

# *China Human Rights and Rule of Law Update*

Olympics Issue - August 2008

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## **United States Congressional-Executive Commission on China**

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

### **Special Issue: China's Olympic Commitments**

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#### **Statement of Chairman Sander Levin and Co-Chairman Byron Dorgan**

August 1, 2008 - China made a number of commitments in its quest to host the 2008 Olympic Summer Games. These included specific commitments to human rights, press freedom, openness and the environment. These commitments are documented and unmistakable. China plays an increasingly significant role in the international community, and it is vital that there be continuing assessment of its commitments, whether as a member of the WTO or as the awarded host of the Olympics. This is not a matter of one country meddling in the affairs of another. Other nations, including ours, have both the responsibility and a legitimate interest in ensuring compliance with these commitments.

On July 12, 2001, days before the International Olympic Committee voted to select Beijing as the site of the 2008 Olympics, Mr. Wang Wei, Secretary General of the Beijing Olympic Bid Committee, told the press, "(w)e are confident that the Games coming to China not only promotes our economy, but also enhances all social conditions, including education, health and human rights." These words could not have been clearer. Human rights and the 2008 Olympics were linked before Beijing was awarded the Games, and China itself linked them.

And China was correct to do so. Let us be absolutely clear: criticism of China continues today not due to meddling, not due to "subversion," and not even because China is hosting the Olympics. Criticism continues because China's leaders refuse to live up to the international commitments they themselves publicly made.

Today, more than 800 individuals are known to be languishing at this very moment in jail cells across China simply for attempting to exercise their rights to speak, to write, to work, to organize, and to engage fully in spiritual and religious life. They are peasants, professors, parents, priests, and poets. They include those who were branded subversive for stating publicly that the protection of human rights mattered more to them than hosting the Olympic Games.

Beijing's Olympic bid documents stated "There will be no restrictions on journalists in reporting on the Olympic Games," and Beijing's Action Plan for the Olympics states that "(i)n the preparation for the Games, we will be open in every aspect to the rest of the country and the whole world." Yet the Foreign Correspondents' Club of China received reports of 160 cases of various forms of harassment against foreign journalists in China during 2007 and 110 cases just in the first six months of 2008.

Furthermore, journalists in Beijing's Olympic press facilities reported on July 30 that China blocked foreign reporters' access to foreign web sites, including those of organizations reporting on human rights issues related to the Olympic Games. Reporters in the Olympic press headquarters in Beijing today confirmed that some previously restricted sites had been unblocked, but whether these actions constitute full compliance with China's prior commitments remains to be seen.

Beijing's bid documents also stated that "Beijing promises to provide a clean environment for the athletes by 2008." Yet athletes from around the world are arriving in Beijing with anti-pollution masks, and the International Olympic Committee (IOC) is considering rescheduling endurance events such as the marathon to prevent health risks due to air pollution.

China's failure to meet the commitments it made in its quest for the Games — which, as this newsletter shows, are clear, documented and unmistakable — underscores serious questions about what China and other nations will do in the future if China's failure to meet its Olympics-related commitments continues.

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## CECC Updates

### The Human Toll of the Olympics

While the financial cost of the Olympics is estimated at \$43 billion, the human toll of China's preparations for the Olympics is also considerable. Seeking to ensure security and project a "positive" image, China has cracked down on groups it deems potential "troublemakers": migrant workers, petitioners, ethnic minorities, Falun Gong practitioners, activists, rights defenders, religious leaders, and others. This crackdown has intensified during the months and weeks leading up to the Games, which begin on August 8. At the same time, China has fallen short in meeting formal commitments it made to the International Olympic Committee (IOC). These commitments include increased freedom for the foreign press and progress on environmental issues.

