

After the Spectacle

CHINA RIGHTS FORUM

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Gao Wenqian | Where is China
Headed after the Olympics?

Zhai Minglei | Stones in Our Hearts

Zan Aizong | Living Space for the
Chinese Media Before and After
the Beijing Olympics

Conversation with Jocelyn Ford

Elizabeth Economy on
China's Environment

Peter Kwong | Shanghai 2010:
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Yodon Thonden | Notes from
Dharamsala

Charter 08: Domestic Call
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HUMAN RIGHTS IN CHINA

CHINA RIGHTS FORUM

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Human Rights in China
350 5th Avenue, Suite 3311
New York, NY 10118 USA
Tel: +1 212-239-4495
Fax: +1 212-239-2561
<http://www.hrichina.org>
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AFTER THE SPECTACLE

- 3 Message from the Executive Director**
- 4 Message from the Special Contributing Editor**
- 5 Contributors**

“One World, One Dream”?

- 8 Where is China Headed after the Olympics?**
Gao Wenqian examines the political and economic landscape of post-Olympics China.
- 13 What is “Tainted” about the Tainted Milk Scandal?**
Leon Stone probes the deep roots of the tainted milk powder scandal of 2008.
- 17 Stones in Our Hearts**
Zhai Minglei reflects on the nature of a civilization in which infants are fed poisoned milk powder.
- 21 Living Space for the Chinese Media Before and After the Beijing Olympics**
Zan Aizong examines the prospects for independent newsgathering and the role of citizen reporters.
- 26 Media Reporting after the Olympics: HRIC Conversation with Jocelyn Ford**
Freelance journalist Jocelyn Ford discusses the current climate for foreign journalists working in China.

Greening the Future

- 34 Elizabeth Economy on China's Environment**
Observations from Elizabeth Economy on the major environmental issues facing China.
- 36 Blue Skies Over Beijing**
Sam Geall examines environmental progress before and after the Beijing Olympic Games.
- 40 Shanghai 2010: Towards a Greener China?**
Peter Kwong looks ahead to World Expo 2010 in Shanghai and assesses lessons learned from Beijing 2008.

While the World Watched

- 46 Tibet at a Turning Point**
Vincent Metten looks at the human rights situation in Tibet before and after the Olympics, and the future of the Tibet question.
- 51 Notes from Dharamsala: HRIC Conversation with Yodon Thonden**
A New York-based Tibetan American describes the significance and outcome of the November 2008 Special Meeting in Dharamsala, India.



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59

55 Letter from East Turkestan

Alim Seytoff examines the Chinese government's pre- and post-Olympics campaign of intimidation against the Uyghur people.

REGULAR FEATURES

60 Currents

70 Take Action: IR2008 Campaign

74 Timeline: Human Rights Defenders

80 Chinese Publication Highlights

82 Culture Matters

A Parable of Talent Gone to Waste

Thomas Kellogg reviews Philip P. Pan's *Out of Mao's Shadow: The Struggle for the Soul of a New China*.

A Field Guide to China's "Low Cost" Factories

Geoff Crothall reviews Alexandra Harney's *The China Price: The True Cost of Chinese Competitive Advantage*.

Table Talk about the Olympics and Human Rights

Jeffrey Wasserstrom reviews Minky Worden's *China's Great Leap: The Beijing Games and Olympian Human Rights Challenges*.

90 HRIC in Action

99 CRF Index for 2008

SPECIAL TEAR-OUT SECTION

2009 Calendar of Key Dates & Anniversaries

Peter Kwong, Special Contributing Editor

Peter Kwong is a Professor of Asian American Studies and Urban Affairs and Planning at Hunter College, and a Professor of Sociology at the Graduate Center of the City University of New York. He is the author of *Chinese America: The Untold Story of America's Oldest New Community* and co-author of *Chinese Americans: An Immigrant Experience*.

MESSAGE FROM THE EXECUTIVE DIRECTOR

2008 was an especially challenging year for China. This issue of the *China Rights Forum*, with special contributions from guest editor Peter Kwong, examines the political and media landscape and environmental issues in China before and after the 2008 Beijing Olympics. Beginning with the unusual February ice storms in the south, the Chinese authorities have had to deal with a series of high profile events: the Tibetan demonstrations in March, the Sichuan earthquake in May and its devastating aftermath, global protests following the Olympics torch relay in March to August, the hosting of the Games in August, and the tainted milk powder scandal that came to light in September. China's double-digit economic growth also began to slow, and the deepening global economic crisis will put even greater pressure on the leadership to deal with widening social dislocations and unrest.

In the first section, "One World, One Dream?," Gao Wenqian explores the impact of a worsening economy, the policy debates within the Party, and the role of civil society in China's post-Olympics future, and concludes with three possible scenarios. Leon Stone and Zhai Minglei raise critical questions not only about tainted milk, but also about a Chinese culture tainted by greed, materialism, and the worst form of bankruptcy—the loss of trust. Jocelyn Ford talks with HRIC about the mixed reporting climate for foreign journalists in China, while Zan Aizong examines the risky environment for independent newsgathering by citizen reporters.

In the second section, "Greening the Future," Elizabeth Economy surveys the daunting environmental challenges facing China and observes that without real reform of China's political economy, it will be difficult to improve environmental protection. Sam Geall points out the unfair distribution of environmental risks and costs within China, as well as globally, and offers suggestions for shared constructive global engagement. Peter Kwong looks ahead to the World Expo 2010 to be hosted in Shanghai. Despite his doubts about whether any lessons were learned from Beijing 2008, Kwong points out as positive signs increasing grassroots environmental activism and public awareness of environmental degradation.

In the third section, "While the World Watched," Vincent Metten provides an overview of the situation in Tibet pre- and post-Olympics. Yodon Thonden, a private delegate to the Special Meeting in Dharamsala, India, in November, shares her experience and describes the significance and outcome of the meeting. Alim Seytoff reports that as the Chinese authorities violently cracked down on demonstrations in the Tibetan Plateau in March, they also continued the crackdowns on Uyghurs, largely outside of the international media spotlight. The official denial of these human rights violations, together with ongoing attacks on lawyers and rights defenders, all signal a domestic hard-line trend that will most likely continue beyond 2008.

This *China Rights Forum* issue also looks ahead to 2009, a year of sensitive anniversaries: the 60th anniversary of the founding of the People's Republic of China (1949), the 20th anniversaries of crackdowns in Tibet and on June Fourth (1989), and of the founding of HRIC, and the 10th anniversary of the 1999 crackdown on Falun Gong. The *China Rights Forum* 2009 calendar marks these significant opportunities to resist historical amnesia and to work for the realization of the human rights enshrined in both international and Chinese law.

Sharon Hom
Executive Director, Human Rights in China
December 2008

MESSAGE FROM THE SPECIAL CONTRIBUTING EDITOR

This fall I have come back to Shanghai to teach at Fudan University. Although I have visited it many times since 1980—the year I first had the opportunity to teach at Fudan—it is these extended stays in the city of my youth that give me a chance to observe China from a native’s point of view. During the last three decades Shanghai has changed so much that most of the streets I used to know are no longer recognizable. On the other hand, however, the one-party political system remains firmly in place.

One aspect of life here rings a familiar bell: the Chinese Communist Party’s constant attempt to mobilize the people around national projects in order to give them a common purpose and forge national unity. When I was a child we were mobilized to “Aid Korea against American Imperialism.” When I returned in 1980, the “Four Modernizations” campaign was picking up steam. As always, in order to accomplish the clear objective of these national projects, Chinese people are expected to defer their wishes and reshuffle priorities so as to channel all the available resources. Any criticism of the projects and dissent are labeled opposition to the will of the people. The image of China as a “harmonious society” is achieved by the silencing of dissent.

Earlier this year, the nation was focused on making the Beijing Olympic Games a success, and now the focus has shifted to the 2010 Shanghai Expo. The theme of the Expo is “Better City—Better Life,” aimed at showing that China is not only the factory of cheap products to the world but has also arrived as a leader in science and innovation. But Shanghai is plagued by congestion, sub-standard working and living conditions for millions of migrant workers, and pollution. What lessons if any have the Chinese leadership learned from 2008? The record so far is not encouraging.

Peter Kwong
Shanghai, December 2008

THIS ISSUE'S CONTRIBUTORS

Geoffrey Crothall is currently Editor at China Labour Bulletin. Previously a fulltime China journalist, he spent several years as a Beijing-based correspondent for the *South China Morning Post*. In addition, he has worked in grassroots development NGOs in several countries, including Cambodia and South Africa. His recent book, *Why did the White Fella Climb the Rock: God, Chaos and Colonialism* (Lulu Press, 2006), is a meditation on his wide-ranging travel and working experiences.

Elizabeth Economy is Director of Asia Studies at the Council on Foreign Relations. She is an expert on Sino-American relations and Chinese domestic and foreign policy, with a focus on the environment. She is the author of *The River Runs Black: The Environmental Challenge to China's Future*.

Jocelyn Ford is a freelance journalist and chair of the media freedoms committee at the Foreign Correspondents' Club of China.

Gao Wenqian is the Senior Policy Advisor and Editor-in-Chief of Chinese Publications at HRIC. A former researcher at the Chinese Communist Party Central Research Office for Documentation, he emigrated to the United States in 1993. He is the author of *Zhou Enlai: The Last Perfect Revolutionary*.

Sam Geall is Deputy Editor of China Dialogue, a bilingual website devoted to promoting dialogue between China and the West on environmental issues. He has a BA in Chinese from Leeds University and is a PhD candidate in Social

Anthropology at Manchester University. He has written for a number of international publications including the *Far Eastern Economic Review*, *New Internationalist*, and *The Ecologist*.

Thomas E. Kellogg is Advisor to the President at Open Society Institute in New York, and formerly of the China Law Center at Yale University. He is a regular commentator on the rule of law and human rights in China.

Vincent Metten is the EU Policy Director of the International Campaign for Tibet.

Alim Seytoff is General Secretary of the Uyghur American Association (UAA) and Director of its Uyghur Human Rights Project (UHRP). Since his arrival in the United States in 1996, he has campaigned for the human rights and religious freedom of the Uyghur people. He is a regular commentator on the political situation in East Turkestan (also known as the Xinjiang Uyghur Autonomous Region).

Leon Stone is a freelance writer with years of social work experience in mainland China. Mr. Stone has actively advocated for political reform and human rights defense activities in China, with a focus on the problems of disadvantaged groups and rural farmers.

Yodon Thonden is the director of the New York-based Isdell Foundation, which supports Tibetan causes.

Jeffrey N. Wasserstrom is a Professor of History at the University of Califor-

nia, Irvine. A specialist in Chinese history with emphasis on modern China, he is a founding contributor to the China Beat blog, the author of *Global Shanghai, 1850–2010: A History in Fragments*, and the co-editor of *China in 2008: A Year of Great Significance*.

Zan Aizong has been a reporter, editor, and columnist for a variety of media outlets, including *China Ocean News* and *China Communication News*. He received the Lin Chao Memorial Award from the Independent Chinese PEN Center in 2006, despite having been accused earlier that year of “spreading rumors harmful to society” for his reporting on the demolition of a Christian church in Zhejiang. Currently, he is applying to the Chinese authorities to start his own privately-owned newspaper, *China Truth Report*.

Zhai Minglei is a freelance writer and former reporter for the *Southern Weekend*. After the independent news journal he established, *Ming Jian*, was shut down, he created and manages the media website www.1bao.org, an online newspaper.

THIS ISSUE'S TRANSLATORS

Kevin Carrico is a graduate student in anthropology at Cornell University. He can be reached at kevinjoecarrico@yahoo.com.

J. Latourelle is a California-based translator and writer who can be reached at j.latourelle@sbcglobal.net.

“ONE WORLD, ONE DREAM”?



A fence was erected to hide a slum as preparation for the Olympics in Beijing, August 8, 2008. Photo credit: Joe Chan/REUTERS

WHERE IS CHINA HEADED AFTER THE OLYMPICS?

Where will China head after the Olympics? Everyone who is concerned with Chinese issues wants to know the answer. Of course, it's not a simple answer, because it involves three critical and uncertain factors:

1. A worsening economy.
2. The policy debate within the Party.
3. The political game between civil society and the government.

More importantly, it depends on the interplay among these factors—how each will affect the other two.

THE FIRST FACTOR: A WORSENING ECONOMY

The economic situation is the most fundamental factor that will affect the trend in a post-Olympics China. Why is it so important? It is important because the economy in China has been the biggest *political* issue since the bankruptcy of the Communist ideology; it is the primary device by which the Party maintains its legitimacy. Utility for the Party is the true meaning of Deng Xiaoping's well-known saying, “*fazhan shi ying daoli*” (发展是硬道理), translated as, “economic development is the paramount principle.”

The year 2008, however, has not been lucky for the Chinese economy. This is not only because of the post-Olympics slump commonly experienced by a host city, but also because of more fundamental factors. After 30 years of high-speed growth, the Chinese economy is now suffering the double-blow of domestic and global downturn, and is facing the

most difficult era in several decades. China no longer outshines other countries, and the Chinese government now finds itself in a dilemma.

On the one hand, there is high inflation: the Consumer Price Index has hit an 11-year high and is approaching double digits. Food prices have risen by close to 30 percent. Ordinary citizens are suffering the most. Some of the poor can't even afford to eat meat.

By Gao Wenqian

[T]he economy in China . . . is the primary device by which the Party maintains its legitimacy.

At the same time, the economy is slowing down. The stock market tumbled 73 percent this year from a high of 6,000 points in October 2007, to a low of below 1,700 on October 28, 2008.¹ The housing market is also failing,

with home values falling by one-third. Moreover, many factories in southern China have been closed down because of the government's deflationary policy and decrease in export demands.

The Chinese government is now squeezed between inflation and stagnating growth. There are no measures for the Chinese

government to take that could fix both simultaneously. If it tries to pump money into the economy, inflation will worsen, but if it tries to control inflation, the economy will slow down even more.



An investor eyes stock information at a brokerage house in Hefei, Anhui Province, September 25, 2008. Photo credit: Stringer/REUTERS

The global economic situation is further compounding China's woes. The financial crisis that exploded in the U.S. may have dramatically shrunk the value of China's foreign reserves, as 70 percent of the holdings are estimated to be in the U.S.²

What's more serious is that Chinese exports have drastically decreased due to their dependency on the recessing U.S. economy. Currently, 70,000 export-oriented enterprises have shut down, costing millions of jobs and threatening China's social stability.

In light of these circumstances, the Chinese government has been hastily putting together countermeasures. They launched a "New Land Reform" policy in October as an economic stimulus intended to bolster the domestic market by allowing "land transfers" (sales). Even before this policy became public, difficulties arose. Internal Party opposition was great and implementation would be very difficult. In addition, this long-term strategy will not alleviate the immediate economic conditions.

The stock market tumbled 73 percent this year from a high of 6,000 points in October 2007 to a low of below 1,700 on October 28, 2008.

Due to Deng Xiaoping's one-legged reform—that is, economic reform without political reform—many political and social contradictions and conflicts have accumulated in China over the last three decades. Up until recently, they have been covered up by high-speed economic development. But if the economy continues to slow, and the national economic growth rate falls to 7–8 percent (the average growth rate from 2003–2007 was 12.8 percent), it will trigger a serious social and political crisis. For this reason, many official scholars warn that the "economy in China has reached a critical state."

Because of the grim economic situation, the Chinese government recently presented a four billion *yuan* financial stimulus plan consisting of investments in various major infrastructure projects, in an effort to

keep the economy from spiraling downward. Though it's an enormous amount, in reality it's a public relations tactic. It is simply the repackaging of existing policies. With respect to the current economic situation, it is like trying to quench an immediate thirst with faraway water: it's just an empty promise. Some people predict that, under the current political system, this kind of

rescue measure will only provide looting opportunities for the special interest groups where government officials and business people commingle, and that these measures would not benefit the ordinary people.

THE SECOND FACTOR: THE POLICY DEBATES INSIDE THE PARTY

Before addressing this issue, I should point out that there hasn't been any serious political reform debate in China since the Tiananmen Massacre in 1989. In reality, the Party leaders, including all ranking officials, know exactly what the problems are in China. All of the problems, including the most urgent ones of corruption and greed, have their roots in the political system. But the leaders are reluctant to make radical systemic changes because they know full well that if the Party boat were to overturn, those in power will drown. This mentality forms the political ecology of the Chinese officialdom.

Moreover, hosting the Olympics further inhibited political debate. Since the Olympics were of vital importance to the Party's legitimacy, success was the only option. The whole Party had to serve this interest. Using Hu Jintao's words, "*pingan aoyun, zhong yu taishan*" (平安奥运, 重于泰山), loosely, "a peaceful Olympics is



A migrant worker holds a baby on a walkway bridge in Beijing in front of a poster describing his plight in trying to get a job in the city, November 5, 2008. Photo credit: David Gray/REUTERS

weightier than the Tai Mountain.”³ In order to host a successful Olympics, the Chinese government did not dare lower their guard at all. They used dual tactics to deal with matters and crises before and during the Olympics: iron-fisted crackdowns at home, and open deceit abroad.

What merits attention is the debate between different voices within the Party on the political issue of China’s direction after the Olympics.

The hardliners in the Party still want to use the “Olympics model” to govern people and control society, especially after they realized the benefits of using such a model to maintain social stability. They contend that they can go on using the same iron-fisted measures to crack down on social disturbances and political dissent, and that the international community can do nothing about it. Not long ago, there was a report that the Chinese government was going to launch a large-scale repression against the so-called four “de-stabilizing factors” (*si ge bu wen ding de yin su* [四个不稳定的因素]): Xinjiang and Tibetan separatists, Falun Gong practitioners, and proponents of democracy.

The hardliner figures in the Party are Zhou Yongkang (周永康), Secretary of the CPC Central Political and Legislative Committee, and Li Changchun (李长春), the Party’s propaganda chief. Neither of these men is inherently evil. It is only that China is a post-totalitarian regime ruled by violence and lies, and Zhou and Li are the two people who happen to be in charge of the two departments responsible for the repression.

The liberals in the Party also see this as a critical turning point. They believe that the Party should keep pace with the times and adopt innovative ways to solve social and political problems.

Earlier this year, Wang Yang (汪洋), the Party chief of

Guangdong Province who is also a Politburo member, advocated a “Third Thought Liberation Movement” (*di si ci si xiang jie fang yun dong* [第四次思想解放运动]).

Some provincial officials and people in the Beijing aca-

demic circle responded positively to it. Zhang Chunxian (张春贤), the Party chief of Hunan province, even said that the purpose of the “Third Thought Liberation Movement” is to “return rights to the people.” The vice president of the Central Party School, Li Junru (李君如), also advocated “ballot democracy”

(*xuan piao min zhu* [选票民主]). These remarks, tinged with the “color rev-

olution” in Eastern Europe in the 1990s, are obviously contradictory to the Party doctrine. Since provincial officials have rarely uttered such statements in recent years, this significant development hints at tacit approval from above.

The Beijing Olympics . . . helped the Chinese gain a better understanding of universal values and international norms.

