

“We strip you naked to crush your spirit!”

Gender-based State Violence & Reprisals against Women Human Rights Defenders in China

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Executive Summary

Since the founding of the People’s Republic of China in 1949, the Chinese Communist Party has claimed to champion women’s equality. Chairman Mao Zedong famously proclaimed that “women hold up half the sky,” and the first PRC Constitution—adopted in 1954—provided that “Women in the People’s Republic of China shall enjoy equal rights with men in all spheres of life: political, economic, cultural, social and familial” ([Art. 48](#)). While women in China have made significant strides toward the goal of achieving equal rights with men, since Xi Jinping’s ascendancy as China’s top leader in 2012, [they have faced increasing risks](#) when engaging in any activity, including speech, aimed at promoting and defending women’s rights, as well as other human rights.

This report focuses on gender-based violence perpetrated against women human rights defenders (WHRDs) by the Chinese government and its agents. Gender-based violence against WHRDs has become increasingly acute as WHRDs, including [feminist activists](#), gained visibility and influence through their activism, organizing, and strategic use of social media. The context for this report was the review in May 2023 of China by the UN Committee on the Elimination of Discrimination against Women ([CEDAW](#)). This report expands upon our shorter [submission](#) to the Committee for the review.

Women human rights defenders are, of course, not the only group of women facing gender-based state violence in China. For background and context, we begin with a brief overview of

CEDAW's definition of "gender-based violence" and other targets of such violence highlighted by the Committee during its most recent [review](#) of China's compliance with the Convention on the Elimination of All Forms of Discrimination against Women ([Convention](#)).

In **Chapter One**, we focus on a common but rarely publicized form of gender-based state violence against women human rights defenders: forced strip searches, without warrant or cause, by police officers and other state agents in police stations and detention facilities. Through interviews CHRDC conducted with WHRDs in China for this report, a clear picture emerged of a routine state practice of the use of strip searches to humiliate and subjugate women human rights defenders and lawyers, and other women in state custody. The interviewees also recounted instances of verbal abuse and torture. Attempts to hold perpetrators of state gender-based violence accountable have been unsuccessful and the victims' access to justice has proved elusive.

Chapter Two documents acts of retaliation and reprisals against WHRDs. When WHRDs speak out for victims, seek an end to official impunity, and advocate for gender equality, many have themselves faced sexual harassment and state violence, including police brutality, arbitrary detention, torture and enforced disappearance. CEDAW and other UN human rights mechanisms have repeatedly raised the issue of state reprisals against human rights defenders with the Chinese government, to little effect.

In **Chapter Three**, CHRDC concludes with recommendations to the Chinese government and other stakeholders on measures they should take to ensure the government fulfills its obligations under the Convention and eliminate gender-based and other state violence against women.

Background

Since 1992, the [Committee](#), whose primary function is to monitor State parties' compliance with the Convention on the Elimination of All Forms of Discrimination against Women ([Convention](#)), has paid increasing attention to issues relating to violence against women. In its general recommendation No. 19 (1992) on violence against women, "the Committee clarified that discrimination against women, as defined in article 1 of the Convention, included gender-based violence, that is "violence which is directed against a woman because she is a woman or that affects women disproportionately," and that it constituted a violation of their human rights."¹ The prohibition of gender-based violence has since "evolved into a principle of customary international law."²

In its General Recommendation No. 35 (2017), the Committee officially adopted the term "gender-based violence" against women as "a more precise term that makes explicit the gendered causes and impacts of the violence."³ The Committee noted that such violence includes "acts or omissions intended or likely to cause or result in death or physical, sexual, psychological, or economic harm or suffering to women, threats of such acts, harassment, coercion and arbitrary deprivation of liberty."⁴

¹ CEDAW, General Recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 (1992), [CEDAW/C/GC/35](#), para. 1.

² CEDAW/C/GC/35, para. 2.

³ Id. para. 9.

⁴ Id. para. 14.

On May 12, 2023, the Committee held an in-person dialogue with a PRC delegation for its review of [China's 9th periodic report](#)⁵ to the Committee. During the dialogue, and in the Committee's concluding observations and recommendations,⁶ the experts included a number of observations and recommendations directed at the Chinese government relating to the Convention's general prohibition against gender-based violence (GBV) as well as highlighting specific groups of women in China who are routinely subjected to gender-based violence. These included, for example, concerns relating to GBV against Uyghur women,⁷ including "[r]eports of coercive employment measures for Uyghur women, including forced labour, and of sexual violence in vocational education and training centres for Uyghur women."⁸ The Committee also noted with concern "allegations of coercive family planning practices, including forced abortions, forced sterilizations, other forms of gender-based sexual violence against women."⁹

Concerns about Tibetan and North Korean women in China, as well as women with disabilities and other disadvantaged groups of women were also raised with the Chinese government. The Committee also noted the intersecting forms of discrimination faced by Tibetan, Uyghur, and other ethnic and religious minority women.¹⁰ Regarding LGBTI women, the Committee noted "with concern that lesbian, bisexual, transgender and intersex women face high levels of gender-based violence."¹¹

With respect to women human rights defenders,¹² CEDAW noted "with concern reports that women human rights defenders face intimidation, harassment including cases of sexual and other forms of gender-based violence by the police and other State officials for their work on women's human rights."¹³ In raising this issue, which CHRD highlighted in its report to the Committee,¹⁴ CEDAW indirectly reminded the Chinese government that it had failed to implement the Committee's recommendation from 2014 that the government "take all measures necessary to protect women human rights defenders."¹⁵

Instead of protecting women human rights defenders, over the past decade, the Chinese government has increased its repression and persecution of WHRDs and shuttered independent women's rights organizations.¹⁶ Nevertheless, WHRDs in China have devoted

⁵ CEDAW, "Ninth periodic report submitted by China under Article 18 of the Convention, due in 2018," CEDAW/C/CHN/9, December 16, 2020.

⁶ CEDAW, Concluding observations on the ninth periodic report of China, CEDAW/C/CHN/CO/9, May 30, 2023, paras. 51, 52.

⁷ CEDAW/C/CHN/CO/9, para. 27 (a).

