

# China Human Rights and Rule of Law Update

August 1, 2005  
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## United States Congressional-Executive Commission on China

Senator Chuck Hagel, Chairman | Representative Jim Leach, Co-Chairman

### Events

#### HEARING: Law in Political Transitions: Lessons from East Asia and the Road Ahead for China

The Commission held a hearing entitled "[Law in Political Transitions: Lessons from East Asia and the Road Ahead for China](#)," on July 26 in the Senate Dirksen Office Building. The hearing assessed the state of China's rule of law development and the role of legal institutions in political transitions in Taiwan and South Korea to see whether these experiences suggest a path ahead for China. The panelists were: [Gretchen Birkle](#), Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State; [Jerome A. Cohen](#), Professor of Law, New York University School of Law, Adjunct Senior Fellow on Asia, Council on Foreign Relations, and Of Counsel, Paul, Weiss, Rifkind, Wharton & Garrison; [John Fuh-sheng Hsieh](#), Professor, Department of Government and International Studies, University of South Carolina; and [John K. Ohnesorge](#), Professor of Law and Professor and Assistant Director of East Asian Legal Studies, University of Wisconsin Law School.

The statements of Senator [Chuck Hagel](#) (R-Nebraska), Chairman of the Commission, and Congressman [Jim Leach](#) (R-Iowa), Co-Chairman of the Commission, are also available on the Commission's Web site.

### Updates on Rights and Law in China

[Human Rights Updates](#)   [Rule of Law Updates](#)   [All Updates](#)

#### Appeals Court Upholds 10-Year Sentence for Journalist Shi Tao

The Supreme People's Court in Hunan province upheld on June 2 a lower court's conviction of journalist Shi Tao for disclosing state secrets, according to [Reporters Without Borders](#) and the [Committee to Protect Journalists](#). On April 27, the Changsha Intermediate People's Court [found Shi guilty](#) and sentenced him to 10 years imprisonment. Guo Guoting, Shi's attorney, [was not permitted to defend Shi](#) because Chinese authorities had revoked Guo's law license on February 24, and then placed him under house arrest in mid-March. Shi was detained in November 2004 as part of a [Chinese government crackdown on writers, journalists, and intellectuals](#). According to Reporters Without Borders [Shi was arrested formally on January 28](#) for sending the online newspaper, Minzhu Tongxun, the summary of a document that Chinese authorities sent to his newspaper "warning journalists of the dangers of social destabilization and risks linked to the return of certain dissidents on the occasion of the 15th anniversary of the Tiananmen Square massacre."

China's [state secrets laws](#), and [national security laws](#) generally, are [broad and vague](#), and Chinese authorities often [use them to prosecute writers and journalists](#) for legitimately exercising the freedom of expression guaranteed to them by the Chinese Constitution and international law.

#### International Committee of the Red Cross to Open Beijing Office

The International Committee of the Red Cross (ICRC) and the Chinese government signed an agreement on July 20 that will permit an ICRC regional delegation office to open in Beijing, according to the [ICRC Web site](#) and a [Xinhua report](#). The Geneva-based [ICRC](#) provides medical aid and other supplies during emergencies, monitors and inspects prison conditions, and works with police, military forces, and others to promote humanitarian laws and policies. The Beijing office will cover China, Mongolia, and the Korean peninsula.

China's announcement that it would permit the establishment of an ICRC office was one area of progress that the [U.S. government noted](#) prior to the meeting of the UN Human Rights Commission in March 2005.

#### Authorities Begin to Sanction, Permanently Shut Down Web Sites That Failed to Register With the Government

On July 2, Xinhua reported that Chinese agencies in charge of controlling the Internet had [temporarily shut down over 100,000 Web sites](#) because their operators failed to register with the [Ministry of Information Industry](#) (MII). Xinhua stated that these Web sites would have until July 10 to register. Since the July 10 deadline passed, China's state run media has begun reporting that provincial authorities are sanctioning and permanently shutting down thousands of Web sites that

have still failed to register.

[Shandong Shuts Down 404 Internet Web Sites That Refuse to Carry Out Registration](#) (Xinhua 2005-07-18)

According to the Shandong Communications Administration, authorities have almost completed "Internet Web site rectification" in the province. The article stated that, as of midnight on July 10, 404 Web sites had failed to register, and the provincial Communications Administration had decided to shut down these Web sites, and demanded that their Internet access providers stop providing them Internet access services. The article claimed that "harmful" information on the Internet was "severely poisoning people's souls," and that "the Internet must be regulated and must be supervised."

[Guizhou Increases Monitoring and Supervision of Internet Web Sites](#) (Xinhua 2005-07-17)

According to preliminary statistics, over 1,200 Web sites related to over 2,340 domain names had been registered with Guizhou provincial authorities. The report states that this accounts for only 80 percent of Web sites in Guizhou, and that authorities plan to sanction and shut down Web sites that failed to register.

[Jiangsu to Shut Down Over 500 Chat Rooms and BBSs That Have Failed to Register](#) (Nanjing Daily 2005-07-14)

An official at the Jiangsu Communication Administration said that, as of June 11, over 500 Web sites had not been allowed to register, because they had failed to provide proof that they had been authorized by the government to post certain types of content. According to the official, the content included chat rooms, BBS forums, news, publications, and "other contents that must receive prior government authorization." The official said investigations by relevant agencies are pending, and that the number of the Web sites that will be allowed to continue to operate remains to be determined.

[In Tianjin 9,000 Web Sites Register; Over 340 Domain Names Are Permanently Shut Down](#) (People's Daily 2005-07-12)

Tianjin Communications Administration officials told reporters that authorities have officially placed 340 domain names that point to over 300 Web sites on a "black list," and that these domain names would never be allowed to re-open.

As part of the registration process, the MII requires anyone who posts news on their Web site to provide proof that they have been [authorized by the Chinese government to do so](#). In addition to [requiring Web sites to register with the MII](#), some large cities in China, such as [Beijing](#), [Guangzhou](#), and [Qingdao](#), are forcing Web sites to register with public security authorities, citing provisions of the [Measures for the Administration of Security Protection of Computer Information Networks with International Interconnections](#).