Currently, Beijing political circles are dominated by heated debate within the Party, provoked by the “New Land Reform” policy mentioned above, as well as intense resistance against it by the leftists in the Party and local officials. The Party’s left wing regards the “transfer” of land usage rights as the prologue to land privatization, something that vitiates the Socialist system. Local officials are opposing the implementation of the policy at all costs because they use the land as their “money tree,” and because they can take whatever they want in the name of “collective ownership” to line their own pockets.

At the same time, there are signs of a powerful struggle within the Party as Premier Wen Jiabao is in a predicament.



Paramilitary police attend an oath-taking rally outside the Bird's Nest stadium to ensure the safety of the Beijing Olympics. Photo credit: Darren Whiteside/REUTERS

Last year, Wen Jiabao published an article in which he said that “science, democracy, rule of law, freedom, human rights” were all universal values. As soon as the Beijing Olympics concluded, Chen Kuiyuan (陈奎元), president of the Chinese Academy of Social Science, led an attack criticizing “universal values.” He said, aiming straight at Wen Jiabao, that “There are some people in China who willingly follow the dance steps of the West.” According to reports by the Hong Kong magazine *Kaifang*, CPC hardliners are pushing Wen Jiabao to resign, and Vice President Xi Jinping (习近平), and Executive Vice-Premier Li Keqiang (李克强), are speeding up the succession process.

As for how the CPC internal struggle will resolve itself, it is still too early to tell.

THE THIRD FACTOR: CIVIL SOCIETY VS. THE GOVERNMENT

The Beijing Olympics were a double-edged sword. On the one hand, the Chinese government successfully used the Olympics to reach its political goal—to “boost” its international prestige.

On the other hand, it also gave ordinary Chinese people a chance to come into contact with and view the rest of the world. This opportunity helped the Chinese gain a better understanding of universal values and international norms. Their rights awareness reached an all-time high, and they became eager to keep up with international standards as declared by the Chinese official slogan: “one world, one dream.” For this reason, rights defense movements in China are now on the rise.

There was no honeymoon for the Chinese government after the Olympics party ended. It had to immediately handle people’s dissatisfaction and protests. Each conflict between the ordinary people and the Chinese authorities became more and more intense. We know this is the case from the following two examples.

Immediately after the Olympics ended, hundreds of residents in Beijing’s Chaoyang District, after enduring the environmental pollution caused by years of burning garbage in the open in their neighborhood, finally

took to the street to protest. They did so right under the noses of China’s top leaders.

More recently, the tainted milk powder scandal—that the government knew about as early as July but banned reports by *Nanfang Zhoumo* (南方周末), known in English as *Southern Weekend*, in order to preserve “harmony” before the Olympics—effectively tarnished the image the government had created through the Olympics, as many Chinese people saw the true face of the government. They also came to realize that the government’s declaration of being “human-oriented” (*yi ren wei ben* [以人为本]) and “the right to existence first” (*sheng cun quan shi shou yao de* [生存权是首要的]) is just talk. Ironically, many of the victims’ parents are labeled as the “patriotic angry youth” who were actually fanatical supporters of the Chinese government during the Olympic torch relay. With this heavy blow to the government’s credibility, the Chinese have learned a bitter lesson and changed their minds about the government.

“What is the purpose of patriotism? . . .
The greatest pain is to realize that you
have been sold by the people you trust
most. This feeling is worse than death.”

—Father of a nine-month-old baby who developed kidney stones
from tainted milk powder.

A Chinese netizen, a former “patriotic angry youth,” posted his article online in which he talked about his nine-month-old baby developing stones in both kidneys from the tainted milk powder. He said: “What is the purpose of patriotism? What is the purpose of supporting Chinese products? I heard a saying when I was young: there is no home without country. But what did I get ah!!! The greatest pain is to realize that you have been sold by the people you trust most. This feeling is worse than death.”

The voice of civil society, however, remains dispersed and lacks unified focus and action. The forces for social change in China are roughly divided into the following six groups: rights defense lawyers and constitutional scholars; the officials and scholars working within the

system; retired senior cadres; independent intellectuals; grass-roots activists; and dissidents. Among them, grass-roots activists are the biggest driving force for social change, and the rights defense lawyers and constitutional scholars are the backbone and leaders of the rights defense movement.

Recently, more than 80 lawyers in Beijing petitioned for direct election in the government-controlled Beijing Lawyers Association. Moreover, 14,070 Chinese citizens, led by constitutional scholars and rights defense lawyers, signed an open letter in January 2008 urging the Chinese National People's Congress to ratify the International Covenant on Civil and Political Rights (ICCPR), which China signed in October 1998.

The ICCPR—which guarantees the freedom of expression, freedom of religion, freedom of the press, freedom of assembly, and freedom of association—is the most critical factor in the future of China's political reform. Its ratification would enable China to move forward from its “*dang tian xia*” (党天下), in English, “the Party is supreme,” political system, to a “*fa tian xia*” (法天下), “law is supreme,” political system.

THE PROSPECTS: THREE POSSIBLE SCENARIOS

1. If the economy continues to worsen and spirals out of control, the hardliners in the Party will take advantage of the sense of crisis to unite the Party. If the forces for social change cannot join hands and fight side by side, the hardliners will get the upper hand, and will take tough measures to deal with ordinary citizens. This is the worst-case scenario.

2. If the economic situation is manageable and under control, the forces for social change inside and outside the system can work together to contain the hardliners' counterattacks. Consequently, the liberals in the Party may go a step further to lead the initiative for political reform. This would be the best-case scenario.

3. If the economic situation worsens, but the forces for social change are able to work together, hardliners will not be able to crush them one by one. Or, if the economic situation is manageable, but the forces for social change are divided, the result would be similar. In either situation, China's political situation in the future will be at a standstill. In this case, there will be much wrangling and a long way to go.

At the moment, China can be described by the Chinese saying, “*fang sheng wei si*” (方生未死)—new elements of a civil society are emerging while the old system still lingers on the stage of history. China's future depends on the joint efforts of both the Chinese people and the international community. We should avoid the first possibility as much as possible, do our best to fight for the second one, but be prepared to face the third.

Note

1. “Shanghai Composite monthly index and Correlations with SP500,” *EconStats*, http://www.econstats.com/eqty/eqem_ap_5.htm.
2. John Garnaut, “China holds the key to world economic crisis,” *The Age*, October 13, 2008.
3. Mount Tai is one of the most famous mountains in China, carrying historical and cultural significance. Its name literally means “Grand Mountain.”

WHAT IS “TAINTED” ABOUT THE TAINTED MILK SCANDAL?

Why is it that China can host a successful Olympics and send astronauts into space, but fail at something as simple as regulating baby milk formula, causing tens of thousands of innocent children to suffer? I suppose that everyone has similar questions regarding the tainted milk scandal. It has

been several months since the revelation of this food contamination incident that engulfed the nation, but it has shown no sign of letting up. Instead, more and more contaminated foods are being discovered.

Details of the tainted milk scandal have already been amply reported, and I won't repeat them here. We can, of course, clearly ferret out the people responsible, including the dairy farmers and milk peddlers who added melamine to the milk, the milk factories that knew about it but kept buying, the quality inspection bureaus that neglected their duties, the local governments that did their utmost to hide the truth even after a large number of children were found to be sick, and the central government, which dragged its feet in dealing with the problem because it did not want anything negative to blemish the Olympics, etc., etc. However, if we are content merely to berate and even punish these people, but fail to probe the deeper cause of this incident, then similar tragedies will be replayed again and again. The only difference will be that in the future, the victims could be pregnant women, miners, peasants, or the handicapped. Behind all these tragedies, there is a common set of factors at work: the implementation of state capitalism under a one-party authoritarian system.



Eight-month-old Cheng Aobing, who suffers from kidney stones, at a hospital in Hefei, Anhui Province on September 14, 2008. Photo credit: Stringer/REUTERS

BEHIND CHINA'S ECONOMIC BOOM

Undeniably, China's achievements in its 30 years of reform and opening up have become the focus of world attention. China has even made improvements in human rights issues, an area where it has received the greatest

amount of criticism, however unsatisfactory the scale and speed of the progress have been. Yet, economic achievements cannot conceal the slow pace of political reform. And the constraints that the backward political system has placed on economic development are becoming increasingly obvious.

China has sustained high-speed economic growth for many years. In reality, to a great extent, this has been achieved at the expense of the interests of the people—especially the interests of the peasants. Since the mid-1980s, the worsening situation of the “three rural questions” [agriculture, the countryside, peasants] and the widening gap between rural and urban areas—

combined with a system of unequal distribution of such big-profit businesses as real estate and education—have resulted in immense hardships among peasants. But what is it that made Chinese peasants, who were by nature honest and hardworking, so unscrupulous? In the entire dairy production chain, the interests of dairy farmers have never

been reasonably protected.

But if this were a society with a robust rule of law and equal opportunity, if dairy farming became unprof-

itable, some farmers would stop raising cows and find other lines of work. And then through market adjustments, the drop in dairy production would inevitably lead to price increases, thereby ensuring reasonable profits. However, in contemporary China, the central government has done its best to promote state capitalism and crony capitalism, in which a small number of bureaucrats and their crony interest groups maintain a stranglehold on great numbers of resources and opportunities. In hastening the birth of this new but small get-rich-quick nobility, the central government has relegated the low-profit, high-risk, and difficult stages of the production process to the peasants, in effect practicing “land grab” in disguise. Whether they do farming, mining, construction work, or restaurant work, the peasants are always at the least advantageous position in the system of profit and resource distribution, at the very bottom of the food chain. Even if the dairy farmers gave up raising cows, they would not have better options. So, in order to earn extra money to support themselves, the dairy farmers began adding water to milk, turning one bucket of milk into two. But the diluted milk didn’t meet protein level requirements, and the milk factories didn’t buy. So the dairy farmers and milk peddlers who rely on selling milk to survive finally chose to add melamine as a way to insure that the watered-down milk would pass protein-level tests. And thus, the human tragedy began.

The preceding narrative is not intended to exculpate the dairy farmers or milk peddlers. But if this kind of behavior has become common practice throughout the dairy industry, we cannot help but ask this question: exactly what kind of system created this phenomenon? If this system can produce “tainted milk,” wouldn’t it have already created “tainted beverages,” “tainted rice,” and “tainted eggs”? Just how many of China’s health problems originated from unsafe food?



A child suffering from kidney stones at a hospital in Hefei, Anhui Province on September 19, 2008. Photo credit: Stringer/REUTERS

WAS DENG XIAOPING’S SLOGAN WRONG?

The Chinese economic miracle has to be attributed to the “reform and opening up” policy begun 30 years ago.

The central government, with Deng Xiaoping at its head, formulated a core idea for the grand project of revitalizing the nation: building the economy is key. This was the ironclad rule that could not be questioned, and its purpose was elucidated very clearly: poverty is not socialism; therefore, raise the people’s living standard.

Since the mid-1980s, the worsening situation of the “three rural questions” . . . [has] resulted in immense hardships among peasants.

This principle itself is not wrong. Yet for all the times we’ve repeated this slogan, we have overlooked the inherent contradiction in these two tasks: letting some people get rich first while maintaining fairness. Frankly, even the U.S., the most powerful and most democratic country in the world, would find it very difficult to balance these two tasks, much less China, which was suffering all sorts of ills and in total disorder in those years. In the end, after China entered the 21st century, the conflict between these two foes—“get rich first” and “maintain fairness”—which had festered for two or three decades in various sectors and levels of society, intensified in wave after wave until it finally erupted.

Over the past 30 years, under the “get rich first” slogan, people began speeding their own “economic construction,” for themselves and their families. Taking their lead from Deng Xiaoping’s famous quote, “It doesn’t matter if the cat is black or white, as long as it catches the mouse,” people have become more and more materialistic and are stopping at nothing to make a buck.

They feel they are winning as long as they don't get caught.

At every stage of reform, those who have connections to people in high places have always been the ones to "get rich first." The widening gap between the rich and poor and a social atmosphere that "laughs at the poor but not the prostitutes" have pushed those at the bottom and on the brink of hopelessness to the discovery that they have nothing to lose. Therefore, they become unscrupulous like the dairy farmers, or otherwise take risks in order to get back at the rich.

Without checks and balances provided by public opinion and the law, the dark side of human nature will inevitably create an unfair distribution of wealth and resources.

"Allow some of the people to get rich first." While this slogan is in keeping with human nature and the rules of the market economy, its implementation requires very strict prerequisites, particularly **supervision by public opinion and a robust legal system**. Without checks and balances provided by public opinion and the law, the dark side of human nature will inevitably create an unfair distribution of wealth and resources, resulting in a small and special class of people always being the ones who can "get rich first." In the meantime, the living standard of the majority of Chinese people improves only at a slow pace, and that of some people even worsens. As a result, "maintaining fairness at the same time" becomes an unrealizable fantasy. What modern China most lacks is precisely the balance between these two tasks.



Two babies suffering from kidney stones at a hospital in Lanzhou, Gansu Province on September 12, 2008. Photo credit: Stringer/REUTERS

WHAT ARE CHINA'S PROSPECTS?

It is necessary to examine history, but what is even more important is to find a way out of our current situation. The cause of the tainted milk incident, the frequent mining disasters, the seizure of peasant land, and other issues, is the same. And what has been exposed is only the tip of the iceberg. Even as we deal with individual cases promptly, we must begin dealing with the true ringleader. Otherwise, we would only be able to put out fires here and there.

If we wish to solve the fundamental problems, I believe that we must begin with the following four steps:

1. Disseminate and educate. We should acknowledge that the "get rich first" theory is useful in prompting people's initiative and creativity, and it is a rational approach within the market economy framework. But we should also acknowledge that it is incapable of encompassing every aspect of social development. We need to shatter the supremacy of the "get rich first" theory in our national psyche. In the classroom and in mass media, we should vigorously promote the ethical norms in China's traditional culture, harmonious concepts that respect nature, and a balanced approach to development. We should reshape our national faith and conscience beginning with the children and up.

A society in which government officials are not bound by the law will inevitably become a society in which everyone will lose the fundamental concept of the rule of law.

2. Strengthen the rule of law. China is not deficient in the speed at which it makes law, or the number of laws it makes. Rather, the towering mounds of laws have

failed to make the privileged classes more law-abiding. The problem lies in law enforcement. This has perhaps become the greatest stumbling block in the continuous progress of China's reform and opening up. A society in which government officials are not bound by the law will inevitably become a society in which everyone will lose the fundamental concept of the rule of law. For China and the Chinese people, this is a disgrace and a catastrophe.

3. Freedom of the press. In a society overtaken by the pursuit of material interests, if the supervisory role of public opinion in the media is also tightly controlled, the media will become more and more vulgar and materialistic, and will lack foresight and a sense of social responsibility. Because the media also needs to survive, if it cannot report the truth in good conscience, it can only pander to the public. Once the media is devoid of conscience, then dissemination and education, and the strengthening of the rule of law men-

tioned earlier, would be out of the question, and China would continue to falter in a vicious cycle.

4. End the one-party rule. This is the ultimate source of all of the problems. Ending the one-party rule does not imply that we have to copy wholesale the political systems of the U.S. or Europe. Every system has its own merits and weaknesses. China has its own national conditions. Using the intelligence of Chinese people, we can create an advanced political system in keeping with Chinese characteristics. But no matter which system is implemented, the most fundamental baseline is that it must be a democratic political system. Without this fundamental prerequisite, there can be no hope for a free press, a robust rule of law, or national education. Although multi-party politics is not necessarily the most democratic system, one-party rule is definitely not a democratic system. When China breaks free from these shackles, that is the time when our children will not have to drink tainted milk.

STONES IN OUR HEARTS

It is difficult to describe my despair. I am the father of a three-month-old baby, yet I could not even protect my own child. The milk powder I fed him day after day was poisonous. Can you understand how I feel? I feel so hopeless that I want to kill myself . . .” These are the words of one Chinese father.

Since the milk powder scandal broke, what I saw was finger-pointing. The manufacturers blamed the dairy farmers for mixing poison into their milk. The dairy farmers blamed the manufacturers for using unsanitary production methods. The government blamed the manufacturers for violation of rules. Premier Wen Jiabao blamed the manufacturers for their loss of conscience. The overseas media blamed the government for the media blackout.

Everyone has a point, but it pains me to witness these mutual recriminations.

Does pointing our fingers at others make us innocent?

Deng Xiaoping said that development was our highest national principle, thereby declaring local GDP growth rates as the standard for evaluating the accomplishments of local government officials. This was a progressive move during his time, replacing class struggle with a pragmatic focus on development. But today, our faith in GDP growth has become toxic.

One example of such toxicity was encountered by a journalist friend of mine who investigated a famous diet tea company in Jiangxi Province. This business was the only profitable large enterprise in town, providing jobs for the children of local cadres. Even the local government itself relied on this company to support its budget, thereby raising the company’s operating expenses. In order to cut costs, the company went as far as to lay substandard tea on the road and use

The founder of an online newspaper asks what kind of a civilization would feed poison to its infants.

By Zhai Minglei

passing cars to press the tea before sweeping it into packages. I would never have believed this story if my friend, a veteran reporter, had not seen it with his own eyes. Local governments, in their administration of cities, have become indistinguishable from the

largest local enterprises. When the referee is also a player, of course he would never blow the whistle on a violation.

Recent reports by *Caijing* magazine reveal that prior to this scandal, quality inspection for tainted milk powder was basically a no-man’s land where all products just passed through.

Since the milk powder scandal broke, foreign countries have raised suspicions about one Chinese product after another. You can call this a Western trade war against China, but in the end, we can’t deny that there are issues in urgent need of discussion.

The root of this problem inevitably touches upon our political system. For example, I live in a new building in my neighborhood, but the water main underneath has burst 29 times in one year. The residents have given up hope because the Songjiang Water Processing Plant is a publicly-owned enterprise that exercises a monopoly in our area, and there are no other suppliers. All we can do is bottle up our anger and “enjoy” their shoddy construction. The company operates all the water pipes, so it can do as it pleases. What’s true for a company is also true for a political party. Without competition or alternatives, absolute power will corrupt any party or government, no matter how benevolent its initial intentions may have been.

I once discussed politics with an outstanding Party member, who is also my senior. He said that the Communist Party built China on blood sacrifice, just like investing in a company. How can we let someone else take its assets? How can we not maintain a one-party rule? His thinking probably represents the feeling of many government officials. Leaving that last point aside, who, after all, really made this investment? Can we really say that the blood shed and the lives lost belong to a single political party? I know that young people probably see it differently: every taxpayer is like a shareholder. But this company has never held a shareholders' meeting.

Can we place our hopes in the conscience of entrepreneurs? If so, how do we explain the courts' callous rejection of all legal cases raised by the parents of infants with kidney stones? Amid all of the finger-pointing and accusations, I have not seen any pained reflection or sincerity, only superficial actions and evasion of responsibilities.

Lost trust is the worst form of bankruptcy; this is true both for an enterprise and for a people. Since the milk powder scandal broke, foreign countries have raised suspicions about one Chinese product after another. You can call this a Western trade war against China, but in the end, we can't deny that there are issues in urgent need of discussion. After all, Sanlu milk powder was featured in the first episode of the much touted China Central Television's special series, "Made in China"!

We certainly should not dismiss all Chinese people as dishonest, but we can honestly say that a general atmosphere of insincerity and deceitfulness is far more prevalent in Chinese society than in most other countries. The honest meet a sad fate, while the dishonest get rich.