⁸ Id. paras. 41(g). See also paras. 26 (d), 27 (a), 36 (b) 41 (f-g), 42 (f-g).

⁹ Id. para. 43 (d), para. 44 (d).

¹⁰ Id. paras. 51, 52.

¹¹ Id. para. 55.

¹² The UN Special Rapporteur on the situation of human rights defenders [defines](#) "human rights defenders" (HRDs) as "all persons, who individually or in association with others, act to promote or protect human rights peacefully."

¹³ CEDAW/C/CHN/CO/9, para. 35.

¹⁴ CHRD, Submission to the UN Committee on the Elimination of Discrimination Against Women for its Consideration of the Ninth Periodic Report of the People's Republic of China (85th Session), April 8, 2023. <https://www.nchrd.org/2023/04/chr-d-civil-society-report-submitted-to-cedaw/>

¹⁵ CEDAW, Concluding observations on the combined seventh and eighth periodic reports of China, CEDAW/C/CHN/CO/7-8, November 14, 2014, para. 33.

¹⁶ See, e.g., Katherine Fung, "[The Chinese feminists fighting patriarchy in China from abroad](#)," The World from PRX, May 16, 2019; Zoe Low, "[China gender and sexuality centre shuts down as censorship chill spreads](#),"

themselves to combating gender discrimination and promoting equal rights for women in a wide range of areas, including education, employment, labor, land and housing rights, health care, and access to justice. WHRDs in China have also tackled issues related to gender-based violence against women, including [sexual harassment on public transportation](#), [#MeToo cases](#), and [domestic violence](#). Despite being confronted by an authoritarian and [patriarchal surveillance state](#), women human rights defenders in China persist in their pursuit of equality, respect, and justice.

Chapter 1

Gender-based State Violence Against Women Human Rights Defenders

(1) “As a woman, as a lawyer, I was reduced to being completely powerless”

In advance of CEDAW’s 2023 review of China, CHRd conducted interviews with ten women human rights defenders in China during 2021 and 2022. The women we spoke with described a pattern of gender-based violence used by state actors to subjugate and punish WHRDs. Among other abuses inflicted upon them, the women described being forcibly strip-searched in police stations and detention facilities, often in front of male police officers and filmed by security cameras.¹⁷ Perpetrators have enjoyed complete impunity despite victims’ efforts to hold them accountable.

Several WHRDs told CHRd that the strip-searching of women in police custody is quite common. Police officers target women, not men, with the use of strip searches as a tactic of humiliation. Guangzhou lawyer Sun Shihua said:

“...for male detainees, the police seldom used forced strip searches to humiliate them. The police only force women to take off their clothes for body search for ‘drugs’ or ‘weapons’ for the purpose of humiliating them.”

Police officers used strip searches not only to humiliate WHRDs, but also to intimidate them, or to coerce a WHRD into confessing to the “crimes” she was accused of. The strip searches were carried out often after WHRDs were taken to police stations without any arrest warrant or detention notice, and thus the strip searches likewise had no legal basis.

Many women have been unwilling to speak about their experiences publicly out of fear of retaliation and social stigma. The cases described in this report thus likely represent only a fraction of the actual number of instances of this type of gender-based violence against WHRDs.

One WHRD told CHRd that she was put under around-the-clock police monitoring in her apartment in Beijing and was frequently harassed after she spoke publicly about the detention of her husband, a human rights lawyer, in 2018. She said that the police

South China Morning Post, December 7, 2018; ISHR, “[China: Closure of women’s legal aid centre a blow for women’s rights and gender equality](#),” February 11, 2016.

¹⁷ See CHRd, “Gender-based State Violence & Reprisals against Women Rights Defenders,” April 8, 2023, <https://www.nchrd.org/2023/04/chrd-civil-society-report-submitted-to-cedaw/>.

“...once took me to the police station. There they forced me to strip bare ‘for a search.’ They made me take off my clothes piece by piece. It was clear to me that their purpose was to humiliate me. There were many police officers, including plainclothes officers hanging around, mostly male. ... I saw men outside who had been videotaping the entire time.”

This Beijing-based WHRD said that other women human rights defenders told her that when they were taken into custody, they were also forced to undergo a strip search, which sometimes was videotaped and watched by male police officers.

Another WHRD, [Zhang Lifang](#), described a similar ordeal after she was taken to a police station in Fuzhou, Fujian Province on June 11, 2017:

“At the station, I was strip searched. A policewoman stripped me completely naked, and took away all my belongings. Then they forcibly drew my blood, fingerprinted me, took photographs, recorded my ID information, and hurled insults at me.”

The mistreatment continued for seven hours before the police let Zhang go around 11:30 p.m. Zhang told CHRD, “I had a mental breakdown.” She subsequently [filed a lawsuit](#) against the Chengmen Police Station in Fuzhou’s Cangshan District alleging seven hours of unlawful forced detention, deprivation of personal liberty, unlawful strip search, and an unlawful blood test. The court dismissed Zhang’s case on December 7, 2018.

[Wang Qiaoling](#), the wife of then-detained human rights lawyer [Li Heping](#) who studied law together with Li, was strip-searched in November 2016, along with [Li Wenzu](#), whose husband, human rights lawyer [Wang Quanzhang](#), was also in police custody as a result of the [July 9, 2015 \(“709”\) crackdown](#) and round-up of human rights lawyers and defenders. Wang and Li were [both taken to a Beijing police station](#) after they were seen speaking with human rights lawyer Cheng Hai on a street in Beijing and resisted showing their IDs to people who refused to reveal their identities yet demanded to see their IDs. Wang Qiaoling wrote that once they were at the station,

“...the police chief, whose surname was Ma, reached his hands into Wenzu’s bosom to probe for her cellphone; we cried out, ‘How could you, a man, do that?’ ‘It’s illegal!’ We shouted: ‘Get some policewomen!’ Ma left in a huff and ordered two female police officers over. One, whose name was Zhang Xuefeng (badge number 030934), yelled at me and Li Wenzu as she searched our bags. She then brought us behind a curtain to be strip searched, saying if we refused to cooperate, then we’d be forced to undergo the search. To avoid the humiliation of having my clothes torn to pieces, I decided to cooperate. When Wenzu was undergoing a forced strip search, the policewoman said to us maliciously, ‘Say hi to the camera!’”