## Security Agents Detain U.S. Human Rights NGO Executive Director After Beijing Human Rights Seminar

Chinese security personnel in Beijing detained the executive director of a respected U.S. human rights NGO after she attended a seminar associated with the EU-China bilateral human rights dialogue, according to a number of press accounts on July 1 and 2. Sharon Hom, executive director of Human Rights in China (HRIC), said that security agents detained her for five hours in her Beijing hotel on June 21 following the conclusion of the human rights seminar.

Ms. Hom wrote [an account of her detention](#) for the July 1 edition of the Asian Wall Street Journal. She described being approached outside her hotel room by three officers of the Beijing State Security Bureau, who invited her to "have a friendly chat and ask...a few questions." She parried an invitation to leave the hotel with the agents to have the conversation at a "place close by" that was more "convenient," and when she tried to end the conversation and depart, one of the agents grabbed her by the arm "until I angrily and loudly demanded that he let me go."

Ms. Hom told the [Washington Post](#) that the agents eventually agreed to question her in the presence of David Sedney, the U.S. deputy chief of mission, and two European ambassadors. The officers queried her about "her identity, her participation in the seminar, her activities in Beijing and her opinion of the changes in China over the past two decades."

Full Analysis >> <http://www.cecc.gov/pages/virtualAcad/newsletterListing.php?NLdate=20050801&show=ALL#id16885>

## Talks with Chinese Officials in Switzerland Were Concrete and Substantive, Says Tibetan Special Envoy

Special Envoy Lodi Gyari described as "concrete and substantive" the fourth round of meetings between the Dalai Lama's envoys and Chinese officials in Bern, Switzerland, on June 30 and July 1, according to a [statement](#) by Gyari released by the Tibetan government-in-exile on July 7. "We put forward some concrete proposals that will help build trust and confidence and move the ongoing process to a new level of engagement aimed at bringing about substantive negotiations to achieve a mutually acceptable solution to the Tibetan issue," the statement said. "Obviously, major differences on a number of issues, including on some fundamental ones, continue to remain."

Gyari, Envoy Kelsang Gyaltsen, and three senior assistants met with a six-member Chinese delegation headed by Vice Minister Zhu Weiqun of the United Front Work Department of the Chinese Communist Party (CCP). Zhu is also a member of the CCP Central Commission for Discipline Inspection and a senior official of the State Council Information Office, a cabinet-level part of the Chinese government. Gyari's statement said, "Despite the existing areas of disagreement, Vice Minister Zhu was pleased that our direct contact had now become stable and an 'established practice.'" Pointing to the progress achieved since the dialogue began in 2002, Gyari said, "[Zhu] stated that we need not be pessimistic about the existing differences and that it was possible to narrow down the gaps through more meetings and exchange of views."

Referring to the areas of disagreement between Tibetans and Chinese officials, Tibetan-government-in-exile official Thubten Samphel told reporters in Dharamsala on July 8, "The most fundamental issue that we still have differences on is the definition of Tibet," according to a [report](#) by the Associated Press. "While China sees Tibet as the area included under the Tibet Autonomous Region (TAR), Tibetans claim a much larger area where the culture and language are Tibetan," Samphel explained.

China designates 13 areas of Tibetan autonomy. The TAR is ranked as a province, while the remaining areas are Tibetan autonomous prefectures or counties located in Gansu, Qinghai, Sichuan, and Yunnan provinces. Their total area is about 865,000 square miles (2.24 million square kilometers). The Tibetan government-in-exile's [representation of Tibet](#) (965,000 square miles, or 2.5 million square kilometers) exceeds the total area of Chinese-designated Tibetan autonomy by about 100,000 square miles.

Additional information about the status of dialogue between the Dalai Lama or his representatives and the Chinese government is available in the [CECC 2004 Annual Report](#).

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## Security Officers Detain and Release House Church Protestants

Chinese public security officials have detained numerous "house church" Protestants in a number of incidents over the past several weeks, according to the [China Aid Association](#) (CAA), a U.S.-based NGO that monitors the religious freedom of Chinese Protestants.

- On June 24, public security agents raided a Protestant house church leadership training meeting in Henan province, and detained about 100 pastors. Nine remained in jailed as of June 29.
- On June 3, border security officials detained a group of house church missionaries entering China from Pakistan at Kashi in the Xinjiang Uighur Autonomous Region. Thirty-four were detained, and most were released after serving 15 days in administrative detention centers in or near their hometowns in eastern China.
- On May 24, police detained three house church Protestants visiting a Protestant leader's home in Henan province. Three women were detained, beaten, and interrogated for several hours each, and released.
- On May 22, public security officers raided house churches in Jilin province, detaining hundreds of Protestant believers and pastors. Most were soon released, but about 100 were still in detention as of June 9. CAA published a [separate press release](#) on these detentions.
- On May 13, public security officials raided a Bible class in Shanxi province, detaining 20 house church leaders. Most were released the same day, but one was held for 15 days and another remained in custody for 30 days.

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## Chinese News Media Highlights Government Efforts to Combat Torture

The Chinese news media have stepped up a publicity campaign that highlights government efforts to reduce the prevalence of torture and coerced confessions. In late July, the Supreme People's Procuratorate [announced](#) that it had filed criminal cases against 1,751 officials for human rights violations since July 2004, an increase of 7.7 percent over the year before. The SPP also published [descriptions](#) of three "typical" cases of "strictly investigating" cases involving torture and abuse. At the same time, Chinese news media [have suggested](#) that forthcoming amendments to the Criminal Procedure Law (CPL) will focus on enhanced legal protections against torture, including a rule to grant lawyers better access to their clients during interrogations. One source notes that the CPL amendments are scheduled to be considered in 2006 for adoption in 2007.

