

China - Human Rights Scorecard ¹

China, officially the People's Republic of China (PRC), is a sovereign state in East Asia. It is the world's most populous country, with a population of over 1.35 billion. The PRC is a one-party state governed by the Communist Party, with its seat of government in the capital city of Beijing. It exercises jurisdiction over 22 provinces; five autonomous regions; four direct-controlled municipalities (Beijing, Tianjin, Shanghai and Chongqing); two mostly self-governing special administrative regions (Hong Kong and Macau); and claims sovereignty over Taiwan.²

Official languages: Standard Chinese (Mandarin)

Ethnic groups: 91.5% Han; 1.30% Zhuang; 0.86% Manch; 0.79% Uyghur ; 0.79% Hui ; and other minorities

Government: Socialist one-party state

- President: Xi Jinping
- Premier: Li Keqiang

Death penalty: Retentionist.

Population: 1,376 billion

Life expectancy: 75.4 years

Under-5 mortality: 11 per 1000

Adult literacy: 96.4 percent



Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Largely disrespected ³

Security forces reportedly commit arbitrary or unlawful killings. Often following cases of killings by police, authorities announce that an investigation will be conducted; however, it remains unclear whether investigations result in findings of police malfeasance or disciplinary action.

Freedom from disappearance



Largely disrespected ⁴

There are multiple reports of individuals detained by authorities and held at undisclosed locations. Among others, Tenzin Lhundrup, an influential Tibetan monk who advocated for the preservation of Tibetan identity was arrested in May, and his whereabouts remain unknown.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Largely disrespected ⁵

There are numerous reports of prisoners and detainees being beaten, subjected to electric shock, deprived of sleep, and otherwise subjected to physical and psychological abuse. Prison authorities single out political and religious dissidents for particularly harsh treatment.

Freedom from arbitrary arrest or detention



Largely disrespected ⁶

Arbitrary arrest remains a serious problem. The law grants police broad administrative detention powers and the ability to detain individuals for extended periods without formal arrest or criminal charges. Many activists are detained in different types of facilities, including "black jails."⁷

Freedom from denial of fair public trial



Largely disrespected ⁸

Judges regularly receive instructions on how to rule on pending cases, from both the government and the Communist Party, particularly in politically sensitive cases. Corruption often influences court decisions, since safeguards against judicial corruption were vague and poorly enforced.

Freedom from arbitrary interference with privacy, family, home or correspondence



Largely disrespected ⁹

Despite the law, authorities often do not respect the privacy of citizens. Although the law requires warrants before law enforcement officials can search premises, officials frequently ignore this requirement. Cases of forced entry by police officers continue to be reported.

Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)¹⁰



Score: 73.07, Rank: 173 / 179 – Highly controlled, limited or intimidated¹¹

The law provides for freedom of speech and press, although authorities generally do not respect these rights. Authorities control print, broadcast, and electronic media tightly and use them to propagate government views and Communist Party ideology.

Freedom from academic censorship



Largely disrespected¹²

The government imposes restrictions on academic and artistic freedom and on political and social discourse at colleges, universities, and research institutes. President Xi recently called for greater “ideological guidance” in universities and urged the study of Marxism.

Freedom of peaceful assembly and association



Largely disrespected¹³

While the law provides for freedom of peaceful assembly, the government severely restricts this right. The law stipulates that such activities may not challenge “party leadership” or infringe upon the “interests of the state.” Authorities suppress demonstrations of dissenting political views.

Freedom of religion



Largely disrespected¹⁴

The government often restricts the activities and freedom of religious adherents when these are perceived to potentially threaten state or Communist Party interests. Only religious groups belonging to state-sanctioned “patriotic religious associations” can legally hold worship services.

Protection of refugees and stateless persons



Largely disrespected¹⁵

The law does not provide for the granting of refugee or asylum status, and the government did not establish a system for providing protection to refugees. Refugees therefore remain in the country as illegal immigrants unable to work, with no access to education, and subject to deportation.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{16 17}



6 / 7 – Not free¹⁸

President Xi displays a centralized and hands-on leadership style—as well as intolerance for dissent. Xi heads a growing list of coordinating bodies that give him direct supervision over policy areas including domestic security, economic reform, Internet management, and ethnic relations.

Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

Overall protection of political rights (*FreedomHouse Political Rights Index*)¹⁹



7 / 7 – Not free²⁰

While the law provides for elections, citizens cannot freely choose officials who govern them. In fact the Communist Party (CPP) controls virtually all elections as well as appointments to positions of political power.

Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²¹



Score: 37%, Rank: 83 / 168 – Highly corrupt²²

Corruption remains rampant, and many cases involve areas heavily regulated by the government. Court judgments often cannot be enforced against powerful special entities, including government departments, state-owned enterprises, military personnel, and some members of the CCP.

Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Largely disrespected²³

The government seeks to maintain control over civil society groups and NGOs, hinder their activities, and prevent the “Westernization” of the country. The government harasses independent NGOs and forbids them to monitor or comment on human rights conditions.

Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Rights of women (World Economic Forum Gender Gap Index)²⁴



Score: 68.3%, Rank: 87 / 142 – Very unequal rights²⁵

The law does not address spousal rape. Violence against women remains a significant problem. Intense pressure to meet birth-limitation targets result in cases of officials using physical coercion to meet government goals. Authorities often do not enforce laws protecting the rights of women.

Rights of Children (KidsRights Index Overall Score)²⁶



Score: 76%, Rank: 71 / 165 – Vulnerable²⁷

KidsRights Index gives a high score to China but fails to take into account some important violations of children’s rights: Female infanticide, sex-selective abortions, and the abandonment and neglect of baby girls remain problems due to the coercive birth-limitation policy.