.... “[The policewoman] knew that we were family members of 709 crackdown victims and that we were only shooting the breeze with Lawyer Cheng Hai on the side of the road... She would do whatever she thought she could to make us 709 family members feel humiliated, trampled on, and belittled, and feel that she had the power to commit all kinds of outrages, regardless of the law. In one word, evil!”

Even women lawyers have faced gender-based violence at the hands of police officers while representing detained clients. The [ordeal](#) experienced by Guangdong lawyer [Sun Shihua](#) five

years ago went viral, garnering a great deal of attention among rights defenders, lawyers, and netizens.

On September 20, 2018, Sun was choked, beaten and forcibly strip searched in a Guangzhou police station after asking a police officer (surnamed Chen) for his name and badge number following his groundless interference in her representation of her client. Officer Chen shouted insults at Sun and accused her of assaulting him after he threw his work ID at her and she raised her arms to deflect it. She [posted online](#) about the incident a few weeks later and her story was picked up by several [Chinese](#) and [foreign media](#) outlets.

At the time, state-run media such as the [Beijing News](#) and CCTV reported and commented on the incident, asking the police to release the surveillance tape and answer questions about the incident. But these public responses were quickly deleted from the Internet or blocked on social media platforms. “Without these public expressions of support though, Sun may have already been put under criminal detention, and convicted,” [opined](#) her husband, [Sui Muqing](#), a disbarred human rights lawyer.

Lawyer Sun explained that she was not alone in being subjected to such abuse. She [wrote](#):

“After my experience was publicized on the Internet, I was surprised to learn how many female lawyers have been abused by the police. Apparently in this year alone [2018] there have been many vicious incidents of police detaining female lawyers in Guangzhou, none of which have been exposed. If this is the case in first-tier cities, what about other regions? Many female classmates and friends who are lawyers have told me that they have also been detained and mistreated by the police. However, they all chose to swallow the bitter fruit silently.”

As Sun Shihua faced being strip searched, she later [described](#) how humiliated she felt, and how she initially tried to resist, but the policemen laughed and officer Chen, who had choked Sun until she blacked out, said, “Take off your clothes immediately or you’ll find out what worse things we could do to you!”

Sun [wrote](#) about the psychological harm of such gender-based violence perpetrated by state agents: “September 20, 2018 was one of the darkest, most terrifying and humiliating days in my two decades’ career of practicing law.” The “nightmare” of that day “has woken me up. I can’t afford to sympathize with the powerless. Lawyers are also powerless. As a female lawyer, I’m even more powerless.”

Moreover, Sun was traumatized by subsequent cyberbullying. She said,

“reading the online comments sent to my accounts made me psychologically distressed and terrified...The cyber-thugs portrayed me as somebody who specialized in using such cases to smear and ruin Guangzhou police officers. My husband [disbarred human rights lawyer Sui Muqing] tried to shield me and asked me not to read the comments, worrying that I would suffer further injury.”

In connection with Sun Shihua’s mistreatment on that fateful day, Ms. [Li Xiaozhen](#), Sun’s client who was applying for bail for her husband, was also subjected to a strip search at the police station, as was human rights defender Ms. [Zhang Wuzhou](#), who had accompanied Sun to the station and recorded the incident on her phone.

For years, sexual abuse has been a police tactic to subjugate WHRDs. Veteran WHRD [Ni Yulan](#), who has been [repeatedly jailed](#), and whose case has been [well-documented](#), recalled in an interview that many years ago in 2002, policemen took her to a police station, where they subjected her to gender-based violence. She particularly remembered that police used their knees to pressure and squeeze her behind. “It was definitely sexual abuse!” she said.

In April 2008, when Ni Yulan was detained at the Beijing Xicheng District Public Security Bureau’s Xijiekou police station, she said,

“I was subjected to all sorts of inhumane treatment and torture. Xiao Wei [a policeman] kicked me, beat me, and peed all over my body.”

When Ni was imprisoned for the third time, she was jailed at the Beijing Women’s Prison. By then she had become severely disabled from the repeated torture that she had been subjected to. To punish her for refusing to “confess” her “crime,” prison guards refused to let her use the bathroom. Once she managed to drag herself to the toilet, but guards pulled her off it and dragged her out into the hallway with her pants still down. “They did this often as a punishment,” she said.

(2) It’s “become a habit” for police officers to use GBV as a tool of coercion

While this report focuses on gender-based state violence against women human rights defenders, Chinese police’s use of GBV is not reserved for WHRDs. Any woman, including those who have not been involved in human rights or other politically “sensitive” activities, once taken into police custody or targeted for “control” by government officials, would likely be subjected to various acts of GBV, including being forcibly strip searched, interviewees told CHRDR.

Guangzhou lawyer Sun Shihua said,

“Many women...no longer question this insulting practice. They became so used to it that they treated it as a normal part of the process, and thus lawful, when dealing with the police.”

“For the policemen, they carry out such abuses as casually as if they were joking around and playing games after meals or tea. They were so used to doing these things: doing so has become a habit!”

One women’s rights advocate told CHRDR that she had received reports of women petitioners who tried to submit complaints at higher level government offices located in the cities, but they were abducted by police officers, stripped naked, and thrown into detention cells for up to 24 hours. She said these abuses were aimed at breaking their spirits to stop them from lodging grievances against local officials. Male petitioners are often abducted and detained as well, but apparently not subjected to strip searches.

Yang Bin, a human rights lawyer, said that it was common for women in custody to be forced to undergo a strip search, including those who were taken into government offices for breaking urban management rules, such as vendors operating without proper permits. [Yang recalled](#) being woken up in the middle of the night one time in 2016 by a call from a woman

whom she had previously represented. The woman told her that she had just been released from a police station, where she was held for eight hours for selling garments at a night market without a permit. The policemen forced her to strip naked, fingerprinted her, made her take a urine test, and then forced her to sign a document promising not to sell goods without a permit again.

“Though I couldn’t see her face, just listening to her describing what happened, I could feel her embarrassment and shame. She said she had been strip searched previously when she was detained once for gambling. But she could not comprehend why peddling goods without a permit would justify being stripped naked for a body search!”

