

United States Congressional-Executive Commission on China

Senator Byron L. Dorgan, Chairman | Representative Sander M. Levin, Cochairman

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Announcements

CECC Roundtable: "China's Human Rights Lawyers: Current Challenges and Prospects," Friday, July 10, 2009, 10 a.m. to 11:30 a.m., 628 Dirksen Senate Office Building

A panel of experts will discuss China's human rights lawyers and their role in advancing the rule of law in China. What is the relationship between these lawyers and the Chinese government and the Communist Party? Why are many prominent human rights lawyers being harassed and some being threatened with losing their licenses to practice law? What does the future hold for China's rights lawyers?

CECC Translation: Circular Regarding the Pre-Installation of Green Browsing Filter Software on Computers

On May 19, 2009, the Ministry of Industry and Information Technology (MIIT) issued the Circular Regarding the Pre-Installation of Green Browsing Filter Software on Computers, which requires that computers sold within China after July 1 must come "pre-installed" (*yu zhuang*) with the government-approved "[Green Dam-Youth Escort](#)" Internet browsing filtering software. Testing by outside sources has found that the software filters pornography, but it also filters specific political and religious content. Chinese citizens and media have criticized the requirement as exceeding the scope necessary to achieve the Circular's stated purpose (the protection of minors). They have raised concerns about privacy and who would determine what content is to be filtered by the software, and argued that the choice to install should be an individual one. In addition, questions have been raised both in China and outside of China as to whether the Circular is consistent with China's commercial rule of law reforms, and whether it complies with international norms related to freedom of expression and international trade. The following is a translation of the Circular prepared by the Congressional-Executive Commission on China.

[Click here for the full translation. This link will open in a new Web page.](#)

CECC Updates

Beijing Police Formally Arrest Liu Xiaobo on Inciting Subversion Charge

Chinese public security officials formally arrested prominent intellectual Liu Xiaobo on June 23, 2009, on the charge of "inciting subversion of state power," according to the Xinhua News Agency (as [reported](#) by Singapore Lianhe Zaobao on June 24). The Commission has not been able to locate the original Chinese-language Xinhua article through a publicly available source online, although numerous media and NGO reports in Chinese have quoted directly from it.

[Click here for the full analysis. This link will open in a new Web page.](#)

Recruitment for State Jobs in Xinjiang Discriminates Against Ethnic Minorities

Ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR) continue to face widespread discrimination in recruitment for state jobs, according to Congressional-Executive Commission on China (CECC) analysis of recent recruiting efforts for jobs in the Xinjiang Production and Construction Corps (XPCC) and XUAR schools. The recent recruitment programs [follow other examples of discriminatory job recruiting practices in the XUAR](#) and come during a period of high unemployment for XUAR college graduates.

[Click here for the full analysis. This link will open in a new Web page.](#)

China Requires Journalists To Obtain New Press Cards To Practice Profession

Journalists and editors at Chinese news organizations are required to possess a government-issued press card in order to legally practice their profession. This requirement differs from more limited forms of press accreditation, such as press badges required for access to certain places or events. Under China's press card system, the government has complete discretion to determine who may or may not legally practice journalism. As detailed below, such a licensing scheme does not conform to international human rights standards for freedom of expression. Every five years journalists already possessing a press card must apply for a new card, at which time the government may deny renewal. 2009 marks five years since the government last renewed press cards in 2004. Press cards currently held by journalists will expire on July 1, 2009. The government has given journalists and editors until June 30 to obtain new cards.

[Click here for the full analysis. This link will open in a new Web page.](#)

Officials Extend Liu Xiaobo's Residential Surveillance Beyond Legal Time Limit

Chinese officials continue to hold prominent intellectual and [Charter 08](#) signer Liu Xiaobo even though the six-month limit for residential surveillance as provided for in China's [Criminal Procedure Law](#) (CPL) has expired. Article 58 of the CPL allows officials to place someone under residential surveillance for up to six months. Police reportedly took Liu into custody on December 8, 2008, meaning the period of his residential surveillance should have expired on June 8, 2009, and officials would have had to provide another legal basis for holding him, according to a June 8 Dui Hua Human Rights Journal [analysis](#) issued by the Dui Hua Foundation, a non-profit organization that seeks to promote universal human rights through dialogue between China and the United States.

[Click here for the full analysis. This link will open in a new Web page.](#)

Demolition of Kashgar's Old City Draws Concerns Over Cultural Heritage Protection, Population Resettlement

Authorities in a city in western China have launched a demolition project that has undermined the preservation of a cornerstone of the Uyghur ethnic group's cultural heritage and will result in the resettlement of roughly half the city's population. Official Chinese media have described the project to "reconstruct" the historic Old City section of Kashgar, in the Xinjiang Uyghur Autonomous Region (XUAR), as a way to address infrastructure shortcomings and to guard against risk of earthquake damage. Chinese sources indicate that most of the existing buildings in the Old City will be demolished rather than restored. Overseas media have reported that authorities have undertaken the project despite opposition from local residents and have compelled residents to leave their homes, with reported cases of inadequate compensation.