Rights of persons with disabilities



Partially respected²⁸

The law protects the rights of disabled persons and prohibits discrimination, but conditions for such persons lag far behind legal dictates and failed to provide disabled people access to programs intended to assist them.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Largely disrespected²⁹

Minority groups have less access to education than their Han counterparts, and face job discrimination. Government development programs often disrupt traditional living patterns of minority groups and include, in some cases, the forced relocation of persons.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Largely disrespected^{30 31}

No laws criminalize private consensual same-sex activities between adults. However, due to societal discrimination, most LGBT persons refrain from publicly discussing their sexual orientation or gender identity. Activists continue to report discrimination and harassment from authorities.

Section 7: Workers’ Rights

Workers’ rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Largely disrespected³²

The law does not provide for freedom of association, and workers are not free to organize or join unions of their own choosing. Independent unions are illegal, workers are not free to organize, and the right to strike is not protected in the law.

Freedom from forced or compulsory labour



Largely disrespected³³

The law prohibits forced and compulsory labour, but there are reports of forced labour of adults and children. There are reports of employers withholding wages or requiring workers to deposit several months’ wages as security, which often makes them vulnerable to forced labour.

Freedom from forced labour for children, and a minimum age of employment



Largely disrespected³⁴

The law prohibits the employment of children under the age of 16. However, reports of child labour persisted in areas suffering from labour shortages. Child labour is documented in agriculture, light manufacturing, brick making, and the service sector.

Right to acceptable conditions of work



Largely disrespected³⁵

Compliance with labour laws is weak, and standards are regularly violated. Excessive overtime occurs, often to counterbalance low base wages. Inadequately enforced labour laws, and occupational health and safety laws continue to put workers' livelihoods, health, and safety at risk.

Right to employment



4.6% - High unemployment³⁶

While the official unemployment rate in China is 4.6%, the National Bureau of Economic Research claims China's real unemployment rate is much higher than that. Their study estimates that the actual unemployment rate averages nearly 11 percent.³⁷

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death sentences and executions in 2013." Amnesty International. March 24, 2014. Accessed March 15, 2016.

³ "Country Reports on Human Rights Practices for 2014 China." U.S Department of State. January 1, 2014. Accessed March 15, 2016.
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

⁴ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁵ Ibid. U.S Department of State.

⁶ Ibid. U.S Department of State.

⁷ "Black jails are a network of extralegal detention centers established by Chinese security forces and private security companies across the PRC in recent years. They are used mainly to detain, without trial, petitioners who travel to seek redress for grievances unresolved at the local level." (Wikipedia)

⁸ Ibid. U.S Department of State.

⁹ Ibid. U.S Department of State.

¹⁰ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.
~~The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 179 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (25 countries), Largely free, diverse and independent; 15 – 24.99 (29 countries), Mostly free, diverse and independent; 25 – 29.99 (32 countries), Partially free, diverse and independent; 30 – 39.99 (49 countries), Partially controlled, limited or intimidated; 40 & higher (42 countries), Highly controlled, limited or intimidated.~~

¹¹ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed March 15, 2016.
<http://rsf.org/index2014/en-index2014.php>.

¹² "Country Reports on Human Rights Practices for 2014 China." U.S Department of State. January 1, 2014. Accessed March 15, 2016.
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

¹³ Ibid. U.S Department of State.

¹⁴ "China." International Religious Freedom Report for 2014. January 1, 2014. Accessed March 17, 2016.
<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

¹⁵ "Country Reports on Human Rights Practices for 2014 China." U.S Department of State. January 1, 2014. Accessed March 15, 2016.
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

- ¹⁶ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).
- ¹⁷ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed March 15, 2016 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>
- ¹⁸ "China." Freedom in the World 2016: China. January 1, 2016. Accessed March 17, 2016 . <https://www.freedomhouse.org/report/freedom-world/2016/china>.
- ¹⁹ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed March 15, 2016 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>
- ²⁰ "China." Freedom in the World 2016: China. January 1, 2016. Accessed March 17, 2016 . <https://www.freedomhouse.org/report/freedom-world/2016/china>.
- ²¹ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt
- ²² "China." Corruption by Country. January 1, 2015. Accessed March 17, 2016. <http://www.transparency.org/country#CHN>.
- ²³ "Country Reports on Human Rights Practices for 2014 China." U.S Department of State. January 1, 2014. Accessed March 15, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- ²⁴ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights
- ²⁵ "China." World Economic Forum. January 1, 2014. Accessed March 17, 2016. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=CHN>.
- ²⁶ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable
- ²⁷ "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed March 15, 2016. <http://www.kidsrightsindex.org/>
- ²⁸ "Country Reports on Human Rights Practices for 2014 China." U.S Department of State. January 1, 2014. Accessed March 15, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- ²⁹ Ibid. U.S Department of State.
- ³⁰ "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2014. Accessed March 15, 2016. <http://ilga.org/>. See also Ibid. U.S Department of State.
- ³¹ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.
- ³² "Country Reports on Human Rights Practices for 2014 China." U.S Department of State. January 1, 2014. Accessed March 15, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- ³³ Ibid. U.S Department of State.
- ³⁴ Ibid. U.S Department of State.
- ³⁵ Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country
- ³⁶ "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed March 15, 2016. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.
- ³⁷ "Official Statistics Understate Chinese Unemployment Rate." The National Bureau of Economic Research. January 1, 2013. Accessed March 17, 2016. <http://www.nber.org/digest/oct15/w21460.html>