(3) “They tortured you in ways that you’d rather forget!”

In CEDAW’s General Recommendation No. 35 on gender-based violence against women, the Committee makes clear that GBV against women includes psychological harm, or threats of such harm.¹⁸ WHRDs interviewed for this report described psychological suffering inflicted on them by state agents who used, or threatened to use, gender-based violence against them.

Reflecting on the psychological harm she suffered over the years because of GBV inflicted on her by police officers or other state agents, rights defender Ni Yulan said:

“They tortured you in ways that you would rather forget, or that you couldn’t speak about. When they tortured me in 2008, they jokingly told my husband that he’d become everybody’s laughingstock. My family cared about appearances and would not let me speak about it. My lawyer in 2008 was female, so I told her, but not everything. I also didn’t want my family to be ridiculed. That’s the dilemma women face... only women could understand the wrongs we suffered; it’s really very cruel!”

To avoid living through the pain of dehumanization again by speaking out, many women choose to remain silent, or they are aware of the tradeoffs they must consider in order to avoid even worse gender-based violence as retaliation for speaking out. Lawyer Sun Shihua said that she had learned about another woman human rights lawyer who was subjected to a strip search at a police station in Tianjin, where she was briefly detained on suspicion of “harming national security.” When lawyer Sun reached out to her and encouraged her to speak out about what happened, the lawyer declined, citing concerns for her own safety.

After Sun went public with her ordeal, she said,

“many women activists, including lawyers, told me of similar abuses that they suffered, sometimes in front of their young children. But many are not willing to speak out about them... they have become numb. They had suffered other more horrible mistreatment, which may have diluted the torment caused by being strip searched. Thus, they obeyed the police order to strip...”

Police officers understand the power of intimidation relating to sexual assault in coercing detained WHRDs. [Wu Rongrong](#), a woman’s rights activist and one of the “[Feminist Five](#),” [recalled](#) that during interrogations when she was detained in 2015, police officers threatened

¹⁸ CEDAW/C/GC/35, para. 14.

that they would arrange for her to be sexually assaulted by male detainees if she refused to cooperate:

“...they [the police] would often threaten me right before they started a session of interrogation. They would yell at me, ‘We will tie you up and throw you into the men’s cells and let them gang rape you.’”

Sometimes it may take many years for victims to be able to speak out about what was done to them. Ni Yulan explained the multiple obstacles that she had to overcome in order to go public with the atrocities she was subjected to:

“I’m in my 60s now, I don’t need to keep this quiet. If I go public with what he [policeman Xiao Wei] did to me, I may save others... Back then, the Internet wasn’t so accessible, so I couldn’t diligently publicize this. Another reason for not speaking up then was their threats to my daughter and husband at the time; such threats no longer frighten me.”

Lawyer Yang Bin, who formerly worked in a Guangzhou district procurator’s office, [wrote](#) about taking part in a forced strip search after Sun Shihua’s mistreatment was publicized online. Yang said that such a sexually humiliating tactic seemed justified in the eyes of the perpetrators and even some victims because it had become such a regular practice. She emphasized that beyond stripping women naked for body searches, "just about anything that the agents of this exceedingly powerful state do to you, they need no justification whatsoever." Yang wrote

“this longtime practice has never encountered any resistance, nobody working within the system ever questioned it. The victims don’t put up any resistance, and the public knows nothing about it. After a while, such a practice becomes natural, even reasonable, rational, and legal. Everybody gets used to it, including law enforcement officers themselves, who don’t think there’s anything wrong with it— as long as it works. ‘We strip every last piece of clothing off your body, to completely crush your spirit. There is no better or more effective method than this!’”

(4) Verbal Abuse and Gender Stereotypes Deployed against WHRDs

In addition to physical gender-based violence, WHRDs are also often subjected to gendered insults and verbal abuse, which is also a form of gender-based violence.¹⁹ Every one of the women human rights defenders CHRD spoke with said that police officers had verbally abused them with sexual curses or other discriminatory slurs and had belittled them with gendered stereotypes about the “proper role” of women in society. For example, lawyer Wang Qiaoling recalled that policemen had berated her and called her “a shrew and a scold.”

Another WHRD said that the police scolded her by saying, “you’re a woman, and you should be at home helping your children study,” and “you do ‘rights defense’ all day with male colleagues – you should be with your husband and children at home.” The Fujian-based WHRD Zhang Lifang told CHRD that when she was taken to the police station to be searched, “... the whole time, the policemen verbally abused me. They called me ‘cheap,’ a

¹⁹ See, e.g., CEDAW/C/GC/35, paras. 14-15, 19-20.

sell-out. ‘You’re a woman, you can just stay home to serve your husband and teach your kids.’ She said that the policemen told her family, ‘You can see what kind of people she is with, hanging out all day with men.’

Li Tingting (aka Li Maizi), one of the “Feminist Five,” [said](#) that while she was in a detention center in Beijing for 37 days in 2015, her “identity as a lesbian was constantly attacked by those working at the detention center.” They said that “my girlfriend and I were abnormal, that it’s only normal when a woman has sex with a man, and that we two were just disgusting.”

In their interviews with CHRD, several WHRDs said that Chinese officials never considered women capable of acting on their own without male partners or leadership. The policemen and government officials tended to treat the women with suspicion— assuming that they must be working under the influence of, or having affairs with, male human rights defenders, or else that they had other motives such as financial gain. The interviewees pointed out that such assumptions stemmed from gender stereotypes in the male-dominated Chinese society and patriarchal CCP rule.

(5) “I sought [legal] remedies... but I cracked my head open and got bloodied”

Our interviews, in addition to published accounts of WHRDs and other women’s accounts of abuse, reveal a pattern of impunity for perpetrators, including policemen, other security agents and state officials, and threats and reprisals against victims who have spoken out about the GBV they suffered (*see Chapter 2*). Some victims have sought accountability, but to no avail.