A worker at a supermarket in Xiangfan, Hubei Province, removes Sanlu-brand milk formula products from shelves on September 12, 2008. Photo credit: Stringer/REUTERS

Just as I was writing this essay, I heard the news that more than 200 children at the Tiya Nursery School in Zhejiang Province's Cixi City, whose parents pay 4,000 yuan in tuition each term, had been served food cooked in palm oil meant only for use in soap manufacturing. And they have been diagnosed with enlarged intestinal lymph nodes.

Chinese people, wake up, please.

The true source of our children's kidney stones is not the poisoned milk powder, but rather the stones that have formed in our hearts.

Our morals are collapsing and with them our ability to survive, so that we are poisoning our own children and elders.

While we can call the Wenchuan earthquake a natural disaster, the poisoned milk powder scandal is 100 percent manmade. How many signs from heaven does it take before the Chinese people finally understand?

In his classic *The Crowd: A Study of the Popular Mind*, Gustave Le Bon wrote:

Having reached a certain level of strength and complexity a civilization ceases to grow, and having ceased to grow it is condemned to a speedy decline. The hour of its old age has struck. This inevitable hour is always marked by the weakening of the ideal that was the mainstay of the race. In proportion, as this ideal pales, all the religious, political, and social structures inspired by it begin to be shaken.

With the progressive perishing of its ideal the race loses more and more the qualities that lent it its cohesion, its unity, and its strength. The personality and intelligence of the individual may increase, but at the same time the collec-

tive egoism of the race is replaced by an excessive development of the egoism of the individual, accompanied by a weakening of character and a lessening of the capacity for action. What constituted a people, a unity, a whole, becomes in the end an agglomeration of individualities lacking cohesion, and artificially held together for a time by its traditions and institutions. It is at this stage that men, divided by their interests and aspirations, and incapable any longer of self-government, require directing in their pettiest acts . . .



Confiscated Sanlu milk powder is burnt at a garbage dump in Lanzhou, Gansu province, November 28, 2008. Photo credit: Stringer/REUTERS

With the definite loss of its old ideals the genius of the race entirely disappears; it is a mere swarm of isolated individuals and returns to its original state—that of a crowd. Without consistency and without a future, it has all the transitory characteristics of crowds. Its civilization is now without stability and at the mercy of every chance. The populace is sovereign, and the tide of barbarism mounts. The civilization may still seem brilliant because it possesses an outward front, the work of a long past, but it is in reality an edifice crumbling to ruin, which nothing supports, and destined to fall in at the first storm.¹

In the midst of his own struggle with a serious illness, the renowned writer Sha Yexin wrote of the poisoned milk-powder scandal that the entire affair not only shows the shortcomings of our political system, but also reveals how our entire cultural and moral system has decayed to its very roots. There is truth in this ailing man's words: what kind of a civilization would poison its own children?

Can a people be strong when its members lack a sense of empathy for one another? When they treat one another like warriors at battle in the coliseums of ancient Rome? When in order to put on a grandiose Olympic opening ceremony, they make thousands of

young women hop back and forth for hours on end, force grown performers to wear diapers, and allow an accomplished entertainer to suffer a paralyzing fall during rehearsals?

Stones in our hearts!

A sense of compassion has disappeared from our society, and all that remains is materialism. Adding poison to milk powder is nothing, so long as it is done for the survival of one's company and oneself. We have regressed to a primitive era before the dawn of civilization. Where are

our morals, our culture, and our beliefs?

Our society is sick. We live in a society of deception, a land where deceit runs wild, where lies masked by good intentions for the sake of so-called "harmony" run wild. Who cares about deception, as long as it is couched in lofty goals?

Sha Yexin wrote of the poisoned milk-powder scandal that the entire affair not only shows the shortcomings of our political system, but also reveals how our entire cultural and moral system has decayed to its very roots.

Ever since the fresh and optimistic atmosphere of the 1980s was wiped away in a single sweep, materialistic desires have become the driving force of our society. With all that I have seen in the three-and-a-half decades since I was born in 1973, I have gradually come to realize that our present society is moving towards a pathological state.

When all is said and done, democracy not only provides a better way to manage public affairs, it also

allows each individual to realize his full potential. Without the possibility of democracy, those with an interest in public affairs have no options besides diving into business and doing whatever it takes to accumulate wealth. When people are forced to pursue only their own benefit and that of their families, society inevitably sinks into a state of pathological materialism: no matter how nice your home is and how well you eat, you still want more.

It is this social illness that blinds us to the suffering of others. In the pursuit of our own interests, we completely lose our sense of community, and even more importantly, our trust in and love for others.

Yin [Haiguang] asserted that the part of Chinese culture most worth preserving was the power of ethics.

I have to admit that after I graduated college I was also caught up in the race for more. After all, this was the only ideology given to us by our educational and social system.

But in the end we are never happy. Our life is spent seeking an elusive happiness that we never truly experience. We spend our entire existence like a swarm of pathetic little ants or birds collecting pieces for our nest. At the end of this path we find we have sealed ourselves off in a city of glass, deaf to the cries and moans all around us.

It is this entire perspective on life that is the true source of poisoned milk powder.

When material development comes at the cost of mutual sympathy, caring, and harmony within society, such development becomes a source of evil.

All of those assurances telling us to wait for a few years for our social ills to be cured are nothing but lies.

Once our hearts have been numbed, they can only continue to harden!

Plunder is plunder. Centuries ago, the West used this theory of development to colonize the third world, and now, centuries later, we are using the same worldview to colonize ourselves.

In his final work, *The Future of Chinese Culture* (中国文化的展望), liberal thinker Yin Haiguang shifted from promoting total westernization to a more nuanced perspective affirming some of the beneficial aspects of traditional Chinese culture. Yin asserted that the part of Chinese culture most worth preserving was the power of ethics.

Having made my way through the winding alleys of our cities and the expansive fields of our countryside, I know that the foundation of our nation's morals can be found in our people. These glimmers of hope in our people are the only reason that I still have the energy to write this essay. I am not only writing this to put my own heart slightly at ease, but also to share my feelings with others who feel the same. Even if no one else will show repentance, we should still repent on our own, and hope that the heavens might give us greater clarity of mind and courage.

I am also calling for the development of a platform for public reflection and the broader cultivation of public morals. There is a song called "I Don't Want to Be a Chinese Child," and a book entitled, *I Don't Want to Be Chinese in the Next Life*. Those with money and connections have already moved abroad. All that is left on this land of ours are the simple and plain masses: we must vow to save ourselves and the country to which we are bound.

We need to stand up in the face of this poisoned milk powder scandal and do all that we can to seek a responsible media, an accountable government, and a society that values honesty. This is a civilization that once called for self-restraint and benevolent love, and for treating others as one would have others treat oneself.

Translated by Kevin Carrico

Note

1. Gustave Le Bon, *The Crowd: A Study of the Popular Mind* (West Valley City: Walking Lion Press, 2006), 176–77.

LIVING SPACE FOR THE CHINESE MEDIA BEFORE AND AFTER THE BEIJING OLYMPICS

A former official reporter turned online commentator examines the risky environment for independent newsgathering, and how citizen reporters manage to open up new information channels.

By Zan Aizong

The Chinese mainland press, circa 2008, is a strange creature: at the same time that there are news blackouts and cover-ups, you also have such counter-control forces as “cross-regional supervision” (*yi di jian du* [异地监督])¹ and online news breakthroughs being nurtured. In the first ten months of this year, China has seen many sudden mass incidents,

during which some brave and outstanding reporters and citizen reporters were at the forefront. At the same time, however, these have been followed by government-led news blackouts where real and fake reporters lined up to get their “shut-up fees.” This seems to illustrate that public opinion is being controlled and that the space for public opinion is still fraught with perils. Reporters pursuing the truth are certain to encounter a series of rapid currents and treacherous sandbanks. Resistance to control has been difficult; yet it has not stopped, and is striving for breakthroughs.

CHINESE NEWS PEOPLE DURING SUDDEN INCIDENTS: BRAVE BUT HELPLESS

Almost all of the sudden incidents that occurred in the first ten months of 2008 were closely linked to the tight control of the media. Governmental news control was “armed to the teeth.” Straight talk was largely absent in the mainstream media, and truth was likewise hard to come by. From the riots in Tibet, earthquake in Wenchuan, and Weng’an riot in Guizhou, to Yang Jia’s assault on police officers in Shanghai² and infants developing kidney stones caused by Sanlu tainted milk powder that went unreported for as long as a month because of the Beijing Olympics—the absence of freedom of expression for the media meant that the official media, from the top down, broadcast a single voice. They were the Party’s mouthpiece, spouting the success

of the Olympics and the success of anti-earthquake measures, and flaunting the “Shenzhou 7” astronauts’ spacewalk.³ There was no freedom of expression whatsoever in the media with Chinese characteristics, and this has led to an absence of truth.

The Constitution stipulates that Chinese citizens have the rights to expression, to exercise supervision, to participation, and to informa-

tion. But these rights can only be tested through their actual practice in the media. Right after the Sichuan earthquake and before the Central Propaganda Department issued its ban, the *Southern Metropolis Daily*, *Southern Weekend*,⁴ and other media with universal values and commercial clout were the first to report from the scene. Oversight by public opinion reflects the popular will, which means that the media, with the aid of the Constitution, found a crack through which to resist news control, but barely survived in that space. But a week later, because the government in the disaster area complained to the Propaganda Department that the Southern News Group should “report the good news and not the bad,” the Propaganda Department ordered Guangdong Province to recall all its reporters. After another week, when the Sichuan local propaganda department was ready with relief measures, the Southern News Group reporters were formally invited back to report from the disaster area, thereby resolving feelings of resentment. Yet Xinhua News Agency, sent by the Central Propaganda Department to sing the praises of the relief work by the people in the disaster area, hardly reported the devastation there, and concealed such facts as the collapse of schools built of tofu dregs [substandard materials].

The Xinhua News Agency reporters had another role to play—to be the eyes and ears of Communist Party of China (CPC) leaders; that is, to turn the inside scoop on school buildings made of “tofu dregs”—which

might easily lead to public protests—into “internal reference” reports for the supreme leaders in Zhongnanhai.⁵ These “internal reference” reports are all secret, as are the written comments by the leaders. Not even the 200 plus members of the Central Committee are necessarily privy to these “internal reference” reports. Since these reports are not public, their impact is zero, and the people are deprived of their right to information. The degree of news freedom is astonishingly similar to that in North Korea.

The State Council’s *Regulations on Reporting Activities in China by Foreign Journalists*, effective from January 1, 2007, to October 17, 2008, ostensibly gave foreign reporters in China the freedom to gather news. This open policy was extended beyond October 17, but in reality foreign reporters entering the Tibet region were required to obtain permits. The explanation given by a Chinese Foreign Ministry spokesperson was that “conditions are not yet mature”⁶ [for foreign journalists to freely report from Tibet], and that “the situation in Tibet [has] not yet stabilize[d]” after “violent activities,” and therefore foreign journalists were required to apply to the regional government for permits.⁷ On the Tibetan issue, mainland media can only run stories issued by the Xinhua News Agency and cannot provide any commentaries on their own authority, a situation that clearly illustrates the great power of the Party mouthpiece. Even as foreign reporters could not report freely from Tibet, neither could the Hong Kong media. Following the “3.14” Incident,⁸ Hong Kong Phoenix TV reporter Sally Wu Xiaoli flew to Lhasa, but before she could get out of the airport, it was arranged, after repeated “urging,” that she would take the next flight out. Not long after, the State Council Information Office gave permission to and arranged for a group of foreign journalists to report from Tibet. But the reporters were followed; this proved that foreign journalists in Tibet were in no way free.

When there is control of the news, there will inevitably be resistance to that control. Chinese Internet users form the ranks of that resistance. For example, the State Council Information Office, which is in charge of the Internet, has formulated all sorts of measures to strengthen control over public opinion by banning online discussion of sensitive incidents. But they failed to prevent the breakthroughs achieved by netizens. Following the Weng’an riots in Guizhou, citizen reporters’ desire to be heard on the Internet was intense. Citizen reporter Zhou Shuguang flew to the scene, thanks to an air ticket funded by netizens, and slipped through the armed police blockade to report from the scene using a cell phone that could upload information and photographs onto the Internet. His level of professionalism was on a par with that of regular media reporters. The “citizen reporter” is a nascent force in the resistance to media control.

A PRESS WARPED DURING THE OLYMPICS: HOW IT STANDS NOW

The Beijing Olympics were a “political coronation” that gilded the facade of the CPC and the Chinese government. The slogan used by the CPC—“utilizing the efforts of the entire nation to successfully host the Olympics”—permitted only success, not failure. All

sorts of important events had to make way for the Olympics. Even the trial of Yang Jia, charged with intentional homicide, which was scheduled to open on July 29 in a Shanghai court, was suddenly postponed until after the Olympics. As for the press circle, during the Olympics, they could report the “good news,” not the “bad news,” so as to give the green light all the way to creating “a

good atmosphere for public opinion” during the Olympics. Sanlu milk powder containing melamine was already known to be toxic and “questionable” in



A resident takes pictures of a building destroyed after a rain-triggered mudslide in Xiangfen county, Shanxi Province, September 11, 2008. Photo credit: Aly Song/REUTERS

August. But this fact was concealed for a month because of the Olympics, and not until September 11 did the Shanghai-based *Oriental Morning Post* reporter, Jian Guangzhou, expose the story and name names, after which sales of the product were banned nationwide.⁹ Of Sanlu's infant victims, 2,390 infected children were still being treated in the hospital at the end of October. In addition, during the Olympics, the dairy products of Yili,¹⁰ a designated supplier for the Games, were found to be unsafe, and were rejected. They were replaced by Beijing's Sanyuan milk. But the Olympic Committee did not explain this fact to the news media. News of another case of contamination of dumplings was completely embargoed as well. In September, maggots were found in tangerines in Ya'an, Sichuan Province. But this was not made public until a month later. This shows that the local government and the Central Propaganda Department have the same "mode of thinking": their first response to sudden incidents is to cover up and conceal; when they can no longer conceal, they exaggerate the government emergency measures. Thus the leaders benefit and the negative impact is reduced. Blame is shifted onto the "incompetence" of certain departments, etc. Then they wait for big matters to become small and small ones to disappear altogether.

[T]he absence of freedom of expression for the media meant that the official media, from the top down, broadcast a single voice.

Recently, we have seen that were it not for the hot pursuit of public opinion reflected in the media and by millions and millions of netizens, the case of the

Shaanxi Forestry Department using the paper "South China tiger" to defraud the State Forestry Administration of its special funds would have come to nothing.¹¹ But the yet unsettled Sanlu tainted milk powder inci-

dent already seems to have petered out. The Ministry of Justice is not allowing lawyers to become involved in cases seeking compensation for the victims, and the courts, using the excuse that the "government has not yet formulated a compensation plan," are "not accepting" the victims' complaints. It was not only the media in Hebei Province¹² that could not issue reports or commentary on their own authority regarding the origins of the Sanlu scandal and inside-story of its cover-up. Even the national media was similarly "cooled down." Meanwhile, Sanlu simply changed its name and resumed production. On September 18, an exclusive investigation into Sanlu that was to run in *Southern Weekend* was killed. The magazine instead had to carry the Xinhua News

Agency report, "Memorandum on the Sanlu Milk Powder Incident." Thus, the Central Propaganda Department let the *Southern Weekend* make its so-called "contribution to stability and unity." Without the supervision of independent public opinion, the only outcome of the Central Propaganda Department's taming of the media is political achievement, not truth. Reporters remain the targets of the government's demands to "shut up."

CROSS-REGIONAL SUPERVISION IS LIMITED TO THAT OF "WATCHING THE FIRE FROM ACROSS THE WATER"

Cross-regional supervision is a unique model of supervision by public opinion in China: it is like "watching a fire from across the water." I have a metaphor for it:



A security guard stops a photographer from taking pictures of the China Central Television (CCTV) headquarters during a media tour in Beijing on July 30, 2008. Photo credit: Claro Cortes IV/REUTERS

“For news about local scandals, subscribe to a newspaper from another province; for news about scandals elsewhere, subscribe to a local newspaper.” For example, the Guangdong media can exercise supervision on the national level, as long as it doesn’t touch anything in Guangdong. Take the Sichuan earthquake, for example: you couldn’t expect much from the Sichuan media. But Sichuan reporters could serve as good “informants” for reporters from elsewhere, and as their “assistants” and “guides.” This was the way that school building after school building constructed from tofu dregs was exposed. The Central Propaganda Department’s ban on cross-regional supervision was largely a failure, or was beset with violators. The first breakthrough of a market-oriented media was to neutralize “party-orientation;” so long as they do not openly criticize the Communist Party system, the media can be straight-talking and strive to break down limits, reporting on specific cases. The living space for media can expand through competition.

“For news about local scandals, subscribe to a newspaper from another province; for news about scandals elsewhere, subscribe to a local newspaper.”

But there have also been examples of the failure of cross-regional supervision. The withdrawal of Southern News Group reporters from the earthquake zone is not the first example. The three-month suspension (from September to December) of *Caijing*, an Inner-Mongolian paper in Beijing, because it was exercising cross-regional supervision, would not be the last. Though the bans issued by the Central Propaganda Department and propaganda departments at all levels are not as effective as they once were, “a camel starved to death is still bigger than a horse” (*shou si di luo tuo bi ma da* [瘦死的骆驼比马大]), and some media in places without any economic clout can easily be “corrected” by the Central Propaganda Department. The cover-up of the mine accident in Huozhou, Shanxi Province, is an example. Many reporters got the “shut-up fees.” The Central Propaganda Department and the General Administration of Press and Publication issued a news ban and sus-

pended some local publications, finally naming only six “unscrupulous media outlets.” The *West Times*’ reporter Dai Xiaojun challenged this, producing pictures to show that at least 100 reporters received “shut-up fees.” Though the Press and Publication Administration at first refused to acknowledge this, thus controlling public opinion, it finally admitted that it had indeed given hush money to reporters.¹³ In 2005, *Henan Business Daily* was suspended for a month for reporting that real reporters and fake ones had both received “shut-up fees” for concealing the truth about fatalities in another mine accident. In May 2008, the *New Travel Weekly* in Chongqing was ordered to stop publication—until it could “clearly admit and correct its errors”—because the authorities thought its use of models in a shoot to recreate the blood-splattered scenes of the Sichuan earthquake site was “disrespectful.”

[W]henver a mass incident occurs, you will almost always see interference with and bribing of reporters, and obstruction of their activities.

During the Olympics, mainland press circles were all filled with praises and cheers; when the Games ended, the media’s reporting of sudden incidents was strictly limited to discussions of facts; exposing corruption and other disgraceful acts was still very difficult. The mainstream media praised political achievements and covered up lapses of government and its complete disregard for human life. China has no legal guarantee of press freedom; the government exercises firm control over the media. The regulation for strengthening news-reporting activities unveiled by the government in fact became an “imperial sword” to constrain them. It is precisely the Central Propaganda Department and powerful local government departments that are responsible for cover ups and news blackouts, as they interfere in the lawful reporting activities of news organizations and news and editorial staff. The result is that whenever a mass incident occurs, you will almost always see interference with and bribing of reporters, and obstruction of their activities. News blackouts and cover ups are even more prevalent.

