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**National People's Congress
Committee
(NPCC)**

Discussing the rights of Uyghurs in Xinjiang

Discussing foreign IPOs of national companies

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Discussing the rights of Uyghurs in Xinjiang
Discussing the foreign IPOs of national companies

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Committee Overview

INTRODUCTION

The National People's Committee also known as the NPC is the government's highest authority in the national legislature in the People's Republic of China while also being the largest parliamentary body in the world. Its duties include amending and enforcing the constitution, basic legislation and determining issues that require special attention. Furthermore, the NPC often has parliamentary exchanges discussing issues with foreign powers along with strengthening Chinese values.

To amend the constitution the NPC must be proposed to the standing committee or $\frac{1}{5}$ of NPC deputies. To pass a vote $\frac{2}{3}$ of the members must be for the amendment. With the existing legislature, the NPC is able to enact laws from the CCP Central Committee, the State Council, the Central Military Commission, for example. To create non-constitutional laws, the NPC must review the draft laws and other legislative items to make a report to the chairs with suggestions for amendments. Usually, the reports are reviewed multiple times before submission. For the sake of this conference, the voting procedures will work similarly to other MUN committees.

Although this appears to work for the Chinese government some people appear to find faults with his system.

In the media, the NPC has been characterised as a 'rubber stamp' as some perceive that this committee's decisions are only able to affect insignificant issues. On top of this 2098 members of parliament out of 2980 are part of the Chinese Communist Party (CCP) due to the constitution guaranteeing the CCP a leadership role, with the remaining members coming from parties that are best described as *puppets* of the CCP. With this role, the CCP is able to control delegate selection, legislative agenda and amend the constitution. For instance, the New York Times describes it as 'a carefully crafted pageant intended to convey the image of a transparent, responsive government', while Hu Xiaoyan of the NPC described her position as not having any 'real power'. *Therefore, for the sake of debate, we have decided to change the memberships and rules of the committee.*

The inclusion of the Communist Party of China, dissidents and prominent figures in Chinese business allows for more well-rounded debate and multifaceted arguments for both the discussion of rights for Uyghurs in Xinjiang and the foreign IPOs of national companies. Thus, we have elected to use this format with figures such as Dolkun Isa, the President of the World Uyghur Congress, and Jack Ma, the founder of Alibaba, also acting as representatives.

PROCEDURAL OVERVIEW

The NPCC has specific rules pertaining to the committee that differ from the usual MUN format. In THAIMUN NPCC, the delegates represent members of the Chinese Communist Party, dissidents, or corporate representatives, with the backroom representing other groups and bodies, including: the media (both foreign and domestic), other branches of the government, the general public, among others.

Functions and power of the NPCC

As the legislative body in the Chinese government, the functions and powers of the NPCC are as follows:

- ❖ To amend the Constitution and to supervise its enforcement
- ❖ To enact and amend basic laws governing criminal offenses, civil affairs, the State organs and other matters
- ❖ To elect, decide to appoint and remove from office members of central State organs
- ❖ To determine major State issues

Key terms

Since the real-life National People's Congress operates in Mandarin, the terms used in the NPCC at THAIMUN have been borrowed from the US Congress.

- ❖ Motion to lay on the table: A motion to temporarily hold off on discussing a legislation or amendment.
- ❖ Motion to take from the table: A restoratory motion to bring back to the floor a measure (legislation) previously laid on the table.
- ❖ Motion to reconsider: A restoratory motion to bring back to the floor a measure (usually a legislation or amendment) previously disposed of. Only a delegate on the “winning” side of an original vote can move to reconsider. Only a majority vote can bring a legislation or amendment back from defeat. E.g. a representative who has cast an against vote on a defeated legislation can move to reconsider the legislation.
- ❖ Motion to divide the question: A motion to split a topic into distinct segments of debate. E.g: An amendment calling for lower criminal penalties and increased enforcement may be divided into two amendments, each of which calls for one of these proposals.

