

China Human Rights and Rule of Law Update

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United States Congressional-Executive Commission on China

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Message From the Chairmen

Official Chinese statements express that the 2008 Olympic Summer Games may be a catalyst for lasting progress in areas important to the advancement of human rights and the rule of law. The Commission is concerned, however, about a steadily worsening human rights climate in the run up to the Summer Games. The articles in this newsletter substantiate that concern. The suppression of citizen activism in the name of preserving social stability remains a recurring theme. China's leaders choose to regard the active involvement of citizens in spotlighting social, political, environmental, and economic problems as a source of social unrest. The Commission recognizes such public-mindedness by citizens as a source of hope.

In increasingly sophisticated ways, China uses law to cloak strategies of control in the appearance of accommodation to the needs and aspirations of the Chinese people. And the plight of political prisoners in China continues. At the same time, China's citizens accept the risks of activism in increasing numbers—and suffer the consequences. Readers of this newsletter will find that there is considerable room for progress to be made if China is to live up to its international commitments to advance human rights and the rule of law. The Commission looks forward to detailing that record fully in the months ahead.

Announcements

CECC Hearing on the Impact of the 2008 Olympic Games on Human Rights and Rule of Law in China

On February 27 at 2:30 PM, the CECC will hold a hearing on the impact of the 2008 Olympic summer games on human rights and rule of law. The CECC will send out additional information about the hearing as the date approaches.

CECC Updates

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Beijing Public Security Officials Formally Arrest Activist Hu Jia

Beijing public security officials formally arrested activist Hu Jia on charges of "inciting subversion of state power," according to a February 1 Radio Free Asia (RFA) [article](#) and a January 31 [report](#) in the Dui Hua Foundation's Human Rights Journal. Beijing public security officials detained Hu on December 27, 2007. On January 30, officials served Hu's family with an arrest notice and officials allowed Hu's father to visit him on January 31, according to the Dui Hua report and a February 3 RFA [article](#). The Beijing Municipal Public Security Bureau previously denied lawyer Li Jinsong's reconsideration [request](#) (posted on Boxun on January 8) to allow Hu to meet with his lawyers, citing the involvement of state secrets in the case, according to a January 25 RFA [article](#). The same article reports that officials also denied Li's [application](#) (posted on Boxun on January 15) for Hu to obtain a guarantor pending trial, a process similar to bail, on the grounds that it could "endanger society." Officials have continued to harass individuals connected to Hu and those who attempt to visit the residence of Hu and his wife, Zeng Jinyan, according to the RFA articles dated February 1 and February 3.

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

"Green Olympics" Commitments Raise Concerns Over Transparency and Implementation

Beijing's [bid](#) in 2000 to host the 2008 Olympics promised a "Green Olympics" and the "greatest Olympic Games environmental legacy ever," yet concerns remain over Beijing's transparency and progress toward fulfilling the specific commitments underlying these promises, especially with regard to air quality. In its bid, Beijing promised to achieve objectives in the city's environmental master plan three years ahead of schedule with the completion of 20 major projects by 2007. The projects include infrastructure improvements addressing air and water quality, waste management, and energy, according to Table 1.1 in the 2007 United Nations Environmental Programme's [Environmental Review](#) of the Olympics (UNEP report). Beijing also promised that air quality would meet World Health Organization (WHO) standards and that the city's drinking water, which it said met WHO standards, would continue to be protected. The UNEP report noted that "Beijing has already achieved many of its bid commitments, for example on waste water treatment, water source protection, and waste management, and appears to be well on the way to fulfilling all of them." The UNEP report called the progress "an achievement in itself."

Despite this noteworthy progress, there are concerns over Beijing's promise that air quality "will meet Chinese and WHO standards."