The General Administration of Press and Publication exercises a monopoly on the reporter's rights to prove, investigate, and publicize through publishing and news agencies or the broadcast and television media. That is, the special rights possessed by the media and news reporters to know, to interview, to publish, to critique, to supervise, etc., are all controlled by the government. Under these circumstances, truth and facts cannot be disseminated, and the resistance of government control and cover ups grows inevitably more difficult. At present, the only breakthrough—namely, countering control—depends on cross-regional supervision, which is itself limited. But once a certain momentum is created to push for legislation on press freedom and for privately-owned newspapers, and to call for an end to the Party's ban of private newspapers, there is a possibility of building a civil society and achieving freedom of the press. And though this step is rather difficult, it has to be taken.

Translated by J. Latourelle

Notes

1. This phrase is now commonly used to describe the ability of the press to scrutinize events in other localities but not its own.
2. Yang Jia, a 28-year-old unemployed Beijing resident, was arrested in October 2007 in Shanghai for riding an unlicensed bicycle. He later testified in court that he was insulted by the police during interrogation. According to the Chinese media, on July 1, 2008, Yang attacked the police headquarters in Zhabei, a Shanghai suburb, and killed six policemen. Yang was executed on November 26, 2008.
3. Shenzhou 7 (*shenzhou qihao* [神舟七号]) was the third human spaceflight mission of the Chinese space program. The craft was launched on September 25, 2008, and returned to earth three days later, on September 28.
4. The *Southern Metropolis Daily* and *Southern Weekend* are sister publications based in Guangdong Province.
5. Zhongnanhai is the residential compound near the Forbidden City in Beijing that houses the highest-level CPC leaders.
6. Jiang Yu, spokesperson, Chinese Ministry of Foreign Affairs, April 15, 2008.
7. Liu Jianchao, spokesperson, Chinese Ministry of Foreign Affairs, June 26, 2008.
8. March 14, 2008, the first day of the 2008 unrest in Tibet.
9. "Uproar Over China Milk Scandal," *Radio Free Asia*, September 23, 2008, <http://www.rfa.org/english/news/china/milk-09232008075809.html>.
10. The Inner Mongolia Yili Industrial Group, a leading producer of dairy products, was a sponsor of the Olympics.
11. In October 2007, the Shaanxi Provincial Forestry Department held a press conference showing photographs of a "South China tiger" believed to be extinct. The photographs were later proven to have been fabricated by a farmer, who received a reward of 20,000 *yuan* (US \$2,915) from the State Forestry Administration. Internet users accused the Shaanxi Provincial Forestry Department of approving the photographs in order to boost tourism.
12. Sanlu is headquartered in Hebei Province.
13. "Xin wen chu ban zong shu tong bao 'feng kou fei' shi jian chu li jie guo" [新闻出版总署通报“封口费”事件处理结果], CCTV.com, November 27, 2008, <http://news.cctv.com/china/20081127/100789.shtml>.

MEDIA REPORTING AFTER THE OLYMPICS: HRIC CONVERSATION WITH JOCELYN FORD

NEW REGULATORY CLIMATE FOR FOREIGN JOURNALISTS

HRIC: As a foreign journalist based in Beijing, what is your general assessment of the impact of the 2008 Olympics on China? Perhaps we can start with your views of the temporary *Regulations on Reporting Activities in China by Foreign Journalists During the Beijing Olympic Games and the Preparatory Period* being made permanent—literally at the last minute before their expiration date on October 17 this year.

Jocelyn Ford: I think that the Olympics made these new regulations possible. I don't think that they would have happened—at least not this soon—without the Olympics. So I would like to say that the Olympics were important for the foreign media.

I've spoken to some officials about this, who have said, you know we never would have gotten all the other ministries who don't make this a priority around the table had it not been for the Olympics. The Foreign Ministry, in general, has been supportive, so I do think that the Olympics were an important impetus.

We're very glad that they kept the forward momentum by extending the temporary regulations beyond October 17, 2008. If you read the fine print, there were two points that I think were missed by most journalists, but are important to note. One was

On December 4, 2008, HRIC spoke with Jocelyn Ford, chair of the media freedoms committee at the Foreign Correspondents' Club of China, and a freelance journalist.

that it is now written in the regulations that "China adopts a basic state policy of opening up to the outside world, [and] protects the lawful rights ... of foreign journalists." This may sound like an empty statement, but this is their stated policy. And in fact, last week's editorial in the *People's Daily* said that China should become more

open.¹ So, I do think that there have been signs of improvement and a change in attitude. Of course, we will try our best to use this to our advantage and act in accordance with this policy of openness.

Another point is that there appears to have been a rhetorical shift. Under the old regulations for foreign journalists, there was more of a sense that the authorities were trying to control us, while the new regulations emphasize they're trying to facilitate our ability to do our job. So these are two small improvements that I don't think many people have picked up on, but

I think the rhetorical shift and spirit are important to note.

HRIC: Do you think the rhetorical shift was meant for international consumption or does it really reflect a policy shift?

JF: For us it is a significant difference that we no longer need to get approval when we go out to the countryside and we don't feel the need to

sneak around quite as much as we used to. Freedom of movement for us is important so that we can do our work. Of course, when we report on stories the govern-



Photographers working at the men's basketball game between China and the U.S. at the 2008 Beijing Olympics on August 10, 2008. Photo credit: Lucy Nicholson/REUTERS

ment feels are sensitive, it's still prudent to be as discreet as possible.

HRIC: What have you found to be the really “sensitive” areas?

JF: Topics like AIDS, protests, demonstrations . . . I'd

like to mention that some journalists have been more favorably surprised by openness on stories that used to be off limits. For example, one reporter said he was welcomed to do interviews at the deadly mudslide in Shanxi that took place last summer. The Chinese journalists were there as well, in the beginning.² But it's a case-by-case situation. I think

VAN DE WEGHE INCIDENT

REUTERS STORY—EXCERPT

After interviewing several representatives of AIDS groups on Thursday, [November 27, 2008,] Belgian journalist Tom Van de Weghe and his production team from Flemish public television VRT were beaten and robbed of cash and equipment by 12 men recruited by authorities in Henan province, a VRT spokesperson said. . . .

Source: “Belgian TV news crew beaten in China,” Reuters, November 29, 2008, <http://ca.reuters.com/article/entertainmentNews/idCATRE4AT08920081130>.

ASSOCIATED PRESS STORY—EXCERPT

According to the journalists' account, assailants pulled members of the crew from their vehicle, beat them and took their notes, money and other equipment.

“We thought they were going to kill us, they were acting like animals who lost control, it was a complete chaos, we were crying,” said Tom Van de Weghe, a reporter with Flemish public broadcaster VRT who was allegedly targeted along with a colleague and an assistant.

Van de Weghe said he was hit twice on the head and that villagers identified the attackers as men who worked for the local officials.

Source: “China denies alleged attack on foreign journalists,” Associated Press, December 3, 2008, http://www.breitbart.com/article.php?id=D94REE300&show_article=1.

XINHUA'S ACCOUNT—EXCERPT

An initial investigation has found that three Belgian journalists involved in a dispute in a Chinese AIDS village in Henan were not attacked but were only jostled, a provincial government spokesman said on Wednesday. . . .

The dispute took place three days before World AIDS Day, said Wang Yuejin, spokesman of Henan's foreign affairs bureau.

“As far as we know, there was no violence,” said Wang. He said the team had gone to Zhoukou and Shangqiu cities for field investigations. . . .

The AIDS patients demanded tapes and memory cards, saying that they contained information that might affect their public image, Wang said. At that point, said Wang, there was some jostling, after which Van de Weghe handed over the tapes and cards.

Source: “Official: Belgian journalists ‘not attacked’ in China AIDS village,” Xinhua News Agency, December 3, 2008, http://www.chinadaily.com.cn/china/2008-12/03/content_7268337.htm.

SELECT “REPORTING INTERFERENCE” INCIDENTS

Summaries of cases highlighted by Jocelyn Ford in December 4, 2008, conversation with HRIC.

KASHGAR, XINJIANG PROVINCE: TWO JAPANESE JOURNALISTS BEATEN UP BY PARAMILITARIES

August 4, 2008: A pair of Japanese journalists in Kashgar to cover attacks on the police were beaten and detained by Chinese paramilitary forces. Masami Kawakita and Shinji Katsuta were both accredited reporters, but were forcibly removed from the street, suffered injuries, and their equipment was damaged.

BEIJING: REPORTER TACKLED AND KICKED BY THUGS AT ILLICIT DETENTION CENTER

September 10, 2007: Reuters correspondent Chris Buckley was tackled to the ground and assaulted by a gang of thugs while following a story about petitioners being detained in Beijing. The attackers took his notes and camera, held him down, and called the police. Buckley was not able to leave or reacquire his possessions until the police arrived and let him phone the Foreign Ministry.

Source: Foreign Correspondents Club of China, “Detentions and Harrassment,” <http://www.fccchina.org/harras.htm>.

that some message is getting through to some local officials.

HRIC: What message is getting through? What message is intended?

JF: That local officials are supposed to try to control the message, but do it by letting the foreign journalists in, as opposed to completely blocking them.

I do believe the State is trying to turn the situation

around. For example, they are trying to educate and guide local information officials through internal circulars. It would appear that they are moving in the direction of “guided opinion.” Of course, I’d much rather see them educate officials on the benefit of being open. But at least this is a step in the right direction.

Every country, every democratic country, has “spin doctors,” and though journalists don’t like to be spun, working around this is part of the game. And in the case of China, being able to get an official viewpoint is a good thing. In fact, some foreign journalists have been pleasantly surprised at landing interviews with local officials. They *should* tell us their views. But for some officials, if they’re not told what they can say, they’re still afraid to speak to us.

“INTERFERENCE” INCIDENTS

HRIC: So do you feel free to interview whomever you wish?

JF: As the Chinese saying goes: “When there’s a policy from officials above, there’s a counter-policy by officials below.” We are now free to travel. But the concern is that our sources are not free to speak to us. This is our number one concern: that instead of controlling us, they’re trying to control our sources with subtle or open threats. We had one reporter describe how in Xinjiang, the schoolchildren were told, “If you see a foreign reporter report them to us!” So they’re teaching children to police foreign correspondents.

I wasn’t in China during the Cultural Revolution, when the neighborhood committees were very strong and informed on people to the authorities. But it would appear that that’s the technique being used now. So, the concern is that the authorities are becoming more sophisticated in the methods they use to monitor and interfere with our reporting. We cannot do our job if local officials, police, or unidentified goons are following us, intimidating everybody we speak to and videoing everything we do and say.

In other cases, when we show up in a community, the authorities will say we are not allowed to be there, which I don’t think they have the authority to say.

HRIC: Do you have a sense that these incidents are increasing after everybody packed up and went home at the end of the Olympics?

JF: To the best of my knowledge, nobody is collecting any accurate statistics about the number of what we call “interference” incidents. But I can say that we’re seeing the same types of interference incidents that we saw before and during the Olympics.

I don’t think it is important to know the exact number of incidents. It is important to understand the trends. If you have lots of reports of harassment of sources, and a handful of serious incidents of violence against reporters or sources, there is still a serious problem with the free flow of information and media openness.

HRIC: What does the government say about these incidents?

JF: The government says it is educating local officials, but that China “is a large country, and it’s hard to train,” and that is partly true. But when we alert them that on separate occasions foreign correspondents have been roughed up or intimidated covering the same story in the same village, they should be able to identify who they need to educate. If they were serious about training people, they would have gone to that community and taken action, and we would not see repeat attacks. And they would insist that goons or people who appear to be affiliated with government attacks on foreign correspondents are brought to justice. This has not happened. The government has a hotline, but it is not always helpful. Sometimes it goes unanswered. Other times the official does not have adequate understanding of the regulations.

SELF-CENSORSHIP

HRIC: How much do you self-censor? Are there things that you just don’t even think about trying to cover because of sensitivity?

JF: Most journalists consider what might happen to their sources. Rather than self-censorship, I think it’s more of not putting sources in harm’s way, unless they are willing to take the risk. Responsible journalists try to make sure the source is informed about the risks and

the benefits, and respect the source’s decision. For example, I spent a lot of time following a woman whose Chinese father was on death row. She believed the court proceedings were flawed, and that he confessed under torture. I said, “I’ll be a fly on the wall, and if you don’t want something [to get] out because you think it will jeopardize his life, I will respect your opinion.” Sadly, he was executed in November.

BELGIAN JOURNALISTS ATTACKED IN NOVEMBER 2008

Reporter Tom Van de Weghe, a cameraman, and an interpreter were robbed and beaten by thugs on November 27, 2008, in Zhoukou and Shangqiu in Henan Province during a filming trip there for a story on AIDS. See sidebar on page 27 for the difference between news and official accounts.

HRIC: What was your reaction to the attack on the Belgian film crew by thugs in Henan Province?

JF: It’s extremely disturbing that this sort of thing can happen and then you’ll have a Xinhua news report saying that it didn’t happen. The report said they were not attacked, but were only “jostled.” It appears as if this kind of reporting is being used to justify intimidation and interference. I’m concerned that China is becoming more adept at spin and information control. And the concern is that its word will be given the same weight eventually, because its credibility has improved in some areas. Its image around the world, perhaps through the Olympics, has improved.

HRIC: Can they just confiscate equipment or other materials from journalists?

JF: No, supposedly they’re not allowed to do that, according to Chinese law. And so we’re hoping that by educating foreign correspondents with a “know your rights” campaign, and also educating the local officials, we will see better enforcement or observation of the regulations for foreign correspondents. The Chinese government has campaigns encouraging everybody to abide by the law. However, this strategy—to push for better enforcement—could backfire. Authorities could start nitpicking and block us on the basis of other

obscure or irrelevant laws or regulations we've violated. When we're out reporting, we don't want to have to call a lawyer! The rest of the world needs to continue paying attention, however, to whether the spirit of the regulation is being observed.

LOCAL GOVERNMENT VIGILANTISM

HRIC: How prevalent is thug violence against journalists and who do these thugs work for?

JF: For journalists, this is not new, it's happened before. We don't have evidence, but it would appear that the thugs are working in cahoots with the local government. The disturbing part is that the Foreign Ministry has said, if you have problems, report them to us. But when we do report serious cases, it makes no difference. We have had several incidents of violence where there is no prosecution as far as we know, no full investigation of any criminals.

There was an underground prison on the outskirts of Beijing, and in 2007, two journalists were beaten up by thugs or threatened by thugs there. In Xinjiang, there was an

REGULATIONS ON FOREIGN JOURNALISTS REPORTING IN CHINA

On January 1, 2007, the temporary *Regulations on Reporting Activities in China by Foreign Journalists during the Beijing Olympic Games and the Preparatory Period* went into effect, with a planned expiration date of October 17, 2008.¹ The Beijing Organizing Committee for the Olympic Games (BOCOG) issued supplemental regulations on May 10, 2007.² These regulations promised new freedoms for foreign journalists, including:

- Anyone can be interviewed as long as the journalist obtains prior consent from the subject.³ (Previously, journalists needed permission from the relevant state supervisory bodies.⁴)
- Journalists with valid visas can freely travel throughout the country, except in Tibet.⁵ (Previously, journalists' activities were restricted to the scope of their registered business operations and news coverage plans.⁶)

Upon the expiration of the regulations on October 17, 2008, the Chinese government issued a new set of media regulations that included the freedoms set forth in the expiring regulations—without any sunset provision.⁷

Notes

1. Regulations on Reporting Activities in China by Foreign Journalists During the Beijing Olympic Games and the Preparatory Period [北京奥运会及其筹备期间外国记者在华采访规定], issued by the State Council [中华人民共和国国务院], promulgated December 1, 2006, and effective on January 1, 2007, <http://www.fmprc.gov.cn/eng/zxxx/t282169.htm>.
2. "Service Guide for Foreign Media Coverage of the Beijing Olympic Games and the Preparatory Period," May 10, 2007, http://en.beijing2008.cn/upload/Service-Guide-en/Service_Guide_en.pdf.
3. See footnote 1, Article 6.
4. Administrative Regulations Governing Foreign Journalists and Resident Foreign News Agencies [外国记者和外国常驻新闻机构管理条例], issued by the State Council [中华人民共和国国务院], promulgated and effective January 19, 1990, abolished on October 17, 2008, Art. 15, <http://vip.chinalawinfo.com/newlaw2002/slc/slc.asp?db=chl&gid=4570> (Chinese).
5. See footnote 2.
6. See footnote 4, Article 14.
7. Regulations of the People's Republic of China on News Coverage by Resident Offices of Foreign News Agencies and Foreign Journalists [中华人民共和国外国常驻新闻机构和外国记者采访条例], issued by the State Council [中华人民共和国国务院], promulgated October 17, 2008, and effective on the same day, http://www.gov.cn/zw/gk/2008-10/17/content_1124261.htm.

attack on a Japanese journalist whose ribs, I believe, were cracked. [See sidebar on page 28 for summaries of both incidents.] And in the AIDS area in Henan province, I know other NGOs and Chinese journalists have been beaten up. If the government is serious, they would go to those places and make sure that doesn't happen again to anybody. But those things are not being investigated. They are not being pursued, and this is a very big problem.

LEGAL PROTECTION

HRIC: Does the law protect foreign journalists?

JF: China is moving in a more legalistic direction, and we are hoping that the officials will follow the law.

Unfortunately, we have not found that this has been the case. From what I understand, one could file a lawsuit against Chinese authorities, for example, for violating administrative procedures when they confiscate journalists' video tapes without following proper procedures, such as giving a receipt. However, to the best of my knowledge, no journalist has ever done so.

I think the onus is now on us to improve our legal knowledge so that we can use the law to protect ourselves. However, there are certain risks with that. I am aware of at least two journalists whose visas were held up, who'd had run-ins with the police in which police conducted an illegal search and seizure of journalist materials, or used excessive force. They might have been in a position to bring an administrative lawsuit against officials. One can imagine if they had done so, they or their news organizations might have faced other types of harassment. They eventually got their visas.

JOURNALISM IN CHINA: CHALLENGES

HRIC: What's the reaction of your Chinese journalist friends to this whole initiative of saying, "Look, we're going to try to educate ourselves about our rights, so when these things happen to us, you can't take this from me, because according to such and such law, you have to have a search warrant to take these things?" Or are they cynical, are they saying, "Good luck!"?

JF: Well, there's a certain amount of cynicism. But the Chinese journalists do not have the restrictions that we face in terms of freedom of movement. They have other restrictions.

HRIC: What are the most important issues that Chinese journalists face in doing their job?

JF: I think professionalism in journalism is extremely important. I worked for China Radio International for one year in 2001. I thought that I was going to find censorship being the big issue. And for me, a big eye-opener was the lack of professionalism, lack of news values, lack of ethics. And now we're seeing that some journalists are very aggressive, are willing to take risks, and do have sharp news values. There are lots of ethical violations. We saw that during the Sichuan earthquake. Journalists, you know, had a lot more freedom to roam around, and they were doing things that journalists really should not be doing, like completely disregarding the feelings of survivors they were interviewing. So I don't think State intervention is the only problem with journalism in China. There is a lack of a professional news environment and training. And I think there's a lack of discussion. I would be hopeful if there was more discussion of the role of media in society.