Phraseology

All speeches must be addressed to the Chairman, who are addressed as either "Mr. Chair" or "Madam Chair", and not to another member; other Members must be referred to in the third person. In most cases, members do not refer to each other by name, but by state or position, using forms such as "Premier of the State Council ", "Respected Founder of the Alibaba Group", or "my distinguished friend the Chairman of the Judiciary Committee". However, unlike with normal MUN, delegates may refer to themselves in the first person.

For further information, please refer to the [THAIMUN NPCC Procedure Guide](#).

Topic I: Discussing the Rights of Uyghurs in Xinjiang

“An oppressive government is more to be feared than a tiger.”

- Confucius (孔子 – Kǒngzǐ)

INTRODUCTION

The Uyghurs are primarily sedentary (i.e. not migratory or nomadic) village dwellers who live in a network of oases established in the Tien Shan, Pamirs, and associated mountain systems' valleys and lower slopes. Because the region is one of the driest in the world, irrigation has been used to conserve water for agriculture for generations. Wheat, corn, sorghum, and melons are their main food crops. Cotton is the main industrial crop, and it has been farmed in the area for a long time. In metropolitan areas, many Uyghurs work in petroleum extraction, mining, and manufacturing.

Except for a brief period during the 19th century when they revolted against Beijing, the Uyghurs have lacked political unity in recent decades. Following the formation of the autonomous region in the 1950s, considerable numbers of Han, or ethnic Chinese, began to migrate to Xinjiang. The effect was amplified to the point where the Han made up two-fifths of Xinjiang's overall population by the late twentieth century. Economic and ethnic tensions between the Uyghur and Han communities developed over time, resulting in protests and other disturbances. In July 2009, a particularly violent epidemic occurred, primarily in Ürümqi, in which about 200 people (largely Han) were killed and 1,700 were injured.

Following it, violent incidents proliferated, including attacks by knife-wielding assailants and suicide bombers. Chinese authorities retaliated by repressing Uyghurs suspected of being separatists and dissidents. Until 2017, when the Chinese government launched a comprehensive crackdown on Uyghurs in Xinjiang, the authorities' measures included shootings, arrests, and lengthy prison sentences. The government installed cameras, checkpoints, and frequent police patrols in Uyghur-dominated districts, citing a need for increased security.

The most controversial government undertaking—which was met by protests from human rights organizations—was **the indefinite detention of up to one million Uyghurs in “political training centers,”** heavily fortified buildings that were likened to the reeducation camps of the Mao Zedong era. (Britannica)

KEY TERMS

Human Rights: The basic rights and freedoms that belong to every person in the world, from birth until death. According to the International Covenant on Civil and Political Rights (ICCPR), an international human rights treaty, human rights includes rights such as but not limited to freedom from torture and other cruel, inhuman, or degrading treatment or punishment, fair trial rights, freedom of thought, religion and expression, privacy, home, and family life, and equality and non-discrimination.

Uyghur: a Turkic-speaking people living in northwestern China, in the Xinjiang Uyghur Autonomous Region. The Uyghurs of Xinjiang are Sunni Muslims. About 8,000,000 Uyghurs live in China today. (Britannica)

Xinjiang: an autonomous region of China, occupying the northwestern corner of the country. It is China's largest political unit with the capital at Ürümqi (*Mandarin:* 乌鲁木齐 – Wūlǔmùqí). Its indigenous population is typically agriculturalists and pastoralists. In theory, it has some power of self-governance because it is autonomous yet in practice, it is subjected to major restrictions by the central government.

Freedom: the power to act, speak or think as one wants without hindrance or restraint

Re-education Camps: A camp used for the internment and ideological retraining of political dissidents in some authoritarian countries, especially Communist China and Vietnam.

Genocide: Any acts, such as killing members, causing serious bodily or mental harm, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction, imposing measures intended to prevent births, or forcibly transferring children of the group, committed with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. (UNGA Reso 96 (I))

EXPLANATION OF THE TOPIC

What has been happening? (Allegations against China)

China has been accused of targeting Muslim religious figures and banning religious practices in the region, as well as destroying mosques and tombs.