Over the past year, domestic news media sources have published candid acknowledgments of the extent of the problem, running stories that characterize torture as "[widespread](#)," "[a malignant tumor](#)" "[common in many places](#)" and "[not just an occasional occurrence in a few regions or among a few people](#)." Public scrutiny of law enforcement torture and abuse has intensified in recent months as a series of wrongful convictions and death sentences stemming in part from coerced confessions have come to light. Controversy over the cases appears to have provided an opening for the publication of a number of critiques of the criminal justice system and analyses of the causes of torture. A May 30 [article](#) in the English-language Beijing Review summarizes much of the recent discussion in the Chinese-language press about torture and its causes.

## Guangdong Province Institutes Electoral Observer System for Village Elections

Guangdong officials have instituted a system of electoral observers for [village elections to be held in 2005](#), according to a Xinhua [report](#). Although limited in scope, the introduction of the system is an effort to ensure greater electoral fairness in local village elections.

Guangdong provincial Ministry of Civil Affairs (MOCA) officials have chosen 2,785 observers, including students, retired officials, and local people's congress delegates, to serve as observers for the province's 2,100 village elections. The observers report on electoral fairness to both provincial MOCA authorities and township officials, but cannot directly affect electoral processes. According to the report, authorities have invalidated the results of 32 village elections as a result of observer reports. MOCA does not pay the observers, but defrays the cost of their transportation and lodging.

Township Party and government officials commonly control Chinese village elections through election leadership committees and often have a strong interest in assuring the election of subordinate village officials with whom they enjoy good relations. The Guangdong reform appears to be intended to allow provincial MOCA authorities to evaluate the fairness of village elections through channels less subject to township influence. Since provincial officials often are not interested in whether or not villagers elect a particular individual to a given village post, the reform may provide villagers a better way to obtain redress for electoral misconduct.

## New SARFT Regulations Further Restrict Cooperation and Interaction Between Domestic Radio and Television Stations and Foreign Counterparts

The State Administration of Radio, Film, and Television (SARFT) has "tightened its control over the cooperation between Chinese media and foreign companies" by issuing a regulation banning cooperation between local television and radio stations and foreign companies, according to state-run news media. In [October 2004](#), SARFT issued [regulations](#) that allowed foreign companies to take non-controlling stakes in Chinese television program producers. On July 13 the [People's Daily](#) (English) and [Xinhua](#) (Chinese), citing the Beijing Morning News, reported that SARFT has issued new regulations that forbid domestic television and radio stations to lease their channels to foreign companies, and prohibit them from cooperating with foreign companies in the operation of their stations. The reports also said that the regulation bans any cooperation with foreign companies in "regular and live programs."

In its report on the new restrictions, the [South China Morning Post](#) quotes Renmin University media professor Yu Guoming as saying that local news media, particularly television stations, were "struggling to survive under the weight of regulations and China Central Television's monopoly on content, broadcasting channels, and advertising."

SARFT promulgated the regulations, entitled [Regulations on the Administration of Broadcast Television System's Local Foreign Affairs Work](#), on July 6, and they took effect the following day. SARFT did not post them on their Web site, however, until July 12. In addition to limiting foreign participation in radio and television, the new regulations also restrict how domestic radio and television stations may interact with foreigners:

- Interactions between domestic radio and television stations and foreigners are subject to the "administration, guidance, and supervision" of provincial level People's Government Foreign Affairs Office and the SARFT Foreign Affairs Department.
- Radio and television stations may not organize inter-provincial groups to go abroad to conduct interviews without SARFT approval.
- Radio and television personnel who travel abroad to conduct interviews or produce radio or television programs on "important" or "sensitive" topics must request authorization from SARFT.
- If local broadcast television agencies travel abroad to interview international organizations they must get approval from the Ministry of Foreign Affairs.
- SARFT must approve any invitation from a radio or television station to a foreign official to participate in a program. The local provincial-level People's Government Foreign Affairs Office must approve all other invitations to "foreign personnel."
- The local provincial-level People's Government Foreign Affairs Office must approve all invitations from radio and television stations to foreign radio and television stations to come to China to conduct interviews or hold industry trade talks.
- Both the Ministry of Foreign Affairs and SARFT must approve all applications for foreign radio and television journalists to come to China to conduct interviews.

This is the second time in 2005 that SARFT has tightened restrictions on foreign participation in China's television market. In [March](#), SARFT issued an [interpretive notice](#) limiting foreign media companies to a single joint venture under the [October 2004](#) regulations.

These restrictions ensure that Chinese authorities can continue to maintain their control over citizens' access to political news and information from foreign sources. The [October 2004 regulations](#) expressly forbid Sino-foreign joint ventures from producing "political news programs." In November 2004, China's state run media [quoted one Chinese scholar](#) as saying that the reason for this prohibition is:

[N]ews propaganda programs are the mouthpiece of the Communist Party and the government, and shoulder the responsibility of spreading the Party's voice to every household, and China's voice around the world. Therefore we must keep news and other programs that embody ideology firmly within our grasp.

The [March 2005 interpretive notice](#) said:

[W]e must control the contents of all products of joint ventures in a practical manner, understand the political inclinations and background of foreign joint venture parties, and in this way prevent harmful foreign ideology and culture from entering the realm of our television program production through joint investment and cooperation.

### State Ethnic Affairs Commission Stresses Need to Increase Transparency in Work

In response to a [March 2005 call](#) by the General Offices of the Party Central Committee and State Council to increase government transparency, the State Ethnic Affairs Commission (SEAC) recently met to discuss its own [Plan for Implementing Greater Transparency in Ethnic Affairs Work](#). The director of the SEAC's newly established Leading Group for Transparency in Ethnic Minority Work called on "every office and every person" to recognize the importance of incorporating greater transparency into their daily government work. The Leading Group plans to publish its working plan within the next six months. For examples of Transparency Work Plans from other offices, see [here](#) and [here](#).

