

# China Human Rights and Rule of Law Update

No. 3—March 16, 2010

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## United States Congressional-Executive Commission on China

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### Announcement

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#### [CECC Hearing: "Google and Internet Control in China: A Nexus Between Human Rights and Trade?" Wednesday, March 24, 2010, 2 p.m. to 3:30 p.m., 628 Dirksen Senate Office Building](#)

The recent Google controversy with China raises the question of whether China's regulation of the Internet is both a human rights and a trade issue. Witnesses will examine the challenges and hazards China's regulation of the Internet poses both to advocates of free expression and to foreign companies doing business in China; and possible ways for policymakers and private actors to respond to China's regulation of the Internet from both the human rights and trade perspectives.

Witnesses include: Alan Davidson, Director of U.S. Public Policy, Americas, Google, Inc.; Christine Jones, Executive Vice President, General Counsel & Corporate Secretary, The Go Daddy Group; Sharon Hom, Executive Director, Human Rights in China; Edward Black, President and CEO, Computer & Communications Industry Association; and Ambassador Mark Palmer.

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### CECC Updates

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#### [Chengdu Court Sentences Tan Zuoren to Five Years and Upholds Huang Qi's Sentence](#)

In mid-February 2010, the Chengdu Intermediate People's Court in Sichuan province sentenced writer and environmental activist Tan Zuoren to five years in prison for inciting subversion, and upheld the three-year sentence of fellow activist Huang Qi for illegal possession of state secrets. Both were active in criticizing the government for not doing enough to investigate the causes of school collapses in the May 2008 Sichuan earthquake and were detained shortly thereafter.

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

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## **Communist Party Leadership Outlines 2010–2020 "Tibet Work" Priorities at "Fifth Forum"**

The nine-member Standing Committee of the Political Bureau (Politburo) of the Central Committee of the Chinese Communist Party (CCP) convened the "Fifth Tibet Work Forum" on January 18-20, 2010, in Beijing. The Fifth Forum applied the highest imprimatur of Party power to policy objectives for the Tibetan autonomous areas of China during the period 2010 to 2020. The objectives of the Fifth Forum remain largely consistent with previous such meetings, but state resources available to expand and speed up policy implementation have increased as China's wealth increases and the country modernizes. Speaking at the forum, President Hu Jintao and Premier Wen Jiabao laid out goals that would strengthen further policy initiatives that already have had substantial impact on the Tibetan people and culture: accelerating economic development, increasing household income (especially in rural areas), improving social services, and protecting "stability" by striking at what officials say is a separatist threat that "the Dalai clique" poses. Hu used a Marxist theoretical concept ("special contradiction") to cast the Dalai Lama ("the Dalai Clique") as a threat to ethnic unity and stability. In doing so, Hu may seek to heighten further the Party campaign against the Dalai Lama by linking resolution of the "special contradiction"—bringing to an end the Dalai Lama's influence among Tibetans in China—to the Party's reputation as "Communist."

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

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## **Official Protestant Church Politicizes Pastoral Training, "Reconstructs" Theology**

Protestants who worship at officially sanctioned congregations in China continue to encounter state interference in the practice and teaching of their faith. To operate legally, congregations must submit to two state-run "patriotic religious organizations" that run their affairs. China's state-controlled Protestant church manipulates and modifies doctrine and theology in an effort to eliminate elements of Christian faith that the Communist Party regards as incompatible with its goals and ideology. It calls this process "theological reconstruction." Recent meetings between top Party officials and the patriotic religious organizations illustrate the close relationship that the Party maintains with these organizations. Meanwhile, local government reports from various provinces indicate ongoing emphasis on theological reconstruction and political study sessions in registered Protestant churches.

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

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## **Xinjiang "Ethnic Unity" Regulation Imposes Party Policy, Restricts Free Expression**

Following unrest in the far western region of Xinjiang in July 2009, the Xinjiang People's Congress Standing Committee passed an all-encompassing regulation on promoting ethnic unity, effective February 1, 2010, that promulgates Communist Party policy on ethnic issues and imposes far-reaching controls on freedom of expression. The legislation appears to be the first provincial regulation in China devoted to ethnic unity. The regulation comes amid an array of other measures—in both law and practice—to impose ethnic unity education in the region and restrict free expression on issues perceived to relate to ethnic unity. The regulation contravenes provisions in international law that limit the circumstances under which the right to freedom of expression may be restricted.