Several countries have accused China of committing genocide as defined by the UNGA Resolution 96 (I).

Reports have suggested that in addition to interning Uyghurs in camps, China has been forcibly mass sterilizing Uyghur women to suppress the population, separating children from their families, and attempting to break the cultural traditions of the group.

People who have managed to escape the camps have reported physical, mental, and sexual torture, present within the camps.

China's Perspective

The crackdowns are real but human rights abuses are not happening in Xinjiang. Uyghur militants are waging a violent campaign for an independent state by plotting bombings, sabotage, and civic unrest. Therefore the crackdowns are only necessary to prevent terrorism and root out Islamist extremism present in the country. The camps are merely an effective tool for re-educating inmates in China's fight against terrorism.

In 2019, China has released everyone from its "re-education" camp system. Allegations of mass sterilizations and forced labor are baseless and completely fabricated.

The claims of genocide are “the most preposterous lie of the century, an outrageous insult and affront to the Chinese people, and a gross breach of international law and basic norms governing international relations” according to the Chinese Foreign Ministry spokesperson Hua Chunying. Western countries want to take China down and therefore are spreading false information to contain China.

In reality, there is ethnic harmony in Xinjiang, whether Han, Uyghur, or another ethnic group, everyone is happy, prosperous, and grateful for the government’s policy of poverty alleviation.

Alternative Uyghur Perspective

Ehmet, an Uyghur who has worked in Beijing for more than five years, has this to say “I do not understand why Americans use the term ‘genocide’ or ‘crimes against humanity’ to describe Xinjiang,” Ehmet said he video chats with his family every day. “It is no different from the past and life is as usual. How could there be a massacre?” he asked.

He said that his brother used to be in one of the education centers derided by the United States, but it was not a forced labor camp. “Two years ago, my brother learned Mandarin for one month there, because it is easier to find a job,” Ehmet said. “Now he is ready to get married.”

China has been mobilizing all parts of the country to support Xinjiang in the past few years. Almost every city needs to support a county or a region in Xinjiang.

The Western accusations against China on the Xinjiang issue are so outrageous and weird that China’s leftists, rightists, conservatives, and liberals all do not believe them,” said a scholar from Aalborg University. “Instead, they have reached a consensus on this issue... ordinary Chinese people look down on the West even more, as well as having more confidence in their own development.

A question to ponder: Why does the current criticism on the Xinjiang issue are coming from Western countries whereas none of the Muslim countries in the Middle East support it?

Economic

Xinjiang produces about a fifth of the world’s cotton. Much of that cotton is picked by forced labor, as claimed by human rights groups. Some brands removed Xinjiang cotton, Chinese celebrities and netizens boycotted those brands.

Xinjiang is seen as the Gateway to the Belt and Road Initiative. In recent years, as part of China's BRI approach, Xinjiang has witnessed rapid infrastructure development. Urumqi International Land Port in Xinjiang's capital city has been built as an integrated rail, road and flight logistics hub to facilitate trade with not only the neighboring countries but all the way up to Europe via the China-Europe Railway Express.

With growing economic opportunities, the focus of the debate in economics should be around the distribution of opportunities and wealth.

Religion

In 2017, President Xi Jinping issued an order saying all religions in China should be Chinese in orientation.

There have also been reports of the Chinese government banning Muslims from fasting during Ramadan, or women wearing veils and men growing their beards long. Muslims were also reportedly forced to eat pork, which is prohibited in Islam.

In 2020, an investigation conducted by the Australian Strategic Policy Institute (ASPI), using satellite imagery and ground reporting, also revealed “thousands of mosques” in the region have either been damaged or destroyed in just three years.

However, Chinese officials counter-claimed that they have “consistently improved the public services of mosques.”

