

# CHINA HUMAN RIGHTS AND RULE OF LAW UPDATE

## United States Congressional-Executive Commission on China

[Senator Byron L. Dorgan](#), Chairman | [Representative Sander M. Levin](#), Cochairman

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No. 7 - August 19, 2010

### **Statement of the Chairman and Cochairman on Political Imprisonment in China Today**

Recent trials of Webmasters, professors, writers, lawyers, and even a geologist in China who is a U.S. citizen have heightened concern that the Chinese government increasingly is using detention and imprisonment to stifle dissent or to advance government objectives, at the expense of human rights. For example, in July, Dr. Xue Feng, an American geologist, was sentenced to eight years in prison for helping a U.S. company purchase commercial information on oil wells in China. Gheyret Niyaz, a Uyghur journalist and the editor of a popular Web site was sentenced to 15 years in prison for apparently giving an interview to the foreign media after the July 2009 demonstrations and riots in Xinjiang and for essays critical of some Chinese government policies in Xinjiang. In addition, Nijat Azat, Dilshat Perhat, and Nureli, have been sentenced to prison in connection to their roles as administrators of three popular Uyghur Web sites.

[Click here for full statement.](#)

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### **Announcements**

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## Announcements

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### **Roundtable: "China and Human Trafficking: Updates and Analysis"**

Friday, August 20, 2010

10:00 a.m. to 11:30 a.m.

Dirksen Senate Office Building, Room 628

At this CECC roundtable, panelists will examine recent developments in the Chinese government's efforts to combat human trafficking and discuss prospects for and obstacles to further progress. In the last year, the Chinese government has acceded to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Will its accession impact developments on the ground? What challenges do current labor conditions in China present for defining and addressing human trafficking, including labor trafficking? How do political pressure and human rights in China intersect with the issue of human trafficking?

Panelists:

*Earl Brown*, Labor and Employment Law Counsel and China Program Director, Solidarity Center, AFL-CIO

*Tiantian Zheng*, Professor of Anthropology and Coordinator of Asian/Middle Eastern Studies Program, State University of New York, Cortland

*Wan Yanhai*, Director of Beijing Aizhixing Institute, expert on HIV/AIDS, human rights and civil society in China

*Patrick Radden Keefe*, Fellow, The Century Foundation, and author of "The Snakehead: An Epic Tale of the Chinatown Underworld and the American Dream"

CECC Roundtables are open to the public. No RSVP is necessary.

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## CECC News and Analysis

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### **Beijing Court Sentences American Geologist to Eight Years for State Secrets**

On July 5, 2010, the Beijing No. 1 Intermediate People's Court sentenced Dr. Xue Feng, a naturalized American citizen, to eight years in prison for allegedly helping the American company he worked for purchase commercial information on oil wells in China. The court said the information was a state secret and the purchase had endangered China's national security. Officials reportedly did not declare the information a state secret until after the transaction occurred; attempted to coerce Dr. Xue into confessing to the crime by allegedly torturing him; violated China's consular agreement with the United States by delaying notification of Dr. Xue's detention and limiting access by American officials; and violated China's Criminal Procedure Law with respect to the handling of Dr. Xue's case. The case also highlights the risk for foreign companies and their employees competing or doing business with China's state-owned enterprises, which can leverage state secrets laws to protect their commercial interests.

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## **Xinjiang Court Imposes Prison Sentences on Uyghur Journalist and Webmasters**

A court in the far western region of Xinjiang sentenced a journalist and three Web site administrators to prison sentences in July for endangering state security. Gheyret Niyaz, a Uyghur journalist and Web editor, received a 15-year prison sentence. Prosecutors at trial cited essays he wrote addressing economic and social problems affecting Uyghurs; sources also connected the case to interviews he gave to foreign media after demonstrations and rioting in Xinjiang in July 2009. In separate cases, Web site administrators Nijat Azat, Dilshat Perhat, and Nureli received sentences of 10, 5, and 3 years, respectively, on the same charges, in reported connection to articles posted on their Web sites describing hardships in Xinjiang and announcements on one of the Web sites calling for the demonstration in Urumqi in July 2009. Other Uyghur journalists, writers, and Web site workers from Xinjiang remain in prison or in detention for exercising their right to free expression, including people whose cases also are connected to the July 2009 events. [Read more »](#)

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## **Chinese Government Response to Strikes**

Since a series of labor strikes in southern Chinese factories in May 2010, recent Chinese media reports have offered clues about the government's reaction. Media coverage of the wage increases that the strikes have spurred has been positive, but the Party appears to remain highly wary of any labor movement not under its direct control. The strikes also have highlighted the shortcomings of "collective consultation" in China, but government leaders remain intent on centralizing power in the state-run All-China Federation of Trade Unions (ACFTU) rather than devolving autonomy to grassroots labor organizations.