## Press Freedom

- Foreign broadcasters and journalists in China have described numerous burdensome and last-minute bureaucratic hurdles thrown up by Chinese officials in recent weeks to limit uncensored, live coverage during the Olympics, according to a July 24 Associated Press (AP) [article](#). Chinese officials claim restrictions on live coverage and broadcast sites are necessary for security. Foreign journalists, however, note that these restrictions contradict earlier promises and appear designed to give officials wide latitude to restrict reporting arbitrarily.
- The Commission noted in previous analyses that China promised foreign journalists "no restrictions" for the Olympics. Officials have made frequent exceptions to this promise - including [barring](#) foreign reporters from traveling anywhere near reported protests in Tibetan areas, and [detaining](#) foreign reporters attempting to cover protests by parents following a May earthquake - suggesting that officials retain considerable discretion to deviate from this promise.
- A Beijing Olympic official confirmed on July 30 that foreign reporters' access to certain Web sites, including those relating to Falun Gong, would be blocked at Olympic venues, according to a July 30 Agence France-Presse (AFP) [article](#). Foreign journalists initially reported not being able to access the Web sites for Amnesty International, Human Rights Watch, the Tibetan government-in-exile, those providing information about the 1989 Tiananmen democracy protests and Falun Gong, Radio Free Asia, Deutsche Welle, and the Hong Kong-based Apple Daily, and the Chinese-language sites for Voice of America, and the BBC, according to the AFP article and a PC World [article](#) and Deutsche Welle [article](#) of the same date. They also said that such censorship was not evident in previous Games. In September 2006, a Chinese Olympic official said that Internet access for foreign reporters during the Olympics would be uncensored, according to a September 27, 2006, Reuters [article](#) (via China Daily). In April of this year, the IOC expressed concern to Chinese Olympic officials over [Internet censorship that followed Tibetan protests that began in March](#), saying that China's Host City Contract (which is not publicly available) with the IOC obligated it to offer open Internet access to foreign journalists during the Olympics, according to an April 2 South China Morning Post (SCMP) [article](#) (subscription required).
- On July 30, the IOC acknowledged that it had "negotiated with the Chinese that some sensitive sites would be blocked on the basis they were not considered Games related," according to a July 30 Reuters [article](#). A day later the IOC said that "[w]e have a team working with [the Beijing Olympic Committee] to unblock sites to make it easier for reporters and to remove any concerns that sites are censored. Apart from those sites, for example, which relate to pornography, which is common to every country in the world to block, and sites which could be considered subversive, all other sites should be free to enable all reporters to properly report on the Games as they have in previous Games," according to an August 2 Australian [article](#). The New York Times [reported](#) on August 1 that the Web sites for Amnesty International, Human Rights Watch, Radio Free Asia, and the Chinese language service of the BBC had become accessible at the Olympic Village, but that other sites relating to Tibet, Chinese dissidents, and the 1989 Tiananmen democracy protests remained blocked.

*See previous Commission analyses in this area going back to 2005:*

[China's Olympic Commitments on Media Control and Internet Access](#) (Posted 07/2008)  
[Hu Jintao Speech Stresses Media's Role To Serve Party](#) (Posted 07/2008)  
[China Commits to "Open Government Information" Effective May 1, 2008](#) (Posted 05/2008)  
[Censorship of Internet and Foreign News Broadcasts Following Tibetan Protests](#) (Posted 04/2008)  
[Mixed Progress for Olympic Foreign Reporting Regulations One Year Later](#) (Posted 01/2008)  
[Central Propaganda Department Restricts Reporting on Air Quality, Food Safety](#) (Posted 12/2007)  
[Chinese Government Relaxes Restrictions on Foreign Journalists for Olympics](#) (Posted 11/2007)  
[IOC Expresses Concern About Government Restrictions on News Media](#) (Posted 11/2005)  
[Beijing Olympic Committee Refusing All Telephone Interviews To Avoid Falun Gong Journalists](#) (Posted 08/2005)

