

Bulletin

September–early November 2006

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ADVOCACY ON BEHALF OF DOMESTIC CHINESE VOICES

HRIC's advocacy supports Chinese grassroots activists, journalists, lawyers and other rights defenders inside China. HRIC actively engages with international policy-makers and governments, and collaborates with diverse NGO partners. HRIC's increasing effectiveness is reflected in our UN work, introduction of new multimedia tools in our E-Activism project and reaching a growing number of media outlets around the world.

MEDIA ADVOCACY

Seven of the 11 press releases and statements published in September and October advocated on behalf of a number of rights activists and defenders, including Internet essayist **Li Jianping**, Shanghai lawyer **Zheng Enchong**, Three Gorges activist **Fu Xiancai** and blind activist **Chen Guangcheng**, among others.

HRIC's presswork contributed to raising international attention and pressure: In the case of Fu Xiancai, HRIC made a critical difference in Fu receiving the proper medical attention. Fu Xiancai was an activist who had been harassed repeatedly for petitioning on behalf of villagers resettled for the Three Gorges Dam project. In June, he was paralyzed from the shoulders down after suffering a blow to the back of the neck from an unidentified assailant shortly after he was called to the Public Security Bureau for questioning regarding an interview he had provided to a German television station. Fu underwent surgery to shattered vertebrae on June 18 after the German government offered to pay for his medical treatment, but he has regained movement only in his arms. The official Chinese investigation into the assault concluded that his injuries were self-inflicted. HRIC continues to advocate on Fu's behalf regarding his medical treatment and the legal issues presented by his case, and supports demands for a new, transparent and independent investigation into the assault.

UN CASE SUBMISSIONS

To bring attention to cases of individuals arbitrarily detained in violation of their human rights, HRIC regularly submits cases to the UN Working Group on Arbitrary Detention. In August, HRIC submitted the following four cases:

Huang Jinjiu was a writer, Internet essayist and journalist prior to his detention. While abroad in Malaysia from 2000 to 2003, he wrote under the pen name Qing Shuijun for the US-based Chinese-language news Web site Boxun. In 2002, Huang used the Internet to begin planning for the establishment of the "China Patriot Democracy Party." After his return to China in August 2003, he became the target of police surveillance, and was secretly detained and sentenced to 12 years imprisonment for subversion of state power. His latest appeal was denied in December 2004.

Wang Xiaoning was a veteran activist and entrepreneur prior to his detention. His current detention is the result of electronic journals he published from 2000 to 2002 and distributed by email and through Internet groups that he established anonymously in mainland China and Hong Kong. The journals, *Democratic Reform Free Forum* and *Current Political Commentary*, included articles advocating democratic reform and a multi-party system. Wang was also accused of advocating the establishment of the "China Third Road Party," and of communicating by email with Liu Guokai,

leader of the overseas "China Social Democratic Party," which the Chinese government considers a "hostile organization." Wang Xiaoning's appeal to the Supreme Court was dismissed in December 2004.

Yang Tongyan was a freelance writer who was sentenced to 10 years imprisonment in 1991 for organizing counterrevolutionary activities as a result of his participation in the 1989 democracy movement in Nanjing. He was detained twice in 2004, the second time on suspicion of incitement to subvert state power. He was released in January 2005 after obtaining a guarantor pending trial, but detained again in December 2005. Yang was targeted for posting essays on various overseas Web sites between May 2002 and December 2005. He was sentenced to 12 years in prison for subversion in May 2006.

Tan Kai was a computer technician who established an environmental monitoring group, *Green Watch*, after citizens in Zhejiang Province protested against toxic pollution from local plants harming the environment and causing health problems. Tan was detained soon after opening a bank account for *Green Watch* and was criminally charged and sentenced. He was eventually convicted of "illegally obtaining state secrets," a charge stemming from an incident in October 2004 when he created backup copies of computer files while repairing the laptop computer of a member of the Zhejiang provincial Communist Party

KEY HRIC MEDIA QUOTES

China's New Regulations on Foreign Media

"[The new rules breach Beijing's] commitment to allow journalists to freely cover the Olympic Games in 2008. [The curbs] sound a wake-up call to the international community that a closed, state-controlled Olympics is on the horizon."

