, protesters held up blank sheets of paper as part of the 'white paper' protests. In-country sources told DFAT in 2023 that protesters had sung political songs and chanted slogans, including calling for President Xi to step down, a rare occurrence in China where such rhetoric can be met with strict punishment. The police response to the protests was large and initially non-violent according to in-country sources. Police attended the protests, unarmed and without riot gear, in large numbers, mostly to watch (police in China do not routinely carry firearms).

3.154 Protests ended by late November 2022, deterred by a heavy police presence and the fencing-in of some areas to prevent protesters from gathering. Some protesters were accused of being motivated by foreign interference, which according to in-country sources, may have been a way of linking protests about COVID-19 and the apartment fire to national security charges.

3.155 DFAT was unable to verify that reports of those who took part in anti-COVID-19 protests had been targeted by authorities for arrest, but considers them plausible based on available information. Protesters released videos and written statements in 2023 that they had been detained and forced to sign warrants and confessions. In-country sources told DFAT that they were aware of arrests taking place in 2023, with some arrestees later released on bail or probation months later. Videos of the November 2022 protests were widely shared on traditional and social media and a large police presence was evident in videos. International media reported in 2023 that some protesters had their phones or ID checked, including to find evidence of contact with other protesters. Technical surveillance, including CCTV cameras is omnipresent throughout China, and it is likely that both protesters and onlookers were identified by cameras.

3.156 DFAT assesses people who organise or lead protests over land, local corruption, labour or any other matter critical of the government or CCP, face a high risk of official discrimination in the form of technical and

physical surveillance, harassment, detention and imprisonment (see also [Political Opinion](#); [Groups of Interest](#)). DFAT assesses petitioners and those who participate in protests face a moderate risk of official discrimination in the form of technical and physical surveillance, harassment, and detention. DFAT assesses protesters and petitioners face a low risk of societal discrimination.

Media and journalists

3.157 Article 36 of China's Constitution states that citizens enjoy freedom of the press. However, Article 51 prohibits undermining the 'interests of the state, society or collectives', effectively limiting press freedom. China's media is heavily regulated and censored. All media is heavily censored and supervised by the government, and agencies provide directives to state media organisations on how to manage and present sensitive issues. Some media outlets are expected to operate on a more commercial basis and others have content funded by or produced by the CCP. Content producers are aware of the government's 'red lines' and generally self-censor (see also [Race/Nationality](#); [Religion](#); [Political Opinion](#)). International versions of Chinese media and those published within China are often very different, and foreign editions of news outlets like *Xinhua*, *CCTV*, or the *Global Times* (for example) are not a good indication of the local media available to ordinary people in China.

3.158 Reporters Without Borders ranked China 179th out of 180 countries for press freedom in 2023, with only the Democratic People's Republic of Korea ranking lower. The Committee to Project Journalists (CPJ) reported that 43 journalists were imprisoned in China in 2023. This included a journalist who was arrested for 'selling fake medicine' in May 2023, although the CPJ stated it was in relation to his reporting about local corruption. In another example, a Taiwanese journalist visiting relatives in Shanghai was charged with national security offences in April 2023.

3.159 Foreign correspondents told DFAT in 2023 that they worked and lived under physical and technical surveillance in China, faced intimidation and obstruction by authorities, threats of expulsion from the country and risked arrest, making reporting on politically sensitive issues difficult. The Foreign Correspondents' Club of China's 2022 *Working Conditions* report, which detailed conditions for journalists operating in China, stated that 45 per cent of journalists in China were pressured, harassed or intimidated at least once in 2022. The report further stated that 38 per cent of journalists reported that they had at least one of their sources harassed, detained, or called in for questioning by the authorities for interacting with foreign journalists in 2022. On 13 March 2024, the All-China Journalists Association issued a rare public statement that local governments 'must not obstruct the normal duties of reporters in a simple and rough manner just to control public opinion', following efforts by local authorities in Sanhe in Hebei Province to physically prevent Chinese journalists from reporting on a gas explosion that had occurred in a local restaurant.

3.160 DFAT assesses journalists and editors reporting on sensitive issues in China face a high risk of official discrimination in the form of harassment, detention, and imprisonment. DFAT notes that what is considered 'sensitive' may change rapidly (see also [Race/Nationality](#); [Religion](#); [Political Opinion](#)). DFAT assesses journalists and editors do not normally face societal discrimination on the basis of their employment as journalists and editors.

Internet freedom, social media users and bloggers

3.161 China's internet censors (otherwise known as the 'Great Firewall') block access to certain websites (including the *Australian Broadcasting Corporation*, Facebook, Google, Twitter, Wikipedia, YouTube, etc.). Keyword filters built into social media platforms restrict visibility of 'sensitive' topics and words. Like traditional media, social media is heavily censored. Algorithms, along with a large number of human staff, 'patrol' Chinese

online traditional and social media (including WeChat group chats) to identify and censor any mention of sensitive topics.

3.162 Social media is popular in China, with messaging apps like WeChat and microblogging site Weibo reportedly having more than a billion users. WeChat in particular is practically indispensable in China, as it is used not only for personal communication, but also for payments and shopping (through WeChat Pay), as well as for accessing most public services, booking medical appointments and paying fines. However, it is widely reported that all data on WeChat can be monitored, collected, stored, analysed, censored and accessed by the Government of China, with messages allowed to be read by authorities in real-time and users' locations accessed.

3.163 As with traditional media, what is deemed sensitive on China's internet platforms can change quickly. Along with political and religious themes, sexual content, promotion of extravagant lifestyles and celebrity gossip have also been subject to censorship. Internet users have adopted oblique references to sensitive topics to avoid censorship and seemingly non-political subjects can end up censored. For example, the children's book character *Winnie the Pooh* was censored because his likeness was used by critics to refer to President Xi, and images of candles were removed in the lead-up to the Tiananmen Square massacre anniversary. The term '*bei hexie le*' ('to have been harmonised') is often used to politely describe being censored. According to reports posted on Twitter repeated on mainstream media in March 2023, searching for the number of '2952', which was the number of votes that President Xi received for his re-election to a third term as President in the People's Congress (the vote was 2952 in favour and zero opposed), could not be completed. Those who attempted to search for that number were told that the page could not be found because it breached relevant laws.

3.164 Limited discussion, including jokes and wordplay, on politically sensitive issues can at times be allowed to take place online until the content becomes too political, sensitive, or goes viral, leading to a response from authorities. If the comment is fairly benign it can be simply removed, however if it is deemed too inflammatory or linked to a particularly sensitive subject, authorities may reprimand or arrest the individual involved. All social media users in China must register with their real names, and the content they create can be used against them in criminal proceedings. Extensive use of CCTV and facial recognition software means that a person could be tracked if they were of sufficient interest to justify the resources.

3.165 International academics told DFAT in 2023 that the Supreme People's Court ruled in 2013 any social media post shared more than 500 times, or viewed more than 5000 times was considered 'misinformation or propaganda' could result in imprisonment. However, even on occasions where these thresholds have not been reached, prominent posters on social media have still been publicly arrested, through a policy that has been described by international academics as 'kill the chicken to scare the monkey'. One example of the detention of a high-profile blogger is Ruan Xiaohuan, who was arrested by the Shanghai police for reporting on politics, security, and corruption on his blog, ProgramThink. Ruan Xiaohuan's views were seen by authorities as critical of the CCP, and he was convicted in 2023 of 'inciting subversion of state power' and sentenced to seven years in prison. His name was banned in 2023 from China's social media platforms.

3.166 Although illegal in China, many Chinese people use a VPN to circumvent censorship and access global internet content. While this was sometimes effective in 2023, individual VPNs can be shut down, requiring users to pivot to new services. Chinese users of VPNs risk legal penalties, particularly if their VPN use was related to protest activity or sharing politically sensitive material.

3.167 DFAT assesses people who use an internet platform to mobilise others in relation to politically, or otherwise sensitive issues face a high risk of official discrimination in the form of technical and physical surveillance, harassment, detention, and imprisonment. DFAT assesses those who post sensitive or critical material online that is spread widely before it is caught by censors face a moderate risk of official discrimination in the form of technical and physical surveillance, harassment, and detention. Small-scale discussion of

political, or otherwise sensitive issues and even criticism online, is generally tolerated and although views may be censored, those posting them are unlikely to come to experience retaliation by the authorities. The majority of social media users in China are able to use platforms without incident, although they do so with the acknowledgement they are being monitored and are aware of the need to self-censor. DFAT assesses social media users and bloggers generally do not face societal discrimination.

People affected by social credit systems

3.168 Social credit systems have evolved since their conception and are now AI driven databases generally understood to be systems that seek to track and monitor an individual's social behaviour. Reporting on the consequences of such systems is varied, but in many instances individuals gain points for 'socially responsible' behaviour and lose them for 'anti-social' behaviour. There is no unified social credit system in China. The term 'social credit system' is an umbrella term capturing a wide range of different programs at different levels of government across China. In 2023, different systems applied to individuals, businesses, and government entities. While the different programs operated in very different ways, they generally sought to improve monitoring and enforcement against existing laws and regulations.

3.169 The phased rollout of China's social credit systems are managed by the National Development and Reform Commission, People's Bank of China, and the court system. *The Diplomat* reported in March 2021 that the rollout of social credit systems had been 'disjointed' with 'large gaps' in 'inter-agency transfer', and at different stages in different provinces. 2020 was to be the original target year for implementation of a China-wide social credit system, but a range of factors including the impact of the COVID-19 pandemic delayed full establishment of the system. As of November 2022, the government had only built a national system focused on companies, not individuals, which aggregated data on corporate regulation compliance from different government agencies.

3.170 In the early 2010s, some cities started their own social credit system pilots which gradually became controversial and were criticised in China's official media. By 2019, central authorities stated explicitly that they were unhappy with the idea that social credit scores could be used to penalise citizens, as only formal legal documents could serve as grounds for penalties. Pilot cities quickly changed their programs from systems penalising citizens towards encouragement-only schemes.