HRIC: We regard freedom of the press as fundamental to a civil society. How do the Chinese journalists with whom you've come into contact view it?

JF: There are those who really get it and are very frustrated, and think they should quit journalism because they cannot write important things. There are very brave people who try to walk the line. And there are people who are in it for the commercial value—some reporters blackmail companies or sources and say they'll report a scandal unless they are paid. There's a whole gamut.

Another important point—and it's a good time to bring it up—I do feel that the wall between foreign journalists and Chinese journalists has been coming down. In the past Chinese journalists often told me they were warned not to speak to us. I'm not saying that doesn't happen anymore, but I think that, for example, the recent outreach by the All-China Journalists Association [a state-run professional organization] to foreign

journalists is a positive sign. They did a survey and said they want to know how to serve us better.

One employee told me they have a fresh mandate. “How can we open up to the world? What does that mean for us?” I think it can move in a positive direction. And it’s something that we should take advantage of.

WHO SHOULD PLAY GOD?

HRIC: What are the differences in opinion in terms of the role of the media in society?

I sat down with a lawyer who was very much in the free press orientation. At the end of our conversation, she said something that I thought was important for us in the West, especially Western journalists, to appreciate. She said, “Oh, but of course, with the financial crisis, Western governments are also controlling what’s written in the media so it doesn’t get worse.” And I said, “Uh, wait a minute, maybe you don’t understand our concept of ‘free media’ that we were just talking about all afternoon.”

At the end, in a nutshell, it boiled down to a 15-second conversation where she got it, and I got it. I said, “No, we believe that nobody should play God in information control. We don’t think there’s one person who’s so saintly and smart that he or she can improve all of society by controlling information. Your view is that there is that sort of person.” And that’s a basic philosophical difference, which I personally think is not only related to the Communist Party. I believe it is partly what people have been taught. There is the traditional view of the benevolent official who can manage the country, and we don’t want chaos. And a lot of people believe that. It’s reinforced by the Communist Party. Whatever its roots, I believe that it’s fairly deep-seated. When I hear that view coming out not only from her mouth, but from other people, I think that this is really an important issue to explain to Westerners who want to see a free media in China. I think there are a lot of people in China who really, honestly, do not understand our concept of a free media. And I think it’s a good time for that conversation to happen.

Here’s another example of one official’s view of the role of the media in a China that’s open to the world. Toward the end of the Olympics I had a conversation with an official in charge of media control. He told me he understands the West, his son is studying in the U.S., and we should “agree to disagree.” He said the successful staging of the Olympics “proves that we got it right, right?” His conclusion was that the government-guided media is the way to go. He thinks society is better off because of it.

GOING FORWARD

HRIC: What do you see in the near future in terms of genuine freedom of the press in China?

JF: China is in flux. As it opens to the world, and its people are exposed to other ideas, I think there will be greater pressure on the government to loosen its controls. I would like to think China is more confident after the Olympics, and that means it can allow its people more freedoms. However, the financial crisis could cause a major backlash. If the government fears widespread unrest, it might decide to opt for old strong-arm methods, to keep society under control, including media crackdowns. But in the long run, I think China will continue to become more influential globally, and will become more open, though on its own terms. What those terms are will depend in part on pressure from countries around the world.

Notes

1. “Orientation and path of reform & opening up entirely correct,” *People’s Daily*, December 3, 2008, <http://english.people.com.cn/90001/90780/91342/6545553.html>.
2. See “The Shanxi Mudslide: Field Notes by Reporter Huang Xiuli,” *EastSouthWestNorth*, September 9, 2008, http://www.zonaeuropa.com/20080915_1.htm.
3. “FCCC Launches Know Your Rights Campaign for Foreign Correspondents,” *Foreign Correspondents’ Club of China*, August 8, 2008, <http://www.fccchina.org/what/statement080808.html>.

GREENING THE FUTURE



Two photos of the Forbidden City in Beijing taken on July 28 (left) and on August 2, 2008. Photo credit: Claro Cortes IV/REUTERS

ELIZABETH ECONOMY ON CHINA'S ENVIRONMENT

When Beijing won its bid for the Olympics in 2001, it promised to deliver a “Green Olympics.” As a result, many China watchers in and outside the country believed that the Olympics would prove a transformative event for the country in its environmental protection efforts. However, in the months preceding the 2008 Summer Games, it became clear that while money had been spent and effort expended, the result would fall far short of a Green Olympics. Instead, Beijing would have to rely on a number of stop-gap measures to ensure clean air and adequate water supplies: pulling a million cars off the road, piping water in from Hebei Province, and shutting down a wide swath of factories surrounding the capital.

As China's Olympic glow fades, its environmental challenge remains daunting. China is home to 20 of the world's 30 most polluted cities; two-thirds of its agricultural land is affected by acid rain; 14,000 new cars hit the road every day; and only one percent of the urban population breathes what the European Union considers to be clean air. Water resources in China are unevenly distributed—with the heavily populated and industrialized North possessing only one-fifth of the water supplies of the South. Two-thirds of people in rural areas lack access to piped water—and the depletion of underground water supplies has led to ground subsidence in places like Shanghai. Moreover, rising sea levels due to climate change pose a significant

Elizabeth Economy, Director of Asia Studies at the Council on Foreign Relations, gave a talk on the major issues facing China's environment at the Atlantic Philanthropies in New York City on Monday, December 15, 2008. The following is a summary of her talk.

threat to more than 100 million people living in China's coastal areas.

These environmental circumstances have a wide range of economic and social implications. A number of international and Chinese-produced studies suggest that environmental pollution and degradation cost the

Chinese economy the equivalent of ten percent of GDP annually. The health of the Chinese people is also at risk. China's Ministry of Water Resources has reported that half the country drinks contaminated water, and 190 million drink water that is so contaminated that it is dangerous to their health. In 2007, the World Bank and China's State Environmental Protection Administration issued a report that indicated that more than 400,000 people die prematurely every year from respiratory disease related to air pollution; the actual number, according to some World Bank analysts, is as high as 750,000. Perhaps most troubling for China's leaders, poor environmental conditions spark approximately

50,000 disputes and protests each year. While these protests have traditionally taken place in China's rural areas, they now increasingly occur in urban centers as well, engaging middle class, educated Chinese.

China's leaders are quite concerned about the environmental situation, not only for domestic reasons, but also because the country's interna-

tional reputation is at stake. China is now the world's largest contributor to global climate change, as well as to pollution in the Pacific. The proliferation of food



A dead fish is seen at a dried-up reservoir due to water shortages on the outskirts of Yingtan, Jiangxi Province, on March 21, 2008. Photo credit: Stringer/REUTERS

safety scandals has also put the government on the defensive concerning its environmental practices. As a result, Beijing has moved forward aggressively with a number of impressive environmental targets and campaigns to address its environmental challenges. It has also welcomed international assistance both in terms of technology transfer and capacity building.

Yet, the ability of China to turn its environmental situation around is constrained by the very nature of its political economy. The amount of human and financial capital Beijing invests in environmental protection remains shockingly low: only 1.3 percent of GDP is invested in environmental protection; and there are only 300-odd people working at the Ministry of Environmental Protection in Beijing. Moreover, both the cost of resources such as water and the level of fines levied on polluting factories remain well below the level necessary to encourage conservation of resources and adherence to environ-

mental regulations. Under the current system, it is often cheaper for Chinese polluters to pay a fine and continue operating than to invest in cleaner technologies.



A boy sits next to a pile of rubbish at a recycling center in central Beijing on November 4, 2008. Photo credit: Stringer/REUTERS

The weak political capacity for environmental protection also undermines Beijing's desires to improve the situation. Enforcement is confounded by endemic corruption, and meaningful environmental progress will require greater transparency, accountability, and the rule of law. As it stands, China's leaders are unwilling to take the risk of either taking

tough economic measures or expanding the political space to allow for non-governmental organizations, an independent judiciary, and the media to become effective agents of transparency and enforcement. Until there is real reform of China's political economy, it is difficult to see how Beijing will be able to achieve the environmental improvement it desires.

BLUE SKIES OVER BEIJING

The sky was high and blue during the Olympics,” Chinese state media reported a worker in Beijing as saying after the Games. “It’s so much better than those foggy days.” His words came amid protests by residents in the east of the capital, who feared potential dioxin pollution at the city’s biggest landfill and waste incineration facility.

The Olympic cleanup of Beijing did reduce the smog. China’s official air pollution index—a scale from 0 to 500, with a score under 100 considered a “blue sky day”—recorded levels as low as 17 on August 15; all the more impressive since the index hit 500 as recently as December 2007. The measures were localized and temporary: there was a partial vehicle ban that moved some of the city’s three million cars off the roads, as well as closures of building sites and some large regional polluters. Few nationwide policies were introduced that could have reduced air pollution on a larger scale or in the longer term. But the measures did provide a glimpse of what might be. According to the World Bank, 20 of the world’s 30 most polluted cities are in China.¹ The Olympics presented urban areas with a model from which to learn, and perhaps an opportunity to begin to avoid the “pollute first, clean up later” paradigm, which has seen environmental concerns pushed down the agenda in favor of unchecked growth.

Pre-Olympics measures raised all-important environ-

Edited remarks from a presentation delivered at Promoting Human Rights in China: Post-Olympics Legacies and Opportunities, a conference co-organized by Human Rights in China (HRIC), International Campaign for Tibet (ICT), and the International Federation for Human Rights (FIDH), on October 27, 2008, in Brussels.

By Sam Geall

mental awareness and allowed Beijing’s residents to see a visible improvement in their quality of life. When the Games ended and traffic restrictions were due to end, a lively media debate ensued about the future of the city. Some Olympics traffic measures were retained in the capital, and Shanghai is now introducing a partial version of the policy, facts that can be regarded as victories for the environmentalists who publicly argued their case.

There was also disquiet in provinces neighboring the capital when it dawned that the closing ceremony meant a return to business-as-usual in Beijing’s quest to secure its water supply. Before the Olympics, demonstrations by farmers, critical media reports, and statements in the National People’s Congress met the decision to rush the completion of a 307-kilometre canal diverting water from arid Hebei Province, which

displaced a reported 30,000 people.² Hebei has one of the lowest levels of per capita water resources in China; state media reported half a million people suffered from drinking water shortages in 2007.³ In the end, the canal was not used during the Games, a decision some have linked to the fear of negative publicity. But soon after the Olympics, officials

said that Beijing had started diverting “emergency water” to ease the city’s “grim water situation,” a myopic policy that Chinese environmentalist Dai Qing has likened to “quenched thirst by drinking poison.”



A scavenger picks up plastic bags at an open dump on April 2, 2008, in Chongqing Municipality. Photo credit: China Photos/GETTY IMAGES

WHERE WE ARE NOW

Assessing China's post-Olympic environmental scene means putting it in the context of the country's recent ecological and economic history. Since 1980 China has had the highest sustained rate of economic growth in the world. BBC China editor Shirong Chen puts it well when he says: "China is going through the past few industrial revolutions all in one go." Industrialization, of course, has never been clean.

Hebei has one of the lowest levels of per capita water resources in China; state media reported half a million people suffered from drinking water shortages last year.

Despite the huge reduction in poverty this has brought, the environmental costs have been staggering. A serious water pollution incident occurs once every two to three days in China, with more than 70 percent of the country's waterways polluted,⁴ and contaminated groundwater in 90 percent of the country's cities.⁵ In 2007, the *Financial Times*, citing World Bank figures that were never released due to alleged political interference, reported that air and water pollution caused 750,000 premature deaths annually in China.⁶ A study by researchers at Harvard University found that for every *yuan* of coal in China, there was a cost of 0.58 *yuan* in damages to human health.⁷

Just less than 60 years ago, unusual weather conditions resulted in the deaths of several thousand people in London from pollution-related respiratory diseases over the course of a few weeks. And today, the West must also claim responsibility for some of China's pollution. Studies have shown goods produced in China for export to consumers in rich coun-

tries account for around one-quarter to one-third of the country's greenhouse-gas emissions.⁸ Put another way, the MP3 player in your pocket is a little piece of China's industrial revolution.

This is a familiar argument in China. Many subscribe to the "pollution haven hypothesis": that dirty industries in rich countries have relocated to China in order to escape tighter regulations at home. However, many Chinese environmentalists also note that this process is mirrored within China, where the country's poor suffer disproportionately from the effects of polluting industries that are seen as largely benefiting the nation's increasingly wealthy middle classes.

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This unfair distribution of risk, as elsewhere in the world, extends to the potential impacts of climate change. It is rarely noted that China, with its export-oriented economy built up along the eastern seaboard, has the world's largest population living in low elevation coastal zones.

Disasters are already located disproportionately in these low-lying areas around the world, and climate change will increase this risk. In particular, rising sea levels will increase the risk of floods, and stronger tropical storms can lead to flooding and urban disasters. As in New Orleans in 2005, it would likely be the poor in China's cities that would be affected most in similarly catastrophic circumstances.



A homeless man washes his feet in sewage water in Xiangfan, Hubei Province on March 14, 2008. Photo credit: Stringer/REUTERS

And yet there will be no solution to climate change without China taking action. If the country has not yet overtaken the United States as the world's biggest

greenhouse-gas polluter, it soon will. As world markets go into “meltdown,” the metaphors used to describe the current financial chaos echo the ecological crisis that imperils the planet. Andrew Simms, policy director at the New Economics Foundation, points to the cry commonly heard from financiers that some banks are just “too big to fail.” As Simms said at a recent conference in London: “There’s really one system which is too big to fail, and that’s a climate which is conducive to human civilization.”⁹

THE POLITICAL SPHERE

Bailing out the climate—and averting the ecological meltdown—will mean the major players need a better grasp of China’s political and social scene. There are some common myths that need exposing. First among these is the idea that the government is unconcerned about pollution or climate change. On the contrary, a significant element of the central government is very worried about the environment. Some important laws are on the books. China has high fuel efficiency standards and aggressive targets for energy efficiency and renewables. In 2007, China released a national plan for climate change, the first by a developing country, according to official sources.¹⁰

However, the other common myth (particularly prevalent among environmentalists) is that China’s central government can implement its policies easily across the country. As the saying goes: heaven is high, and the emperor far away. Economic growth is still the only yardstick consistently applied to evaluate local officials’ political performance in China, and as long as that is the case, there is little incentive to adopt more sustainable approaches to growth at the local level. In many cases, an alliance of money and unchecked local power has

been allowed to override environmental concerns in China. And it is this dangerous alliance that often seems to be behind the many cases of wrongful imprisonment, intimidation and violence against environmental activists and advocates in the country.

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A lack of official transparency has harmed the increasing number of activists who want to hold local governments to account precisely by upholding central government directives. An open government information law that came into effect in May 2008 may help to improve access to environmental information in China, as civil society groups make requests for water and air pollution data in their areas.¹¹ But the law exempts from disclosure information in the broadly defined category of “state secrets” (which include secrets concerning “economic and social development”), considerably

weakening the initiative and providing a potential avenue for bad practice.

Which brings us back to the Olympics cleanup, since a worrying lack of transparency was also displayed by the capital’s local government in the run-up to the Olympics. A paper by the Beijing-based pollution researcher Steven Andrews, published in *Environmental Research*

Letters, suggests the city government met its target of 246 “blue sky days” in 2007 by manipulating data about particulate pollution. The improvement in air quality,



Workers clean waste along the banks of the Yangtze River near the Three Gorges Dam in Yichang, Hubei Province on November 2, 2008. Photo credit: Stringer/REUTERS

he said, was partly due to the city's environmental protection bureau moving air quality monitoring stations to areas further outside Beijing that were less polluted.¹²

2009—a year of not a few important and sensitive political anniversaries in China—will provide an opportunity for a newly constructive set of international relationships to be forged on the issue of climate change, as nations meet in December 2009 in Copenhagen, Denmark, for UN-led talks that will determine the shape of a new treaty to succeed the Kyoto Protocol in 2012.

The West cannot use China as an excuse for its own inaction. Shared global issues will only be tackled with real, constructive engagement. And this means improving our understanding of the problems that China faces. Supporting collaboration on technology transfer and international, low-carbon development projects should be matched with a clearer focus on enforcement rather than just laws and targets, with support for greater transparency and civil society initiatives, and with backing for public interest laws and the lawyers that defend them. This will help to ensure China does not lose sight of the real legacy of the “Green Games”: the great enthusiasm and public participation they produced.

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SHANGHAI 2010: TOWARDS A GREENER CHINA?

BEIJING TO SHANGHAI

From 2001 to 2008, the Chinese government made the Olympics the foremost

national project, sparing no effort to make them a success. And to its satisfaction, the Games took place without serious mishaps. In addition, the large number of gold medals won by Chinese athletes *and* the increased international prestige seemed to justify its huge investment of over US \$44.7 billion to stage the Games. Shanghai is already gearing up to host the World Expo 2010 and promising to make it the largest fair of its kind ever, expecting to draw 70 million visitors. With the Expo theme—“Better City-Better Life”—the city claims it is investing 40 billion *yuan* (US \$4.9 billion) from 2006 through 2008 to improve its environment. The Chinese structures at the Expo site will emphasize environmentally friendly green design.

Shanghai is a city of more than 13 million people (20 million in its extended metropolitan area) with a significant industrial sector, in machinery, textiles and shipbuilding, all of which depend heavily on coal for fuel. For at least a decade now, the city has been experiencing a construction boom, with thousands of skyscrapers rising out of the ruins of the old city. The dust in the air is thickened by millions of vehicles traveling on narrow streets and newly built super highways. Over the years, every time I came back to the city, I saw more and more people coughing and spitting on the street. This unpleasant behavior is undoubtedly due to physical irritation from increasing air pollution, although the Shanghaiese

By Peter Kwong

prefer to blame it on the uncivilized out-of-town provincials (*waidiren* [外地人]) who have migrated to the city.

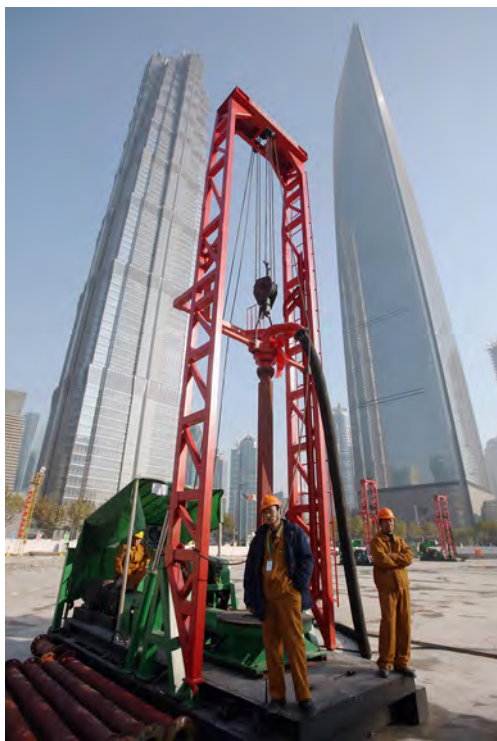
While many people in Shanghai believe the city is one of the least polluted among China's major cities—the locals certainly boast that it compares favorably to Beijing—Shanghai has been ranked 71st in a list of the 72 most “green and livable” major cities in the world, just ahead of Beijing.¹ However, in Shanghai, you don't need to read its PM10 levels to feel the pollution.² Just after a month spent in the city, I have counted only three or four clear and sunny days. The rest of the time, the city has been shrouded in a depressing low-lying gray haze. Only on rare occasions can one make out the odd

shapes of the city's trademark giant skyscrapers, the popsicle Orient Pearl Tower and the bottle-opener World Financial Building (the third tallest building in the world), which lie in the new district of Pudong across the Huangpu River from the old city. Most visitors from the United States start complaining of sore throats and respiratory problems only a few days upon arrival.