Guangzhou lawyer Sun Shihua sought justice in her case against Officer Chen and others using various legal channels. She filed a lawsuit against Chen for “abuse of official power” and “insult” (*i.e.*, verbal abuse) and used other administrative law processes, for example, to try to obtain surveillance camera footage of the incident. Commenting on the case at the time, Peking University law professor Zhang Qianfan [observed that](#) “the violence against Sun is a flagrant abuse of police power,” yet Sun’s efforts to use the law in her own defense failed. Instead, the police [detained](#) Sun’s eyewitnesses, WHRD [Zhang Wuzhou](#) and [two others](#) two weeks after the incident. The authorities also threatened Sun if she continued to seek accountability, and they monitored her movements and warned her against speaking to foreign journalists.

Fujian-based WHRD Zhang Lifang was encouraged by Sun Shihua’s efforts to seek redress for the Guangzhou police officers’ unlawful conduct, and filed her own lawsuit against the Fuzhou police for subjecting her to an unlawful strip search, among other claims. But her suit was dismissed by Fuzhou city’s Gulou Court in December 2018.

With no independent women’s rights law organizations to turn to, Lawyer Sun also sought assistance from entities such as the All-China Women’s Federation, All-China Lawyers’ Association, Guangdong Provincial Women’s Federation, and the Guangdong Provincial High People’s Court. But she received no responses; “I exhausted almost all the channels to seek a remedy,” she said.

In November 2018, Sun Shihua received a [notice](#) from the relevant Public Security Bureau that they planned to impose an administrative punishment on her for creating a disturbance and disrupting the order of the police station. This led to another round of public outcry, but Sun felt she had come to the end of her quest for justice:

“I complained, I filed a lawsuit... because the law stipulated my channels to seek remedies. I wanted to test these channels’ usefulness, ...but I cracked my head open, and got bloodied!”

Apparently, no policemen or officials accused of sexual mistreatment or abuse in these cases has faced investigation or prosecution. They have enjoyed total impunity while those WHRDs who sought accountability have faced threats, reprisals, and at least in one case, an eyewitness for lawyer Sun Shihua, jail time.

As these WHRDs’ stories illustrate, access to justice for gender-based violence claims against women human rights defenders as well as ordinary women is elusive in China. In 2014, CEDAW had recommended that the Chinese government should

“encourage reporting by victims of all forms of violence against women and girls; ... effectively investigate complaints, prosecute acts of violence against women and adequately punish the perpetrators.”²⁰

In the years since its 2014 review, however, the Chinese government has clearly failed to implement CEDAW’s recommendation, and gender-based violence against women, including women human rights defenders, has become increasingly common and flagrant. In May 2023, CEDAW issued a specific recommendation relating to WHRDs: that the government should “[e]nsure the protection of women human rights defenders from intimidation, harassment and reprisals for their work... and investigate and prosecute those responsible, including police officers and other State agents.”²¹

Chapter 2

Women Human Rights Defenders Face State Violence in Reprisals

In this chapter, based on our interviews, ongoing [research](#) and [updates](#), and other documentation, we describe other forms of gender-based violence used by the government engaged in reprisals and retaliation against WHRDs. CEDAW considers these forms of state violence to be gender-based. These “includ[e] acts or omissions intended or likely to cause or result in death or physical, sexual, psychological or economic harm or suffering to women, threats of such acts, harassment, coercion and arbitrary deprivation of liberty.”²²

In addition, CEDAW views “harmful practices and crimes against women human rights defenders, ...activists or journalists” as forms of GBV against women “affected by [certain] cultural, ideological and political factors.” WHRDs in China are unquestionably affected by

²⁰ CEDAW/C/CHN/CO/7-8, para. 27.

²¹ CEDAW/C/CHN/CO/9, para. 36 (b).

²² CEDAW/C/GC/35, para. 14.

relevant political factors, including [patriarchal authoritarianism](#) and deep-seated cultural stereotypes and biases against women.²³

1. Gender-based cyberbullying against WHRDs

The government's gendered cyber-harassment targets WHRDs in China. And it also reaches far beyond its borders. An online smearing campaign, carried out by Chinese diplomats and state-sponsored trolls, has targeted female journalists in international media organizations and female members of international human rights organizations, who have covered or engaged in advocacy campaigns relating to human rights atrocities against the Uyghurs in Xinjiang.

One high-profile target has been Vicky Xu, an Australia-based Chinese national who worked as a journalist for the Australian media outlet ABC, and later for the Australia Strategic Policy Institute (ASPI). In March 2020, ASPI published a detailed investigative [report](#) on the risk of forced labor in global supply chains in China, titled *Uyghurs for Sale*. The report showed that Uyghur and other Turkic Muslim minorities were working within the supply chains of 82 multinational companies throughout China in a "state-sponsored labour transfer scheme" and that the conditions under which they were employed "strongly suggest forced labour."

After the report's release, Xu faced [severe online retaliation](#) on social media from agents of the Chinese government. Fake nude images of Xu circulated on the Chinese internet. According to the [Washington Post](#), "the flood of attacks posted and re-posted by state-media outlets and nationalist bloggers followed similar themes: Vicky Xu ... was a traitor, a pawn controlled by the West, or a 'female demon.' Queries for her name turn up thousands of results, including videos claiming to reveal details of her dating life, calling her 'promiscuous' and 'drug infested.'"

CHRD's interviews with WHRDs inside China revealed that online bullying targeting WHRDs who are outspoken or on the forefront of activism is both widespread and perverse. Such cyberbullying often uses gender discriminatory language or sexual slurs. And such gender-based cyberbullying occurs in the context of heavy online surveillance and censorship by the state, when other types of speech would be quickly deleted or discouraged. [State agents often engage in cyberbullying](#), directly or indirectly, to harass and discredit WHRDs.

Several WHRDs noted that due to the risk of censorship of their Chinese social media accounts, they used Twitter since it is outside the Chinese government's control. But even on Twitter, they could not escape harassment and bullying and attacks by "bot" trolling campaigns.

"Online platforms, including these [women's rights] organizations' accounts, staff's personal accounts, their Weibo (blog) on Sina, have drastically dwindled in numbers in recent years," one women's rights activist told CHRD.