### **Environment**

- Beijing officials point to the city meeting its 2007 target of 245 days of "blue skies" as an indicator of improved air quality, according to a December 30, 2007, Reuters [article](#). Yet Chinese academics and other experts have criticized the government's [lack of transparency](#) with regard to its pollution data and the temporary nature of many of its anti-pollution measures, according to a May 14 SCMP [article](#) (subscription required).
- It remains to be seen if Beijing's air quality during the Olympics – determined by measuring the levels of four pollutants – will meet promised World Health Organization (WHO) standards. Levels of sulfur dioxide meet current WHO standards but particulate matter 10 levels do not meet these standards, according to a July Greenpeace [report](#). Beijing's environmental protection bureau currently [does not measure ozone or particulate matter 2.5](#), which have documented adverse health effects.
- China's costly policy of diverting water from outer provinces to Beijing for the Olympics threatens environmental conditions in those provinces, according to a June Probe International [report](#). Local officials reportedly harassed a group of journalists and a domestic environmental non-government organization (NGO) worker visiting reservoirs in Hebei province that were sending water to Beijing, according to a July 14 San Francisco Chronicle [article](#).

*See previous Commission analyses in this area going back to 2007:*

[SEPA Issues Measures on Open Environmental Information](#) (Posted 01/2008)  
["Green Olympics" Commitments Raise Concerns Over Transparency and Implementation](#) (Posted 12/2007)

## **Crackdown on Certain Groups and Individuals**

### ***Petitioners***

- A July 17 Oriental Daily report (via [Open Source Center](#), July 17, subscription required) noted that provinces and localities outside Beijing had dispatched personnel to the capital to repatriate, sometimes forcefully, residents who had come to Beijing to petition the government. Amnesty International [reported](#) on April 1 that Beijing Public Security Bureau officers had already detained thousands of petitioners as part of an Olympics "clean up," and repatriated many of them.

### ***Activists, NGOs, and Rights Defenders***

- Numerous activists, as well as the spouses of imprisoned rights defenders Hu Jia and Chen Guangcheng, have been subjected to unlawful home confinement and/or surveillance in order to prevent them from protesting or meeting with foreign journalists during the Olympics, according to a July 25 Radio Free Asia [report](#).
- SCMP [reported](#) (subscription required) on June 25 that officials monitoring the Internet in China were targeting Web sites run by local NGOs, including blocking access to one Web site serving hepatitis B sufferers. The Christian Science Monitor [reported](#) in December 2007 of an ongoing crackdown on NGOs that began earlier that year. In both cases, NGO activists believe those moves were related to the Olympics.
- The Hong Kong-based Information Centre for Human Rights and Democracy reported that the Shanghai Public Security Bureau ordered activists, petitioners, and other "controlled" people not to leave the city and barred them from speaking to foreign press "for the purpose of strengthening public order during the Beijing Olympics," according to a June 25 SCMP [article](#) (subscription required).
- The Commission has noted that in recent months officials have reportedly held in custody, detained, or sentenced Chinese citizens who have peacefully criticized China's human rights conditions and linked such criticism to the Olympics. These individuals include [Hu Jia](#), [Wang Dejia](#), [Teng Biao](#), and [Yang Chunlin](#).
- The July 25 Radio Free Asia report also noted that Qi Zhiyong, a Beijing-based activist who lost a leg during the Tiananmen crackdown in 1989, was told that he would be detained if he did not leave Beijing for the duration of the Olympics.

### ***Migrant Workers***

- Agence France-Presse (AFP) [reported](#) (via Yahoo) on July 24 that authorities were ordering many of Beijing's millions of migrant workers to leave the city, a charge an official denied. In September 2006, Beijing officials said that migrant workers would not be forced out of Beijing during the Olympics, according to a September 15, 2006, Xinhua article (via [Open Source Center](#), 15 September 06, subscription required).