“LEARN FROM BEIJING'S SUCCESS”

Cleaning up the environment, of course, had been the avowed goal of Beijing's Olympics organizers, who tried to bring clean air to the choked city for the duration of the Games to

appease health concerns of the attending foreign athletes. Beijing officials took the extraordinary measures of shutting down factories in and around the city and



Laborers wait to drill the ground during the ground-breaking ceremony for the Shanghai Tower in Shanghai's Lujiazui financial district on November 29, 2008. Photo credit: Stringer/REUTERS

taking one million vehicles off the city's roads by using alternate day driving rules. The skies in Beijing finally did turn blue just in time for the Olympic Games. But the city abandoned all restrictions after the Games. The factories resumed normal operation, once again spewing fumes and carbon dioxide into the air. The Beijing government also decided not to keep the alternate day car-driving ban, because continuation of restrictive policies on private cars would face many challenges, according to a *Beijing News* editorial, especially from car owners reluctant to give up their freedom to drive.

Instead, city planners' proposed solution to the pollution problem is construction of a more extensive underground subway system. Critics say that any system will be ineffectual, given that 1,000 new cars are added to Chinese roads each day. By all accounts, Beijing residents are experiencing the same level of air pollution as before the Games. And yet, ironically, banners prominently hung in Shanghai's public places urge its residents to "learn from Beijing's success in organizing the Olympic Games to make Shanghai Expo a success."

Just after a month spent in the city, I have counted only three or four clear and sunny days. The rest of the time, the city has been shrouded in a depressing low-lying gray haze.

As in Beijing, Shanghai's residents are not likely to give up their freedom to drive, despite horrendous traffic jams created by millions of cars during rush hour, made worse by millions of scooters and motorcycles that clog side roads and pedestrian walkways, adding tons of additional fumes from their exhaust. Automobile commercials are everywhere, promoting the desire for car

ownership. Audi and Mercedes showrooms are located on the most fashionable downtown blocks, with Ferrari and Maserati dealerships attracting the most attention. To further heighten Shanghai's yearning for cars, the

city started hosting Formula One Chinese Grand Prix races at the US \$450 million Shanghai International Circuit race-track, designed by the internationally well-known racing circuit designer and auto racer Hermann Tilke and completed in 2004.

To make sure Shanghai's image is not overshadowed by Beijing's, the city

leaders are making frantic efforts to erect glitzy high-rises and showy infrastructure projects utilizing the latest technology, including extending the German-designed high-speed magnetic levitation (maglev) rail line beyond its current Longyang Road Station, Pudong-Pudong International Airport route to reach the World Expo site.

And most likely Shanghai will do exactly what Beijing did: after wasting enormous amounts of money and energy, abandon it all after the Expo as the country moves on to another national project.

In a rare act of opposition, Shanghai residents defied the government ban on public demonstrations to protest near the planned extension of the maglev line, because its use of powerful magnets to propel the trains could be harmful to people's health. The protests forced city officials to withdraw the plan. This setback notwithstanding, Shanghai officials seem fixated on projects aimed to impress, such as repairing and repainting facades of old buildings in areas the tourists are most likely to visit, rather than on undertakings that would really make the city better by correcting pollu-



A laborer works on the scaffoldings at a construction site in Wuhan, Hubei Province on November 26, 2008. Photo credit: Stringer/REUTERS

tion and environmental problems. And most likely Shanghai will do exactly what Beijing did: after wasting enormous amounts of money and energy, abandon it all after the Expo as the country moves on to another national project. Sadly, with the current global economic crisis, chances of a successful and well-attended Expo are slim, and the people's resources will have been wasted without obtaining desired results for the nation's and city's leaders.

GRASS-ROOTS ENVIRONMENTAL ACTIVISM

China's central government often presents an encouraging face, indicating it wants to improve the environment, especially when it has made green promises to host international events such as the 2008 Olympics and the 2010 Shanghai Expo. But whenever rising conflicts affect the interests of party officials, the authorities shy away from siding with public interest. This is the inevitable result of a one-party system where party interests rise above all else. Some of the most serious polluters in China are energy companies, and they are, without exception, controlled by the offspring of the highest officials known as the "princelings." If their interests are threatened, there is no easing off.

The Chinese people are not suffering in silence, however. There have been thousands of demonstrations against air and water polluters all across the country. Zhou Shengxian, Minister of Environmental Protection of the People's Republic of China, has admitted that the number of riots, demonstrations and petitions across the country is rising due to growing public anger about pollution. He realizes that the public is refusing to accept the increasing degradation of the environment, and that its anger is now turning toward those officials who ignore environmental standards in exchange for bribes.³



Cars travel along a main road in central Beijing on November 19, 2008. Photo credit: David Gray/REUTERS

Many of these demonstrations are spontaneous, but the overall public consciousness of environmental issues is also rising. As the demonstrations are becoming widespread, so is the sophistication of the tactics, including use of technology such as text messaging. There are now also 2,000 officially registered NGOs devoted to environmental issues, drawing hundreds of thousands of Chinese citizens into environmental activities and forging a national movement independent of state-directed policies.

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One example of environmental activism and government response is the work of Sun Xiaodi, a Chinese writer and journalist who wrote about the massive unregulated uranium contamination in China's Gansu Province. In 2007, he was arrested, sentenced to three years in prison on charges of subverting state power, and fined for extortion. In 2006, he had already been detained for eight months after he attempted to petition the central government over the same issue. In

2006, Sun received a Nuclear-Free Future Award, the globe's most prestigious anti-nuclear prize, for resistance. Unable to leave China to attend, Sun sent a message: "Since my release from detention, I have been in an extremely insecure situation in which I am threatened, intimidated and harassed. I felt tremendously honored and

touched when I learned that I had been selected as this year's Nuclear Free Future Award recipient, because I have seen the great power of world peace and development."⁴

INTERNATIONAL RESPONSIBILITY

There is no doubt that Sun and China's other environmental activists are facing great odds, and that's why international support for their work is so important to them. But it should also be remembered that the self-sacrificing, brave Chinese fighting for the environmental health of their nation are also fighting for all of us. After all, pollution has no national boundaries.

A study by the British Tyndall Centre at Sussex University recently concluded that 23 percent of China's carbon emissions were produced in manufacturing goods for export to the West and the rest of the world. Just as we have off-shored our manufacturing to China, so we have off-shored our carbon emissions. Multinationals are making profits by using Chinese labor and at the same time leaving all the chemical waste and pollutants in China as well. Moreover, by offering little to the Chinese side, the multinationals are also encouraging the Chinese to cut corners when it comes to environmental concerns.

That is why UN Secretary General Ban Ki-moon has called on world leaders to rethink the global financial system in a way that includes the environmental costs of economic activity. Ban imagines a "green New Deal" that will make environmental technologies the new, hot growth industry to jump-start the ailing world economy. The international community also has the responsibility to demand that foreign companies doing business in China make their products under sound environmental conditions and not resort to bribing local officials to ease restrictions.

Finally, the challenges of improving the global environment present an important opportunity for China and

the United States—the world's top two polluters—to work together. The incoming Obama administration in the U.S. may provide the leadership to repair relations with China and build a partnership to address the global environmental crisis that would contribute to a better physical world for all.

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WHILE THE WORLD WATCHED



An ethnic Uyghur watches the Olympic Games on a big screen in Kashgar, Xinjiang Uyghur Autonomous Region, August 8, 2008.
Photo credit: Peter Parks/AFP/GETTY IMAGES

TIBET AT A TURNING POINT

THE HUMAN RIGHTS SITUATION IN TIBET AND TIBET'S CHINA POLICY

Since March 10, 2008, the International Campaign for Tibet (ICT) has documented over 125 protests. The map on page 47 shows the location of Tibetan protests.¹

With the exception of the March 14 protests in Lhasa, the protests were non-violent. Tibetans in Tibet have risked their lives and safety throughout the past months to express their fundamental discontent with policies imposed by Beijing—with the clear message that their exiled leader, the Dalai Lama, and not the Chinese state, represents their interests.

However, the Tibetan people's non-violent expression of their situation was met by a violent crackdown by the Chinese authorities. ICT has learned from reliable sources from the field that around 100 Tibetans were killed in Lhasa, the capital city, and nearby areas during the crackdown from March 14 onwards. In other Tibetan areas, around 40 people were shot dead or have died as a result of the crackdown.² The crackdown led to a climate of intense fear and despair all over the Tibetan Plateau.

Sources in Tibet have also revealed that Chinese security forces took possession of the bodies of those who were killed, in order to destroy any eventual evidence of the manner of death. ICT, while monitoring the aftermath of protests, received several reports that large numbers of such bodies were disposed of in a new crematorium at Yabda (in Chinese, Yangda [羊达]) Township in the Toelung (in Chinese, Duilong [堆龙]) Valley.

In order to verify the conditions of Tibetan people with the relevant authorities of the People's Republic of China (hereafter the PRC), ICT submitted a report to the UN

Edited remarks from a presentation delivered at Promoting Human Rights in China: Post-Olympics Legacies and Opportunities, a conference co-organized by Human Rights in China (HRIC), International Campaign for Tibet (ICT), and the International Federation for Human Rights (FIDH), on October 27, 2008, in Brussels.

By Vincent Metten

Committee Against Torture (CAT) at its 41st session, during which the Committee reviewed the PRC's Fourth Periodic Report.³

In Tibet, ICT has confirmed that new measures have been implemented to purge monasteries of monks and nuns and ban worship in the wake of the protests. These include measures created specifically to cause public humiliation or extreme mental anguish among the monastic

community, revealing a systematic new attack on Tibetan Buddhism led by Chinese Party Secretary and President Hu Jintao. In an edict reminiscent of the Cultural Revolution, an order from the People's Government of Garze (also "Kardze"; in Chinese, Ganzi [甘孜]) Tibetan Autonomous Prefecture states that the rooms of monks and nuns who refuse to be registered or who do not conform to the demands of political education will be demolished, and the monks and nuns expelled. The above-mentioned measures as well as other information received from the ground totally contradict the content of the newly released Chinese *White Paper on Protection and Development of Tibetan Culture*.

In addition, China has taken all possible measures to impose an information blackout on the Tibetan plateau. In areas of Tibet where protests took place, authorities confiscated cell phones and computers, turned off cellular transmission facilities, and interfered with Internet access.

According to news reported on Tibet's XZTV in September 2008, the "Tibetan Autonomous Region (TAR) government will do anything to keep all border areas under control, and border troops and the People's Armed Police will be provided with special equipment, such as tents and communications equipment, that works in ex-

tremely cold environments.” This may indicate severe ongoing restrictions on Tibet’s border areas, which continue to remain sealed off from the outside world. Similarly, TAR Vice Party Secretary Hao Peng told security forces during his visit to the border region in September that the objective was to “hold their ground at all border passes.” He added, “The political stability in the TAR is facing a new stage. . . . We must continue to obey the Party’s orders . . . and determinedly fight in order to defeat the Dalai clique’s political scheme.”⁴

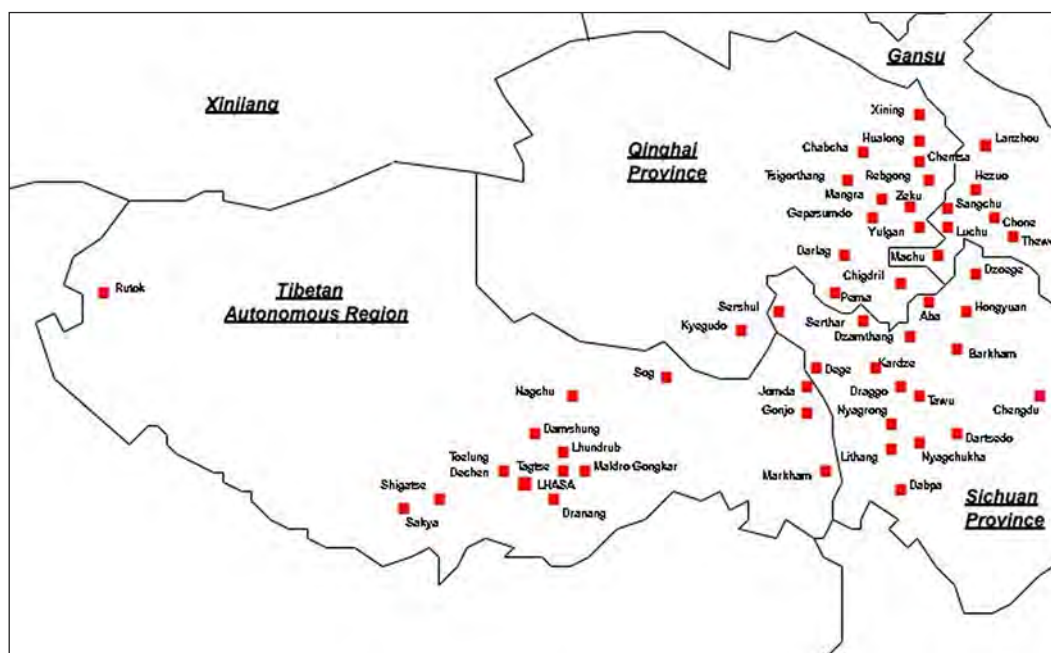
It is unsurprising, therefore, that since March 2008, only a very limited number of Tibetans could cross the Himalaya and transit via the Reception Center in Kathmandu. In “normal times,” according to ICT’s 2006 Refugee Report, between 200 and 300 Tibetans each month make the dangerous journey through the Himalayas, in particular during the winter, when it is more difficult for Chinese patrols to monitor high altitude passes.⁵

However, the severe restrictions do not apply to domestic tour groups, which have been allowed into Tibet since late April, followed by visitors from Hong Kong, Macau, and Taiwan. As of June 20, the CCTV.com web-

site confirmed that the region had received more than 160 tour groups. According to one Chinese source close to ICT who was in Lhasa recently, there are reports that many Chinese tourists were distressed due to the repressive atmosphere and heavy military presence, and said that they would never go back to Tibet.⁶ Today in Lhasa, streets are saturated with army personnel. A Taiwanese American who was able to travel to Garze during the Olympics said that the region was like a “war zone.”

As for the foreigners, only a limited number of foreign tourists, journalists, or official delegations are allowed—under certain conditions and strict control—access to Lhasa and the rest of Tibet. But given the high restrictions in Tibet, foreigners would be in a difficult position to see the reality that Tibetans are experiencing every day. For example, Norwegian Foreign Secretary Raymond Johansen was able to visit Tibet around the end of October 2008, but only when he agreed to travel without a Norwegian press corps. He was not given a reason as to why reporters were not allowed to accompany him into Tibet.

Tibetans are still unable to travel freely within Tibet and many are not ready to risk their lives to cross the Himalayas.



Squares on the map indicate counties or cities (eg., Lhasa, Xining, Lanzhou, Hezuo) where protests have taken place. Within a county there may have been numerous protests in different villages or monasteries. Sites compiled from various sources where protests are reported to have taken place since March 10, 2008. Map credit: Tashi D. Lek and www.savetibet.org.

In such an environment, have the protests on the Tibetan Plateau had any impact on China's Tibet Policy? Chinese authorities have made a rare admission that large-scale migration from China, particularly linked to the opening of the Qinghai-Tibet railway in 2006, may have been a factor in triggering the unrest in Lhasa in March.⁷

But so far, China's overall Tibet policy has not been reviewed or changed despite the fundamental discontent of the Tibetan population with the policies imposed by Beijing.

In Tibet, there is increasing evidence of ethnic tension between Tibetan and Chinese people, partly because of misinformation and propaganda by the Chinese authorities. An official notice seen in two different regions stated that every hotel and public bathhouse is required to check on the "circumstances" of all Tibetan and Uyghur visitors, and that their presence should be reported to local police. This official acknowledgement that Tibetans and Uyghurs are under suspicion simply because of their ethnicity is supported by numerous anecdotal and eyewitness reports of new discrimination against Tibetans and a breakdown in communications between Chinese and Tibetan colleagues in different workplaces, including at government meetings.⁸

A two-month ultimatum ran out in mid-September for Tibetan Party and government workers who sent their children to study in schools run by the government in exile in India. In July, Communist Party authorities in the TAR issued measures stating that Tibetan children must confess if they have been to schools in India and whether they believed anything they had been taught there. This latter measure stated that if Tibetans did not follow the ruling, they would be expelled from their jobs, and their children would lose their rights to residence permits if they did not return to Tibet within a specified time. According to *Tibet Daily*, the new regulations are an essential element of "the struggle against splittism."⁹

Moreover, according to official media, in October 2008, Sichuan provincial authorities plan to spend 5 billion *yuan* (US \$731 million) to settle 470,000 Tibetan herders in permanent houses.¹⁰ It is surprising that of-

ficial state media has acknowledged such a high figure. The policy to resettle nomads in towns and villages is a serious threat to the way of life that is an integral part of Tibetan identity, as well as the livelihoods of Tibetan nomads.

The official Xinhua News Agency has also announced the Chinese government's intention to increase extraction of natural resources, and that it will spend 3.1 billion *yuan* (US \$453 million) by 2013 on a series of industrial schemes, including ten mining projects and five industrial zones. The Chinese government has also expressed its intention to build more than 750 hydro-electric power stations across Tibet to boost the region's electricity supply. Accordingly, Beijing is determined to dam many of Tibet's rivers and lakes despite concerns about the local environment and about the effect the projects will have on neighbouring countries. In the past, Tibetans have opposed many of the projects, in particular, the project to dam the holy Yamdrok Yumtso (in Chinese, Yangzhuo Yongcuo [羊卓雍錯]), or Scorpion Lake, south of Lhasa.

More information about the resettlements of nomads and the exploitation of natural resources can be found in ICT's report *Tracking the Steel Dragon*.¹¹

THE FUTURE OF THE TIBET QUESTION

Special Meeting on November 17–22, 2008

On September 21, 2008, His Holiness the Dalai Lama approved the proposal of the Kashag [the advisory board of the Tibetan government-in-exile] and the Tibetan Parliament for a Special Meeting of the Tibetan community in exile to consider the situation inside Tibet, the status of the dialogue with China, and the broader international situation. This Special Meeting, which took place on November 17–22, 2008, in Dharamsala, India, was the first to be convened under the Tibetan Charter (article 59). The Dalai Lama said on this meeting, "I have asked the Tibetan Government in exile, as a true democracy in exile, to decide in consultation with the Tibetan people the future course of action."¹²

Representatives to this special meeting included cur-

rent and former members of the Tibetan Parliament and of the Kashag, senior officials of the Tibetan Administration, envoys and representatives of the Dalai Lama, representatives of the Tibetan refugee settlements in India and Nepal, representatives of Tibetan NGOs, heads of Tibetan schools, and others.

[For a report on the Special Meeting by a private delegate, see “Notes From Dharamsala: HRIC Conversation with Yodon Thonden” in this issue.]