### State Administration of Work Safety Director Calls for Coal Mine Safety Measures

Li Yizhong, minister in charge of the State Administration of Work Safety (SAWS), spoke about China's rising number of coal mine accidents at an industrial safety conference held in Beijing on July 15, according to an article in the [People's Daily](#). Li said that 2,672 miners had died during the first six months of 2005, an increase of 3.3 percent from the previous year. He also stressed that safety is a principal responsibility of everyone working at all levels of production. Government concerns about poor safety in coal mines have intensified after [two major coal mine accidents](#) that killed 166 miners in Shaanxi province in November 2004 and 214 miners in Liaoning province in February 2005.

Conditions in Chinese coal mines have become so hazardous that on July 21 SAWS Minister Li [ordered that 5,290 coal mines suspend operations](#) because their managers had not complied with safety standards. Li warned that the government will punish those who continue to operate unlicensed coal mines, which would be closed and disabled by filling in the mine shafts to guarantee that they cannot be reopened.

Reports in the Chinese and foreign press about coal mine disasters since May 2005 show that Minister Li's concerns are justified. In May, nine coal mine accidents in eight provinces caused 146 deaths, while in June, four accidents in four provinces caused 41 deaths. For the month of July (through July 19), seven coal mine accidents were reported in six provinces causing 169 deaths. The most serious of the recent accidents was at the Shenlong mine in the Xinjiang Uighur Autonomous Region, where 83 miners died. [Xinhuanet](#) reported that SAWS attributed the Shenlong accident to "a number of safety loopholes, including overproduction, lack of a work safety license, and ill-management."

### Jiangsu Official Provides Details on Government Campaign Against Unauthorized Publications

In early 2005, the General Administration of Press and Publication (GAPP) launched a campaign against newspapers and periodicals published without government authorization. The campaign concluded with [authorities banning 60 newspapers and magazines](#). In May 2005, Liu Binjie, deputy director with the GAPP, told a reporter that these illegal periodicals, including "China Economics," "Prosperous China," "Finance and Technology," "Contemporary Mathematics and Administration," "A Guide to Government Procurement," and "Chinese and Foreign Legal Systems" [were "garbage" and constituted a "threat."](#) In June 2005, the Yangzi Evening News (a publication of Xinhua, China's official news agency) quoted an unnamed official in the Jiangsu provincial Office of Press and Publication Administration, who provided the following additional details regarding the campaign:

- The purposes of the crackdown included concentrating on "banning illegal newspapers and periodicals," "strengthening monitoring and management of the [orientation of public opinion](#)," and "regulating the entire province's periodical publishing order."
- In accordance with the "[Regulations on the Administration of Publishing](#)" promulgated by the [State Council](#), any newspaper or magazine that is published by an agency, organization, or individual without the permission of the Press and Publication Administration agency is an illegal publication.
- Whether or not a publication is provided free of charge is not a basis for determining whether something is an illegal newspaper, and the GAPP had determined that the "working bulletins" of some agencies and organizations were "newspapers" under the [Interim Provisions on the Administration of Newspapers](#).
- With regard to individuals, work units, and printers who engage in the distribution of illegal publications, his agency carries out "education and warnings," and orders them to cease and desist. With regard to those who still refuse to stop illegal publishing activities following education and warnings, they

implement "appropriate sanctions in accordance with the legally established procedures set forth in the [Regulations on the Administration of Publishing](#) and other relevant rules and regulations on the administration of periodicals.

- His agency reports criminal illegal publishing activities to justice authorities, and prosecutes them in accordance with the "Criminal Law" sanctions on illegal publishing activities.

The crackdown was part of the Chinese government's [Sweep Away Pornography and Strike Down Illegal Publications](#) campaign.

Full Analysis >> <http://www.cecc.gov/pages/virtualAcad/newsletterListing.phpd?NLdate=20050801&show=ALL#id17967>

## Police Detain Peaceful Demonstrators, Petitioners in Shanghai and Beijing

In late June and July, public security officials in Shanghai have beaten and detained several Chinese citizens who signed petitions and attempted to participate in peaceful assemblies, according to a July 19 report from Human Rights in China (HRIC). Citing unnamed sources, HRIC said that on June 24, dozens of public security officials attacked more than 30 petitioners as they prepared to depart from Shanghai for Beijing to protest the government's revised regulations on petitioning. According to HRIC, 16 petitioners [issued an open letter](#) on June 28, protesting the prosecution of petitioner [Xu Zhengqing](#), who has been held on charges of "disturbing social order" since January 29. Xu and other petitioners [were detained in Beijing](#) while trying to attend activities commemorating the death of former Communist Party General Secretary Zhao Ziyang.

Most recently, HRIC reports that the following people who participated in one or more of the protests or petitions mentioned above have been detained since July 7:

- Public security police took [Zheng Peipei](#) from her home around 1 p.m. on July 7. Police have not yet provided Zheng's family with any kind of warrant relating to her detention.
- Public security police took [Wang Qiaojuan](#) from her home around 4 p.m. on July 7. On the afternoon of July 9, police notified Wang's family that she had been formally detained on a charge of "disturbing the peace in a public place." Wang is currently being held in the Shanghai Train Station Public Security Detention Center.
- Public security police summoned Yang Weiming to the local dispatch station around 8 p.m. on July 7. Police eventually provided Yang's family with a detention warrant charging Yang with "disturbing the peace in a public place." He is currently being held in the Shanghai Train Station Public Security Detention Center.
- Public security police detained Shen Yongmei on the morning of July 11. Shen's family members have had no further news of her since.
- Public security police detained Liang Yuling on July 14 on charges of "disturbing the peace in a public place."
- Police reportedly detained Zhang Xiujuan around the same time, but the date of her detention has not been ascertained.

In an unrelated event, on July 15 public security officials in Beijing detained 19 Chinese citizens who had traveled from Jilin province to express their discontent to government officials, according to the Chinese language Web site [Boxun](#).