### ***Religious Groups and Falun Gong Practitioners***

- Some unregistered religious communities have reported increased harassment and abuse in the run-up to the Olympics. On July 18, authorities expelled Pastor Zhang Mingxuan, president of the Chinese House Church alliance, from Beijing after closing his church earlier that month on the grounds that it would be "a destabilising factor during the [Olympic] Games," according to Zhang's remarks as reported in a July 20 SCMP [article](#) (subscription required). "The crackdown on underground churches so far this year is much more intense than the past few years put together because of the Olympic Games," according to Zhang, as reported by the SCMP in another July 20 [article](#) (subscription required). Minister of Public Security Zhou Yongkang stated in March 2007 that the government would "strike hard" against hostile forces inside and outside the country, including religious and spiritual groups, to ensure a "good social environment" for the Olympics and 17th Communist Party Congress. For additional information, see a July 28 [report](#) from the China Aid Association.
- In the months preceding the Olympics, Chinese security officials have implemented a widespread campaign to round up and intimidate Falun Gong practitioners nationwide. According to a July 8 Falun Dafa Information Center (FDIC) [report](#), at least 8,037 adherents have been arrested since December 2007, including 208 in Beijing alone. Some of those detained were subsequently sentenced to reeducation-through-labor camps. Local police and public security officials have reportedly been making door-to-door arrests based on a previously compiled list of local practitioners, according to a March 12 FDIC [report](#).
- The central government has widely disseminated a directive urging local officials to actively detain Falun Gong practitioners and has publicly portrayed them as a dangerous threat to stability on par with "terrorism." A July 11 Xinhua [article](#) reports on a notice to Beijing residents offering a reward for what the report described as "substantial information on terrorist attacks, sabotage by illegal organizations and cults such as the Falun Gong..."

### ***North Korean Refugees***

- In the year leading up to the Olympics, the government has intensified border surveillance and stepped up efforts to capture and forcibly repatriate North Korean refugees, according to articles from the [Sunday Times](#) on June 29, [Time Magazine](#) on March 6, and [Radio Free Asia](#) on March 21. The Sunday Times article noted an agreement between China and North Korea to "tighten security measures to ensure 'stability' in the run-up to the Olympic Games and to stop any embarrassing demonstrations by refugees." A July 22 AP [report](#) based on South Korean intelligence sources also confirms that Chinese border security has increased, refugees are being targeted, and that even renewal of visas for North Koreans with proper documentation has been restricted.
- In preparation for the Olympic torch relay's arrival in Yanji City on July 19, Chinese public security agents conducted daily inspections of the homes of ethnic Koreans living near the border since April, according to a June 18 Daily North Korea [report](#) and a June 14 [report](#) from Life Funds for North Korean Refugees (LFNKR). Residents report to LFNKR that penalties for harboring refugees now include imprisonment and fines ranging from 8,000 to 10,000 RMB (US\$1,150-1,445). Interviews conducted



by the Sunday Times with border residents in June found that local authorities were repatriating "several hundred" refugees per month as a result of the house inspections.

- In recent months, government harassment of religious communities along the border has increased dramatically. The central government has ordered provincial religious affairs bureaus to investigate religious communities for signs of involvement with foreign coreligionists, according to an April 10 LFNKR [report](#). In the Yanbian Korean Autonomous Prefecture, Chinese authorities have shut down churches found to have ties to South Koreans or other foreign nationals.

### **Others**

- According to a July 12 Age [article](#), a British citizen of Tibetan ethnicity, beggars, women used in prostitution, and the homeless have been expelled from Beijing or denied re-entry.