The Sino-Tibetan Dialogue

Since 2002, seven official rounds of talks have taken place between representatives of the Dalai Lama and the Chinese government. Lodi Gyari, the Special Envoy of the Dalai Lama, explained the current status of the discussion in an address on October 8, 2008, at the Harvard University Kennedy School of Government.

During the sixth round of talks in June–July 2007, Gyari said, the Chinese position changed and hardened. Chinese authorities had tried to change the very framework of the discussions by saying there was no Tibet issue and that the only issue was that of the personal welfare of the Dalai Lama. But for the Tibetan delegation, the core issue is the welfare of the Tibetan people and not the personal status and affairs of the Dalai Lama.

The seventh round of talks took place in July 2008, one month before the Beijing Olympic Games. Gyari said that the Tibetan delegation suggested some possible initiatives, including the delivery of a joint statement confirming the commitment of both sides to the dialogue process. In contrast, the Chinese side failed to agree to this proposal.

But one constructive outcome of the seventh round was the willingness of the Chinese government to “receive suggestions from the Tibetan side relating to the stability and development of Tibet and specific ideas on all aspects of regional autonomy within the framework of the PRC Constitution,” said Gyari.

The message Gyari expressed in early October 2008 at Harvard University regarding the eighth and next

round of talks was very clear: “If during this upcoming round there is no perceptible change in the attitude of the Chinese leadership, then, as I have already made it clear to my counterparts, we may be compelled to conclude that this is a confirmation of their lack of seriousness and sincerity in the dialogue process.” He added, “The Dalai Lama is the most patient of leaders, but he, too, is beginning to feel concerned that his efforts are leading nowhere.”

On October 20, 2008, in Dharamsala, the Dalai Lama made an important statement about his role and Tibet’s future in which he admitted that his faith in the present Chinese government was “thinning.” The Dalai Lama confronted the Chinese government by stressing, “We cannot continue as though we do not know that this [the protests and suppression across Tibet since March] is happening.” The Dalai Lama indicated in his comments that he is prepared for the “Middle Way” approach—which accepts Chinese sovereignty over Tibet but seeks a “genuine autonomy” for the Tibetan people—to be questioned if the Tibetan people do not feel it can achieve results. He said: “Until now, we have followed a path towards finding a mutually beneficial solution which has received much support from the rest of the world including India, as well as increasingly more Chinese intellectuals. But this path has had no effect on our main objective, which is to improve the lives of Tibetans inside Tibet. . . . Now, at this time, there is no reason to stay the same course just because we are on it [now]. The future of Tibet is for the Tibetan people to decide—not for me as an individual. Secondly, I truly believe in active democracy—I am not like the Communist Chinese who say one thing, like democracy, and act in another way.”¹³

Some people in the Chinese Government seem to believe that the aspirations of the Tibetan people will disappear once the Dalai Lama passes away. This approach is wrong and irresponsible as China would be left to handle the problem without the presence of a leader who enjoys the loyalty of the entire community and who remains firmly committed to non-violence. After the spring events, a Tibetan from Amdo (in Chinese, Anduo [安多]) said that in such circumstances there would be a volcano-like eruption of the sentiments in Tibet. And it only takes a few desperate individuals or

groups to create major instability. This is why far from being the problem, the Dalai Lama is the solution, which should be clearly understood by Chinese leaders.

2009 is a very important commemorative year both in China and Tibet. On October 1, 2009, the Communist Party of China will celebrate the 60th anniversary of the People's Republic of China. Human rights groups and defenders will focus on the 50th anniversary of the 1959 national uprising that led to the Dalai Lama's escape from Tibet, as well as the 1st anniversary of the March 2008 demonstrations and protests which started on March 10. Next year will also mark the 20th anniversary of the events of Tiananmen on June 3–4, 1989, the repression of peaceful demonstrations in Lhasa the same year, and the imposition of the martial law in the Tibetan capital.

Tibet will therefore certainly not disappear from the world's attention and agenda in 2009.

Notes

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NOTES FROM DHARAMSALA: HRIC CONVERSATION WITH YODON THONDEN

HRIC: How did you come to be a delegate?

Yodon Thonden: An announcement was made in late September that His Holiness [the Dalai Lama] was calling for a special meeting, to discuss the current crisis in Tibet in terms of the spring [2008] uprising, and to discuss ways forward in broader terms. The community was abuzz with talk and speculation as to what the purpose and outcome of the meeting might be. There was very little information on the specifics of the agenda or the process, so people had their doubts. But I was persuaded by friends who stressed to me the importance of this historic meeting, so I submitted my credentials and was told I was approved. They had an allotment of 50 seats for private delegates—the rest of the seats were reserved largely for representatives of the Tibetan government, Tibetan communities throughout the diaspora, and Tibetan NGOs and institutions in India. They tried to have a wide range of voices representing all the diverse parts of Tibetan society.

HRIC: What was the impetus for the meeting?

YT: There were a lot of different ideas floating around about why it was called. In his opening address at the conference, Samdhong Rinpoche, the *Kalon Tripa*, the prime minister [of the Tibetan government in exile], addressed the rumors and the speculation, and said there was no hidden agenda other than to have essentially a brain storming session—to

seek the public's input and ideas on how to handle our situation with China, and how to further our goals. The immediate reason was obviously the critical situation in Tibet today, after the largest uprising of the Tibetan people in 50 years. There were hopes for some sort of breakthrough or easing of conditions inside Tibet after the Olympics. But that hasn't come to pass. The formal dialogue has led nowhere, and perhaps even backward. His

Holiness is deeply frustrated, as are the Tibetan leadership and the Tibetan people. His Holiness is a true believer in democratic process and wants the people to play an active role in shaping the future direction of the government. He wants their input. He wants creative and new ideas to help us move forward.

HRIC: What was on the agenda and what was actually discussed?

YT: As I understood it, there were two broad points to be considered: the urgent crisis inside Tibet today, and then broader issues of the Tibet movement. Very vague. Personally, I think it could have been organized more effectively and had a more defined agenda. Because when you have over 500 people getting together, you need clear focus and direction. The first day

was public addresses by the Speaker of the Tibetan Parliament in exile, and by the *Kalon Tripa*. We were then broken up into 15 groups and dispersed to our loca-

In a conversation with HRIC on December 11, 2008, a New York-based Tibetan American who attended the Special Meeting in Dharamsala, India, as a "private delegate" described the significance and the outcome of the meeting.



Tibetan parliamentary secretary Phurbu Tsering addresses delegates during the Special Meeting in Dharamsala, India, on November 17, 2008. Photo credit: Abhishek Madhukar/REUTERS

tions. We spent three and a half days in the same small groups. In my group there were 35 to 40 people. We returned to the plenary on the 5th and 6th days to merge the 15 groups' thinking into one document.

There were some common and obvious themes running through the groups, but each group had its own range of issues depending on the group's composition. The delegates reaffirmed their faith in the leadership of the Dalai Lama as the legitimate representative of the Tibetan people, and expressed continued support for the "Middle Path" approach, and also their adherence to nonviolent means. However, a significant minority did support outright independence (*rangzen*), or self-determination, as an alternative to the current goal of autonomy. And these views were acknowledged and included in the final document. In the past, such views would probably have not been voiced without real social risk in the insular community of Dharamsala.

It was incredible because there were people from all walks of Tibetan society sitting at the same table talking to each other. Cabinet ministers, government servants, teachers, farmers, monks, business people, activists, you name it. No one was special because of his or her office. Representatives from the Tibetan government were instructed to speak their minds, not government position. Even his Holiness' Special Envoy was asked some very hard questions. His Holiness never attended the meeting because he didn't want people to be influenced by his opinions. He wanted a free exchange of ideas.

Representatives of the settlements [in India], representing thousands of people, came with long documents that were from their communities. They felt a great responsibility to accurately report their communities' views. The rest of the delegates pretty much spoke for themselves, not as representatives of larger bodies, but as concerned Tibetans.

HRIC: What did people want out of the meeting?

YT: I think it was unrealistic for people to expect a policy shift overnight, but I think people were hoping for this to be the beginning of a longer-term process of systematic review of policy towards China with public par-

ticipation. No one had hopes for dramatic change overnight—I certainly didn't.

There were significant steps made in terms of acknowledging that there are other voices aside from the "Middle Path" voice, and recognizing that the dialogue was at an impasse. My recollection is that one of the recommendations was that the envoys should discontinue their formal trips to China, but this is not in the [official statement in English that was issued after the Special Meeting]. Maybe the leadership felt uncomfortable with that and decided not to include it as a recommendation.

HRIC: Were there alternative views?

YT: There were people advocating independence and self-determination as an alternative to the Middle Path. They were both young and old, and some of the most passionate and persuasive of those who spoke.

The point the Tibetan government always makes is that when you consider alternatives, there is no international support for them, and there is certainly no support within China. The support that we have amongst Chinese people is not for anything but co-existence within China, and we would lose all international support by deviating from that. So the question raised then was what has that support actually gotten Tibetan people on the ground? If it's gotten us nothing then maybe we should start thinking about other options which would at least unite the people and make the end goal clear.

A lot of Tibetans feel quite confused, especially the younger ones. One young woman said in group: "My father raised me telling me that we had to work hard to get our country back. Now what am I going to say to my children? The message is so unclear." A monk asked, "Have you thought about what autonomy means? What you would have to do? Can you imagine singing the Chinese national anthem?"

HRIC: Do you see a subtle policy shift—or preparation for a shift—within the leadership in exile?

YT: I don't think the Dalai Lama will abandon the Mid-

dle Path. He genuinely believes in it, and it is part of his message. Peaceful coexistence. There is a lot of pressure on him for another path, and when he's [no longer] here, those forces may have a larger voice than they do now, so now is the time for the Chinese government to make a deal. The Dalai Lama is the best positioned person in the world to make a deal with the Tibetan people work. He is the one person who unites all Tibetans.

Another interesting thing you may not know is that they conducted a poll of about 17,000 Tibetans inside Tibet, to get their views for the meeting. It was pretty much in agreement with what came out in the final statement: unite behind leadership of the Dalai Lama; Middle Path—yes. There were also a surprising number of people who were advocates of *Rangzen*. I remember the number was 5,000, out of the 17,000. That's a pretty significant number, when put in context.

HRIC: But if the Chinese government will never give genuine autonomy, what would the strategy be?

YT: I was hoping more time would be spent on discussion of strategies but that didn't happen. And in a large public forum perhaps it shouldn't. But after the meeting concluded, [the Dalai Lama] gave an audience to all the delegates. He didn't speak on the subject of the previous six days but he did say he wanted this process to continue and wanted us to do this every year or every two years. I heard that after that, they would like to have these "check-ins" or "pulse-takings" of the people regularly.

HRIC: What do you think is the most significant outcome of the meeting?

YT: I thought it was a very healthy exercise in communication and breaking down some of the barriers we thought had existed before. It came forward that we're all pretty united. There were 15 groups. There were some off-the-wall suggestions but they were all recorded and will be distributed to the relevant departments within the Tibetan government and the leadership.

I think this is the beginning of a process. It was also important because it was a coming-together of the Tibet world from all corners of the earth. For me personally it was a huge education, I was learning a lot about my own

people. I think a lot of people, especially us coming from the West, had that feeling. It was a reconnecting to Dharamsala because it's not often that Tibetans actually go to Dharamsala which is the seat of the Tibetan government-in-exile where the Dalai Lama is. I've been to Dharamsala twice in seventeen years. I'm so glad that I went because I feel like I have a stronger connection to the whole structure and the system, and I understand better the issues that they're dealing with. I learned so much from people from the settlements, who represent thousands in their communities, and were talking about education, employment, farming and livestock. And they appreciated hearing about us in the West, and our views on the same issues that matter to all of us.

HRIC: What do you think are the urgent tasks for the Tibetan people?

YT: We need to focus more on helping Tibetans on the ground. There was some discussion in our group on how to help Tibetans inside access information, how to communicate with them, how to make us really a transnational people because we don't have a country, how to strengthen the Tibetan identity, and how to equip them with skills and tools so they can better organize themselves and formulate strategies. There are a lot of Tibetans coming in and out every year, so we should give them training while they're out so that they can take it back in.

HRIC: How do Tibetans outside of Tibet view those inside?

YT: Tibetans in exile view the Tibetans inside as highly competent. There is a lot of introspection about our shortcomings in exile—we haven't specialized professionally and haven't achieved as much as we could have. For those who come out, many are seen as more competent than those who have been through the exile system in India. I suppose what we might be reacting to is their ability to successfully navigate two worlds, Chinese and Tibetan. There are a lot of very successful Tibetan business people in Tibet, while Tibetans in exile are still largely materially not at a level where we should be given that we've been in exile for fifty years.

I think things will change in the coming years. The

demographics of the Tibetan diaspora are changing. For many years the Tibetan government tried to keep the Tibetan community together in India and Nepal, largely poor but close and culturally intact. They resisted resettlement programs to Western countries, fearing cultural dilution and a weakening of the main base. On the other hand, I thought it was important to send capable and promising Tibetans abroad to resettle in groups. It's good for us to have successful Tibetans and Tibetan communities around the world who can advocate for Tibet. It was actually the government's policy for a while not to encourage resettlement. Since then they've changed their position and now the leadership sees that it's impossible to keep everyone together in India. The brain drain remains a huge issue. In Dharamsala, India, and Nepal, everyone wants to leave. If they have the opportunity they'll go West. It's really challenging to get people to stay and work for the government and in the settlements. I think eventually the community there is going to shrink, and that actually could be fine so long as we are able to have a system in place that allows us to collaborate and communicate from our little satellites around the world and with those in Tibet.

I think it's been a big burden for the central leadership to be a caretaker government for 100,000 refugees. That takes up so much of their time. Wouldn't it be better if they could concentrate on gaining some political ground in terms of China, and advocating for positive change for Tibetans in Tibet?

When we all come together, there are certainly barriers in terms of language and experiences and backgrounds. But in the end that's what was so nice about going back to India. We're all from such different places but we all had the same passion in our hearts.

HRIC: What do you think the Chinese policies are doing to young Tibetans?

YT: They're making Tibetans more Tibetan. It's a good thing if they can sing in Mandarin, so long as they know who they are. In some cases, kids grow up without awareness, but I think it's hard to not know what has happened. No matter how much propaganda surrounds you at school and in the press, you learn from your parents, and now young Tibetans will learn from the experiences of this past year. This will be emblazoned in everyone's mind, and young people will certainly remember this for a long time to come. The last time I was in Tibet, wherever I went, there was such a connection, when they realized I was a Tibetan from outside. In many instances, first they thought that I was Chinese, from Hong Kong, or even Japanese, and I got a completely different reception when they realized I was actually Tibetan. I remember riding in a truck and there was a guy on the side of the road asking for a lift—and someone said, "Don't pick him up, he's Chinese." And they went right past him and then saw an older Tibetan guy and they picked him up. That's not actually a great thing because you don't want to have this animosity between people, but there is solidarity.

LETTER FROM EAST TURKESTAN

By Alim Seytoff

In 2001, after successfully bidding to host the 2008 Olympic Games in Beijing with promises of improving human rights, the government of the People's

Republic of China (PRC) decided to use the occasion to showcase China's breathtaking progress to the world. The PRC's goal was to legitimize, solidify, and glorify the rule of the Communist Party of China (CPC) and to prove that it has finally become a global power worthy of international respect. With this in mind, Chinese leaders wished to present a perfectly choreographed Olympics, illustrating that all nationalities in China live in a "harmonious society" under the virtuous rule of the CPC.

At the same time, the PRC government, brushing aside all international criticism of its human rights record, also decided to take advantage of the occasion to further demonize its domestic opponents, justifying ever-intensifying nationwide pre-Olympic security crackdowns, especially in East Turkestan and Tibet, all in the name of Olympic security.

The PRC authorities have used the language of "terrorism" to justify the repression of Uyghurs since September 11, 2001, and have aggressively undertaken a renewed, systematic, and sustained crackdown on all forms of Uyghur dissent. This happened over the stated reservations of western governments and international human rights organizations. On August 1, 2008, one week ahead of the opening of the Beijing Olympic Games, Senior Colonel Tian Yixiang, from the Olympics Security Command Center, told reporters at a briefing in Beijing that the biggest threat came from "the East Turkestan terrorist organization."

On August 3, just three days later, Chinese state media reported that two Uyghurs, one taxi driver and one vegetable seller, attacked and killed sixteen

policemen using a truck, homemade grenades, and knives in Kashgar. The Chinese authorities blamed the East Turkestan "terrorists" for this attack. However, a September 28 *New York Times* report cast doubt on the official Chinese version of events.¹ The paper detailed the eyewitness accounts of three western tourists, one of whom had taken photographs of the attack, who were staying in a hotel across the street from the events. The *New York Times* reported that the three tourists said "that they heard no loud explosions, and that the men wielding the machetes appeared to be paramilitary officers who were attacking other uniformed men." The discrepancies between the tourists' accounts and the reports of the official media raise questions about the credibility of the information the Chinese government provided to the world's press.

On August 9, five days after the Kashgar attack, Chinese state media reported that fifteen Uyghurs launched a series of attacks in Kucha, killing one policeman and one Uyghur bystander. The state media said rifles and homemade bombs were used during the attack, in

which ten attackers were also killed and two were captured. After the Kucha attack, officials declared martial law in the region and strengthened the security presence. Police with machine guns and armored personnel carriers were seen in areas inhabited predominantly by Uyghurs.



An ethnic Uyghur walks past an Olympic poster in Kashgar, Xinjiang Uyghur Autonomous Region, on August 5, 2008. Photo credit: Peter Parks/AFP/GETTY IMAGES

Three days later, Chinese state media reported that on August 12, at Yamanya, near Kashgar, a group of men attacked a temporary checkpoint, killing three guards

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE AND THE UYGHURS OF EAST TURKESTAN (ALSO KNOWN AS THE XINJIANG UYGHUR AUTONOMOUS REGION OR XUAR, PEOPLE'S REPUBLIC OF CHINA) (DECEMBER 2008)

China, together with 141 other countries, adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2006, marking an acknowledgment of indigenous people's rights around the world. However, the Chinese government does not recognize the existence of indigenous peoples within its territory. This new report by the Uyghur Human Rights Project (UHRP) analyzes the situation in East Turkestan according to the provisions of UNDRIP, describes how the Chinese government violates the provisions of the UN Declaration and routinely violates the fundamental rights of the Uyghur people. The report covers violations in terms of culture, religion, language, education, employment and other areas.

Full report available at <http://www.uhrp.org>

and seriously wounding one with knives.² According to Uyghur sources, these guards were young Uyghur villagers manned to check villagers' IDs at a country road. The identity of the actual killers was unclear, but their deaths were again blamed on Uyghur "terrorists." On August 27, in Peyzawat County near Kashgar, two unarmed Uyghur policemen were killed and at least two other Uyghur policemen were critically wounded in a knife attack. This incident was followed by reports that six of the suspected assailants in the August 27 attack were shot to death.³ Local residents, however, reported that the six suspects were shot after surrendering.