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

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## **Top Chinese Security Officials Urge Continued Crackdown in 2010**

China's top security officials issued statements in late 2009 and early 2010 that indicate top-level support for an indefinite extension of a security crackdown ostensibly aimed at "safeguarding social stability." China's leadership launched this most recent campaign with a series of temporary security measures for hosting the 2008 Beijing Summer Olympics, and later justified their continuation as a necessary response to the global financial crisis and politically "sensitive" anniversaries in 2009. The 2010 extension of this campaign coincides with the planned enhancement of intelligence collection and information sharing between security agencies across jurisdictions that will facilitate the Party's "prevention and control" efforts. Surveillance carried out through video cameras, street patrols, paid informants, and greater Internet monitoring is central to this "social management" campaign. Security forces are using the campaign to target "hostile forces" such as "ethnic separatists," "religious extremists," political activists, and Falun Gong practitioners.

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

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## **Rio Tinto Employees Charged With Accepting Bribes, Infringing Trade Secrets**

The Shanghai People's Procuratorate formally charged four employees of the Anglo-Australian mining firm Rio Tinto on February 10 with "bribery and infringing trade secrets." The four men, three Chinese citizens and one naturalized Australian who is a former Chinese national, were first detained in Shanghai in July 2009 on suspicion of "stealing state secrets," a crime which in China entails closed-door trials and often severe punishment. In August, charges against the four employees were downgraded to "commercial bribery and trade secrets infringement," with the Shanghai Procuratorate last month accusing the men of "taking advantage of their position to seek profit for others, and asking for, or illegally accepting, huge amounts of money from Chinese steel enterprises." Some reports note the timing of the detentions of the four employees, which took place shortly after Rio Tinto pulled out of a proposed \$19.5 billion deal with a major state-owned Chinese firm in June 2009.

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

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### **Revised Social Order Regulation in Xinjiang Places New Emphasis on State Security**

The Xinjiang government has revised a regulation on social order to place new emphasis on combating threats to state security. "Social order" regulations in China typically address general criminal activities, "social unrest," and other perceived threats to stability, and the Xinjiang regulation's new focus on state security is largely unseen in recent social order regulations elsewhere in the country. The revisions come as the Xinjiang government has strengthened security measures following unrest in the region in July. Xinjiang authorities have used security campaigns and charges of endangering state security to punish people for peaceful activism, free expression of ethnic identity, and independent religious activity.

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

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### **Beijing High People's Court Affirms Liu Xiaobo's 11-Year Sentence**

The Beijing High People's Court upheld the 11-year sentence of prominent writer Liu Xiaobo on February 11, 2010, for essays he wrote criticizing the Communist Party and advocating for political reforms and for his participation in Charter 08, a document calling for political reform and human rights. Liu's use of the Internet to disseminate his views figured prominently in the court's decision to affirm what is reportedly the longest sentence for the crime of inciting subversion of state power in at least a decade.

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

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### **Beijing Activists Call For Fair Treatment of Migrant Workers' Children**

Two Beijing-based activists have asked the city's authorities to allocate more money to increase the number of state-run kindergartens. They did so out of concern for the children of migrant workers who, already facing discrimination because of their parents' social status, are often denied admission to schools in an environment where slots are severely limited. Thus, many migrant children end up in unlicensed - and often unsafe - kindergartens. This analysis will briefly examine the context behind the activists' efforts, highlighting the migrants' difficulties in obtaining equal access to schools for their children, and the reasons that have discouraged many urban public schools from accepting migrant children.

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

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### **Top Leaders Praise the Work of China's "Patriotic Religious Organizations"**

Religious believers who worship at registered religious venues, the only legally sanctioned locations where religious activities may be conducted on a regular basis in China, and who belong to registered churches, temples, and mosques, continue to encounter government and Communist Party interference in their religious practice and teachings. Interference occurs in a regular and institutionalized fashion through seven state-led entities called "patriotic religious organizations," which exercise authority over registered religious groups in matters ranging from dictating doctrine to controlling clergy appointments. In recent months, top Party and government leaders have met with the leaders of the patriotic religious organizations to commend them for their support of the authorities in 2009 and to outline goals for their work in 2010.

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

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