## Government Agencies Launch Campaign to Ban Unauthorized Foreign Language Periodicals

Several Chinese government agencies, including the [General Administration of Press and Publication](#) (GAPP), the [State Council Information Office](#), and the [National "Sweep Away Pornography and Strike Down Illegal Publications" \(SAPSDIP\) Task Force](#), issued a joint notice on July 19 announcing the commencement of a campaign to "investigate, prosecute, and ban" unauthorized foreign language publications, according to the People's Daily. The campaign is directed at "illegal foreign language newspapers and magazines that are primarily read by foreigners."

The notice states that the targets of the ban include foreign-language periodicals that are published [without having first obtained an edition number](#), the distribution of which the government controls. Also targeted are newspapers and magazines that "are openly distributed without authorization from the commercial organizations of foreigners living in China." It demanded that local press and publication administrations "strengthen their supervision and management of newspapers, magazines, and other publications sold or given away at public places that relate to foreign affairs, and regulate the management of internal information publications of organizations of foreigners in China." The notice also called on local press and publication administrations to "rectify the [printing and copying industry](#), and increase sanctions on illegal newspaper and magazine printing enterprises."

In addition to increasing the control of Chinese authorities over what foreign and Chinese citizens may read, the notice also appears to be a commercial measure designed to protect China's domestic newspaper and magazine publishers from foreign competition:

News offices at all levels must cooperate with press and publication administrations in their local jurisdictions, and be guided by foreigners living in China as their target readership, go through approved

newspaper and magazine publishing units, strictly obey the country's relevant laws and regulations, deeply understand and analyze the reading habits and needs of readers, and enable the newspapers and periodicals that they publish to have greater focus, utility, timeliness, and readability, in order to do their best to satisfy the newspaper and magazine reading demands of foreigners residing in China.

In March 2005, the People's Daily Web site [reprinted an article by Xiong Zhonghui](#), a Chinese media scholar, in which he expressed concern about whether Chinese media organizations can compete in a global marketplace. Xiong noted that Chinese news media companies face a serious problem: the primary purpose for their existence is to spread Chinese government propaganda.

This notice is the most recent in a string of government regulations intended to limit what one Chinese official referred to as "[a clear increase in the illegal publications that foreign hostile forces are directing at our country.](#)"

## Henan Government Offices and Women's Federation Jointly Fight Human Trafficking

Provincial police, courts, and the women's federation in Henan province began a [coordinated attack](#) on domestic violence and human trafficking, according to a July 27 Jinbao Net report. The Chinese government has adopted anti-trafficking laws and regulations since 1986, but the problem continues to grow. Public security officials [reported](#) in early 2005 that abduction of victims for sale is still on the rise, and now involves more violence, larger criminal gangs, and sale of victims across international borders. In addition to abducting women for sale as wives and children for illegal adoption, gangs now abduct people for forced labor and prostitution.

The government has focused on top-down measures to control human trafficking, passing criminal laws to punish traffickers and giving public security bureaus the chief responsibility for suppressing trafficking. In March 2005, a lawyer from the Beijing University Law School's Women's Law Center said in a [speech](#) that the state's effort to reduce human trafficking in China will not succeed without better government coordination with the NGOs that provide legal assistance to trafficking victims, according to Women's Watch-China. The lawyer noted that NGOs such as the Women's Law Center can strengthen anti-trafficking efforts by empowering victims to sue their traffickers for compensation, or by helping them get custody of children they may have been forced to leave behind when escaping from trafficking gangs.

## State Council Orders Issuance of Government Information Disclosure Regulation

The State Council [announced](#) July 26 that it had referred a draft government information disclosure regulation to the relevant agency for issuance. Neither the State Council nor any other Chinese government agency has released a draft of the measure, although China's WTO transparency commitments in effect require public release of draft regulations before final promulgation.

At a July 26 press conference, a State Council Informatization Office official said that the regulation would make the release of government information mandatory. The official did not define the term "government information" or discuss any other possible limits on disclosure that might be contained in the regulation. The official did not disclose which central government agency would issue the regulation, when it would be issued, or when it would take effect.

Such central government agencies as the Ministry of Land Resources and the State Food and Drug Administration have already adopted information disclosure measures, and the provincial governments of Hubei, Jiangxi, and Jilin, and the Shanghai and Guangzhou city governments, have also done so.

## Public Security Officials Detain, Search BBC TV Crew Attempting to Report on Village Protests

The Foreign Correspondents Club of China (FCC) issued a circular on July 18 on behalf of the BBC describing the official obstruction and abuse of two BBC journalists and their driver by public security officers reports United Press International (UPI). The incident occurred while the BBC team was attempting to report on village protests in Hebei province. BBC reporter Bessie Du, along with her cameraman and driver, traveled to the village of Shengyou in Hebei on July 13 to interview a local resident, according to the UPI account of the FCC circular. Officers detained the trio at 10 a.m. on July 14 as they approached a highway tollgate on the Hebei-Beijing boundary. Police snatched the reporter and her cameraman, dragging them into separate vehicles. The reporter, cameraman, and driver were strip-searched in separate interrogation chambers. Authorities released the TV crew at about 4:30 p.m. that same afternoon.

Official harassment and obstruction of investigative journalism is so widespread in China that the editor-in-chief of Xinhua mentioned it in [an editorial](#) in a recent edition of "Seeking Truth," the journal of China's Communist Party. Examples include:

- [In June 2005](#), the Southern Daily reported that someone removed pages from copies of its sister publication, the Southern Metropolitan Daily, that were distributed in the Da Gang township. The pages in question contained an article critical of the township's government.
- [In April 2005](#), the South China Morning Post reported that Chinese public security officers detained one of its journalists as she tried to report on rioting in Zhejiang.

- [In March 2005](#), Xinhua reported that public security authorities in Qingxu county, Shanxi province, "interfered with the regular interviews of a Xinhua reporter" and "illegally restricted his personal freedom."
- [In January 2005](#), a journalist with the Public Broadcasting System program "Frontline," had her film confiscated by public security officials after she conducted an unauthorized interview in Xinjiang.