3.171 In-country sources told DFAT in 2023 that debtors were the primary group affected by social credit systems, with restrictions placed on their ability to travel domestically and internationally. The *ABC* reported in 2019 that 128 people had been prevented from leaving China because of a 'bad' social credit score. However, prior to the development of social credit systems, authorities already had the ability to add individuals who had defaulted on court-ordered payments to a Supreme People's Court (SPC) 'blacklist'. Being listed on the SPC blacklist restricts an individual's ability to travel by first-class air and rail, access loans, spend on 'luxury' items and access private education opportunities for children. The *Civil Procedure Law* (2023) provides for enforcement and recovery processes applicable to debtors in the event of failure to fulfil financial obligations, including asset forfeiture, wage garnishing and restrictions on leaving the country. Local media has reported on instances of debtors who had refused to repay their debts being prevented from departing China and detained under the provisions of *the Civil Procedure Law* (2023).

3.172 DFAT assesses debtors who are subject to a poor social credit score, where such systems exist, face a moderate risk of official discrimination in the form of restrictions on their ability to travel domestically and internationally. DFAT assesses those with a poor social credit score face no risk of societal discrimination as a result of their score, however societal discrimination can sometimes occur as a result of having debts leading to the poor score.

Sexual orientation and gender identity

3.173 Both male and female same-sex sexual activity is legal in China. Homosexuality has been legal in China for most of the 20th century, except for a period between 1979 and 1997 when it was classed as ‘hooliganism’. Same-sex couples can become each other’s legal guardians, but households headed by such couples are generally ineligible for the same legal protections available to heterosexual couples. Same-sex couples are also unable to marry or adopt. In May 2024, China’s court system recognised that a child in China could have two legal mothers for the first time.

3.174 LGBTQIA+ topics are censored on television (see [Political Opinion](#)). China’s State Administration of Press, Publication, Radio, Film and Television put guidelines in place in 2016, under which no television program should ‘show abnormal sexual relationships and behaviours, such as incest, same-sex relationships, sexual perversion, sexual assault, sexual abuse, sexual violence, and so on’. LGBTQIA+ topics and depictions of same-sex couples are also censored in print media and can be classified as pornography, which is illegal in China.

3.175 While restrictions on depicting LGBTQIA+ issues on television or in books are strictly enforced, the online space in 2024 was often freer. LGBTQIA+ topics were officially censored on larger social media platforms like TikTok and WeChat, but they were not generally censored on smaller ones like Bili Bili. Although terms like ‘coming out’ were generally censored online, authorities turned a blind eye to creative wordplay, including ‘#coming#out’. To avoid restrictions in print media, LGBTQIA+ CSOs told DFAT in 2023 that they often sold or distributed books containing QR codes that linked the reader to relevant LGBTQIA+ materials online. LGBTQIA+ dating apps are legal and were readily available in China in 2023, including Blued, Grindr and Les Park.

3.176 Tolerance by authorities for operations of independent LGBTQIA+ organisations has decreased, along with all other [non-registered CSOs](#). In-country sources told DFAT in 2023 that a crackdown on non-registered LGBTQIA+ CSOs was ongoing since around 2021, as they were viewed as promoting foreign influences and had the ability to influence public opinion outside the control of official channels. In 2021, China’s most prominent LGBTQIA+ CSO, LGBT Rights Advocacy China, was forced by authorities to cease its activities and shut down its Queer Advocacy Online [social media](#) accounts. In July 2021, WeChat deleted dozens of LGBTQIA+ accounts run by university students, stating that they had broken China’s [internet rules](#). LGBTQIA+ groups were asked by authorities in 2021 whether they were ‘anti-Party’ or ‘anti-China’ and were questioned about their links to foreign groups. In May 2023, the Beijing LGBT Center was closed down by authorities. According to in-country sources, there were other restrictions put in place on remaining LGBTQIA+ organisation in 2023, including orders from authorities to remove the initials ‘LGBTI’ from their names.

3.177 Small LGBTQIA+ events are often tolerated by authorities, although not formally approved. Organisers in 2023 were legally required to alert authorities about their actions. Holding gatherings around sensitive political anniversaries or events (such as the National People’s Congress) had attracted adverse attention. Collaboration with foreign groups or actors in 2023 was also likely receive negative attention from the government. While the 2023 ‘Love is Love: LGBTQ+ Film Festival’ was allowed to take place in Guangzhou, in practice, there was a very heavy presence of uniformed and plainclothes police officers who intimidated attendees and encouraged them not to attend. International media reported in 2023 on similar efforts by authorities in Beijing to disrupt a number of LGBTQIA+ and gender-themed events. Perhaps the most well-known LGBTQIA+ event in China, Shanghai Pride, was cancelled in 2020 due to COVID-19 restrictions, but has not been held since.

3.178 DFAT is aware that LGBTQIA+ bars have been raided in some areas of China, reportedly in relation to drugs. According to in-country sources, it was believed the raids were intended to force bars to close or harass bar owners and patrons. In-country sources told DFAT in 2023 that police sometimes targeted LGBTQIA+ sex workers specifically (prostitution is illegal in China) and subjected them to humiliating interrogations and

inspections. This appeared to occur in waves or ‘crackdowns’, and whether such targeting occurred depended on local police and their quickly changing priorities.

3.179 High-profile LGBTQIA+ activists have been threatened, harassed, and invited to ‘tea’ with authorities. In-country sources told DFAT in 2023 that scrutiny and intimidation by authorities had often arisen because of the activists’ ability to organise and influence others on human rights issues, rather than the individual’s sexual orientation. LGBTQIA+ activists with links to foreign NGOs and governments were singled out for promoting foreign interference in China’s internal affairs in 2023.

3.180 In-country sources reported in 2023 that the relationship between LGBTQIA+ communities and the government was in a ‘state of flux’. While unregistered LGBTQIA+ groups and events operating outside of government control faced renewed pressure from authorities to disband, LGBTQIA+ activists in 2023 reported there had been progress around education in schools regarding ‘non-ethnic’ minority groups (apparently referencing LGBTQIA+ persons) and individuals’ rights to make ‘different choices’. In-country sources told DFAT in 2023 that there was not much official discrimination towards LGBTQIA+ persons in schools, with most LGBTQIA+ persons first encountering official discrimination when entering employment. CSOs working on LGBTQIA+ topics reported making some progress in advocating for LGBTQIA+ rights through specific antidiscrimination cases in 2022. According to in-country sources, discrimination against members of LGBTQIA+ communities in accessing government services including healthcare had reduced significantly since 2020, with official pathways in place to investigate complaints.

3.181 In-country sources told DFAT that there had been a large increase in societal acceptance of members of LGBTQIA+ communities since the 2010s, and thus reduction in societal discrimination and stigma. Individuals under 40 years of age were generally the most tolerant and understanding, with members of LGBTQIA+ communities reporting that they were the easiest among their family and friends to come out to. A 2020 study published in *BMC Public Health* mapped attitudes towards LGBTQIA+-related issues in China. The 2020 *BMC Public Health* study found that most people in China were accepting of LGBTQIA+ people, except when asked about their children being LGBTQIA+, which most participants found unacceptable. In practice, societal acceptance towards members of LGBTQIA+ communities varied from place to place, with in-country sources reporting in 2023 that Southern China (especially the cities of Chongqing and Chengdu) was the most accepting.

3.182 Some employers have attempted to fire employees when they found out their sexual orientation. For example, in a 2020 labour dispute, e-commerce company Dang Dang fired a transgender employee for causing ‘moral awkwardness’ among employees. A court ruled that Dang Dang had illegally terminated the employee, stating that although the law had no express protections for employees who had legally changed their gender, such protections ‘should be within the meaning of the law’. In-country sources told DFAT in 2023 that employers had to put forward a ‘relevant reason’ under China’s labour laws unrelated to an employee’s sexual orientation, if they intend to fire them. For example, a gay flight attendant was fired by state-owned China Southern Airlines in 2022 when a security camera clip of him kissing a male China Southern pilot was leaked online. China Southern stated that it had a legitimate business-related reason for its decision and had fired the flight attendant only out of concern for passenger safety because he had become ‘too upset’ to perform his duties, and due to fear passengers might cause a scene if they recognised him from the viral video. According to in-country sources, the military, state-owned enterprises and the public service were the least tolerant workplaces for members of the LGBTQIA+ community in 2023.

3.183 International media reported in 2020 that emotional abuse and physical violence against LGBTQIA+ persons by family members was common. Parental stigma was often associated with concerns that a child may not be able to marry or have children, and therefore provide for the extended family, understood to be an important aspect of Chinese culture. International media reported in 2020 that some gay and lesbian people chose to marry a person of the opposite sex due to pressure from family. Sources told DFAT in 2023

that there were matchmakers engaged by LGBTQIA+ persons to arrange sham heterosexual marriages, for example between a gay man and a lesbian, to reduce pressure from families.

3.184 Public acts of violence against LGBTQIA+ people are almost unheard of in China. Members of LGBTQIA+ communities in China reported in 2023 that the only harassment they had faced outside of their families had been verbal, not physical. In-country sources told DFAT in 2023 that in the unlikely event of a violent incident, victims could access state protection, and their sexual orientation would not adversely preclude them from receiving assistance from law enforcement.

3.185 Conversion therapy was deemed 'illegal' in 2014 by a Beijing court and is banned in all public hospitals across China. This ban followed a decision by the Chinese Psychiatric Association in the early 2000s that homosexuality was not a pathological condition and should not be considered abnormal. In-country sources told DFAT in 2023 that doctors and other medical personnel who offered conversion therapy had been successfully prosecuted by authorities to help stamp out the practice.

3.186 While national laws in 2023 allowed transgender people to change their gender on ID cards and *hukou*, this may not occur in practice if they had not undergone full sex-reassignment surgery. Transgender people were not officially permitted to change their gender on all official documents, such as educational certificates, which may limit access to employment or education opportunities. In-country sources told DFAT in 2023 that of those who wished to transition from one gender to another, it was easier for someone born as a woman to live as a man than vice versa. In-country sources also reported in 2023 that stigma could be reduced significantly by the transgender person when moving to a new city to obtain a 'fresh start' away from family and friends.

3.187 In-country sources told DFAT in 2023 that the government often turned a blind eye to transgender people, and they faced little official discrimination. Other in-country sources reported to DFAT in 2023 that in practice, the government supported decisions by transgender people to undergo gender reassignment surgery, as it allegedly fit better into traditional gender stereotypes than those living a gay lifestyle. On 20 April 2022, the National Health Commission of China updated its regulations on gender reassignment surgery and decreased the minimum age from 20 to 18 years of age. In 2023, at least two well-known gender reassignment surgeons practiced openly in China and had retained their medical registration while doing so. However, international academics reported that transgender people in 2023 still faced difficulties when attempting to access doctors that practiced transgender specific medicine and when seeking to acquire relevant medicines, for example hormone therapies.