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## **New Foreign Exchange Rules May Pose Difficulties for Chinese NGOs**

New rules issued last year by China's State Administration of Foreign Exchange took effect on March 1, 2010, tightening previously-issued rules concerning foreign donations to Chinese organizations. The new rules add procedures and increase the paperwork burden imposed upon Chinese organizations—including non-governmental organizations (NGOs)—wishing to receive financial contributions from overseas organizations. Five months after the rules took effect, some researchers and media reports are beginning to note, with specific examples, authorities' selective enforcement of the rules in a manner that may target groups working on issues the government deems to be "sensitive." [Read more »](#)

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## **Bishop Jia Zhiguo Refuses To Join State-Controlled Church After 15 Months of Detention**

Authorities in Hebei province recently released unregistered Catholic bishop Jia Zhiguo after detaining him in an unknown location for 15 months. Prior to Jia's latest detention, the Chinese government had harassed and detained him repeatedly since the early 1960s. Chinese policy requires Catholic communities in China to affiliate with the Catholic Patriotic Association (CPA), a state-controlled entity that monitors and controls Catholic doctrine, practices, property, and personnel. The Chinese government continues to deny Catholics in China the freedom to accept the authority of the Holy See to appoint bishops in China, and the government continues to harass or detain some bishops and priests who defy this policy. [Read more »](#)

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## **Ministry of Public Security Launches Seven-Month Nationwide "Strike Hard" Campaign**

In June 2010, the Ministry of Public Affairs launched a seven-month "strike hard" campaign aimed at quelling "crimes of extreme violence." The official campaign report specifically calls on public security officers to "strengthen strike hard measures" and to "increase efforts to resolve social conflicts." Chinese and international media outlets have noted that the campaign announcement follows highly

publicized incidents, including a series of school attacks. Critics of the "strike hard" campaigns claim that the nationwide campaigns signal a step back for human rights protections in China. Some Chinese scholars and lawyers have expressed concerns that efforts to meet law enforcement targets under "strike hard" campaigns lead to wrongful convictions and abuses of criminal procedure. [Read more »](#)

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### **Government Appears To Crack Down on Microblogs and Blogs**

An apparent government crackdown on microblogs and blogs in China reportedly began in mid-July 2010, involving service disruptions at major microblogging sites, removal of the blogs of well-known activists and lawyers, and increased monitoring of journalists' blogs. Blogs and microblogs have become increasingly popular in China, with hundreds of millions of users. [Read more »](#)

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### **Authorities Bolster Ethnic Unity Campaigns, Promote Spreading Party Policy During Ethnic Minority Holidays**

In recent years, the Chinese government and Communist Party have strengthened "ethnic unity" campaigns as a vehicle for promulgating Party policy on ethnic issues and for imposing state-defined interpretations of the history, relations, and current conditions of ethnic groups in China. Campaigns and official documents promoting "ethnic unity" have imposed far-reaching controls on freedom of expression in China. After central government and Party authorities issued guidance on ethnic unity in 2008 and 2009, authorities publicized a new document this July to further strengthen ethnic unity. The new document appears to intensify past measures by calling on authorities to use the "traditional holidays" of ethnic minorities to promote state ethnic unity campaigns. The recent guidance follows a major speech by President and Party General Secretary Hu Jintao in September 2009 on "promoting ethnic unity" and "realizing common progress," which he delivered in the wake of protests and riots in Tibetan areas in March 2008 and in the far western region of Xinjiang in July 2009. [Read more »](#)

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### **Internet Available in Xinjiang. But Controls Over Information Remain**

Authorities in the far western region of Xinjiang continue to exert tight control over freedom of expression, imposing limits on expression in a number of cases that are harsher than restrictions imposed elsewhere in China. Following demonstrations and rioting in Xinjiang in July 2009, authorities restricted access to the Internet, text messaging, and international telephone calls, claiming that they played a key role in inciting unrest. While authorities largely restored access to the technologies by May 2010, harsh restrictions on expression remain in place: popular Uyghur Web sites remain inaccessible and staff of some Uyghur Web sites remain in detention or in prison, Xinjiang residents report prohibitions against discussing the July 2009 events online, legal regulations imposing tight controls over free expression remain in force, and the Xinjiang government continues to carry out wide-scale censorship campaigns. [Read more »](#)

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