[Click here for the full analysis. This link will open in a new Web page.](#)

Two Men in Inner Mongolia in Detention for Involvement in Mongolian Organization and for Planned Protest

Authorities in the Inner Mongolia Autonomous Region (IMAR) have detained two Mongol men on charges of involvement with a pan-Mongolian organization and for attempting to organize a protest, according to a May 3 [report](#) from the U.S.-based Southern Mongolian Human Rights Information Center (SMHRIC).

[Click here for the full analysis. This link will open in a new Web page.](#)

Xinjiang Authorities Block, Punish Free Expression

Authorities in the Xinjiang Uyghur Autonomous Region (XUAR) continued in 2009 to engage in censorship campaigns and punish people for peaceful expression and assembly. Authorities outside the XUAR also participated in the censorship of a Web site devoted to Uyghur issues. The measures continue a longstanding trend in [blocking](#) and [punishing](#) free expression in the XUAR, especially among the Uyghur ethnic group. The continued controls also come amid a year of [heightened government repression](#) in the region.

[Click here for the full analysis. This link will open in a new Web page.](#)

Shenzhen Rights Defense Lawyer Liu Yao Released From Detention: In Final Appeal, Liu Sentenced to an 18-month Prison Term, Suspended for 2 Years

Attention to the challenges faced by China's rights defense ([weiqian](#)) community has spiked with the recent news that authorities have not renewed the lawyers' licenses of some of China's most prominent human rights lawyers. The case of Shenzhen lawyer Liu Yao, discussed below, is an example that shows that the difficulties Chinese lawyers face for taking on sensitive cases are not new. Rather, they constitute a long-standing and persistent problem for China's continued development of the rule of law.

[Click here for the full analysis. This link will open in a new Web page.](#)

Employment Discrimination Persists During Implementation of the Employment Promotion Law

China's [Employment Promotion Law](#) (EPL) took effect on January 1, 2008. Provisions in the law prohibit discrimination based on factors including gender (Art. 27), [ethnicity](#) (Art. 28), disability (Art. 29), whether or not the job candidate is a carrier of an infectious disease (Art. 30), and whether or not the job candidate is a migrant worker (Art. 31). Article 62 of the law permits workers to initiate lawsuits in cases of alleged discrimination.

[Click here for the full analysis. This link will open in a new Web page.](#)

Xinjiang Authorities Strengthen Controls Over Religion

Local governments in the Xinjiang Uyghur Autonomous Region (XUAR) reported throughout early 2009 on measures to strengthen control over religious activity. Measures include carrying out a campaign aimed at "weakening religious consciousness," implementing rules to expel religious leaders for missing political study classes, monitoring students' activities during school vacations, and holding open trials to punish "illegal religious activity" and demonstrate its consequences to the public.

[Click here for the full analysis. This link will open in a new Web page.](#)

China's Responses at the UN Human Rights Council's Universal Periodic Review

During the recent Universal Periodic Review of China's human rights record before the UN Human Rights Council, China denied the existence of human rights issues such as censorship, abuse of state secrets laws, and black jails, defended its reeducation through labor system and registration requirements for religious activity, and asserted that its laws protect workers, lawyers, and ethnic minorities. China did not support Member States' recommendations in many of these areas and called such concerns "politicized."

[Click here for the full analysis. This link will open in a new Web page.](#)

Xinjiang Authorities Announce Heightened Security Threat, Strengthen Security Capacity and Continue Propaganda Campaigns

Authorities throughout the Xinjiang Uyghur Autonomous Region (XUAR) have continued in late 2008 and early 2009 to implement harsh security controls and widespread propaganda campaigns in the name of preserving stability, while a top official in the region said in March 2009 that the XUAR will face a more serious security terrain in the coming year.

[Click here for the full analysis including an update on this story. This link will open in a new Web page.](#)

China Issues New Hukou Policies To Promote Employment; Discrimination Continues

In January and February, the Chinese government issued new policies to lift certain restrictions on household registration (*hukou*), allowing citizens who meet specified criteria to obtain local *hukou*. Having local *hukou* is effectively a prerequisite for securing employment, healthcare, social insurance, education, and other government benefits; this has been the case since the issuance of the [Regulations on Household Registration](#) in 1958.

[Click here for the full analysis. This link will open in a new Web page.](#)

Number of Xinjiang Students Receiving Mandarin-Focused "Bilingual" Education Increases

The number of ethnic minority students in the Xinjiang Uyghur Autonomous Region (XUAR) receiving class instruction through Mandarin-focused "bilingual" education in 2008 increased by more than 125,000 students over the previous year, according to available data from the XUAR government and media, reflecting a continuing trend in XUAR schools to diminish the use of ethnic minority languages.

[Click here for the full analysis. This link will open in a new Web page.](#)