3.188 DFAT assesses members of LGBTQIA+ communities face a low risk of official discrimination in the form of harassment when attending LGBTQIA+ events and bars. DFAT assesses those who operate unregistered LGBTQIA+ CSOs or publicly advocate for LGBTQIA+ rights face a moderate risk of official discrimination in the form of physical and technical surveillance, harassment, and detention. DFAT assesses transgender people face a low risk of official discrimination in the form of harassment, and difficulties accessing healthcare and education. DFAT assesses members of LGBTQIA+ communities and transgender people face a low risk of societal discrimination in relation to gaining employment. DFAT assesses members of LGBTQIA+ communities and transgender people face a high risk of violence in family settings, where the risk would depend on the attitudes of the individual's family towards their sexual orientation.

Women

3.189 In recent decades, high levels of development have broadly improved prospects for women and girls in Chinese society. For example, in the UNDP's 2022 *Gender Inequality Index* measuring reproductive health, empowerment, and labour market participation, China ranked 47 out of 166 countries, an improvement of one rank from 2021. The World Economic Forum's 2024 *Global Gender Gap* report also recorded positive

change in China in terms of women's economic participation, health, survival and political empowerment. However, attitudes towards women particularly at the political level, remain patriarchal and influenced by Confucian values that emphasise the role of women in the home. In a 2013 speech, President Xi Jinping said it was crucial for women to be 'good wives and mothers' to ensure the 'healthy growth of the next generation'. To date no woman has ever sat on the seven-member Politburo Standing Committee, the peak body exercising political power in China. Only six women have ever been full members of the larger Politburo, with three of them being the wives of the CCP's revolutionary founders. In October 2022, President Xi unveiled a 24-member Politburo for the 2022-27 term which, for the first time since 1997, did not have a single woman member.

3.190 Political activism on gender equality is sensitive and likely to attract the attention of authorities (see [Political Opinion](#)). On 30 May 2023, the UN Committee on the Elimination of Discrimination against Women stated it had concerns about the 'excessive restrictions on the registration of non-governmental organisations' and 'intimidation and harassment against women human rights defenders'. The Committee stated it urged China to repeal the sponsorship requirement and all other 'disproportionate' restrictions on NGO registration and to ensure that women human rights defenders were not subject to intimidation, harassment and reprisals for their work. In-country sources told DFAT in 2023 that authorities linked advocacy for gender equality with foreign interference aimed at undermining the Government of China. In-country sources told DFAT that several women's empowerment events across China sponsored by the UN and the international community had been shut down by authorities in 2023.

3.191 *The Diplomat* reported in July 2022 that the Government of China tacitly encouraged cyber bullying of Chinese activists to prevent feminist movements from gaining political capital. While the #MeToo movement and other campaigns for equality and women's safety were censored on the internet, nationalist internet trolls who attacked activists generally were not. In November 2021, Chinese tennis star Peng Shuai accused former Vice Premier Zhang Gaoli of sexual assault through social media. Following her accusations, Peng Shuai disappeared from public view. In response, the Women's Tennis Association suspended tournaments in China from December 2021 to late 2023, and called for a full and transparent investigation into Peng's accusations and treatment. Supporters and activist have stated ongoing concerns for the welfare of Peng Shuai, who has only been seen sporadically since November 2021 in highly managed public appearances.

3.192 An amendment to the *Women's Rights and Interests Protection Law* (1992) came into effect in January 2023 to clarify basic legal rules prohibiting sexual harassment in the workplace and establishing protections against gender-based discrimination. The updated *Women's Rights and Interests Protection Law* (1992) explicitly bans employers from not promoting women solely on the basis of marital and/or pregnancy status. The amendment also responds to gender discrimination in the workplace in China. For example, local media in 2021 highlighted job advertisements explicitly seeking men candidates. Human Rights Watch and the international media reported in 2023 on cases of pregnant women having their employment terminated because of pregnancy. International academics reported that women's decisions to get married and start families often adversely impact their job prospects. In 2023, the mandatory retirement age for women remains 55 years for white collar workers and 50 for blue collar workers, as compared to 60 years of age for men regardless of type of work.

3.193 International media reported in 2022 that domestic violence was common in China, although underreported in large part because of traditional values of family harmony and a view that family matters are private. Survivors who talked about domestic violence publicly, including on social media, had been censored and harassed by authorities. Although rape is illegal and carries a sentence ranging from three years in prison to death, marital rape was not criminalised at the time of publication.

3.194 Chief Justice Zhou Qiang, President of the Supreme People's Court, announced in 2023 that courts had issued 13,000 personal safety protection orders for family and domestic violence survivors over the

previous five years, however the overall number of applications was not released. The 2023 US Department of State *China Human Rights Report* stated protection against domestic violence was not always forthcoming. In some cases police reportedly ignored the issue, refused to take action, or acted unprofessionally, for example by failing to collect evidence properly and/or returning the woman to her husband to resolve the issue. In some instances, women were reluctant to testify against their abusers or contact police in the first place for cultural reasons. Mediation, rather than criminal charges against a violent partner, was an option commonly employed in domestic violence cases.

3.195 Family and domestic violence shelters were available in some communities in 2023. Some of these shelters were financially supported by local governments. A confidential source cited in the Netherlands Ministry of Foreign Affairs 2020 *Country of Origin Information Report on China* said there are over 1,500 shelters known as 'relief stations' across China. Relief stations were not specifically for family and domestic violence survivors, as they could also be used by homeless people or victims of human trafficking. CSOs that previously provided legal assistance or counselling to survivors of family and domestic violence have been shut down, along with other unregistered organisations operating outside of government control.

3.196 CCTV footage of a violent attack on several women at a restaurant in Tangshan, Hebei Province in 2022 led to widespread anger online and vocal criticism of gender-based violence (GBV) in China. In response, authorities in Hebei, Shanxi, NAR, and Gansu provinces launched 'summer night patrol special operations' at night markets, shopping malls and barbecue stalls in 2022. Short-lived campaigns were also undertaken to target people 'insulting women' in 2022. In-country sources told DFAT in 2023 that the All-China Women's Federation was undertaking efforts to raise awareness of GBV, including organising training for officials in regions affected by natural disasters.

3.197 Government of China statistics from 2011 showed that there were approximately 35 million more men than women in China, likely as a result of (technically illegal) sex-selective abortions. Prospective grooms or their families may be expected to pay a bride price for marriage, especially in rural areas. As there are far more men than women in China, competition for wives means bride prices can be upwards of tens of thousands of US dollars, typically paid to a bride's parents. In traditional Chinese culture women are expected to care for their in-laws and not their own parents. Some families of women rely on the payment to fund aged care or medical treatment.

3.198 Gender imbalance was a factor primarily responsible for the creation of a market for bride trafficking, particularly in rural areas. Article 241 of the *Criminal Law* (2021) prescribes a maximum penalty of three years' imprisonment for those who purchase 'abducted women or children'. In-country sources told DFAT in 2023 that women and girls from the southern border regions in Yunnan, Guangdong and Guangxi had been trafficked by force or collusion to central provinces like Anhui, Hebei and Hunan for the purpose of forced marriages.

3.199 The US State Department's 2023 *Trafficking in Persons Report* stated women and girls had been recruited or kidnapped through marriage brokers to enter into forced and fraudulent marriages with Chinese men in return for fees of up to AUD 38,000. The practice of bride trafficking was highlighted in 2022, after a TikTok video went viral of a woman who had been trafficked to a rural village in Jiangsu Province was seen chained to the wall by her neck. Although there was evidence the government had prosecuted and convicted individuals for trafficking crimes in 2023, authorities did not collect or report comprehensive law enforcement data.

3.200 DFAT assesses women in China face a low risk of official discrimination. DFAT assesses that women who publicly advocate for gender equality, experience domestic violence and/or have been trafficked, face a high risk of official discrimination in the form of government policies that violate or fail to protect their rights. DFAT assesses women in China face a low risk of societal discrimination in the form of employment discrimination (particularly within government). DFAT assesses that women can relocate to escape from

domestic violence, but in doing so they may lose some of their social and family support networks (see [Internal relocation](#)). State protection is available to women experiencing domestic violence, however DFAT assesses it may not always be effective.

Single women

3.201 Some single women may experience stigma linked to the pervasive societal expectation that they will be married by a certain age (around their late 20s). Those who are not married by that time are sometimes disparagingly referred to by some as 'leftover women'. Unmarried women sometimes face pressure from family, including unwanted interventions into their personal lives, towards finding a husband. Government narratives and policy contribute to social pressure on women to marry and have children, which is primarily driven by declining birth rates and an aging population (see also [Women](#)).

3.202 Women in China obtained the right to initiate divorce in the late 1930s, but until recently, men dominated divorce initiation, while women faced stigma for getting divorced. China's Ministry of Civil Affairs reported in June 2023 that the number of marriage registrations across the country was the lowest in 37 years, following eight years of consistent decline. According to the latest *China Census Yearbook*, the average age of first marriages in the country in 2020 was 28.6, nearly four years older than in 2010. Having often spent a long time in [education](#) and building a [career](#), many women have chosen to delay the age they enter marriage and parenthood.

3.203 With divorce rates steadily increasing, the new *Civil Code* (2020) introduced a one month 'cooling-off' period for divorce from 1 January 2021. There was no cooling-off period in cases where domestic violence was reported. Local activists stated that even though a cooling off period did not apply to domestic violence cases, it was still difficult for some women to escape from abusive relationships because of the existing reluctance by courts to grant timely divorces. Despite the implementation of a cooling-off period, more than three million couples divorced in the first nine months of 2022 alone. In August 2024, China's Ministry of Civil Affairs released a revised draft law aimed at building a 'family friendly society', under which divorces would be subject to a 30-day cooling off period where if either party was unwilling to divorce, they could withdraw the application, terminating the divorce registration process. As at the time of publication, the revised draft law had not come into force.