—*BBC News*, September 12, 2006

"These measures are an authoritarian attempt to control news and information dissemination and the access of China's users to uncensored news and information."

—*The Washington Post*, September 12, 2006

"The new rules also show that China cannot fulfill its promise of upholding press freedom in the run-up to the 2008 Olympic games."

—*Bloomberg.com*, September 12, 2006

The Death Penalty

"The death penalty and executions come at the end of a system that is flawed and dysfunctional. When you get to the end of the food chain, it's pretty late in the game."

—*Los Angeles Times*, November 1, 2006



Hina Jilani (the Special Representative of the Secretary General for Human Rights Defenders), Astrid Helle Ajamay (Minister Counsellor from the Norwegian Mission to the UN in Geneva), and Sharon Hom (HRIC Executive Director) participate on an NGO panel at the second meeting of the Human Rights Council in Geneva.

committee. Tan was sentenced to 18 months in prison in August 2006, and his appeal is pending.

As of October 2006, HRIC has submitted a total of 40 cases to the Working Group. Of the 13 cases from HRIC for which a final decision has been reached, all were determined to be arbitrary. As a result of these determinations by the Working Group, the Chinese authorities must respond to specific allegations of arbitrary detentions, abuse in detention and other violations of international human rights law.

GENERATING INTERNATIONAL PRESSURE FOR GOVERNMENT ACCOUNTABILITY AND COMPLIANCE WITH INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

HRIC works with its NGO partners to raise human rights issues in multilateral and bilateral fora, conduct in-depth research, and brief corporate communities to promote international scrutiny of the Chinese government's human rights practices. Developing such constructive external pressure supports human rights defenders and activists inside China working for social, legal and democratic change.

UNITED NATIONS ADVOCACY

As part of HRIC's efforts to monitor China's participation on the new **Human Rights Council** (HRC) and to contribute to NGO dialogue with government missions, HRIC attended the second meeting of the HRC in Geneva in September. Executive director Sharon Hom, law program officer Elisabeth Wickeri and senior researcher Bonny Ling met with government representatives, UN human rights special procedures, including Special Rapporteurs, and our NGO partners. HRIC also spoke on two side panels hosted by the NGOs FIDH and the International Campaign for Tibet and the World Organization against Torture (OMCT).

The first NGO panel, "Torture in China: State Implementation of Special Procedures' Recommendations," examined China's cooperation with special procedures of the UN, as well as implementation of their recommendations, within the context of the China Mission Report of the Special Rapporteur on Torture issued in 2006. The second panel, which drew a crowd of more than 100 representatives from NGOs, governments and the United Nations, focused on the plight of human rights defenders around the world. Sharon spoke on the panel along with Hina Jilani, the Special Representative of the Secretary General for human rights defenders,

NGO representatives from FIDH and OMCT, and a human rights defender from Morocco.

COLLABORATIVE RESEARCH

As part of a larger project by the **Minority Rights Group** (MRG) that examines conflict, inequitable development and minority rights in six countries around the world, HRIC is producing a report on ethnic minority groups in China. Over the past few months, HRIC's New York and Hong Kong staff conducted field research, and attended a two-day **Conflict Prevention Workshop** hosted by MRG in New York in November. The workshop participants, including more than 40 representatives from governments, the UN, NGOs and academic institutions, presented research and findings on the conflicts in Darfur, Kosovo, Nicaragua, India, China and Iraq; conflict prevention strategies; reconciliation and transitional justice. HRIC's presentation outlined the human rights challenges facing Uyghurs, Tibetans and Mongols in China, especially concerning religious freedom, freedom of information and freedom of expression, and identified a number of policy recommendations.

ACADEMIC AND CORPORATE OUTREACH

At the invitation of the Orville H. Schell, Jr. Center for International Human Rights, Sharon Hom spoke at **Yale Law School** on October 13. Sharon's talk, "**China, Technology and Human Rights**," focused on the serious ongoing human rights problems in China, and introduced HRIC's E-Activism project's efforts to counter China's censorship and information control apparatus. HRIC has also been an active participant in dialogues and exchanges with members of the corporate IT community convened by the **Center for Democracy and Technology** to promote greater freedom of expression and access to information worldwide.