## NDRC Issues Steel Industry Development Policy

The [National Development and Reform Commission \(NDRC\)](#) released the text of the [Steel Industry Development Policy](#) on July 20. The State Council approved the policy in April 2005, but had not previously released the text. Once called the "State Planning Commission," the NDRC has issued previous industry development policies, including the 2004 [Auto Industry Development Policy](#).

The steel policy seeks to increase the domestic steel industry's capacity to compete globally. To accomplish this goal, the policy encourages domestic enterprises to "use domestic facilities and technology" while importing only "equipment and technology that cannot be made domestically or for which domestic supply is unable to satisfy the requirements." The policy prohibits foreign control over domestic steel enterprises and restricts foreign investment in the steel industry. Foreign companies wishing to invest in the domestic steel industry must have produced either 10 million tons of steel or 1 million tons of high-alloy specialty steel during the previous year. If the foreign company can fulfill these requirements it may invest in existing Chinese steel facilities, but may not create new ones.

## GAPP Upholds Decision to Censor Writer Wang Yi

The [General Administration of Press and Publication \(GAPP\)](#) upheld the decision of Sichuan provincial government censors to confiscate hundreds of books privately published by Wang Yi, a well-known Chinese intellectual. The Sichuan Press and Publication Administration (PPA) confiscated over 900 books that Wang had printed privately to give to friends. In June 2005, Wang [filed an administrative appeal](#) with the GAPP to overturn the Sichuan PPA's decision. The GAPP ruled that the Sichuan PPA acted correctly in sanctioning him for [publishing, printing, and distributing publications without government authorization](#). Wang says that he now plans to sue the Sichuan PPA in court.

During a [government campaign against public intellectuals](#) in November and December 2004, Western NGOs reported that the Central Propaganda Department [blacklisted Wang and five other writers](#). Since then, publishers have backed away from previous agreements to publish three collections of Wang's writings, according to the International Herald Tribune.

## Township Authorities Ban Magazine

Radio Free Asia (RFA) reported on June 22 that officials in a Zhejiang province township had banned the sale of the May edition of Rural Youth magazine because of an article criticizing local officials. According to RFA, the Sun newspaper of Hong Kong reported that Rural Youth's May edition included an article entitled "Treasuring the Land that We Rely Upon for our Existence" that revealed how officials in Shangyu municipality's Lihai township abused their authority to give away and sell state-owned land at low prices to commercial developers. Following the magazine's publication, no copies were available from magazine vendors, and a Shangyu government official said that subscribers did not receive their copies.

This incident is the second time in as many months that a report has surfaced about local officials censoring critical news reports. In June 2005, the Southern Daily reported that [someone removed pages from its sister publication](#), the Southern Metropolitan Daily, that were distributed in the Da Gang township. The removed pages included an article that reported about people from Long Gu village in Da Gang petitioning for the return of land requisitioned by the township's real estate development company.

## RFA: Tibetan College Graduates Protest in Qinghai, Claim Job Discrimination

About 70 Tibetans, many recent college graduates, protested in mid-July outside government offices in the Qinghai provincial capital of Xining, according to a July 14 [report](#) by Radio Free Asia (RFA). The Tibetans, who reside in Xunhua Salar Autonomous County in Haidong prefecture, claimed that local authorities discriminate against Tibetans in hiring to fill government jobs and favor ethnic Han and Salar applicants. Police reportedly beat and detained eight protestors, including "ringleader" Dukar Kyab, and ordered the rest to return home on July 13. County officials contacted by telephone refused to comment to RFA about the protests or the eight "missing" Tibetans and denied that they had been arrested.

Many of the protestors were residents of Dobi (Daowei) and Bido (Wendu) Tibetan autonomous townships in Xunhua county. Officials hired only 17 Tibetans for the 100 posts available, according to RFA sources, and many of the Salar and Han who filled the remaining jobs were not college graduates. According to official Chinese census data for 2000, Salar make up 61 percent of the county's population, followed by Tibetans (25 percent), Hui (8 percent), and Han (6 percent).

The Communist Party Organization Department and the General Office of the State Council recently published circulars



urging graduates from eastern China to find employment in western provinces, according to a Xinhua [report](#) on July 13. "We need a large number of trained personnel, especially graduates of schools of higher learning, to go to [grass-roots areas, especially the western region] to render meritorious service and make a distinguished career." Premier Wen Jiabao urged graduates to travel to western provinces to find jobs, according to a Xinhua [report](#) on July 18. In a letter to graduates in Wuhan, he said, "I believe the tough experiences in the west will become the greatest treasure of your whole lives."

Additional information about educational and economic issues that affect Tibetans in China is available in the [CECC 2004 Annual Report](#).

## Report Outlines Chongqing's Approach to Crackdown on Private Web Sites

Chongqing officials have finished "cleaning up" and registering Web sites, according to a July 22 report on China Communications Web (CCW). The Chongqing project was part of a [nationwide crackdown on private Web sites](#) that the Chinese government launched earlier this year. The campaign has resulted in the [closure of thousands of Web sites](#) whose operators failed to register with the [Ministry of Information](#) and [public security offices](#). CCW, which is registered to the People's Post and Telecom Press, reported that in Chongqing the three month process involved six steps:

1. **Government and industry cooperation and coordination.** On April 1 Chongqing officials convened a "deployment meeting" with the municipality's six basic telecommunications carriers, all local Internet service providers (ISPs), as well as some Internet content providers (ICPs). The purpose of the meeting was to "launch Internet Web site rectification and registration work," and the participants established small "working groups" whose leaders signed contracts "to clarify the responsibilities and duties of relevant work units in the work of rectifying the Internet."
2. **Industry training.** Chongqing authorities required industry groups to undergo training on how Web site registration would be carried out. The training included instruction on the "special characteristics" of the work of basic telecommunications carriers, ISPs, and other Internet access services providers, as well as on the different requirements for ICP registration and IP address registration.
3. **Centralization.** Chongqing authorities opened an office specifically devoted to providing telephone, fax, and wireless broadband Internet access facilities in connection with Web site registration.
4. **Indoctrination.** The Chongqing municipal government's propaganda offices convened joint press conferences and "used all of the municipality's major newspapers, magazines, television stations, and radio stations to propagandize the relevant demands of Internet Web site registration work." According to CCW, this "created a positive propaganda public opinion atmosphere, which promoted the smooth launch of work."
5. **Investigations and closures.** CCW reported that, when authorities discovered unregistered Web sites, they issued notices providing a deadline for registration and ordered the relevant access service providers to stop providing access services. The report said authorities would continue to "improve the electronic database of Web sites that refuse [to register], and would perform secondary investigation and registration work."
6. **Monitoring and censorship.** Authorities are requiring "all relevant work units" to establish inspection systems for Web site access and server co-location enterprises in order to "perfect" the pre-screening and real time monitoring of Web site and server access.