3.204 Single mothers in China have long faced stigma and societal discrimination, stemming from social expectations relating to preserving traditional familial values and gender roles. However, community views appear to have shifted. For example, a 2017 survey on the *Legal Rights of Single Mothers in China* showed that 87 per cent of respondents expressed support for single mothers and 59 per cent described their stance as 'very supportive'. In-country sources told DFAT in 2023 that following the COVID-19 pandemic, women increasingly saw having children as personal choice, whether married or not.

3.205 DFAT assesses single women in China face no risk of official discrimination above that faced by women in China in general. DFAT assesses single women in China face a low risk of societal discrimination in the form of pressure from their families to marry, although this would not cause them significant disadvantage.

People affected by family planning policies

3.206 The Government of China implemented a 'one-child' policy in 1980 as a temporary measure to reduce population growth and facilitate economic growth at a time when its planned economy faced severe shortages of capital, natural resources, and consumer goods. It was an involuntary policy enforced through coercion, including sterilisation, abortion campaigns, and 'social compensation fees' (fines) for 'out of plan children'. Chinese citizens that gave birth overseas were also subject to the one-child policy and had their children counted as if they were born in China. Ethnic minorities and rural families that had a daughter as their first

child were generally exempt from this policy. As fertility rates fell well below the replacement level, the one-child policy was partially relaxed in November 2013, allowing couples to have two children if one parent was an only child. In January 2016 the one-child policy officially came to an end and all couples were allowed two children.

3.207 Facing the effects of ongoing demographic decline, the government introduced a three-child policy in May 2021 and abolished all fines. In-country sources told DFAT in 2023 that local governments across China now provided various financial incentives to encourage couples to have more children. For example, maternity benefits and subsidies covering childbirth-related medical expenses were offered in Shanghai, while health insurance schemes were offering couples reimbursements for IVF treatments in Hangzhou in Zhejiang Province.

3.208 In 2016, the government officially stated that all children born out of wedlock were eligible for a *hukou*. Previously, children born to single mothers may have been considered ‘out of plan’, with social compensation fees levied accordingly. In-country sources told DFAT that it had become easier to be a single parent since 2020 when requirements for both parents to provide identification details for a child to obtain a *hukou* (required to enrol in school) were removed. Children born in China or overseas to unmarried parents were automatically linked to or inherit their mother’s *hukou*. From 2020, children could choose to be registered either in their mother or fathers’ city of residence. Children born to an LGBTQIA+ parent were included under these changes, although same-sex couples were still unable to adopt legally. In-country sources told DFAT in 2023 that having children born out of plan was generally no longer a cause of social embarrassment or stigma.

3.209 Although national reproduction policies never explicitly banned unmarried women from having children, proof of marriage was often requested from parents to be able to access free services including prenatal healthcare, a ‘mother’s salary’ during maternity leave, and ensure job protection. In 2023, there were an increasing number of international and local media reports detailing provinces efforts to abolish the unofficial marriage requirement (see also Single Women). Provinces like Sichuan went a step further in 2023 by removing all limits on the number of birth registrations for any parent.

3.210 President Xi announced in 2015 that China had begun providing household registration for the nearly 13 million unregistered children born ‘out of plan,’ irrespective of the family planning and birth limits in place at the time. International academics told DFAT in 2023 that the registration of children who were born out of plan between 1980 and 2016 was still a ‘grey area’ and social compensation fees for those children still existed in theory, but the collection of these fines was rarely enforced in practice. Children who were born ‘out of plan’ (or their parents) were now able to approach authorities to retroactively register births. However, in-country sources told DFAT in 2023 that sometimes there may not be strong motivation for police to update records and add out of plan children to a *hukou*; this reflects individual attitudes rather than official policy. Out of plan children who were not registered were ineligible to obtain travel documents, meaning they would be unlikely to be found outside of China or in asylum seeker caseloads unless they were born overseas or had left China via informal channels.

3.211 The likelihood of enforcing penalties for non-compliance with family planning policies was low in 2023, including for fines incurred before new rules were implemented. Fujian, for example, no longer enforced its family planning policy strictly or imposed any penalties. While some state-owned enterprises had dismissed employees in the past for breaching child limits, in-country sources reported that enforcement was a low priority for the government in 2022. As at the time of publication, DFAT was not aware of people being imprisoned for failure to pay fees since at least 2019 or any recent examples of forced abortions, with the exception of certain targeted ethnic minority populations (see Uyghurs, who are not covered by this assessment).

3.212 As at the time of publication, DFAT was not aware of instances where breaching family planning laws was severely punished anywhere in China following 2021 changes to family planning policy. In rare cases,

outstanding social compensation fees for previous children may still need to be paid because grandfathering policies were not uniformly enforced across China. More detailed information around how grandfathered or historical social compensation fees are calculated is limited, considering the relatively low number of recorded instances. National laws do not set out a fee schedule that applies to all localities, but the Fujian Family Planning Office told DFAT in 2018 that social compensation fees were set at the prior year's average annual disposable income at county level, or 200 to 300 per cent of the individual's prior yearly salary (disposable income), whichever was greater.

3.213 DFAT assesses people with 'out of plan children' face a low risk of official discrimination in the form of inequitable access to education, healthcare benefits and employment with state-owned enterprises. DFAT assesses that those with children born out of plan face no risk of societal discrimination.

Children

3.214 Article 49 of the Constitution provides for state protection of children and prohibits maltreatment. The primary law protecting child rights, the *Law on the Protection of Minors* (2007), establishes that minors are defined as citizens less than 18 years old, and outlines the responsibilities of families, schools, and the government with regard to the protection of children's rights, and judicial protection.

3.215 China has signed and ratified the *UN Convention on the Rights of the Child*; *Optional Protocol to the Convention on Rights of Child on Sale of Children, Child Prostitution and Child Pornography*; *International Covenant on Economic, Social and Cultural Rights*; *Convention on the Elimination of All Forms of Discrimination Against Women*; *Worst Forms of Child Labor Convention*; and *The Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption*. However, China made a reservation to Article 6 of the *Convention on the Rights of the Child* on the inherent right to life, stating it shall fulfil its obligation provided by this article under the prerequisite of planned birth provided by Article 25 of the Constitution.

3.216 Physical abuse of children is grounds for criminal prosecution under the *Family Violence Law* (2016). Although banned under the law, corporal punishment was still common in China in 2023 and viewed by many as an important tool for parenting, according to local media. The age of criminal responsibility in China is 14 years of age for murder and capital offences, and 16 for lighter offences. Children cannot not be charged with the death penalty. The *Minors Protection Law* (amended 2020) requires the judiciary to protect minors' legal rights during judicial proceedings.

3.217 The minimum age for consensual sex is 14 years. According to *Sixth Tone*, a Chinese local media outlet, 290,000 individuals were charged with crimes against minors between 2018 and 2023, of which 45 per cent were prosecuted for sexual offences such as rape and child molestation. 41 per cent of those prosecuted were given a prison sentence longer than three years, 24 per cent higher than that for criminals overall. In addition, 700 people who failed to report crimes against minors were punished.

3.218 Article 15 of the *Labor Law* (1994) prohibits an employer from recruiting minors under the age of 16, with exception made for institutions of literature, art, physical culture, and special crafts, which may recruit minors through investigation and approval of the government authorities, and must guarantee the minors' rights to compulsory education. According to the ILO, China had not published nor submitted official statistics on child labour and no cases of child labour found by the labour inspectorate had been reported to the ILO. According to the 2023 US Department of State *China Human Rights Report*, where there were reports of child labour in the private sector, the government reportedly enforced the law.

3.219 DFAT assesses children in China do not generally face official discrimination. DFAT assesses children in China generally do not face societal discrimination. State protection is available to children experiencing family

violence, however it may not always be effective. For children born out of plan, see [People affected by family planning policies](#).

People who owe money to loan sharks

3.220 Usury has a long history in China. According to a 2020 article in the *South China Morning Post*, ‘demand for private loans’ remained strong. This was largely due to small businesses being unable to access enough credit from large banks. Loan sharks are known by different names such as ‘private finance companies’ and were more likely to be active in poorer, rural areas. Current information regarding loan sharks, including how they operate and are defined, was limited in 2023-24.

3.221 Protection is available to debtors, as ‘usurious loans’ are prohibited under China’s *Civil Code* (2020). The *Civil Code* (2020) does not define usurious interest rates, although courts have capped interest rates at four times the official rate. China’s official one-year loan prime rate was 3.35 per cent as at 20 September 2024. International media reported that formal credit agencies including banks and peer-to-peer internet lenders could consolidate debts and provide payment plans, and therefore engaging such agencies was an option to mitigate against potential risks posed to those in debt. International media reports from 2016 stated that those unable to service debts to loan sharks, and their family members, could face some familial shame.

3.222 Loan shark operations have been large-scale, but were matched by equally large-scale police operations. In 2019, 253 suspects from a loan shark operation were arrested in a campaign against loan sharks in Lanzhou, Gansu Province. The operation had over 1,300 mobile phone applications and websites to facilitate usurious moneylending. The government reported that 41,000 suspects were detained in 2021, although it was not clear if this was only during the recent crackdown, or if it included prior arrests.

3.223 DFAT assesses state protection is available to those that owe money to loan sharks. DFAT assesses that those who owe money to loan sharks face a low risk of physical violence from loan sharks.

People with Disabilities

3.224 China is home to 85 million people with disabilities, or approximately six per cent of the total population, according to the 2023 UN Partnership on the Rights of Persons with Disabilities’ (UN PRPD) report on the *Situation Analysis of the Rights of Persons with Disabilities in China*. China ratified the *UN Convention on the Rights of People with Disabilities* in 2008. China’s current disability determination system does not align with the *Convention on the Rights of Persons with Disabilities’* social model definition of disability, or the WHO classification system. In China, people with disabilities are defined as individuals who ‘suffer from abnormalities or loss of a certain organ or function, psychologically or physiologically, or in anatomical structure, and has lost wholly or in part the ability to perform an activity in the way considered normal’. People with disabilities in China refers to those living with ‘visual, hearing, speech or physical disabilities, intellectual disabilities, psychiatric disabilities, multiple disabilities, and other disabilities’.