HRIC ORGANIZATION NOTES

BOARD NEWS

HRIC welcomed Ms. Christine Loh and Professor Andrew J. Nathan as new co-chairs of the HRIC board in September.

Ms. Loh is the founder and CEO of Civic Exchange, a non-profit policy think tank, and has a background in law, business, pol-

itics and the media that has helped give her a leading voice in public policy in Hong Kong. Professor Nathan is the *Class of 1919 Professor of Political Science* at

Columbia University. His teaching and research interests include Chinese politics and foreign policy, the comparative study of political participation and political culture,

and human rights. During the week of September 25–29, we also collaborated with several organizations in New York on outreach events to honor retiring board chair

HRIC'S E-ACTIVISM

By providing access to information that is routinely censored in China, creating a virtual public space for information, and sharing electronic human rights resources, HRIC's E-Activism Project promotes freedom of expression in China, raises awareness about human rights issues in China and supports Chinese citizens' increasing activism.

GATEWAY TO HRIC'S SITES

HRIC's Main Web site (www.hrichina.org)

This Web site serves as a gateway to HRIC's sites and online advocacy resources. Here, you can find our press releases, trends bulletins, case submissions on behalf of rights defenders, case highlights, HRIC's reports and papers and links to our daily news briefs, monthly briefs and article alerts.

The most recent trends bulletin documents the **growing crackdown on lawyers** and other legal professionals in China, including tightening regulations, procedural obstacles and increased harassment of lawyers. In addition to citing recent cases of lawyers experiencing persecution, this trends bulletin reviews the effect of these controls on the development of an independent, transparent, and accountable rule of law. (<http://www.hrichina.org/public/contents/30425>)

ADVOCATING INTERNATIONAL SCRUTINY OF CHINA'S HUMAN RIGHTS PRACTICES

Incorporating Responsibility 2008 (www.IR2008.org)

Incorporating Responsibility 2008 is HRIC's research, monitoring and advocacy campaign focusing on China's international human rights obligations and practices in the run-up to the 2008 Olympics. The Web site consolidates much of the campaign's work, providing a platform for future activism and lobbying as well as updates on China's Olympic preparations, the implementation of Beijing's Olympic promises and corporate social accountability issues.

The Chinese-language version of HRIC's **Media Control in China** report, written by He Qinglian, was downloaded more than 5,000 times during this period, indicating the current relevance of the issue. (http://ir2008.org/PDF/initiatives/Internet/Media-Control_Chinese.pdf)

BUILDING AN ARCHIVE FOR THE FUTURE

June 4 Archive (www.64memo.org)

The June 4 Archive is a comprehensive Chinese-language archive documenting the June 4 crackdown and the 1989 Tiananmen democracy movement. The archive includes research

information, audio-visual reports, photographs, first-hand accounts and HRIC's newly-launched podcasts.

PROVIDING A VIRTUAL CIVIL SPACE FOR DISCUSSION AND DEBATE

Ren Yu Ren Quan (www.renyurenquan.org)

HRIC's monthly electronic Chinese-language journal publishes in-depth human rights analyses, research papers and commentary by Chinese intellectuals and activists, an overwhelming majority of whom are from the mainland. *Ren Yu Ren Quan* reaches a wide audience, since its articles are regularly reposted on other Chinese-language democracy sites. Recent issues of *Ren Yu Ren Quan* focused on medical reform, state confiscation of land and property and grassroots elections in China.

DELIVERING UNCENSORED INFORMATION

Huaxia Bao (www.huaxiabao.org)

Sent into China every week to more than 300,000 subscribers, *Huaxia Bao* provides a virtual space for Chinese dissidents, democracy, labor, Internet and public health activists, scholars, religious practitioners, ethnic minorities, artists and writers to post and access under-reported and banned news reports from within mainland China. *Huaxia Bao* also provides Chinese Internet users with proxy links for blocked Web sites.

MOBILIZING SUPPORT FOR THE TIANANMEN MOTHERS

Fill the Square (www.fillthesquare.org)

This petition mobilizes activists, including individuals and organizations worldwide, to support the Tiananmen Mothers' demands for official accountability for the June 4th crackdown, a new official investigation into the events of June 1989, and legal redress and compensation for victims and their families. To date, 10,205 people have signed the petition, 25 percent of whom are inside China. Sign the petition today!