*See previous Commission analyses in this area going back to 2005:*

[North Korea Executes 15 Attempting Escape, China Arrests 40 Refugees](#) (Posted 06/2008)

[Government Grants Exit Visas to Seven North Koreans, Pressures UNHCR in Pre-Olympic Crackdown](#) (Posted 05/2008)

[Foreign Minister "Freedom of Speech" Comments At Odds With Arrests, Detentions](#) (Posted 03/2008)

[Xinjiang Authorities Target Christian-Owned Businesses for Closure](#) (Posted 11/2007)

[Beijing Drafts Mental Health Regulations in Preparation for Olympics](#) (Posted 12/2006)

[Communications Ministry Orders Push to Resolve Unpaid Migrant Wage Claims](#) (Posted 07/2006)

[Security Officers Detain and Release House Church Protestants](#) (Posted 07/2005)

### **Tibet**

- [The Chinese government has taken new measures](#) that attempt to force the Dalai Lama to accept responsibility for the views and actions of Tibetan activist groups that seek to stage pro-independence protests against the backdrop of the Beijing Olympics, and to stop such groups from carrying out their protests. A senior Party official told the Dalai Lama's envoys when they visited Beijing on July 1 and 2 that as a precondition to continuing the dialogue the Dalai Lama must "explicitly promise" to provide "no support for activities that aimed to disturb and sabotage the Beijing Olympic Games," and that he must prove his compliance through his actions (Xinhua, reprinted in [China Daily](#), 3 July 08).
- The Tibetan People's Uprising Movement (TPUM), an association of Tibetan activist groups that calls for Tibetan freedom, announced on July 22 that the group would organize protests against China's role as the Olympic host during and after the Olympics at the locations of United Nations and International Olympic Committee offices in the United States and Europe, according to a [statement](#) posted on the TPUM Web site. Chinese officials have blamed the Dalai Lama (or the "Dalai Clique") for TPUM activities ([Xinhua](#), 1 April 08), even though the Dalai Lama has continued

to reiterate his explicit support for the Beijing Olympic Games (see, e.g., the Dalai Lama's April 6 [statement](#), Office of His Holiness the Dalai Lama Web site).

- The Tibetan Youth Congress (TYC), a pro-Tibetan independence group and TPUM's principal affiliate, announced separately that it would "stage [a] series of protests worldwide before and during the Beijing Games" ([Phayul](#), 21 July 08). Chinese officials have accused the TYC (without providing substantiation) of "violent terrorist activities" and, as another new precondition on dialogue, have demanded that the Dalai Lama "concretely curb" the group's alleged violent activity (Xinhua, reprinted in [China Daily](#), 3 July 08). The Dalai Lama's envoys "categorically rejected" the Chinese characterization of the TYC during the July meetings in Beijing, according to the Special Envoy's July 5 [statement](#) (reprinted on the International Campaign for Tibet Web site).

*See previous Commission analyses in this area going back to 2006:*

[Official Information Confirms Sentence for Tibetan Nun Who Put Up Posters](#) (Posted 11/2006)

[Gansu Court Sentences Five Tibetan Monks and Nuns for Protest Posters](#) (Posted 02/2006)

### **[Xinjiang Uighur Autonomous Region \(XUAR\)](#)**

- Uighurs in the XUAR and overseas groups reported that Chinese authorities increased controls in the region to prevent perceived threats to stability as the Olympic torch relay passed through the XUAR, according to a June 15 AFP [article](#) (via ABS-CBN News Online). According to sources cited in the article, officials barred some local Muslims from traveling overseas, required residents to "avoid contact with foreigners" and "report any overseas journalists operating in the area," forced Muslim religious personnel to receive "political education" on "protecting" the Olympics, and detained thousands.
- According to a June 18 Radio Free Asia [article](#), a spokesman for the German-based World Uighur Congress said torch relay onlookers would have to pass a political background check and be required to cheer.
- Chinese officials have sought to justify the recent crackdown as intended to prevent terrorist activity that could disrupt the Olympics. The Commission noted in a March [analysis](#) that XUAR Communist Party Chair Wang Lequan linked a January security raid to a group allegedly planning to attack the Olympics, although he provided only limited details about the incident.

