

China Human Rights and Rule of Law Update

March 11, 2009
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United States Congressional-Executive Commission on China

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Introduction

Introduction

One year after a wave of protests began in Lhasa and swept across the Tibetan Plateau, the Chinese government continues to focus its attention on perceived sources of "instability" not just in ethnic minority areas, but across a diverse cross-section of Chinese society. As the articles in this newsletter show, official efforts to promote Party policy through the control of information extend beyond media coverage of ethnic affairs. A broad sweep of issues ranging from press coverage of national economic matters to reporting on Beijing building fires has been subject to the close scrutiny of censors. Prompted by anniversaries of events they deem to be "sensitive," authorities have vowed to "strike hard" against perceived threats to "social stability." Official announcements indicate that authorities will respond early to "social unrest" prompted by rising unemployment or other causes. The case of a Uyghur historian recently released from prison, and the postponement of the trial of rights activist Huang Qi illustrate that China's criminal law system continues to function as a tool to punish people for exercising the right to free speech. In the months ahead, the Congressional-Executive Commission on China will continue to monitor and report on these and other developments, and on China's record with respect to its international commitments to develop the rule of law and to safeguard human rights.

CECC Updates

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Restrictions on Information Access in Tibetan Areas Increase

Internet and cell phone text messaging services in Tibetan areas of western China reportedly have been disrupted, according to a March 10, 2009, Associated Press (AP) [article](#) and a February 22, 2009, Reuters [article](#). While access to the Tibet Autonomous Region (TAR) itself has remained severely restricted, foreign journalists recently reported greater harassment in Tibetan areas in neighboring provinces outside the TAR, according to a March 9 [statement](#) of the Foreign Correspondents Club of China (FCCC), an association of Beijing-based journalists. The communications disruptions and harassment of foreign journalists coincide with a [series of dates](#) that many Tibetans consider to have a high level of cultural and political sensitivity, and have made it difficult to access and verify information about reported increases in security measures implemented by Chinese officials, and the impact of such measures on Tibetans and other residents in those areas.

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

Ahead of Sensitive Dates, Lhasa Officials Add "Strike Hard" to Crackdown

Officials in Lhasa city, the capital of the Tibet Autonomous Region (TAR), have implemented a "strike hard" anti-crime campaign running from mid-January until late March 2009—a period of time that brackets a series of dates that many Tibetans consider to have a high level of cultural and political sensitivity. The campaign aims to "strike hard according to law against all kinds of illegal criminal activity and to vigorously uphold the city's social order and stability," according to a January 23 [report](#) (in Chinese) published in the Communist Party-run Lhasa Evening News (LEN).

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

TAR Creates March 28 Holiday To Celebrate 1959 Dissolution of Dalai Lama's Government

Deputies to the Tibet Autonomous Region (TAR) People's Congress voted on January 19, 2009, to establish "Serfs Emancipation Day," a public holiday celebrating the March 28, 1959, Chinese government decree that dissolved the Dalai Lama's Lhasa-based Tibetan government, according to two January 19 Xinhua reports ([1](#), [2](#) (translated in [OSC](#), 22 January 09). Karma (Gama), Vice Chairman of the TAR People's Congress Standing Committee, explained at a January 19 press conference that Premier Zhou Enlai signed the State Council decree on March 28 "declaring a disbandment" of the Tibetan government after "the reactionary clique at the upper levels of Tibet led by the Dalai launched an all-round armed rebellion on 10 March, 1959, aimed at splitting the motherland." Legchog (Lieque), the Chairman of the Standing Committee, said Serfs Emancipation Day would "strengthen Tibetans' patriotism," according to a January 16 Xinhua [report](#). TAR prefectural and county officials have met to "ensure that all people mark the occasion with festivities," according to a January 16 Radio Free Asia (RFA) [report](#) filed three days before the holiday was formally established. The report cited a TAR official who asked not to be identified and acknowledged that Tibetans are unwilling to celebrate the anniversary.

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

Government Calls for Strengthening Propaganda on Ethnic Policy

Two central government agencies recently issued an outline to strengthen propaganda education on the government and Communist Party's policy on ethnic issues, according to reports from Chinese media. The undated [Outline Concerning Propaganda Education on the Party and State's Ethnic Policy](#) (Outline) was issued by the Central Propaganda Bureau and State Ethnic Affairs Commission and publicized in early February. (See, e.g., a February 4 Xinhua [article](#) describing the Outline.) The Outline follows other efforts in recent months to bolster state policy on ethnic issues, in areas including the [promotion of "ethnic unity education"](#) and [the advancement of science and technology development among ethnic minorities](#). The policy guidelines come in the aftermath of demonstrations in spring 2008 by [Tibetans](#) and [Uyghurs](#) protesting government policies toward these groups. Tibetans and Uyghurs are among the 55 groups designated as "minority ethnicities" (*shaoshu minzu*, also translated as "minority nationalities") by the Chinese government.