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

Party Congress Promotes Officials Linked to Harsh Policies Toward Tibetans

The 17th Congress of the Chinese Communist Party (CCP), concluded on October 21, 2007, resulted in the promotions of two high-ranking Party officials, Zhou Yongkang and Liu Yandong, whose recent posts associate them with harsh policies that contribute to the repression of human rights such as the freedoms of religion and expression, and that undermine ethnic minority rights guaranteed by China's [Constitution](#) and [system of regional ethnic autonomy](#). The Party's elevation of Zhou and Liu to the highest levels of Party power is likely to signify strong endorsement of their work, and ensure the continuation and perhaps strengthening of the policies associated with them, especially during the period of the Party's 16th Central Committee (2002-2007).

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

Mixed Progress for Olympic Foreign Reporting Regulations One Year Later

A year after China's [Regulations on Reporting Activities in China by Foreign Journalists During the Beijing Olympic Games and the Preparatory Period](#) went into effect, a Beijing-based association of foreign journalists noted "improved overall reporting conditions for foreign journalists" but also "hot spots where journalists have experienced repeated violations" of the regulations, according to a January 1 Foreign Correspondents Club of China (FCCC) [press release](#). The temporary regulations, effective from January 1, 2007 to October 17, 2008, give foreign journalists greater freedom to report in China, something the International Olympic Committee required China do in order to host the 2008 Olympics. Specifically, foreign

journalists no longer need separate government permission to interview individuals and organizations that consent to be interviewed. Furthermore, the regulations apply to a foreign journalist's coverage of all kinds of topics, not just those related to the Olympics.

The FCCC press release notes that while foreign journalists reported "easier travel and better access to officials," they also reported to the FCCC 180 incidents of "reporting interference" in 2007.

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

Politburo Study Session Calls for Uniting Religious Communities Around Party

At a Politburo study session held December 18, Chinese President and Communist Party General Secretary Hu Jintao reaffirmed the Party's policies for controlling religion and called on religious communities to play a "positive role" in promoting state goals and to "closely unite" around the Party. Hu's statements, which outlined direction for carrying forward Party policy on religion, also continued a trend in mentioning a "positive role" for religious communities at high levels of the Communist Party. According to a [description](#) of the study session posted December 20 on the Web site of the State Administration for Religious Affairs (SARA), Hu called for "closely uniting religious personages and the religious masses around the Party and government" and outlined three "requirements" for carrying out the Party's work on religion under what he described as "new historic conditions."

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

Central Propaganda Department Restricts Reporting on Air Quality, Food Safety

The [Central Propaganda Department](#) (CPD) of the Chinese Communist Party recently issued a notice to Chinese news editors restricting domestic coverage of topics relating to China's hosting of the 2008 Olympics, including air quality and food safety, according to a November 13 South China Morning Post (SCMP) [report](#) (subscription required). The report said that the CPD, responsible for ensuring that China's media follow the Communist Party's lead, delivered the notice during the week of November 5 and that the notice "ordered journalists to steer clear of Olympics-related story ideas that could show the country in a bad light." A source who read the notice told the SCMP that it identified air quality, food safety, the Olympic torch relay, and the Paralympics as topics that had recently generated "unfavorable publicity" in the foreign media. The source said the notice "requires state media to put a spin on those topics to 'offset the bad publicity' created by those previous reports." The SCMP added that Chinese media regulators were becoming more aware of the influence domestic stories have on foreign media coverage of China, noting that "most foreign media pick up story ideas from the domestic press." CPD directives, which are frequently issued in response to politically sensitive events, may apply to any Chinese journalist.

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

Bishop Ordinations in 2007 Return to Holy See Involvement

The state-controlled Catholic Patriotic Association (CPA), which oversees China's registered Catholic church, ordained three bishops in late 2007 who had received approval from the Holy See, continuing a trend that was [interrupted in 2006](#) by several bishop ordinations without Holy See approval. Although the CPA appoints and ordains bishops according to its own internal procedures and does not recognize the authority of the Holy See to make such appointments, in recent years it has tolerated discreet involvement by the Holy See in the selection of some bishops. After breaking with this practice for some bishop appointments in 2006, the CPA ordained a total of five bishops in 2007 all of whom had Holy See approval.