Clashes

1. The idea of forcibly assimilating groups of people into the mainstream Han culture, by stamping out traditional cultural and religious practices VS cultural assimilation to prevent terrorism and radicalism
2. National Sovereignty (China’s rights to do whatever it please under international law) VS International Pressure (The international community pushing China to do the right thing)
3. The Rights of the Individuals VS the Safety and Stability of the state

ACTIONS TAKEN

UNHRC “UN experts deeply concerned by alleged detention, forced labor of Uyghurs” Calls for unhindered access to China to conduct fact-finding missions and urging global and domestic companies to closely scrutinize supply chains.

UN Committee on the Elimination of Racial Discrimination: recommended that the Chinese government “ensure its laws and regulations...provide an open space for civil society, and specifically for non-governmental organizations working to combat racial discrimination”, and asked the government to provide data on the number of NGOs working on combating racism in China

US National Endowment for Democracy has funded the World Uyghur Congress, the Uyghur Human Rights Project, the Campaign for Uyghurs, and the Uyghur Transitional Justice Database Project since 2004 with over \$8.7 million dollars

Chinese Government: China’s program against extremism in Xinjiang was in compliance with the principles and spirit of the UN Global Counter-Terrorism Strategy

Chinese: 151,000 people in poverty-stricken families in southern Xinjiang have secured jobs away from their homes, most of them working in other parts of the region, while almost 15,000 are working in other parts of China.

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Topic II: Discussing foreign IPOs of national companies

INTRODUCTION

To raise funds, large Chinese companies have decided to list themselves onto stock markets abroad (usually in western countries). Currently, many companies such as Alibaba, Baidu and Tencent already have shares on US stock exchanges. However, the Cyberspace Administration of China (CAC) has recently cited a

KEY TERMS

IPO	“Initial public offering” – a process in which a company which becomes public first issues its shares.
Cybersecurity	Protection against the criminal or unauthorised use of electronic data.
Capital controls	Capital controls are measures to limit how much capital flows in and out of an economy. In other words, how much money enters and leaves a country.
Variable interest entity (VIE)	A legal structure which allows Chinese companies to sell shares abroad by effectively exploiting a legal loophole.
Regulatory crackdown	When a government chooses to increase its level of enforcement.
Economic liberalisation	Economic liberalization encompasses the processes, including government policies, that promote free trade, deregulation, elimination of subsidies, price controls and rationing systems, and, often, the downsizing or privatization of public services.

EXPLANATION OF THE TOPIC

A brief account of Chinese economic history

Due to China’s history of Communist Party rule since 1949, its economy has long been closed off from the rest of the world. After the Communist Party took over, it immediately transformed the economy into a **socialist planned economy**, roughly following the Soviet model. It nationalised (brought under government ownership) many economic sectors previously controlled by private companies, engaged in land reforms, and alongside this also came a high degree of **isolation** from the global economy.

In 1978, under Deng Xiaoping, China liberalised its economy, moving from a **planned economic model** towards a **mixed economy**. With these reforms came the process of partially privatising many **state owned enterprises** (SOEs) and permitting an increasing number of privately owned enterprises (POEs) to participate in the economy. Data from 2013 suggests that the role of SOEs has greatly declined since the reforms began, with them accounting for 55 per cent of assets, 45 per cent of revenue and 40 per cent of profits (Scissors and AEI). This serves to show that the extent to which China has transitioned to a market

economy is limited, in that it is not a free market to the extent of countries like the United States, where the market share of SOEs in 2019 was 11.8 per cent, according to the World Bank.

With Chinese exports in 2020 being valued at 2591.12 billion USD, China's market has also become much more open to the global economy in the years since the reform. However, the Xi Jinping government has begun to increase its degree of control over the market once more, and thus has begun to crack down on some aspects of *foreign market integration*. One of these aspects concerns the ability of Chinese companies to raise capital (money) through listing their shares abroad.

What is an IPO?

IPO stands for “initial public offering”, which typically refers to a process in which a company which becomes public first issues its shares in order to raise investment capital. When Chinese companies choose to launch an IPO abroad however, most will have to set up **variable interest entities** (VIEs) abroad in order to circumvent Chinese stock market regulations and open up access to foreign investors.