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Officials' Early Response to Unemployment and "Social Unrest" During Downturn

Since late 2008, Premier Wen Jiabao and other high level officials have made public statements acknowledging rising unemployment in China and the new challenges to "social stability" posed by unemployed migrant workers, according to a January 28 BBC [report](#) and a February 2 Financial Times [report](#). For more discussion of "social stability" and "social unrest," see the Preface and General Overview in the Congressional-Executive Commission on China [2008 Annual Report](#).)

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

Top Officials Say Propaganda in 2009 To Focus on Economy and Stability

In early January 2009, top Chinese Communist Party officials outlined a propaganda agenda for the year that focuses on safeguarding economic development and social stability. Li Changchun, a member of the Party's Politburo Standing Committee, and Liu Yunshan, Director of the Party's Central Propaganda Department (CPD), [a department responsible for censorship of China's media](#), outlined the agenda during the National Propaganda Directors' meeting in Beijing on January 4-5, according to a January 5 Xinhua [article](#).

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Chengdu Court Postpones Trial of Activist Huang Qi

The Wuhou District People's Court in Chengdu, Sichuan province, postponed the trial of rights activist Huang Qi after initially notifying Huang's wife and his lawyer on February 2, 2009, that the trial would be held the next day, according to February 2 articles in the [Washington Post](#) (WP) and [Associated Press](#) (AP, via WTOP.com). Huang's wife, Zeng Li, said the court called her twice on February 2, first informing her of the trial date on the next day, and later telling her the date had been postponed and that she would receive three days' notice before the trial. No new date has been announced. Huang, founder of the rights advocacy Web site, [64tianwang.com](#), has been detained since June 2008 on charges of illegally possessing state secrets. Prior to his detention, Huang had traveled to areas affected by the May 2008 Sichuan earthquake and posted articles on his Web site about demands by parents for compensation and an investigation into school collapses that killed thousands of children.

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Uyghur Historian Released From Prison

Uyghur historian Tohti Tunyaz completed his 11-year sentence for "inciting splittism" and "unlawfully obtaining state secrets" on February 10, 2009, according to information accessible to the public in the Congressional-Executive Commission on China (CECC) [Political Prisoner Database](#), and he has since been released from prison, according to February 10 reports from the [Sankei](#) and [Mainichi](#) (via Yahoo) newspapers, based on information from sources close to the case. According to the reports, after being met by his sister at the prison in Urumqi, Xinjiang Uyghur Autonomous Region (XUAR), Tohti Tunyaz traveled to a relative's home. The Sankei report said it is unclear whether Tohti Tunyaz will be allowed to return to Japan, where he had previously lived. According to the Mainichi report, his wife and two children reside in Japan.

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

Governments in Xinjiang Continue to Sponsor, Sanction Job Recruitment That Discriminates Against Ethnic Minorities

Hiring practices that discriminate against ethnic minorities have continued in the Xinjiang Uyghur Autonomous Region (XUAR), according to Congressional-Executive Commission on China (CECC) monitoring of job recruiting announcements from the past year. The CECC found employment advertisements posted on government Web sites that reserved positions for Han Chinese in civil servant posts, state-owned enterprises, and private posts, indicating direct government involvement in discriminatory practices, as well as implicit government endorsement of and failure to prevent discriminatory practices in private hiring. The practices contravene provisions in the PRC Constitution and in Chinese laws that forbid discrimination.

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

Propaganda Officials Censor Coverage of Beijing Fire

Propaganda officials in Beijing ordered Chinese Web sites to delete blogs and discussion groups about a fire at China Central Television's (CCTV) headquarters that began on the evening of February 9, 2009, according to a February 11 Los Angeles (LA) Times [article](#). The officials also ordered Chinese media not to publish photos, videos, or in-depth reports about the fire, which took place in Beijing, and to run only official stories issued by the Xinhua News Agency instead of their own reports, the article said. Other foreign and Hong Kong media reported the existence of a propaganda order whose description closely matches the description in the LA Times article, including a February 11 Agence France-Presse (AFP) [report](#) (via Straits Times), a February 11 Times of London [report](#), a February 10 New York Times (NYT) [report](#), and a February 10 Apple Daily (Hong Kong) [report](#) (subscription required).

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

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