3.225 The Government of China has enacted a range of legislation aimed at improving the living conditions and social status of people with disabilities, and general principles on protection are enshrined in the Constitution. The *Law on the Protection of Disabled Persons* (1991) legally safeguards the rights of people with disabilities and addresses issues of rehabilitation, education, employment, cultural life, welfare, access, and legal liability. The *Law on the Protection of Disabled Persons* (1991) was amended in 2008 to improve access to stable financial support, medical care and rehabilitation, along with favourable jobs and tax policies for those living with disabilities. The *Education Regulation* (1994) and *Employment Regulation* (2007) for people with disabilities aim to promote ‘equality, participation and sharing’, as well as a prohibition on discrimination. According to the UN-PRPD, China did not have a general anti-discrimination framework or legislation in 2023,

although disability related laws were ‘against disability-based discrimination’ in principle. China’s laws and policies did not have a clear definition of disability-based discrimination, making it difficult for judicial determination of discrimination.

3.226 The Government of China operates a quota system that requires all public and private employers to reserve no less than 1.5 per cent of job opportunities for people with disabilities, in accordance with specific regulations established by local provincial governments. However, according to UN-PRPD, the lack of reasonable accommodations - adjustments made to accommodate individuals based on proven needs - in processes, restrictions posed by mandatory public servant medical examinations, tokenization of government employment quota, preference for people with less severe disabilities, discriminatory social attitudes, and inadequate access to equal education, all contributed to the low rate of participation of people with disabilities in 2023. Many people with disabilities were financially insecure, disadvantaged and lived below the poverty line in 2023.

3.227 In-country sources told DFAT in 2023 that the situation for people with disabilities had significantly improved over the past decade, and access to essential services was better than it ever has been. Medical services for people with disabilities varied by region because they were controlled by local governments, meaning that urban areas had better services than found in rural and remote areas (see also [Health](#)). Quasi-government bodies provided medical and vocational rehabilitation, day care, social work, assistive technology, and other services for people with disabilities in local communities. As at June 2020, China had more than 7,800 officially registered organisations that provided these services and supports in the disability field. Due to the variety and decentralization of services, the general number of service providers to persons with disabilities ratio was unknown.

3.228 People with disabilities in poorer or more remote, rural areas face greater barriers accessing relevant services, which are further exacerbated by inadequate facilities, limited transport options, lack of availability of suitable programs and the lower skill level of primary caregivers. Those in Tier-1 (Beijing, Shanghai, Guangzhou, and Shenzhen) and Tier-2 (next most developed) cities usually had comparatively better access to services, but could still experience some barriers.

3.229 Physical mobility is often a challenge, as ramps, tactile paving, audible aids in public infrastructure and other assistance for people with disabilities are not common in China, in both urban and rural areas. Accessible toilets, lifts and other infrastructure are also much less common. Crossing roads for pedestrians can be difficult even for the able-bodied but especially difficult or impossible for some groups of people with disabilities. On 1 September 2023, the *Law on Construction of Barrier-Free Environments* (2023) came into effect, which provides standards for the construction of barrier-free facility residential and public buildings, renovating existing structures with accessible facilities, and public transportation vehicles to meet barrier-free standards.

3.230 Traditionally, a [child](#) with a disabilities was considered bad luck in Chinese culture, causing social stigma. The cultural belief that disability was somehow linked to wrongdoing in the past, or a bad omen, was perceived to reflect badly on the parents, often resulting in the child being kept hidden. According to local media, attitudes towards people with disabilities have improved. For example, a 2017 article in *Sixth Tone* noted that while the traditional view of disability was something to be ‘overcome’ or ‘pitied,’ it assessed attitudes were changing towards the normalisation of disability. A 2022 *BBC* article quoted a wheelchair user with spinal muscular atrophy who said that growing up (in the early 2000s), people were more ‘curious’ about her condition than they were discriminatory, and noted increasing visibility of people using wheelchairs, at least in large cities like Beijing.

3.231 According to 2023 reporting from UN-PRPD, women and youth with disabilities faced higher risks of sexual violence, forced abortion, contraception and sterilisation, financial and other forms of control. Rural women with disabilities also reported higher incidents of domestic violence (21 per cent) than women with disabilities in general (19 per cent).

3.232 Historically, increased visibility and accessibility for people with disabilities in public spaces had been largely driven by CSOs. As noted in the section on [Civil Society](#), restrictions on these organisations had increased under President Xi and some disability activists reported they were concerned that progress may slow as a result. In 2023, the UN PRPD stated that the *Law on Administration of Activities of Overseas Nongovernmental Organisations* (2016) significantly increased the threshold and administrative costs for international NGOs to operate in China and restricted their funding for CSOs, leaving the sector primarily in the hands of 'government-procured service providers'. International media reported in 2022 although CSOs that supported people with disabilities were more likely to be tolerated because they were seen as charitable, it was impossible to criticise a lack of accessible infrastructure without criticising the government, which was considered sensitive (see [Political Opinion](#)). While the topic of disability itself may not be intrinsically sensitive, political advocacy aimed at progress the rights of people with disabilities could be viewed by authorities as sensitive in 2023. This limited opportunities for CSOs to influence policy and encourage reform, slowing progress.

3.233 DFAT assesses people with disabilities face a moderate risk of official discrimination in the form of inequitable access to education and appropriate social services. DFAT assesses people with disabilities face a moderate risk of societal discrimination in the form of denial of employment, failure of employers to provide reasonable adjustments in the workplace, and exclusion from community life. The frequency and severity of societal discrimination, especially exclusion from community life, would depend upon location, with individuals and families in rural areas or smaller cities facing a higher risk of societal discrimination than those in urban areas.

Neurodivergence

3.234 Neurodivergence – including, but not limited to Attention Deficit Hyperactivity Disorder (ADHD) and Autism Spectrum Disorder (ASD) – was reportedly common in China in 2023, although poorly understood at the societal level and often went undiagnosed and untreated. Those whose behaviour deviated from mainstream norms and cultural expectations were more likely to experience discrimination in China as a result.

3.235 The *Regulations of Education of Persons with Disabilities* (2017) affirms that mainstream education is the preferred method for students with disabilities. The *Regulations of Education of Persons with Disabilities* (2017) requires children with disabilities to be evaluated by a quasi-governmental Expert Committee on the Education of Persons with Disabilities, which places children in schools according to their 'physical conditions and ability to be educated and adapt to [mainstream] schools'. However, the UN PRPD reported in 2023 that access to compulsory education was still uneven. In remote and rural areas, students with disabilities received lower levels of education, less access to special education teachers, and other support services necessary for education. Students who learned in mainstream classes lacked quality education, as teachers did not have special education capacity. Mainstream schools that did have special education resource centres tended to prioritise facilities and equipment, while downplaying the role of specialised staff. For home schooling, students with multiple or severe disabilities, including people with autism and cerebral palsy, faced significant barriers in obtaining quality education.

3.336 International academics report that Chinese parents may sometimes believe ADHD-related behaviour is intentional and become stricter with their children to manage it instead of seeking treatment. A 2021 article in *Sixth Tone* reported that parents organised a protest in Shanghai demanding the expulsion of a 'naughty child', who was a 7-year-old with ADHD. *Sixth Tone* noted that these kinds of conflicts were becoming increasingly common in Chinese society. Considering the strong focus of many parents on [education](#) as a means of socio-economic mobility, distraction from learning was not tolerated.

3.337 ASD is not widely understood in China. Some parents have attempted unproven and possibly dangerous 'cures' or implemented strict discipline to encourage their children to act 'normally'. Specialist

education services for children with ASD were uncommon in 2023, although some did exist, most of which were in wealthier, urban areas. A 2022 study on the experience of stigma for Chinese parents of children with ASD published in the *Scientific Reports* journal reported that societal stigma associated with ASD was widespread, with parents often blamed for ‘poor parenting’ of their child if they displayed ‘inappropriate behaviour’. Children, too, sometimes ostracised their neurodivergent peers. The 2022 study in *Scientific Reports* journal found that parents often reported that their children living with ASD were bullied and rejected by classmates at schools because they showed ‘odd behaviours’ and did not speak or look at others.

3.338 Neurodivergent adults can also face difficulties. According to an April 2023 article in the *South China Morning Post*, neurodivergence in adults was generally underdiagnosed in China. In 2023, it could be difficult to find doctors who specialised in working with those living with ADHD and ASD. A 2020 study on public knowledge and stigma of ASD in China published in the *Autism Journal* reported that 38 per cent of the individuals sampled indicated that they endorsed ASD stigma. The study also found that knowledge of ASD was low, with many displaying misconceptions about ASD related to symptoms, causes, and possible long-term outcomes.

3.339 DFAT assesses that people who identify as neurodivergent, those diagnosed with ASD and/or ADHD or any other mental health condition considered neurodivergent, face a moderate risk of official discrimination in the form of inequitable access to education and appropriate social services, and a moderate risk of societal discrimination in the form of exclusion from community life. The frequency and severity of exclusions from community life are likely to be worse in rural areas or smaller cities, than faced in urban areas.

4. COMPLEMENTARY PROTECTION CLAIMS

ARBITRARY DEPRIVATION OF LIFE

Extrajudicial killings

4.1 Extrajudicial killings occur when individuals are deliberately killed outside of any legal framework. Police and security forces have used lethal force against [protesters](#) in the past, notably at Tiananmen Square in 1989, during the social unrest in [Tibet](#) in 2008, and in [Xinjiang](#) in 2009 and 2014.

4.2 The use of force is disputed by China's authorities and information about incidents is tightly controlled. According to the 2023 US Department of State *China Human Rights Report*, there were credible reports of arbitrary or unlawful killings by the government or its agents, but in many instances few or no details were available. The Government of China often announced investigations following cases of reported killings by police but did not announce results or findings of police malfeasance or disciplinary action afterward.

Enforced or involuntary disappearances

4.3 Enforced disappearances occur when individuals are deprived of liberty against their will with the involvement of government officials (at least by acquiescence), which includes a refusal to acknowledge the deprivation of liberty or concealment of the fate or whereabouts of the disappeared person. The 2023 US Department of State *China Human Rights Report* stated that disappearances through multiple means continued at a nationwide, systemic scale, with the primary means through which authorities disappeared individuals known as Residential Surveillance at a Designated Location ([RSDL](#)). UN human rights experts have consistently stated that RSDL was 'not compatible with international human rights law', and as a form of enforced disappearance, RSDL allowed authorities to circumvent ordinary processes provided for by the criminal law, and detain individuals in an undisclosed location for up to six months, without trial or access to a lawyer, putting individuals at 'heightened risk of torture, inhuman or degrading treatment or punishment'.