"Any content I post or that's re-posted on Sina Weibo, if it has to do with women's rights, would be deleted. For instance, during the court trial of Xianzi's #MeToo case [a lawsuit against a prominent TV news anchor for sexual harassment], I could not

²³ CEDAW/C/CHN/CO/9, see, e.g., paras. 23, 24, 35, 36, 40, 44(d), 51-52.

post anything in my friends' groups on Sina Weibo. And Xianzi's own account was blocked."

A WHRD who engaged in labor organizing said that an important reason behind her decision to shun social media was "the sexually abusive messages and rumors sent anonymously to me via email and on chat platforms." The senders of these messages called her a "slut," spinning lies about her sexual life and relationships.

"I can handle sporadic attacks, I can pretend they didn't exist, since these are from anonymous attackers anyway, I can ignore them. I am no match to the onslaught of online sexual harassment!"

She said she reported the anonymous bullying to authorities but got no response. Indeed, efforts to hold the online platforms, such as Sina Weibo and WeChat, accountable for permitting this online sexual harassment have been unsuccessful. Lawsuits filed by victims of online harassment, such as WHRD [Zheng Churan](#), for defamation and reputational damage, have met with [defeat in court](#). Another WHRD told CHRD that her group's efforts to report online abuse through official channels have gotten nowhere.

Another WHRD commented,

"there is harassment everywhere from the 'shuijun' [state-affiliated users or bots]. These accounts all have the same simple, coordinated messages, and sometimes they sent pornographic materials to me. Many of them are newly registered."

Fujian rights defender Zhang Lifang previously posted information on Sina Weibo, WeChat, and Tencent Weibo, but her posts were quickly deleted by censors. To evade censors,

"...we tried to avoid sensitive words, but sometimes even such carefully worded comments still cannot survive online. I have tried to appeal to the social media companies, but the only response I received was that my posts violated relevant law and regulations."

2. Deprivation of freedom of movement, police surveillance, and police brutality

(1) Police "built a little makeshift guard post downstairs..."

Police surveillance of rights defenders' residences and unlawful restrictions on their freedom of movement has been a fixture in the lives of human rights defenders in China for many years. Surveillance has become increasingly more sophisticated and is the most commonly used police tactic to intimidate WHRDs. CHRD has documented numerous cases involving WHRDs whose residences and movements have been monitored around-the-clock by the police. A woman disability rights advocate told CHRD in 2022:

"They installed CCTV surveillance cameras outside my home. Now, whenever I leave my home, the police will follow me everywhere... This has greatly reduced my space, and it's very difficult to engage in any human rights activism. Police surveillance has increased over time."

Yuan Shanshan, an outspoken activist whose husband, a human rights lawyer, was detained in 2015, wrote that she noticed at least eight CCTV cameras installed outside her apartment in 2016. In addition to being closely followed by the police everywhere she went, there were around 20 policemen and neighborhood committee officials, and several police vehicles, outside her building around-the-clock. This continued even after her husband's release from detention in 2017.

Another activist, whose husband—a human rights lawyer—was detained, described a similar experience to CHRD:

“... every time I tried to go downstairs I would be met by a contingent of policemen, about 10 usually. They even built a little makeshift guard post downstairs... For a period of time, I couldn't leave my apartment building. They had threatened me with the same charge they used against my husband and warned me against giving media interviews or meeting any foreigners.”

Such threats and warnings are often issued during “tea” with police officers—“invitations” that the targeted rights defenders can't refuse. Police try to extract information or threaten defenders with serious consequences if they don't comply. For example, WHRDs interviewed by CHRD said that it was during such mandatory “tea drinking,” that they were warned against expressing dissent online or advocating for persecuted HRDs or lawyers, or getting involved in matters concerning Hong Kong.

(2) Police beating left her with permanent injuries

Many WHRDs, especially those in rural areas and small towns, have been subjected to violent beatings by policemen in retaliation for their work. Rural WHRDs are particularly vulnerable, as policemen in their locales are reportedly more perverse. One rural WHRD told CHRD:

“I've been beaten, and so were many other WHRDs. I've written about some of my experiences on the Internet, but many women haven't spoken out about it. I think sometimes they may worry that such violent beatings might scare off others from getting involved in human rights activism, or . . . they may just not want to re-experience the trauma since they've already suffered enough humiliation.”

But some WHRDs have spoken out about police brutality.

[Wang Heying](#), a WHRD based in Jiangsu province, who has sought redress for violation of her land and housing rights, said that authorities put her under administrative detention six times, criminal detention once, and in a “re-education through labor” facility for one year in 2008. She has also been held in extralegal “[black jails](#)” almost 100 times for a total of roughly 700 days. In early 2019, police detained her again and subjected her to a [severe beating](#), which left her with permanent injuries.

In Fujian province, WHRD [Lu Huiping](#) and her family suffered a violent assault in December 2016. Approximately 20 men hired by local authorities forcibly evicted her family from their farmland and beat up her elderly parents. When Lu arrived on the scene, the men tore her clothes off, grabbed her breasts, and poured water on her body, while village officials looked

on. The violence against her continued when she tried to seek redress, and the authorities eventually jailed her for several years.

Also in Fujian, [Lu Zuoyu](#), another rural WHRD who lost her land and fought forced eviction, has faced reprisals in the form of police violence and frequent deprivation of liberty. In 2019, Lu was abducted by hired thugs or plainclothes officers who proceeded to beat her and her elderly father, who suffered five broken ribs. Lu herself was left with multiple injuries. When she spoke out about the violent assault, police criminally detained her for “picking quarrels and provoking trouble.” Lu told her lawyer during a visit that guards inside the detention center frequently abused her, both physically and verbally. She was [released](#) on July 7, 2021, after serving one year and eight months in detention.

3. Arbitrary detention and enforced disappearance

Chinese authorities have increasingly used arbitrary detention and enforced disappearance to punish and retaliate against human rights defenders in China, including women HRDs. CHRD’s website includes a section on “[Women Defenders](#)” under the “[Persecuted Defenders](#)” tab; a substantial majority of these cases involve arbitrary detention and/or disappearance that have occurred since CEDAW’s last review of China in 2014.