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

Religious Repression in Xinjiang Continues During Ramadan

Local governments and educational institutions in the Xinjiang Uighur Autonomous Region (XUAR) continued in 2007 to impose religious restrictions on Muslims' observance of the holiday of Ramadan. Local governments and schools called for increased controls over religious activities during Ramadan, banning students from fasting, forbidding teachers and other state employees from engaging in religious activities, and requiring local restaurants to remain open during the holiday.

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

Tibetans Appeal Splittism, Espionage Sentences for Horse-Racing Festival Incident

Relatives of four Tibetan men -- two nomads, a monk, and a school teacher -- traveled from a Tibetan area of Sichuan province to the provincial capital, Chengdu city, to submit appeals to the Sichuan High People's Court following the men's

sentencing on November 20, 2007, on splittism and espionage charges, according to a December 4 Radio Free Asia (RFA) [report](#). The Ganzi (Kardze) Intermediate People's Court, located in Kangding (Dartsedo), the capital of Ganzi (Kardze) Tibetan Autonomous Prefecture (TAP), Sichuan province, sentenced the four men to prison terms of up to 10 years on charges of splittism, espionage, or both, for actions linked to an August 1 incident at a horse-racing festival in Litang (Lithang) county in Ganzi TAP, according to a Xinhua [report](#) published the same day as the sentencing.

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

Guo Feixiong Sentenced to Five Years for Illegal Business Operation

A Guangzhou court sentenced rights defender Yang Maodong (who uses the pen name Guo Feixiong) to five years in prison for "illegal operation of a business," a crime under Article 225 of China's [Criminal Law](#), according to a November 16 Guangzhou Daily [article](#) (in Chinese, via the Web site of the Guangzhou Municipal People's Government). A November 14 Human Rights in China (HRIC) [press release](#) said that the Tianhe District People's Court, in Guangzhou city, Guangdong province, handed down the sentence on November 14 and also fined him 40,000 yuan (US\$5,400). The Guangzhou Daily article said that Guo's punishment stemmed from activities he allegedly undertook beginning in 2001. The article said that in July 2001, Guo fabricated the existence of a magazine publisher named "Comprehensive Law" and misappropriated the [publication number](#) of the publication "Chemical Reagent." Guo then used the number to print 26,086 copies of a publication named "Comprehensive Law 2001 Special Issue" and distributed them to the cities of Shenyang and Dalian, both in Liaoning province, to be sold. While the Guangzhou Daily described the item being sold as a "publication" and gave no details as to its content, the HRIC press release and a November 15 South China Morning Post (SCMP) [article](#) (subscription required) reported that Guo was punished for publishing a book concerning a political scandal in Shenyang. SCMP reported that the book had "angered local officials."

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

Wang Dejia, Shi Weihai Released on Bail

Wang Dejia

State security officials in China released Internet essayist Wang Dejia (whose pen name is Jing Chu) on bail on January 12, the Chinese rights advocacy Web site Minsheng GuanCha [reported](#) on the same day. The report said that Wang had been released from the Quanzhou County Detention Center in Guilin city, Guangxi Zhuang Autonomous Region. Wang was originally [detained](#) in Quanzhou on December 13, 2007, on suspicion of "inciting subversion of state power." Wang has written and posted numerous articles on the Internet criticizing the Chinese government and Communist Party and has also criticized China's hosting of the Olympics, which takes place in August of this year. According to Wang's wife, as reported in a January 17 Agence France-Presse [article](#) (via The China Post), authorities released Wang on the condition that he cease posting essays critical of the Chinese government. She said they required Wang to sign a pledge not to write any more and told him not to speak to [foreign journalists](#).

Shi Weihai

Also in January, Beijing authorities released bookstore owner Shi Weihai on bail after detaining him for "illegal printing and distribution" of [religious literature](#), according to a January 7 press release ([English](#), [Chinese](#)) from the China Aid Association (CAA). According to CAA, authorities decided not to formally arrest Shi because of "insufficient evidence" and released him and two dozen others allegedly involved in the case on bail on January 4. Shi was originally detained on November 28.