*See previous Commission analysis in this area going back to 2008:*

[Authorities Block Uighur Protest in Xinjiang, Detain Protesters](#) (Posted 04/2008)

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



## Officials Order Hotels To Step Up Monitoring and Censorship of Internet

Over the last year, public security officials across China have ordered hotels, guesthouses, and other places offering Internet access on a "non-commercial" (*fei jingying xing*) basis to comply with existing Internet regulations and install Internet security systems capable of monitoring and censoring users' Internet activities. A recent search of public documents online found official notices to that effect and reports of related public security campaigns in Wuxi city, Jiangsu province ([reported](#) July 25, 2007), Shenzhen city, Guangdong province ([issued](#) August 1, 2007), Jining city, Shandong province ([issued](#) December 12, 2007), Zibo city, Shandong province ([issued](#) December 14, 2007), Dongguan city, Guangdong province ([issued](#) December 26, 2007), Shunde district, Foshan city, Guangdong province ([issued](#) January 7, 2008), Dongying city, Shandong province ([issued](#) March 20, 2008), Xintai city, Shandong province ([reported](#) May 16, 2008), and Yiyuan county, Zibo, Shandong province ([issued](#) June 20, 2008). In a [report](#) titled "Strengthen Hotel and Guest House Internet Security Supervision, Laws To Make It Happen, Beijing Olympics Closing In, Public Security Extends Strength of Internet Security Supervision at Hotels and Guesthouses in Each Area," a Chinese technology industry Web site noted that Shanghai (May 12, 2008), Anqing city, Anhui province (beginning of 2007), Liuzhou city, Guangxi province (reported March 27, 2008), and Lianyungang city, Jiangsu province (March 17, 2008), among others, had also taken similar measures.

Though the orders do not directly refer to the Olympics, many specify that hotels and guesthouses must complete installation of Internet security systems before China hosts the games in August. The Zibo notice, for example, requires hotels and guesthouses to comply by February 2008, while other places covered by the notice have until October. The Dongying notice provides a similar requirement, with hotels and guesthouses required to comply before April 2008, while others have until October. In the case of Dongguan, hotels and other places were required to have installed network security supervision systems by May 31, 2008, before inspections that began on June 1. Shunde's notice announced that inspections would begin in March and that those found not to be in compliance could be fined or forced to close.

The notices and reports indicate that hotels and guesthouses have been ordered to do one or more of the following:

- Install Internet security supervision technology and systems recommended by public security officials and that meet government standards. Such systems must be able to record users' login and logoff times, dial-up number, account number, Internet address or domain name, and registration information; send data to a reporting center run by public security officials; discover and stop transmission of "illegal information"; and retain records of users' Internet activities for 60 days, in compliance with the [Provisions on Internet Security Protection Technology Measures](#) issued in 2005.
- Improve procedures to deal with Internet security incidents and trace responsibility. In some areas, hotels and other places are ordered to notify public security officials within 24 hours of discovering such an incident.
- Set up departments and designate personnel responsible for the Internet security supervision system and ensure that personnel are qualified and well-trained.
- Sign a pledge to implement the Internet security technology measures. At a December 7, 2007, meeting convened by the Jining City Public Security Bureau more than 20 hotels and guesthouses in attendance signed such a pledge.

## CECC China Human Rights and Rule of Law Update

These measures alone do not necessarily violate international human rights standards. The measures may help officials combat pornography, online gambling, invasions of privacy, and intellectual property violations, all of which are prohibited under Chinese [regulations](#). The measures, however, also may further assist officials in carrying out censorship of politically sensitive information on the Internet and punishing Internet users who criticize the Chinese government or Communist Party online, in violation of international human rights standards for freedom of expression. Article 19 of the [International Covenant on Civil and Political Rights](#), which China signed and has committed to ratify, permits states to restrict freedom of expression only if necessary to respect the rights or reputations of others or protect national security, public order, or public health or morals. China's restrictions on peaceful political expression on the Internet violate Article 19.

For more information on China's imprisonment of online critics and censorship of the Internet in general, see "Internet Censorship" in Section II - Freedom of Expression, in the Congressional-Executive Commission on China's [2007 Annual Report](#).

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

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