The case of the “[Feminist Five](#),” five women rights defenders detained on the eve of International Women’s Day in March 2015, became a global cause célèbre that highlighted the Chinese state’s assault on women’s rights and on activists who engaged in peaceful advocacy and public awareness-raising. Chinese police rounded up at least 10 WHRDs who had planned a public event to draw attention to sexual harassment on public transportation. Five of them—Wu Rongrong, Li Tingting (aka Li Maizi), Zheng Churan, Wei Tingting, and Wang Man—were later [criminally detained](#) on the charge of “picking quarrels and provoking troubles.”

While the Feminist Five were held at a detention center in Beijing, they were subjected to cruel and inhumane treatment. Li Tingting [said that](#) she was interrogated 50 times and bullied for her sexuality. In large part due to intense international pressure, the five women were all [released](#) “on bail” after 37 days in detention.

Currently, a case of particular concern involves independent journalist and #MeToo activist [Huang Xueqin](#), who was detained in early September 2021 on the charge of “inciting subversion” for her human rights defense work, and has been [held incommunicado](#) ever since.

4. Reprisals against WHRDs for engaging with UN human rights mechanisms

In its List of Issues to the Chinese government in advance of the May 2023 review, CEDAW asked the government to “provide information about the measures taken to ensure that women human rights defenders may provide information to the Committee without fear of reprisals.”²⁴ Since the Committee’s last review of China, the government has been cited in

²⁴ CEDAW/C/CHN/Q/9, List of issues and questions in relation to the ninth periodic report of China, March 10, 2021, para. 13.

each of the UN Secretary-General's [annual reprisals report](#).²⁵ Rather than comply with the request, the Chinese government disingenuously claimed in its reply to the List of Issues, “There is no reprisal against cooperators with human rights treaty bodies.”²⁶ The Committee was not convinced, and noted in its recent concluding observations that WHRDs “may face harassment for their participation in the Committee’s review of the State party’s report”²⁷ and recommended that the government “[e]nsure the protection of women human rights defenders from intimidation, harassment and reprisals for their work, including when they have engaged or sought to engage with the Committee.”²⁸

The most recent UN reprisals report (published in September 2022) includes information about reports of intimidation and reprisal taken against human rights defenders in China, including many women human rights defenders.²⁹ The women defenders include Li Qiaochu, Li Yuhan, Xu Yan, Chen Jianfang, Wang Yu, Li Wenzu, Li Kezhen, and Wang Qiaoling.

During the Committee’s dialogue with the Chinese government delegation in its recent review, there was a surprising absence of names of actual Chinese women rights defenders, activists, and victims of gender-based discrimination and gender-based violence.³⁰ In light of this absence, we are providing in an annex below a selection of brief case summaries of persecuted WHRDs, including several women mentioned in the UN’s reprisals report. There are, of course, many more women’s rights defenders who have experienced gender-based violence, discrimination, and reprisals; their stories (to the extent known) are available on CHRDR’s website.³¹

Chapter 3

Conclusion and Recommendations

As this report illustrates, gender-based state violence against women human rights defenders in its many different forms is a problem that has become more severe since the last review of China by CEDAW in 2014. CHRDR’s interviews, witnesses’ accounts and documented cases reveal the lengths the Chinese authorities have gone to use sexual violence against WHRDs and other women as a tool of intimidation and retaliation. With the CCP’s attack on civil society and the silencing of activists and defenders online, the space for women in China to organize around issues of gender-based violence, and advocate for change, has narrowed dramatically. The Chinese government has also imposed severe restrictions on WHRD’s freedom of movement and subjected them to unwarranted surveillance.

²⁵ Cooperation with the United Nations, its representatives and mechanisms in the field of human rights - [Report of the Secretary-General](#), A/HRC/51/47 (“UN reprisals report”), September 14, 2022.

²⁶ CEDAW, Replies of China to the list of issues and questions in relation to its ninth periodic report, CEDAW/C/CHN/RQ/9, para. 13 (Reply), March 9, 2023.

²⁷ CEDAW/C/CHN/CO/9, para. 35.

²⁸ CEDAW/C/CHN/CO/9, para. 36 (b).

²⁹ UN Reprisals Report, A/HRC/51/47, para. 49; Annex II (7. China), paras. 30-56.

³⁰ The #MeToo case of the disappeared and silenced [Chinese tennis player Peng Shuai was mentioned by a member of the Committee](#) during the dialogue, but Peng’s name does not appear in the concluding observations.

³¹ For more information about individual [women’s rights defenders](#) in China, their work, and the persecution they have faced, see the dedicated page on CHRDR’s website, “Women Defenders.” <https://www.nchrd.org/2016/05/women-defenders/>

Victims of gender-based violence who have taken the risk to seek official accountability for sexual violence have faced obstruction by the CCP-controlled legal system and government oversight organs. Some victims have encountered reprisals for such efforts to seek justice.

As this report makes clear, the Chinese government has failed to fulfill its obligations under the Convention to effectively address and provide a meaningful remedy for gender-based violence against women and girls. The Committee has noted the profound importance of this issue to its mandate and to the realization of the rights in the Convention:

“gender-based violence against women is one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles are perpetuated. Throughout its work, the Committee has made clear that such violence is a critical obstacle to the achievement of substantive equality between women and men and to the enjoyment by women of their human rights and fundamental freedoms, as enshrined in the Convention.”³²

Recommendations

To the Chinese government:

- Implement CEDAW’s recommendations relating to elimination of gender-based violence, women human rights defenders, civil society, access to justice and the lack of an independent judiciary from its 2014 and 2023 reviews. These include, *inter alia*:
 - Provide legal aid and support NGOs that facilitate women’s access to justice; establish an independent judiciary to prevent political interference in disputes involving women’s rights.³³
 - Ensure that women human rights defenders are protected from “intimidation, harassment and reprisals for their work,” and that “all acts of gender-based violence against women are effectively investigated and perpetrators prosecuted and adequately punished.”³⁴
- Immediately release all women human rights defenders who are currently in custody, including those who have been disappeared, and investigate without delay Chinese officials or state agents alleged to have violated their rights, and provide sufficient compensation to victims.
- Per CEDAW’s recommendation, establish an “enabling environment for women human rights defenders from diverse communities to promote, protect and advocate for women’s human rights without fear of reprisals”³⁵ Encourage and facilitate the participation of such individuals and groups in the work of the UN human rights mechanisms, and other related UN entities, such as UN Women, and support Chinese women’s efforts to implement the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals by 2030, in particular, [SDG 5](#) (gender equality).³⁶
- Invite the Special Rapporteur on violence against women, its causes and consequences, and the Special Rapporteur on the situation of human rights defenders to visit China.