## Qingdao Joins Guangzhou, Beijing in Requiring Private Web Sites to Register with Police

Qingdao Web site operators must register with their public security office by the end of September 2005 or have their Internet access service shut down, according to a July 7 report in the Qingdao Morning News. The report quoted a "responsible person" in the Qingdao public security office's Internet monitoring division as saying that "starting now, Internet monitoring detachments will continue to monitor and control Web sites throughout the city, and as soon as they discover any malicious Web sites that disseminate harmful information or defraud consumers, they will promptly cut off their Internet access and impose sanctions in accordance with the law." The report said that of Qingdao's 4,000 Web sites, 1,200 had not registered with the public security bureau.

Qingdao joins [Beijing](#) and [Guangzhou](#) in forcing Web sites to register with public security authorities. Officials have cited provisions of the [Measures for the Administration of Security Protection of Computer Information Networks with International Interconnections](#) as authorizing this registration requirement, but have not explained why the government has chosen to begin enforcing those provisions now, when the Measures were enacted in 1997. It coincides, however, with the [Ministry of Information Industry's](#) (MII) recently concluded crackdown on private Web sites that resulted in the [closure of thousands of Web sites](#) whose operators failed to register. Like the public security crackdown, the MII's campaign was based on regulations that were enacted several years ago (the [Measures for the Administration of Internet Information Services](#), which became effective in 2000), but that are only now being enforced (pursuant to the [Registration Administration Measures for Non-Commercial Internet Information Services](#)). Unlike the public security crackdown, which appears to be limited to a few large cities, the MII campaign was national in scope.

## TAR Governor: It's Not Time for the Dalai Lama to Come Home; Next Dalai Lama To Be Chosen by Lot According to Qing Dynasty Rules

Jampa Phuntsog (Qiangba Puncog), the Governor of the Tibet Autonomous Region (TAR), told reporters in Hong Kong that it is too early to consider the Dalai Lama's return to his homeland, according to a July 19 South China Morning Post (SCMP) [report](#). Accusing the Dalai Lama of continuing to work for Tibetan independence, Phuntsog complained that the Tibetan government-in-exile "has set up a parliament," "expanded its separatist activities," and "made the Tibet problem an international issue." He made the remarks during "Tibet Culture Week," a program that is sponsored by the State Council Information Office, the TAR government, and the Hong Kong Liaison Office, according to a July 20 Xinhua [report](#).

Jampa Phuntsog referred to the Dalai Lama's advancing age, telling the reporters that the next Dalai Lama will be identified by "the traditional rules of Tibetan Buddhism since the Qing dynasty," and that, "The choice [of reincarnated lamas] has never been arranged by the Chinese Communist Party." (Phuntsog is also the deputy Party secretary of the TAR.) In 1995, however, senior Party member Luo Gan, who is now a Politburo member, presided when Gyalsten Norbu's name was pulled from a golden urn and the boy was announced as the reincarnated Panchen Lama. Months earlier, the Dalai Lama had recognized five-year-old Gedun Choekyi Nyima as the Panchen Lama, but Chinese leaders declared the announcement "illegal and invalid" and set about installing Gyaltzen Norbu.

Governor Phuntsog's comment about the rules of Tibetan Buddhism refers to a 1793 Qing Dynasty edict demanding that the Tibetan government in Lhasa reform religious, administrative, economic, and military practices to suit the Qing court. The first of the edict's 29 articles directed that the Dalai Lama and Panchen Lama be selected by drawing lots from a golden urn, and that a high-ranking Chinese official must be present to confirm the result. Tibetans used their own methods, however, to identify the current Dalai Lama and his predecessor.

Article 27 of China's new [Regulation on Religious Affairs](#) includes the principle of the Qing directive. The article says that "the succession of living Buddhas in Tibetan Buddhism shall be conducted under the guidance of Buddhism bodies and in accordance with the religious rites and rituals and historical conventions, and be reported for approval to the religious affairs department of the people's government."

Additional information about dialogue between China and the Dalai Lama or his representatives, and about religious freedom for Tibetans in China, is available in the [CECC 2004 Annual Report](#).

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## Senior Chinese Officials Acknowledge Rising Social Unrest, But Rule Out Political Liberalization

Three senior Chinese officials recently acknowledged rising social unrest in China and attributed its causes to economic grievances, failures on the part of local cadres, and rising rights consciousness by Chinese citizens, according to a series of articles ([1](#), [2](#), [3](#), subscription required) in the South China Morning Post (SCMP).

In a speech before the Standing Committee of the Chinese People's Political Consultative Conference, Zhou Yongkang, minister in charge of the public security bureau, noted that 74,000 public protests occurred in 2004, involving 3.67 million people. This total is a significant increase from the 58,000 protests involving 3 million people in 2003, and a seven-fold rise from the 10,000 protests recorded in 1994. Vice minister Chen Xiwen of the State Council's Development Research Center, in an interview with the SCMP, attributed the increase in the number of protests to a rise in the "democratic awareness" of farmers and failures of local officials. Similar comments by Zhou Yongkang suggest a willingness on the part of some Chinese officials to recognize growing social unrest and the extent to which it is a symptom of significant political, economic, and social problems.