4.4 According to the 2023 US Department of State *China Human Rights Report*, there were numerous reports that individuals disappeared by [RSDL](#) were subject to physical and psychological abuse, humiliation, rape, [torture](#), starvation, isolation, and forced confessions. While official data was limited, INGO Safeguard Defenders estimated that between 55,977 and 113,407 people were placed into RSDL (and later faced trial) from 2015 to 2021. The dataset only included cases that made it to trial and received a verdict, meaning that actual figures were likely higher. For information about this kind of detention, see [Arbitrary Arrest and Detention](#).

4.5 For information on detention camps in Xinjiang and associated enforced disappearance, see [Uyghurs](#).

Deaths in custody

4.6 Deaths in custody have occurred in China. These deaths often resulted from poor prison conditions, including the use of violence by prison staff. According to the 2023 US Department of State *China Human Rights Report*, authorities considered information regarding prisons and various other types of administrative and extrajudicial detention facilities to be a state secret, and did not permit independent monitoring. There was no officially reported data regarding the prevalence of causes and manners of custodial deaths in China (see [Detention and Prison](#)).

4.7 Human rights groups and media have reported on a number of deaths in custody in recent years. For example, [Tibetan](#) Buddhist monk Geshe Phende Gyaltsen died in police custody in 2023, reportedly under [torture](#). International media reported in 2023 that authorities had kept his body away from his family and the public, so last rites were unable to be performed. In 2021, [Tibetan](#) Buddhist monk Tenzin Nyima died after injuries sustained from beatings and [torture](#) in a prison in Sichuan Province's Kardze prefecture. Human Rights Watch reported in 2021 that Tenzin Nyima had been detained in August 2020 for distributing leaflets and calling for Tibetan independence. The deaths in custody of [Uyghurs](#) Nurmuhhammad Tohti, Abdusemet Rozi and Aytursun Eli have also been reported on in the international media.

4.8 In July 2019, Wang Meiyu was detained after he stood outside the Hunan provincial police department holding a sign that called on President Xi and Premier Li Keqiang to resign and implement universal suffrage in China. International media reported that Wang was later charged with 'picking quarrels and provoking trouble' and he died in police custody in September 2019. According to Minsheng Guancha, a Chinese human rights group, witnesses who saw Wang's body stated he was bleeding from his eyes, mouth, ears and nose and there were bruises on his face. Wang's family told international media in 2019 that they had been placed under house arrest and offered compensation of more than 2 million yuan (about AUD 416,400). Armed police subsequently detained [human rights lawyers](#) and [activists](#) examining Wang's case in 2019.

4.9 In March 2019, UN experts called for a comprehensive and independent investigation into the death in custody of Cao Shunli, a [human rights defender](#) who was reportedly [tortured](#), suffered ill-treatment, and was not provided access to medical care by authorities. On 14 March 2024, eighteen human rights organisations hosted a reception on Geneva's Place des Nations, opposite the United Nations headquarters, to honour the life and work of Cao and to stand in solidarity with all activists seeking to uphold and defend human rights and freedoms in China.

DEATH PENALTY

4.10 China is the world's most prolific user of the death penalty according to Amnesty International. China treats figures on the death penalty as a state secret, and it was not possible to verify the numbers of executions. DFAT understands that thousands of people are executed in China every year.

4.11 The majority of death sentences are handed down for murder and drug offences according to Amnesty International. The death penalty is listed as a punishment for dozens of crimes under China's laws, including espionage, financial crimes, corruption, forgery and drug offences. China's laws use vague terms to describe the 'seriousness' of a crime such as 'especially serious or 'relatively large amounts' in order to determine punishments, including the death penalty. In-country sources told DFAT in 2023 that authorities find it more difficult to secure a death penalty conviction in some provinces rather than others, although did not specify specific provinces.

4.12 The last reduction to the imposition of the death penalty was in 2015, where the ninth amendment to the *Criminal Law* reduced the number of crimes eligible for the death penalty by nine. Subsequent amendments to the *Criminal Law* (2021) have not made any further reductions to eligible offences. In June

2024, legal and law enforcement authorities in China issued a joint set of guidelines on punishing ‘Taiwan independence’ activities that stipulated that those who commit the crime of ‘splitting the state’ could be subject to the death penalty under particularly serious circumstances (see also [Political Opinion](#)). Pregnant women (who are pregnant at the time of sentence) and people under 18 years are not subject to the death penalty.

4.13 Government appointed lawyers are available for people facing the death penalty. However, the effectiveness of these lawyers is often constrained by overwork, lack of access to evidence, and a lack of relevant skills and experience.

4.14 All death sentences imposed by an Intermediate People’s Court (a prefectural or municipal level court) are reviewed by a higher court as a matter of law. The Supreme People’s Court hears all final appeals and sometimes overturns death penalty cases. There is no formal clemency process in China.

4.15 Under China’s *Criminal Procedure Law* (2018) the death penalty is applied in two forms, with immediate effect (non-suspended death sentence) or with a two-year probationary period (suspended death sentence). A non-suspended death sentence can be appealed, and is also subject to final approval by the Supreme People’s Court before it can be carried out (see also [Judiciary](#)). A suspended death sentence may be commuted to life imprisonment or 25 years at the end of the probationary period, under certain circumstances. In-country sources told DFAT in 2023 that those who are sentenced to suspended death sentences often had their sentences commuted to life in [prison](#).

TORTURE

4.16 China’s Supreme People’s Court officially banned evidence and testimony obtained through torture and illegal methods in 2013, including where individuals suffered extreme temperatures, hunger, and fatigue. Nevertheless, torture is widely reported in custody. Former prisoners told international media in 2021 torture was used to extract forced confessions and that harsh prison and detention conditions amounted to torture (see [Detention and Prison](#)).

4.17 Former prisoners have reported experiencing beatings, sexual assault, electric shocks, stress positions (being forced to sit, for example, in a square painted on the ground or on a stool or a ‘tiger chair’, a form of chair-restraint, for long periods), sleep or food deprivation, verbal abuse, threats against family members, being hung by the wrists, and medical procedures or feeding without consent. Human rights groups have also reported extensively on widespread torture of Uyghurs in internment camps in Xinjiang (see [Uyghurs](#)).

ARBITRARY ARREST AND DETENTION

4.18 Arbitrary arrest and detention is commonly reported, especially in politically sensitive cases and in order to exercise political leverage (see also [Political opinion](#); [Groups of interest](#)). This may, in some instances, take the form of [enforced disappearance](#), with family and friends being unaware that a person had been taken into detention. Authorities often do not provide any official documentation to those who were arbitrarily arrested or detained.

4.19 [RSDL](#) is often used to detain activists, human rights lawyers, and government critics, as well as people accused of national security, terrorism crimes or serious corruption. RSDL is a form of pre-arrest and can be used to detain people for up to seven months before charges are laid or they are released.

4.20 The primary distinction between [RSDL](#) and ‘black jail’ (a type of secret, extra-legal detention facility that also exists in China) is that RSDL is a formal feature of China’s legal system, whereas other detention

facilities are not. RSDL usually occurs in custom fit-for-purpose facilities, private homes or hotels, whereas black jails are quasi-administrative holding centres used for petitioners and criminals.

4.21 ‘Administrative detention’ is imposed for crimes of a minor nature that are not serious enough to warrant criminal prosecution and punishment under the *Criminal Procedure Law* (2018) or *Criminal Law* (2021). It can involve compulsory drug rehabilitation, or ‘re-education’ for political or religious offences. Administrative detention can include detention in one’s home, an apartment rented by police, a hotel, or other ‘suitable’ premises. Administrative detention is imposed by public security organs at the local (county) government level. While there are various forms of administrative detention in China, all with different procedures and time-limits, the maximum period of administrative detention for any one act is 15 days. In-country sources told DFAT in 2023 that when multiple periods of administrative detention are imposed concurrently for several acts, the maximum period of detention is 20 days, but could be up to two years for drug users.

4.22 CCP members can be processed under disciplinary proceedings known as *liuzhi*, which may be viewed as arbitrary arrest and detention. *Liuzhi* replaced the old system of *shuanggui* in 2018 and has a strict focus on [corruption](#) as part of a wider corruption-fighting campaign instituted under President Xi. The 2020 US Department of State *China Human Rights Report* quoted a provincial official who said the average time spent in *liuzhi* was 42.5 days before detainees were transferred into the [criminal justice system](#).

4.23 Human rights group Safeguard Defenders published a report in January 2021 detailing the use of ‘non-release release’. According to that 2021 report, some ‘released’ prisoners were held ostensibly for COVID-19 quarantine purposes at home, in a privately rented apartment used specifically for that purpose or in a hotel. There were no provisions in China’s laws that allowed for this kind of detention.

4.24 Detainees under any of the processes outlined above can be denied access to lawyers on the basis that matters are related to ‘[state secrets](#)’. [Lawyers](#) themselves have been held in detention for representing [clients](#) who were involved in sensitive cases. In other cases, lawyers have had their registration revoked when taking on sensitive clients, limiting defendants access to legal representation as lawyers sometimes self-exclude themselves to avoid arrest. Lawyers may also be refused official permission to be present in criminal trials.

Criminal procedure

4.25 Arrests and charges are brought about very differently in China than in Australia, as police are reportedly unable to open a case until the prosecutor is confident there is a high chance of conviction. In-country sources told DFAT in 2023 that conviction rates exceeded 99 per cent at trial. Police were required to send a brief to the prosecutor before seeking formal permission to arrest, and only very clear-cut cases were generally approved, in part explaining the almost certain rates of conviction. Prosecutors could send a case back to investigating authorities if they deemed there was not enough evidence to justify arrest.

4.26 An ‘arrest’ must be approved by local prosecutors known as the People’s Procuratorate. Local Public Security Bureau (PSB) can detain a suspect for most crimes for 30 days, with a further seven days given to the People’s Procuratorate to decide whether to approve the arrest or not. In-country sources told DFAT in 2023 that charges were a different matter and they could take more than 13 months to be laid following the arrest. In cases of national security, [terror](#) or [corruption](#), a suspect could be held for six months without contact with the outside world before an ‘arrest’ was made (see also [Arbitrary arrest and detention](#)). While family members were legally required to be notified of an arrest, in practice, laws allows for this step to be omitted where it would hinder an investigation or where the alleged crime related to national security, terrorism or ‘major bribery’. Bail was theoretically available but rarely granted.