³² CEDAW/C/GC/35, para. 10.

³³ CEDAW/C/CHN/CO/7-8, para. 15 (a) and (b).

³⁴ CEDAW/C/CHN/CO/9, paras. 36 (b), 26(d).

³⁵ CEDAW/C/CHN/CO/9, para. 36 (c).

³⁶ See CEDAW/C/CHN/CO/9, para. 7, regarding the Sustainable Development Goals.

To other state parties to CEDAW:

- Urge the Chinese government to establish an effective mechanism to eliminate gender-based violence against all women, including women human rights defenders, as elaborated in General Recommendations No. 19 and No. 35. Consider engaging in effective cooperative projects with the Chinese government and relevant GONGOs to this end. Encourage the involvement of women human rights defenders and other Chinese civil society actors in this effort, without the risk of reprisal.
 - Raise issues relating to gender-based violence and implementation of the related CEDAW recommendations during the upcoming fourth-cycle Universal Periodic Review of China in 2024.
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Annex: A Selection of Cases of Persecuted Women Human Rights Defenders

A common thread throughout these cases is the government's use of arbitrary detention, enforced disappearance, and its complete disregard for the dignity and rights of the accused as punishment and retaliation for their rights defense activities. The defenders who engaged (or sought to engage) with the UN human rights mechanisms did so likely fully aware of the risks involved, but they also knew they were unlikely to find any redress domestically.

- [Chen Jianfang](#), a veteran rights defender and activist in Shanghai, is currently serving a four-and-a-half-year sentence for “subversion” at the Shanghai Detention Center as punishment and retaliation for her rights defense activities relating to land rights and her advocacy efforts calling for greater involvement of civil society in China's engagement with UN human rights mechanisms. She also engaged in street protests against CCP rule and in support of constitutional democracy. Chen was forcibly disappeared on March 20, 2019; her trial was held on March 19, 2021, and the verdict announced on August 6, 2022. With credit for time served, Chen should be released in September 2023.
- [He Fangmei](#), a health rights advocate from Henan province, who has focused on unsafe vaccines in China after her now 7-year-old daughter earlier became disabled as the result of a faulty vaccine, has been forcibly disappeared and criminally detained for exercising her human rights in defending her rights and the rights of others. In September 2020, the UN Working Group on Arbitrary Detention determined that [her detention was arbitrary](#). Prior to the WGAD decision, she was released, but then later taken into custody again and held incommunicado along with her husband and three children. He Fangmei's case exemplifies [how the Chinese government can unjustly punish an entire HRD's family](#) for one family member's lawful advocacy activities. He Fangmei was arrested on March 23, 2022, on the charges of “bigamy” and “picking quarrels and provoking trouble”; her husband is now serving a five-year prison term, and their two daughters are confined without justification in a psychiatric institution, while their son is in a foster care situation arranged by local officials. He Fangmei is currently being held in the Xinxiang Detention Center, awaiting a verdict.
- [Huang Xueqin](#) is an independent journalist and feminist who played a key role in launching the #MeToo movement in China in early 2018. She was detained on

September 19, 2021, and later charged with “inciting subversion.” She’s currently being held incommunicado in the Guangzhou No. 1 Detention Center. In February 2023, it became known to the outside world that Huang was [in need of medical attention](#): she had lost a lot of weight, and hadn’t menstruated in months. Huang was also reportedly being subjected to [sleep deprivation](#).

- [Kamile Wayit](#), a 19-year-old Uyghur student at Shangqiu Institute of Technology in Henan Province, shared a “blank paper” protest video on WeChat in November 2022. Police called her father in her hometown of Atush, in the Xinjiang region, and warned him to tell his daughter to delete her videos. On December 12, Kamile Wayit returned to Atush and was detained by police there, held incommunicado, and then sentenced on March 25, 2023 for “[advocating extremism](#)” for sharing the protest video. In addition, Kamile has [a brother currently studying in the United States](#) who is outspoken on Ugyhur rights issues; [Kewser Wayit](#), her brother, thinks that his activities abroad, and their communication, may be related to her detention.
- [Li Qiaochu](#) is a human rights defender and feminist whose advocacy focuses on gender-based violence, labor rights, and other social justice issues. She was [arrested](#) on the charge of “inciting subversion” on March 15, 2021, and indicted on the same charge in February 2022. While in detention, Li Qiaochu has not received adequate medical treatment for depression and other health conditions. Li was included in the UN’s reprisals report (2021) because of allegations that she had been detained “as a reprisal for meeting online with two experts from the Working Group on Enforced or Involuntary Disappearances in September 2020.”³⁷ Li had shared details of alleged torture inflicted on her partner, Xu Zhiyong, and his colleague, lawyer Ding Jiayi. On March 17, 2023, Li Qiaochu was finally able to [meet with her lawyer](#) in person for the first time. She reported that she continued to experience severe side effects from improper drug treatment, including abnormal menstrual bleeding, dizziness, and fatigue. Li’s trial for “inciting subversion,” which was not public, began on July 21, 2023. The [trial was suspended](#), however, because Li’s lawyers objected to the court’s obstruction of their ability to defend their client.
- [Zhang Zhan](#), a former lawyer turned citizen journalist, was born in the 1980s and has long been active in speaking out about politics and the human rights situation in China. Zhang had travelled to Wuhan in early February 2020 and reported numerous stories, including the detentions of other independent reporters and harassment of families of victims seeking accountability for the Covid-19 outbreak, via various social media accounts. She was criminally detained on May 15, 2020, and tried on December 28, 2020, for “picking quarrels and provoking trouble,” for her reporting on the situation in Wuhan. The court sentenced her to four years in prison. Because of her hunger strikes and the authorities forced feeding her, Zhang’s health has deteriorated dramatically.

Dated: July 31, 2023

³⁷ UN Reprisals Report, A/HRC/51/47, Annex II (7. China), para. 36.