Statements by other Chinese officials demonstrate that the government has not abandoned traditional means of social control to address social unrest, and have no plans to embrace political liberalization. Although he acknowledged that failures of lower-level officials have led to the recent rise in protests, Li Jingtian, the vice director of the Party's Central Organization Department, said that government authorities will continue to rely on the Party's "Advanced Education Campaign" launched earlier in 2005 to review and reform the behavior of local cadres. Vice minister Chen Xiwen also said in a separate SCMP [article](#) (subscription required), that the government would oppose any expansion of local democratic reforms beyond the village level, characterizing as illegal various local experiments that have attempted such an expansion.

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## Worker and Farmer Riots Demonstrate Absence of Channels for Redress of Grievances

As many as 15,000 villagers besieged a pharmaceutical plant and clashed with police at Xinchang, Zhejiang province, in early July to protest environmental degradation to the local water supply caused by leakages at the plant, according to reports in the [New York Times](#) (registration required). The villagers said they took action because their efforts to negotiate with plant managers failed and government officials were unwilling to intervene. "This is the only way to solve problems like ours," stated one protestor. Others said that the example of a similar [riot](#) earlier in 2005 inspired the Xinchang protest.

In June in Xizhou, Guangdong province, some 3,000 workers called a spontaneous strike and clashed with police to

protest pay reductions, according to reports in the [Washington Post](#) (registration required). Workers had presented written demands about their pay to their unit foremen, but factory management did not respond. Chinese law forbids the establishment of independent labor unions that might intercede on behalf of workers in such circumstances.

The two incidents illustrate how the absence of political and legal channels through which Chinese workers and farmers can seek redress for their grievances is generating social unrest. Several senior Chinese officials [acknowledged](#) in early July that the number of protests has risen significantly, but they also said that they have no plans for political liberalization and plan to rely on traditional means of social control to address mounting unrest.

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## Police Clash With Ethnic Mongol Farmers Over Land Rights

Police clashed with ethnic Mongol villagers in late June and July in the Inner Mongolia Autonomous Region in an unresolved land dispute that left dozens of villagers injured and tensions high. A local government official described the situation as "anarchy," according to a [July 27 Reuters report](#). The [Southern Mongolia Human Rights Information Center \(SMHRIC\)](#) reports that hundreds of police used tear gas, grenades, and other explosives against villagers on July 21 and 23.

The dispute began in November 2004, when villagers in Qianjin village received no compensation for land acquired by a mining corporation, according to SMHRIC. The company is co-owned by a relative of the local Party vice secretary and a contractor from outside of the autonomous region. Violence erupted in late June 2005 after the mining company, with local official support, attempted to pave a new road across grazing lands belonging to the villagers.

Land disputes are a leading cause of social unrest in China, according to [Yu Jianrong](#), the noted Chinese Academy of Social Sciences scholar and other [analysts](#). In one such incident in June 2005, some 300 hired henchmen [killed six and wounded 51 villagers](#) in Hebei province after they refused to sell their land to the Hebei Guohua Power Company. Police have arrested or dismissed several local Party officials and power plant managers for their involvement in the incident. Chinese authorities also [detained foreign journalists](#) who were trying to report on the incident.

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## Xinjiang's New Vocational Degree Programs To Be Taught Exclusively in Mandarin Chinese

The Xinjiang provincial education department will begin offering two-year degree programs in vocational schools this year, according to the July 27 [Urumqi Evening News](#). The courses will be taught exclusively in Mandarin Chinese, reflecting an ongoing national and provincial campaign to promote Mandarin Chinese and reduce the use of local minority languages in schools (see [1](#) and [2](#) for related articles).

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## Chinese Officials Consider Establishing a National System of Water Rights

Chinese officials have begun to discuss developing a national system of water rights, which will include both defined water property rights and specific allotments and quotas for water resources, according to a July 7 Xinhua [report](#). The report says that officials plan to control water resources more strictly to promote greater efficiency and a more equitable distribution of water resources, but it does not elaborate on the structure of the system.

Government efforts to improve control of water resources are likely the result of [widespread water shortages](#) in China, brought on by poor conservation and efficiency as well as the pollution of existing water resources. A June 2005 [news report](#) describes a National People's Congress review of how the government implements the Water Pollution Prevention Law. The review found that water pollution in China continues to be a nationwide problem, with the majority of the pollution resulting from industrial pollution and lack of waste water treatment plants.

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## Han University Volunteers Who Speak Minority Languages Exempted From Civil Service Exam

Wang Lequan, the Party Secretary of the Xinjiang Autonomous Region, announced July 25 that university students from outside Xinjiang will be exempt from the civil service examination if they master a minority language during their two-year volunteer service and remain in Xinjiang after completing their tour. Wang made the [announcement](#) at a reception for university-level volunteers hailing from the predominantly Han Chinese areas of Guangdong, Gansu, and Shanxi provinces, and Beijing municipality. Since the government launched the program in 2003, a total of 1,379 university students have served two-year volunteer tours in Xinjiang, and 110 of these volunteers opted to remain in Xinjiang permanently, according to a July 26 Xinjiang Daily [report](#).

Party Secretary Wang noted in his remarks the importance of government officials mastering local minority languages, saying that if student volunteers could learn a local language they would become "treasures" in Xinjiang. Exempting volunteers who speak minority languages from the civil service examination is one of few concrete measures that the government has taken to encourage the study of local minority languages. At the same time, central and provincial authorities are reducing Uighur language offerings throughout the school system and favoring Mandarin speakers in employment and school recruitment policies (see [here](#) and [here](#) for related analysis).

The new exemption policy, however, disproportionately favors Han Chinese, since minorities do not receive similar exemptions after mastering the Chinese language. In [Bayinguoleng Mongol Autonomous Prefecture in Xinjiang](#), for example, minorities who take the civil service examination in Mandarin Chinese may add one additional point to their total possible score of 100. Although minorities have the option of taking the Bayinguoleng examination in Mandarin, Uighur, or Mongolian, those who opt for the latter two must pass a separate Mandarin competency test.

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