Elizabeth Economy of the Council on Foreign Relations, incoming board co-chair Christine Loh, and board member Megan Wiese at HRIC's dinner reception to honor retiring board chair Robert L. Bernstein.

Robert L. Bernstein and to introduce our new co-chairs.

As part of U.S.-Asia Update Roundtable Series, the **Council on Foreign Relations** hosted a talk by Christine Loh and Andrew J. Nathan on the topic of **"Human Rights Activism in the Era of China's Rise"** on September 25, with an introduction by Robert L. Bernstein. The discussion focused on ways of understanding the current human rights situation in China in light of recent crackdowns on prominent journalists, lawyers and activists. Ms. Loh and Professor Nathan discussed the role of the international community and the political and economic dynamics that are shaping the human rights situation in China today.

On September 26, board members Robert L. Bernstein and James Ottaway Jr. hosted a **luncheon for members of the press and the business community, as well as NGO friends** at the Harvard Club. The luncheon provided an opportunity for guests to meet HRIC's incoming co-chairs Christine Loh and Andrew J. Nathan, who delivered remarks on **"Doing Business Profitably in China,"** with a focus on China's political and economic trajectory and how it affects American interests, including international relations, finance and the environment. The two talks were followed by a lively question-and-answer session.

On September 27, board member Megan Wiese hosted a **reception and dinner in honor of retiring chair Robert L. Bernstein** in her home in New York. The event gave HRIC's friends and supporters a

chance to honor Bob for his many years of invaluable contributions to Human Rights in China and his lifetime commitment to human rights around the world.

On September 29, the **Asia Society** hosted a private breakfast briefing with Christine Loh in association with HRIC, entitled **"Examining the Boundaries of Civil Society and Business in China."** Invitees included members of the Asia Society's Chairman's and President's

Circle. Ms. Loh's talk focused on current issues facing China, including the environment, labor issues and public health. In her presentation and during the question-and-answer session, she emphasized the importance of framing these issues in

ways that increase collaboration between China's government, the business sector and international actors, including governments, NGOs, academics and the media.

INTERN NEWS

HRIC's **New York office** welcomed **three outstanding fall interns and one volunteer** from a large applicant pool of more than 36 highly qualified candidates. New interns include two undergraduates from Bard College and Cambridge University, and one law student from NYU School of Law, in addition to one high school volunteer from England. The interns provided invaluable research, writing and support on HRIC's IR2008 and Olympics advocacy work as well as general press and communications support. In addition, HRIC welcomed **two interns** to the **Hong Kong office**, both business and law students at the University of Hong Kong with particular interests in China and social inequality.

HRIC JUNE 4th PODCASTS

In June HRIC launched a **podcast** series of interviews with participants of the 1989 Tiananmen Square movement, including oral histories and accounts of the crackdown never previously made public. The interviews also explore the role of the democracy and independent labor movements in addressing the challenges facing China. The 13 podcasts, which can be downloaded as audio files on HRIC's Web site, are accessible to a wider audience and are also less vulnerable to content surveillance and censorship. The podcasts have been downloaded more than 19,000 times since their launch.

Listen to the podcasts:

In English – <http://hrichina.org/public/june4podcasts>

In Chinese – <http://64memo.org>

Translated Excerpts of Zhai Weimin's Podcast

"The night of June 4th, after the incident happened, I was in Tiananmen Square. After leaving the square, I went to the Dazhalan District of Beijing. Some of us who were just leaving the square at that time either had no clothes left on our bodies, or had lost our shoes. I then went to the home of a Beijing resident who was giving people shoes to wear. Once these people found out who I was, they didn't want me to leave so I stayed there. They didn't talk to me, they just gave me something to eat—noodles, as I recall. Later they told me they'd put some sedatives in my food to help me rest. Right after eating I fell asleep and slept all night. The next morning, they got a handcart, put me in it, and asked some people to take me to a bus station in the eastern suburbs. Then, one of my classmates took me to his family's home somewhere in Shunyi County. A lot of people took really good care of me there. I stayed with them until around June 8th."