4.27 In 2013, China's Supreme People's Court officially banned evidence and testimony obtained through [torture](#) and illegal methods, including when individuals suffered extreme temperatures, hunger and fatigue. However, while evidence obtained under torture is legally inadmissible, according to testimony put forward at the Committee against Torture in 2015, it still occurred in some cases (see [Torture](#)). Following recent amendments to the *Criminal Procedure Law* (2018), interrogations in major criminal cases must be audio and video recorded. However, these protections do not apply in cases involving national security, which are investigated outside of China's criminal justice system. Defendants who admitted guilt may receive lower sentences. In-country sources told DFAT in 2023 that verdicts of guilt were rarely overturned on appeal.

4.28 It is possible for a person to be convicted of a crime in absentia and there is no need for them to be in the court room physically. This applies to [corruption](#), bribery and cases 'seriously' endangering national security. Considering the wording and the inconsistent use of charges against criminals, it is difficult to describe the profile of a person who would be charged in absentia. DFAT understands that being convicted of a crime in absentia was not common practice in 2023 but was aware of cases where it had occurred.

4.29 For more information on the court system, see [Judiciary](#).

5. OTHER CONSIDERATIONS

STATE PROTECTION

Police

5.1 The Ministry of Public Security oversees the police force, which is organised into specialised police agencies and local, county, and provincial jurisdictions. These agencies are often collectively and individually called the local PSB. The People's Armed Police (PAP) is a paramilitary force organised under the People's Liberation Army (PLA) responsible for internal security and stability (such as combatting riots and terrorism, but also domestic monitoring of perceived security threats), maritime security and support of the PLA. The PAP is active in [Tibet](#), [Xinjiang](#) and elsewhere. Regular police generally do not carry firearms and gun crime is rare in China.

5.2 Police maintain public order and social stability, which are overriding priorities for the CCP. Loyalty to the CCP is important among police ranks, as it is in all government positions. Police, including at lower levels, can be investigated for threats to domestic stability and Party legitimacy, like [corruption](#) and loyalty offences.

5.3 Police carry out day-to-day crime fighting activities and investigate crimes. Day-to-day crime rates were low in China in 2023, but crime did occur. In -country sources told DFAT in 2023 that police investigated thoroughly and prosecuted alleged criminals.

5.4 Police are subject to little oversight and can issue their own warrants without the involvement of a court, ignoring regulations where they determine it is required. According to the 2023 US Department of State *China Human Rights Report*, while investigations into police killings were often announced, the findings of those investigations were not regularly released. Freedom House's 2023 *Freedom in the World* report described police impunity in China as 'the norm'.

5.5 Police have access to enormous amounts of data and other evidence. In 2023, [social media](#) was monitored and closed-circuit television cameras were prolific across China. Police also used biometric driven AI as a crime fighting or targeting tool.

5.6 For information related to criminal procedure, see [Arbitrary Arrest and Detention](#).

Judiciary

5.7 China's courts do not accord with Australian standards on issues such as rule of law, separation of powers and judicial independence. The CCP and non-judicial authorities often exercise direct influence in individual cases through Political-Legal Committees at each level of government. These Committees supervise and direct the work of courts and other legal institutions. Political-Legal Committees focus mostly on matters related to politics and political opinion, but can also influence verdicts and outcomes, especially when the case is sensitive or important. Lower-level courts are subject to interference by government officials, often reducing confidence in outcomes and expectations of fairness.

5.8 Under China's court hierarchy, the Supreme People's Court is the highest court and the court of final appeal. The Supreme People's Court has circuits in various cities. High People's Courts are established at provincial level and sit alongside special courts set up for special purposes, including military courts. Below these are Intermediate People's Courts and Basic People's Courts that are established at provincial and county levels respectively. Basic People's Courts may also send tribunals to townships to act on their behalf.

5.9 China does not have a jury system like in Australia and other common law countries. Laws provide for lay assessors, called 'people's assessors', who can form part of a collegiate panel of three to decide cases alongside professional judges. Trials are conducted through an inquisitorial system, in which both judges and assessors play an active part in the questioning of all witnesses. This contrasts with the adversarial system, in which the judge is meant to be an impartial referee between two contending attorneys.

5.10 A criminal trial typically consists of five parts: the court-opening session (*xuan bu kai ting*); court investigation (*fa ting diao cha*); court debate (*fa ting bian lun*); final statement(s) of defendant(s); and the judgment pronouncement. Under the *Criminal Procedure Law* (2018), the court generally has two to six months, from the date a case is transferred to the court, to hold court hearings and issue an initial judgment. The judgment, including sentencing, is normally pronounced during a final court hearing held specifically for this purpose. An aggrieved party can then appeal to the next higher court.

5.11 For more specific information on criminal courts and procedure, see [Criminal procedure](#).

Detention and prison

5.12 Former prisoners reported to human rights organisations and the international media in 2021-23 of their experiences being tortured in custody, including accusations of beatings, sexual assault, electric shocks, stress positions (being forced to sit, for example, in a square painted on the ground or on a stool or a 'tiger chair' for long periods), sleep or food deprivation, verbal abuse, threats against family members, being hung by wrists and medical procedures or feeding without consent (see also [Torture](#)).

Prison

5.13 Prison conditions vary significantly across the country, although in-country sources told DFAT in 2023 that conditions were generally 'poor'. The 2023 US Department of State *China Human Rights Report* described prison conditions in general as 'harsh and often life threatening or degrading'. China's *Prison Law* (1994) states that 'wards of a prison shall be firm, ventilated, possible for the natural light to come in, clean and warm' and there must be adequate medical, living and sanitary facilities. A lack of independent monitoring and access made it difficult to detail the current state of prisons, however, in-country sources told DFAT in 2023 that conditions were often better than those of detention centres.

5.14 In-country sources told DFAT in 2023 that prisoners were segregated by gender, with six to eight allocated to a cell. All prisoners, regardless of the type of crime they were convicted of, were put in the same type of cell, with solitary confinement rarely used. Conditions could be crowded. Prisoners had their own beds and regular access to exercise in fenced-in courtyards. Prisoners generally had access to shower facilities, television, telephone calls, and family visits once a month. According to in-country sources, conditions in women's prisons were generally better than men's prisons in 2023 and they tended to have more [psychosocial support services](#). Individuals held on [sensitive political activity grounds](#) or convicted of murder were likely to experience significantly worse treatment than other prisoners, including being placed in shackles and leg irons for long periods of time.

5.15 Meals were served regularly, although nutritional quality was poor in 2023 according to in-country sources. Diets were generally low in fibre and fresh vegetables were not readily available in 2023. Relatives

could provide supplemental food, and prisoners could purchase items including meat, milk powder, fruit, and snacks. Additional food was often provided by prison authorities on 'special' holidays. In-country sources told DFAT in 2023 that if conflict occurred among cellmates, punishment often included the forfeiture of food. Those with specific religious or cultural beliefs were sometimes able to access food related to their specific dietary needs through delivered supplemental food, however, this was unlikely to be the case for political 'dissidents' and Uyghurs according to the 2022 US Department of State *China Human Rights Report* (see also [Human rights defenders](#), [Religion](#), [Uyghurs](#)).

5.16 Medical facilities varied by prison, but all prisons had a hospital wing in 2023. Health checks were carried out on a regular basis for basic measures, sometimes weekly. In-country sources told DFAT in 2023 that more thorough medical checks occurred every few months, however, the results were not shared with prisoners. Prisoners living with [HIV or AIDS](#) had access to treatment and medications and were not placed with the general prison population. According to in-country sources, there were reports of prisoners being refused [medical treatment](#), but this was reportedly rare in 2023. According to the 2022 US Department of State *China Human Rights Report*, political and religious prisoners were subjected to involuntary [mental health](#) treatment or incarceration on mental health grounds.

5.17 Prisoners, except for those convicted of murder, were provided with the opportunity to work. In-country sources told DFAT in 2023 that prisons operated a merit points system, whereby work (for example making circuitry, e-cigarettes, or stitching garments) could be performed to earn points to reduce sentences, to pay off fines or for supplementary food supplies. Working conditions were generally poor. International media reported in 2022-23 that prisons in China relied on income from commercial manufacturing contracts for funding purposes. *The Diplomat* interviewed former prisoners for a report in January 2022, who stated that if you refused to work, you would become a 'target for abuse' from authorities, lose privileges such as prison shopping and family telephone calls, and not be considered for sentence reduction or early release. A former prisoner reported in May 2023 that he had been forced, along with hundreds of other prisoners at Chishan Prison in Hunan Province, to work 13 hours a day, seven days a week producing garments. 2018 reporting from the *Financial Times* stated that prisoners were forced to make handbags in Guangxi Zhuang Autonomous Region, wreaths in Jilin Province, as well as wiring and garlic production in Shandong Province. Human rights organisations and the international media also reported in 2023 on interned [Uyghurs](#) in Xinjiang forced to labour on cotton farms and in textile factories, as well as seafood production.

Detention

5.18 In-country sources told DFAT in 2023 that conditions in administrative and pre-trial detention facilities varied by location across China, but were typically harsh, and often worse than in prisons. Pre-trial detention was highly controlled, and there were no opportunities to work to reduce sentences or for family visitation. See [Arbitrary Arrest and Detention](#) for distinctions between types of detention.

5.19 Cells in pre-trial detention were generally 12 metres long and five metres deep, holding 14 to 20 detainees, according to in-country sources in 2023. Cells had running water and a toilet, but detainees did not have individual beds and slept on one lone shared wooden plank. Detainees were not permitted to leave cells except to meet with investigating and procuratorate officials, lawyers, and consular officials. Detainees may exercise in a small fenced-in courtyard just outside of the cell with a skylight. Meals were delivered to cells three times a day, and detainees were permitted to purchase a limited range of additional food, clothes, and personal hygiene items. Detention centres had on-site doctors, but limited capacity for treating non-routine or complex medical problems.

5.20 In pre-trial detention, cells were under 24-hour video surveillance, and bright, fluorescent lights were generally switched on 24 hours a day. In-country sources told DFAT in 2023 of violence and mistreatment in detention centres, with detainees alleging 'psychological torture' because authorities had restricted their

movement and ability to sleep by shackling them, forcing them to sit on hard surfaces for hours at a time and never turning off lights during extended interrogations.