How do VIEs work and why are they used?

Due to Chinese laws preventing foreign investment in certain industry sectors (e.g. energy, IT and telecommunications, automotive, media), many large Chinese companies set up VIEs to bypass these regulations. This way, they can raise funds from abroad despite operating in a sector which is technically prohibited from doing so.

In foreign markets, shares in VIEs are perceived as being more or less synonymous with shares in a company. However, this is not exactly the case. A typical VIE structure involves a **holding company**, which receives investments from foreign investors, and a subsidiary under it, operating in China as a wholly owned foreign-enterprise (WFOE). To have this subsidiary then own the company itself would however defeat the purpose of this system, *since its whole purpose is to allow for investment without compromising the lack of foreign ownership that allows a company to operate in its sector in the first place*. As a result, the WFOE subsidiaries instead gain power over decision-making in the main company through a series of contracts and agreements. This structure therefore allows Chinese companies to mimic *actual* ownership for foreign shareholders, without actually giving them ownership.

As we can clearly see, the intentions behind this complicated system are more or less illegal. While past governments have effectively decided to regulatorily turn a blind eye at this situation, seeing its benefits to the Chinese economy, the current government (following its trend of regulatory crackdown) has decided to impose greater scrutiny on these arrangements.

What actions has the Chinese government taken?

It is becoming more and more clear that China wants more companies to go public domestically, rather than abroad. This comes as part of a wider initiative to increase capital controls.

In April 2021, the ride-hailing platform Didi was summoned by multiple Chinese government authorities only a few weeks after launching its IPO in the American market, alongside 30 other companies. These included the Chinese **internet regulator** – CAC, the government **anti-trust watchdog**, and **tax authority**. After examining its operations, Didi stated that it had “uncovered a number of areas which could be deemed problematic from the compliance perspective.”

As a result of the apparent failure to comply with regulations on data security, the company was ordered to stop registering new users and to remove its app from mobile stores, due to alleged data security concerns. Then, it was issued fines as a result of failing to report mergers deals to the anti-trust regulator, alongside Alibaba.

On a larger scale, this comes as part of a wider array of regulatory crackdown on financial markets. On 7 June, 2021, the General Office of the Central Committee of the Communist Party (中共中央办公厅) and the General Office of the State Council (国务院办公厅) released a legal document titled “Opinions of the General Office of the CPC Central Committee and the General Office of the State Council on Strictly Cracking Down On Illegal Securities Activities in accordance with the Law”, which among other concerns outlined the intent of implementing changes to financial market regulations to ensure greater compliance with the law. It includes information on the state’s intent on strengthening criminal punishments for finance-related crimes, as well as identifies specific areas of regulation which are deemed to be problematic alongside issues concerning national security.

At the same time, foreign regulatory bodies have also recently expressed concerns regarding the issue. In the United States, Senator Marco Rubio and Senator Bob Casey have introduced a bill to prevent Chinese companies from selling shares through their VIEs unless they fully subject themselves to US oversight. They do so citing concerns over access to information causing undue risk for American investors. This directly clashes with the data security concerns which previously led Didi to issues with the CAC. According to the economist Rory Green, the "crackdown on Didi opens a new front in China's tech assertiveness: this is now a question of sovereignty. The battle for data sovereignty is beginning and China is already fully mobilized. It is increasingly clear that governments around the world have recognized the importance of data and the need to regulate the utility like private firms that control its production and flow.”

What actions have firms taken?

Firms have largely remained compliant with regulatory requests. This is likely for fear of further restrictions if they refuse to comply. As such, delegates *opposing* the government may need to be more creative in their approach, as there are no real-life precedents of corporate opposition. Delegates on this side of the house may also want to consider adopting a stance based on an academic approach to opposing capital controls in China.

CLASHES

- 1) To what extent should China restrict foreign investment in certain, so-called “sensitive sectors”?
- 2) How should China regulate data collection and sharing in a global market?

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