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

Slogans Take on Softer Tone, But Restrictive Population Policies Remain

China's National Population and Family Planning Commission (NPFPC) has altered its population planning slogans to reflect a less strident tone, according to an October 11 Xinhua [article](#) and a July 19 [circular](#) posted on the NPFPC Web site. The NPFPC eliminated older slogans like "Raise fewer babies but more piggies" and "One more baby means one more tomb" that drew controversy and created a "misunderstanding about the [population planning] policy and even tarnish[ed] the image of the government," according to the NPFPC, as cited in the Xinhua article. In their place are slogans including "The mother earth is too tired to sustain more children" and "Having a boy or girl brings much joy, gender imbalances bring much worry." The slogans, organized by theme, include catch phrases directed at migrant populations and slogans to encourage officials to properly implement population planning policies. (See the Xinhua article for translations of some phrases. [Click here](#) and scroll to the bottom of the page to open an attachment listing the 190 new slogans in Chinese.) Despite this change in tone, the government's population planning policies remain unchanged, and have been reinforced by two new policy documents issued in recent months.

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

SEPA Issues Measures on Open Environmental Information

The State Environmental Protection Administration (SEPA) issued measures that standardize the disclosure of environmental information by government agencies and enterprises, and provide the public with the right to request government environmental information, according to an April 25, 2007, SEPA [press release](#). SEPA issued the [Measures on Open Environmental Information](#) (the Measures) on April 11, and was the first government agency to release its own implementing measures after the State Council issued the [Regulations of the People's Republic of China on Open Government Information](#) on April 5. Both come into effect on May 1, 2008. The Measures highlight the central government and Communist Party leadership's increased attention to environmental issues in recent years. In 2002, former President and Party General Secretary Jiang Zemin's [report](#) at the Party's 16th National Congress used the words "environment" or "environmental" in reference to environmental issues eight times. Five years later, those words appeared in Hu Jintao's [report](#) at the 17th National Congress on 19 occasions. Hu's report also mentioned the requirement to "promote a conservation culture" for the first time, according to a January 11, 2008, China Environment News [article](#).

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

Work-Study Programs Using Child Labor Continue in Xinjiang

Authorities in the Xinjiang Uighur Autonomous Region (XUAR) continued this year to force students in the region to pick cotton and do other physical labor, despite China's obligation to bar such work as a state party to international conventions addressing child labor and despite objections from both students and parents. As [previously noted](#) by the Congressional-Executive Commission on China (CECC), the XUAR government, acting under central government authority bolstered by local legal directives, promotes the use of student labor, including labor by young children, via work-study programs to harvest crops and do other work. The XUAR government reportedly developed work-study programs to address labor shortages during the autumn harvest. Students do not receive pay for their work, and their performance in the work-study programs influences their promotion to higher grades.

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

Tibetan Nomad Calling for Dalai Lama's Return Convicted of Subversion and Splittism

A court in Sichuan province convicted Tibetan nomad Ronggyal Adrag on October 29, 2007, on charges of attempting to "subvert state power" and "split the country" by standing before a crowd gathered at a horse-racing festival and shouting slogans calling for the Dalai Lama's return to Tibet and greater Tibetan freedoms, according to an October 30 Radio Free Asia (RFA) [report](#). The judge presiding over the Ganzi (Kardze) Intermediate People's Court, located in Kangding (Dartsedo), the capital of Ganzi Tibetan Autonomous Prefecture, said that sentencing would take place within six or seven days.

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

Official Defends Response to Forced Labor Scandal

Yu Youjun, the former provincial governor of Shanxi province, described as "unparalleled" the punishment of 95 local Communist Party officials for their role in a scandal involving the enslavement of more than 1,300 people, including kidnapped children and mentally challenged adults, discovered working in Shanxi brick kilns in May and June 2007. According to an October 22, 2007, China Daily [article](#), "About 8 of the 95 officials were expelled from the Party and lost their jobs, 30 were dismissed from their posts and more than 20 officials were demoted." The head of the provincial department of labor and social security and the mayors of Linfen and Yuncheng cities were "required to make a self-criticism at an official conference."

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

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