5.21 As in the prison system, national detention centre regulations required detainees sentenced to a non-suspended death penalty to be shackled with a view ‘to prevent self-harm’. Detainees subjected to shackling wore restraints fixed to an anchor point in the cell at all times, and required assistance from other detainees for toileting and washing themselves. Death row inmates were often held in detention centres rather than prisons and thus alongside pre-trial detainees.

5.22 Family visits were technically possible in detention after all judicial proceedings have been finalised and the defendant was sentenced. However, in-country sources told DFAT in 2023 that family visits to detainees were not always permitted, and in most cases families had to wait until the defendant had been transferred to a [prison](#) and completed their mandatory one-month induction process before they could visit.

5.23 Conditions in the *liuzhi* system for discipline of CCP members were also very harsh. Detainees were subjected to extended solitary confinement, sleep deprivation, beatings, and stress positions for hours or days at a time, according to the 2023 US Department of State *China Human Rights Report*.

5.24 Conditions in [RSDL](#) differed from facility to facility and were often harsh with detainees subject to isolation; sleep deprivation; pressure to sign coerced confessions; intimidation; sustained interrogation; lack of mental stimulation, natural light, and fresh air; and denial of access to legal counsel and family visits. In-country sources told DFAT in 2023 that RSDL enabled authorities to detain individuals for periods up to seven months without formal arrest or charge.

INTERNAL RELOCATION

5.25 Internal migration has been a key feature of China’s economic and social life for decades, with migration to cities in the wealthy eastern provinces particularly prevalent. A 2020 US Department of State estimate suggested that 28 million people lived in a place other than where their [hukou](#) residence was registered with a local government. In 2023 there were no legal impediments to relocation, but the [hukou](#) system sometimes may have limited freedom of movement in practice.

5.26 As Mandarin is spoken throughout China, DFAT assesses Han Chinese face little difficulty in resettling to different parts of the country. It may be more difficult for ethnic minorities, especially those who natively speak different dialects or languages, as well as people with disabilities to resettle to other areas of China (see also [Race/Nationality; People with disabilities](#)).

TREATMENT OF RETURNEES

5.27 In-country sources told DFAT in 2023 that failed asylum seekers returned to China were not specifically targeted by authorities and did not face official discrimination merely for having sought asylum overseas. China’s authorities may be aware of the behaviour of asylum seekers while they were outside of China and know that applicants applied for asylum. See the relevant section of the report for information on treatment of specific [groups of interest](#).

5.28 Individuals wanted for outstanding warrants may still be charged upon their return to China. The general statute of limitations for crimes is five years (for a crime where the maximum penalty is up to five years in prison), 10 years (where the maximum penalty for a crime is five to 10 years in prison), 15 years (where the penalty for a crime is not less than 10 years in prison) and 20 years (where the maximum penalty is life in

prison or death). In practice, a person who fled from prosecution and then returned to China is likely to be arrested (see [Chinese nationals in Australia](#)).

Double jeopardy

5.29 Double jeopardy - being prosecuted for a crime for a which a person has already been tried - is legal in China under Article 10 of the *Criminal Law* (2021). In 2023-24, DFAT was aware of a very small number of reports of Chinese citizens who had murdered other Chinese citizens abroad being re-prosecuted upon return to China.

5.30 In-country sources told DFAT in 2024 that those convicted overseas were often exempt from re-trial, or handed out a 'mitigated punishment' based on the nature of the sentence already served abroad. In practice, the chance of a person who had been convicted overseas on drug charges being retried in China was 'close to zero' in 2023 according to in-country sources, based on factors including difficulties transferring international evidence and concerns for human welfare. In addition, international authorities were able to request an undertaking of 'no death penalty' against a person convicted of drug offences before agreeing to share evidential material with China.

5.31 DFAT assesses re-prosecution while possible, is unlikely unless the alleged crime relates to a [politically sensitive issue](#) or attracts significant (social) media attention.

DOCUMENTATION AND FRAUD

Exit and entry procedures

5.32 Exit and entry was strictly regulated in China in 2023, with the Government of China closely monitoring those passing through its air, land and seaports. AI, facial recognition software and biometric databases were employed to confirm passenger identities and check [identity documents](#) for fraud. According to a 2023 report by Safeguard Defenders, the number of exit controls, and subsequent prevention of leaving China, had expanded significantly under President Xi.

5.33 In-country sources told DFAT in 2023 that national security and outstanding debts were the primary reasons people were refused permission to leave the country. Individuals may only discover that they were on an 'exit ban' list at the airport when they attempted to travel. Once an exit ban was put in place, it often remained until it was officially removed, especially in cases where an individual was connected to an ongoing investigation. However, a person's exit ban may undergo review after a number of months. The way that the exit ban list worked was not clear in 2023 and bans often appeared arbitrary.

5.34 As at 1 July 2023, the exit ban system in China had been decentralised to the provinces, with national oversight removed to increase the use and effectiveness of the system. In-country sources told DFAT in 2023 that the grounds for implementing an exit ban were also being expanded, making the system more all-encompassing.

5.35 If a person is on an exit control list it is very unlikely, probably almost impossible, that they would be able to leave China. In 2023, DFAT had not seen evidence of compassionate exemptions being granted to individuals for family or health reasons. There was a legitimate risk that family members of an individual under investigation by China's authorities could be subject to an exit ban in 2023. This was not only for [sensitive charges](#), but also economic charges such as fraud and [corruption](#).

5.36 Those suspected of a crime, persons of interest on 'national security grounds', [activists and human rights defenders](#) may be refused a passport upon application. Members of certain ethnic minority groups,

including [Uyghurs](#) and [Tibetans](#), had often been denied passports, or had their passports confiscated by authorities or their employers, with a refusal to return them in 2023.

5.37 It was difficult or impossible to forge identity documents in 2023 suitable in practice to depart China, due to intensive use of technology and algorithms in immigration controls. Even if a human did inspect the document, an ordinary citizen would find it difficult to bribe border protection agents because of sensitivities to [corruption](#), and the professional and comparatively well-paid status of public security officials.

5.38 Exiting China by land outside of border crossings would be very difficult in 2023-24. The northern and far western borders were less policed but also much harder to cross due to very harsh geographic and climatic conditions. Border checks existed at Hong Kong and Macanese ports and land crossings. China had also fortified its borders for at least 1,000 kilometres along the country's southern border with Vietnam, Laos and Myanmar. However, DFAT was aware of a small number of political activists with exit bans who had still managed to cross land borders into neighbouring Southeast Asian countries through informal means. For example, international media reported in 2023 that human rights defender Lu Siwei was arrested in Laos after crossing into the country, and then forcibly repatriated to China. In another rare incidence, an activist with an exit ban reportedly travelled on water by jet ski over 300 kilometres from Shandong Province to the Republic of Korea in August 2023 to circumvent exit controls.

5.39 It is not possible for DFAT to assess accurately whether a given individual, based on their unique circumstances, would be prevented from leaving China. However, DFAT notes that exit bans are frequently employed by the Government of China on its citizens on the basis of [issues considered to be sensitive to the government](#) or in relation to [outstanding debts](#). DFAT assesses that the fact that a person was allowed to leave China would not be related to the possible risk of negative treatment were they to return, and any treatment could be influenced by government monitoring of activities while an individual is [overseas](#).

National identity cards

5.40 Chinese citizens over the age of 16 are required to apply for identification cards, while those under 16 years can voluntarily apply with the assistance of a guardian. The PSB issues and manages ID cards according to the *Resident Identity Cards Law* (2003). Cards are valid for five years for children under 16, 10 years for individuals aged between 16 and 25, 20 years for individuals between 26 and 45, and permanently for individuals aged 46 years or older.

5.41 Use of China's second-generation resident identity cards (RICs) became mandatory in 2013. RICs include the cardholder's name, sex (male or female only), ethnicity, date of birth, residential address, a unique 18-digit ID number and colour photograph. Embedded digital microchips in each card contain the same identifying information, as well as work history, educational background, religion, police record, medical insurance status, landlord's telephone number, and reproductive history. Cards issued in ethnic minority areas may contain corresponding text in the minority language. Han Chinese in ethnic minority autonomous regions only text listed in Mandarin.

5.42 In-country sources told DFAT in 2023 that second-generation cards were very difficult to counterfeit. Places such as banks, train stations and airports all have card readers. Valid ID cards are required for [hukou](#) registration, [employment](#), opening bank accounts, obtaining [passports](#) and drivers licences, applications for [tertiary study](#), travel by plane or train, marriages, and court matters. [Internet cafes](#) and some shops also required proof of identity.

Passports

5.43 Passport applicants must provide their [RIC](#), [hukou](#), recent photos, an application form and, if required, permission to enter and reside in the country to which they are intending to travel. Ordinary passports have the holder's name, sex, date and place of birth, date of issue, term of validity, place of issue and issuing authority.

5.44 The term of validity of an ordinary passport is 10 years (five years for a person aged under 16). Passport applications can be refused if a person is serving a [prison](#) sentence, is a defendant in a [criminal case](#), or is a [criminal suspect](#). According to Freedom House, the Government of China had refused passports to millions of people on these grounds as at 2023 - many of them [religious](#) and [political](#) dissidents - including [Uyghurs](#) and [Tibetans](#). China did not recognise dual citizenship as at 2023.

Prevalence of Fraud

5.45 Fraud in 2023 primarily targeted manipulation of online visa application systems according to in-country sources. Manipulated images (mainly ID numbers, place of residence and issuance locations) were often used to misrepresent residential locations to circumvent risk tools by reflecting lower risk source cities. Bank statements, [academic transcripts](#), proof of [employment](#) and other documents were much easier to create fraudulently than [passports](#) or [RICs](#). DFAT assesses that these types of [documents](#) were relatively easy to obtain and are in common circulation in 2023. As most applications for visas were made online, there continued to be opportunities to doctor copies of genuine documents, which could then be uploaded into the system.

5.46 DFAT assesses it would be almost impossible to depart China using a forged [passport](#). It is extremely difficult to use a fraudulent passport or [RIC](#) within China, considering the extensive databases readily accessible by officials to check and expose it. This does not mean that fraudulent passports or RICs are not available, but that they would only likely be presented once the applicant was outside of China.