There was no independent verification or substantiation of the official versions of any of these attacks, save for local residents' accounts and the subsequent *New York Times* report that contradicted the official version of events. Foreign reporters were not allowed to enter the area and investigate what actually happened. Chinese police detained two Japanese reporters who went

to cover the aftermath of the Kucha attack, and deleted their photographs. Other foreign journalists were prevented from entering the area.

Following the attacks, Xinjiang Party Secretary Wang Lequan announced a "life or death struggle" on August 14.⁴ In his speech, Wang stated that security forces must "stick to a strategy of seizing the initiative to strike preemptively, closely guard against and attack separatist sabotage by the three forces and never allow our enemies to gain strength." Political Consultative Committee head Zhu Hailun stated at a televised news conference on August 18 that government forces must "Strike Hard" at the three evil forces [terrorism, separatism, and extremism], and mobilize the masses to guard against these forces at all levels of society. "Strike Hard" campaigns launched in recent months in the cities of Ghulja, Kashgar, Kucha, and Artush, resulting in the detention and arrest of thousands of Uyghurs.

Media reports also suggested that the Chinese government planned to crack down using military force in East Turkestan, including a report stating that "the enhanced military action would begin immediately after the Olympics end on the 24th [of August], when the world's attention will no longer be focused on China's human rights record."⁵ A report from the Hong Kong-based Information Center for Human Rights and Democracy stated that around 200,000 public security officers and armed police had been mobilized in East Turkestan to "prevent terrorist attacks" on China's National Day, observed on October 1. The group also cited official orders allowing for the family members and even neighbors of suspected terrorists to be punished, in areas such as Kashgar and Hotan.

On October 21, 2008, China's Ministry of Public Security (MPS) issued a list of alleged terrorists who were said to belong to the East Turkestan Islamic Movement (ETIM).⁶ (ETIM has been listed as a terrorist organization by the U.S. at the request of the Chinese government.) The MPS sought to capture eight Uyghurs wanted for plotting "terrorist attacks" against the 2008 Beijing Olympics.

Beijing has also imposed unprecedented restrictions on religious activity.⁷ Students and government employees

were not permitted to fast or attend mosques during Ramadan this year. Uyghur-owned restaurants were also forced to open during fasting hours. Uyghurs are not permitted to undertake the Hajj pilgrimage, unless it is with an expensive official tour, where applicants are carefully vetted for their “obedience to the law.” Confiscations of passports, to the point where very few Uyghurs own passports, ensures adherence to the “official tours only” policy, and also restricts other types of international trips.

The 2008 Olympics will go down in Uyghur history as a time of national suffering and lamentation. After successfully hosting the Beijing Olympics, the CPC was indeed able to boost China’s national pride, enhance its international standing, electrify Chinese nationalism and strengthen its grip on near-absolute power. At the same time, the government was also successful in further demonizing the Uyghurs and cracking down on them more harshly.

Uyghurs around the globe urge continued vigilance by the international community of the Chinese government’s fierce repression in East Turkestan, and recommend that observers exercise caution regarding Chinese government propaganda. Uyghurs are now looking to the newly-elected U.S. administration of Senator Barack Obama to take a strong position on human rights in China, and to reverse the Chinese government’s little-known campaign of intimidation against a peaceful people.

Alim Seytoff
General Secretary
Uyghur American Association

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REGULAR FEATURES



The shadows of spectators are seen through a Chinese national flag during the Beijing Olympics, August 12, 2008. Photo credit: Phil Noble/REUTERS

Melamine-Tainted Milk Powder Scandal

- **Infant kidney stone outbreak.** On September 10, 2008, Xinhua News Agency revealed that Sanlu brand baby milk powder was under investigation in connection with the admission of 14 infants suffering from kidney stones in a Gansu hospital.¹ In the following month, it emerged that at least three infants had died and more than 50,000 had become ill after drinking milk formula containing melamine.² Traces of the substance—usually used in the production of plastics and fertilizers—were detected in milk from 22 different dairy producers who added it to already diluted milk in order to boost protein levels in testing.³
- **Toxic dairy products spread.** Traces of melamine were subsequently discovered in numerous products, affecting international brands such as Cadbury, Heinz, and White Rabbit Candy. Many countries, including the 27-nation European Union, banned Chinese milk imports. In early December, the World Health Organization issued safety warnings, reporting that melamine should not be present in baby formula.⁴ Confidence in Chinese food exports was further shaken with several reports, in the months following September, of contaminated eggs found by Hong Kong food safety authorities.⁵
- **Official cover up.** The Sanlu Group may have been aware of melamine contamination as early as 2005.⁶ Local government officials were warned about the problem in August 2008 by a New Zealand company with a major stake in Sanlu, but failed to initiate product recalls or issue warnings until after the Olympic Games. Earlier, in June 2008, consumers sent e-mails to the General Administration of Quality Supervision, Inspection and Quarantine demanding an investigation into Sanlu baby formula, but the official watchdog group took no action.⁷



- **Scandal buried during the Olympics.** In advocating societal “harmony” in the lead-up to the Olympics, the Central Propaganda Department forbade domestic media from reporting any negative stories on food safety issues in China.⁸ For that reason Fu Jianfeng, editor of the *Southern Weekend* magazine, delayed publishing a report prepared in July investigating the link between Sanlu milk powder and children hospitalized with kidney stones in Hubei Province.⁹

- **Lawsuits by parents of sickened infants.** More than a hundred concerned lawyers formed a volunteer group to offer legal advice to parents of the affected children, but by mid-October, a quarter of them had removed themselves due to pressure from local officials.¹⁰ Chinese courts have yet to hear a case, despite numerous attempts to file suits.¹¹ The latest attempt occurred on December 8, 2008, when three lawyers, Li Xiongbin, Lan Zhixue, and Dr. Xu Zhiyong went to the Hebei High Court to file a class action civil suit against Sanlu on behalf of 63 victims. The court did not accept the case.¹² Some parents are now attempting to use courts in the United States by suing a subsidiary of a Chinese milk powder manufacturer based in Maryland.¹³

People wait for refund on milk powder products at Sanlu headquarters in Shijiazhuang, Hebei Province, September 16, 2008. Photo credit: David Gray/REUTERS

- **Men and former Sanlu chairwoman tried.** On December 26, 2008, six men went on trial in four courts in Hebei Province for making and selling tainted milk. They are: Zhang Yujun and Zhang Yan-shang in Quzhou County; and Zhang Heshe, Zhang Taizhen, Yang Jingmin, and Gu Guoping in Wuji County. Tian Wenhua, former board chairwoman and general manager of Sanlu Group, is scheduled to go on trial on December 31, 2008, in the Shijiazhuang Intermediate People's Court, Hebei.¹⁴
- **Dairy companies to compensate victims.** A Xinhua News Agency report on December 27, 2008, stated that 22 dairy producers will make one-time cash payments to families of infants killed or sickened by melamine-tainted milk powder, and will establish a fund to pay for ongoing medical bills of babies affected.¹⁵
- **Sanlu declared bankruptcy; dairy farmers lose livelihood.** On December 24, 2008, Sanlu Group, the dairy producer at the center of the tainted milk scandal, confirmed that it had filed for bankruptcy.¹⁶ Many small-scale dairy farmers who supplied major companies now face bankruptcy. Since the scandal broke, they have been resigned to pouring daily milk yields into drainage ditches because they could not sell them.¹⁷
- **New draft food safety law.** On October 23, 2008, the Standing Committee of the National People's Congress began reviewing a new draft food safety law banning all chemicals and materials except authorized additives in food production. The law would also ban exemptions from quality inspections, previously available to producers of globally-competitive products.¹⁸
- **Estimate of sick infants soars.** On December 1, 2008, the Ministry of Health released new figures revealing that as many as six babies died and nearly 300,000 were sickened as a result of tainted dairy products. The new toll eclipses the previous figures from mid-September, marking a six-fold increase for infants suffering from urinary problems.¹⁹

Beijing Lawyers Call for Direct Bar Elections

- **Lawyers appeal for direct elections.** On August 26, 2008, a group of 35 lawyers released a letter appealing for the democratic election of officials to the government-controlled Beijing Lawyers Association. Some lawyers and rights advocates complain that bar associations act in the government's interests and not on behalf of their members.²⁰ This group claimed that the Beijing Lawyers Association's current operating procedures, which had never been voted upon by members, were invalid, and that according to laws governing social organizations, the Association should elect its own directors. The letter asked other members to sign an online petition in support.²¹
- **Official response.** On September 5, 2008, the Beijing Lawyers Association responded with an open letter calling the petition the "false talk" of a small number of lawyers and accusing supporters of using text messages, the Internet, and other media to "publish inflammatory speech" and "start rumors and poison people's minds."²² According to a press account, all thirty-five lawyers who had signed the petition were summoned by the Beijing Municipal Bureau of Justice and warned that their actions were illegal and to tread carefully.²³
- **Forced resignations.** On October 30, 2008, under pressure from authorities, the Beijing Yitong Law Firm asked prominent rights defense lawyers **Cheng Hai** (程海) and **Li Subin** (李苏斌) to resign. Both had signed the online appeal. In early September, **Tang Jitian** (唐吉田), another signatory, was asked by his superiors to leave the Beijing Haodong Law Firm. As of early December, the petition had garnered around 90 signatures.²⁴

Financial Crisis Hits Chinese Workers

- **Crisis forces factory closings.** After years of double-digit growth, economists are forecasting that China's economic growth could slow to 5.5 percent in the last quarter of 2008, the worst growth in more than a decade.²⁵ As demand for Chinese exports plummeted due to the global financial crisis, factories in Guangdong Province made major cutbacks and closings to reduce losses. Even the cement-making industry, a barometer for China's booming construction industry, is slumping. As a result, Chinese workers found themselves out of jobs and short months of unpaid wages.²⁶
- **Workers demonstrate.** Throughout the month of October, thousands of workers rallied outside closed toy and electronics factories and in the streets to demand unpaid wages, some of which went back as far as six months.²⁷



- **Government relief.** On October 19, 2008, after workers staged a large-scale demonstration outside government offices in Zhangmutou Township, Guangdong Province, local officials agreed to use taxpayer funds to settle 24 million yuan in unpaid wages.²⁸ In the following days, officials in Dongguan as well as at the Guangdong provincial level proposed taking similar steps for workers who were owed back pay.²⁹
- **Worker protests continue.** These limited measures failed to quell further demonstrations, as workers gathered by the hundreds at

various locations in Guangdong Province into late October. During one protest on October 26, 2008, involving over 500 workers, security guards injured four demonstrators.³⁰ On October 28, 2008, hundreds of workers in Shenzhen marched from their closed watch factory to government headquarters after city officials reneged on promises to give workers a "satisfactory reply" on lost back wages.³¹ Meanwhile, in the city of Chongqing alone, approximately three million migrant workers had returned from manufacturing jobs in coastal cities after being laid off or suffering severe wage cuts.³²

- **Government stimulus package.** On November 9, 2008, China announced plans to invest about US \$586 billion over two years into infrastructure projects and other measures to try and boost its faltering economy. The plan also includes tax cuts and loosening of credit, in an effort to spur domestic spending.³³ While some analysts thought the stimulus package would help battle the global economic crisis, others criticized its emphasis on infrastructure to the detriment of social programs. Only one percent of the funds will be directed to social services.³⁴

Land Reform

- **Land rights returned to farmers.** On October 19, 2008, the Central Committee of the Communist Party of China issued the *Decision on Major Issues Concerning the Advancement of Rural Reform and Development*. The *Decision*, which falls short of full land privatization, allows farmers to transfer their land-use rights by subcontracting, leasing, swapping, or using them to form a joint-stock company, and also enables them to extend their leases beyond the previously allotted 30 years.³⁵ Observers have praised the reform for opening up new opportunities for approximately 700 million rural Chinese, but also pointed out that it risks leading to millions of landless farmers congregating in cities for work.³⁶

Thousands of job seekers flock to a job fair in Chongqing Municipality on October 18, 2008. Photo credit: Shitou/REUTERS

- **Pressure from below.** The land reform measure came as disputes over land seizures continue to be the leading cause behind the tens of thousands of protests that occur nationwide each year.³⁷ In January 2008, peasants in Heilongjiang Province reclaimed land taken by local officials to sell to private companies. Since then, a growing movement to informally lease or reclaim confiscated land has emerged in other parts of the country. Peasants have arranged agreements largely over the Internet, aided at a national level by dissident activists, academics, and journalists.³⁸ Yu Jianrong, an expert at the Chinese Academy of Social Sciences, told *Southern Metropolis Weekly* that there was not much new in the measure; rather, it expressed the Central Committee's "confirmation and development of an already-existing system of land transfers."³⁹

Religious Repression

- **Ramadan observance banned in XUAR.** After an outbreak of attacks in Xinjiang Uyghur Autonomous Region (XUAR) before and during the Olympic Games, Chinese authorities cracked down on religious expression during the Muslim holy month of Ramadan. Local government offices prohibited officials, Party members, teachers, and students from observing Ramadan and stopped citizens from planning large-scale prayer groups. Authorities also stopped Muslim restaurants from closing during daylight hours in observance of Ramadan. Officials in Xayar (in Chinese, Shaya [沙雅]) County, XUAR, declared that they would take all effective measures to have men shave their beards and women remove their veils.⁴⁰
- **Crackdown on house churches.** In mid-October, after receiving a verbal directive from both provincial and central governments, authorities in Yichun, Heilongjiang Province, banned all house churches.⁴¹ Meanwhile, on October 16, 2008, Pastor **Zhang Mingxuan** (张明宣), a well-known house church leader, was detained in Kunming, Yunnan Province. The same day, authorities beat his sons in a raid on the family's home in Beijing. Zhang's elder son was beaten so severely that he risks losing sight in his right eye. Authorities detained Zhang's wife three days later.⁴² On November 28, 2008, the Ministry of Civil Affairs abolished the Chinese House Church Alliance, an affiliation of house churches led by Zhang. A week later Zhang attempted to file an administrative complaint challenging this move, but the court refused to accept the case.⁴³

Post-Olympics Round Up

- **Regulations for foreign journalists made permanent.** On October 17, 2008, the day on which temporary media regulations for foreign journalists put in place for the Olympic Games were set to expire, the State Council made the measures permanent. The regulations allow foreign journalists to interview local sources and travel within China without prior government approval. These freedoms, however, do not extend to Chinese journalists, and travel to sensitive areas such as Tibet remains restricted.⁴⁴
- **Air pollution controls.** A month after the closing of the Games, Beijing's air pollution index had returned to dangerous levels. However, the improvement in air quality during the Games succeeded in sparking a public debate over whether regulations curbing the number of cars on the road should be extended. On October 11, 2008—after polls showed that 80 percent of Beijing residents were in support of environmental measures—Beijing began a six-month trial that would take one third of government vehicles off the road and bar one fifth of official and private cars from driving on weekdays.⁴⁵ An evaluation by Greenpeace praised Beijing for introducing energy-saving technologies to new Olympic venues and existing facilities, and expanding public transportation.⁴⁶

- **Security legacy.** The Games have set a precedent for heightened supervision and suppression in the name of public safety. Olympic security measures remained in place for the duration of the Paralympics.⁴⁷ City officials announced that similar security measures will be adopted in future large-scale events, such as recruiting volunteers to help “maintain peace.” Security checks in the Beijing subway would remain in place permanently.⁴⁸ An NGO in Hubei Province revealed that local authorities had taken up “Olympics-style” measures to ensure that no protests would disrupt an upcoming international martial arts festival. Local petitioners say that authorities have searched their homes and put them under 24-hour surveillance.⁴⁹ In October, similar techniques were used to prevent petitioners from traveling to Chengdu ahead of the Western China International Economy and Trade Fair.⁵⁰ On October 24, 2008, Beijing-based petitioner **Yang Qiuyu** (杨秋雨) was detained for applying to protest at the Asia-Europe Summit Conference.⁵¹
- **Crackdown on activists continues.** Though temporary restrictions placed on some activists during the Olympics were lifted after the Games, restrictions on others continued. Rights defender **Zeng Jinyan** (曾金燕) returned to Beijing after she was sent to Dalian for 16 days, but has remained under unofficial house arrest and in fear of constant police surveillance.⁵² Her husband, 2008 Sakharov prize-winner **Hu Jia** (胡佳), was transferred from a Tianjin to a Beijing prison.⁵³ AIDS campaigner **Wan Yanhai** (万延海) is back at work after activities of the Aizhixing Institute were shut down during the Olympics. However, he notes that subtle new pressures, such as a tax probe on the organization, are being applied. He believes the Chinese government has developed an even deeper understanding of dissident activities during the crackdown.⁵⁴ Meanwhile, many petitioners who traveled to Beijing during the Olympics remained locked up in detention centers and mental hospitals through the Paralympics in September 2008.⁵⁵

Mass Protests and Riots

- **Jiangxi Province.** On October 24, 2008, large-scale riots over logging in Tonggu County left 16 people injured and at least one dead. Residents of Daduan Village argued that the Zhejiang logging company Liu Hai had taken their land without compensation. When villagers tried to blockade remaining forests, Liu Hai responded by hiring more than 60 thugs to attack the villagers. According to eyewitnesses, 500–600 armed police officers were dispatched to suppress the violence. Rioters turned on them, overturning a number of police cars and setting a Liu Hai office on fire. Xinhua denied reports that two villagers were beaten to death during the struggle.⁵⁶
- **Beijing.** On October 20, 2008, several mass demonstrations coincided in Beijing, resulting in a gathering of up to 10,000 petitioners. The demonstration included more than 1,000 victims of the failed state-owned Yilin Zaolin Plantation (亿霖造林) seeking compensation from the government, plus representatives of tenants from across China visiting the Ministry of Construction. More than 500 police were dispatched to seal off the area. Scuffles broke out when police forcibly removed a number of protestors and took them to the Majia Lou Housing Center for petitioners (马家楼收容中心).⁵⁷
- **Guangdong Province.** On October 14, 2008, over 4,000 Guangning villagers staged a march to prevent construction equipment from reaching a planned factory site on farmland that they said was seized and for which they had been inadequately compensated. Over 1,000 police responded with beatings and tear gas, injuring more than 100 villagers, mostly elderly farmers.⁵⁸ The next day villagers reported being terrorized by hired thugs who vandalized property in search of “ringleaders.” By that time most of the young men had fled, leaving only women, children, and the elderly in the villages.⁵⁹
- **Zhejiang Province.** On October 8, 2008, over 1,000 workers brought traffic on a major road in Shaox-

ing to a standstill, as they staged a protest against the Singapore-owned China Printing & Dyeing Holding Limited for unpaid wages. Several hundred police officers were present at the demonstration, but there were no clashes, and the protest was dissolved by midday. An anonymous local government employee said that the county government had already borrowed money to cover the unpaid wages, but workers remained unconvinced that they would be paid.⁶⁰

- **Gansu Province.** On November 17 and 18, 2008, thousands of people rioted in Longnan, setting fire to police cars and burning down two government buildings. Witnesses say that crowds grew to 10,000. Locals were upset about a plan to move the administrative headquarters to another city, which could lower real estate values and take jobs away. More than 100 demonstrators were questioned and more than thirty were detained.⁶¹



- **Taxi drivers on strike across China.** In November and December, taxi drivers were on strike in various parts of China over fuel prices, high cab rental fees, traffic violation fees, and competition from illegal unlicensed taxis. Strikes first took place on November 3 and 4, 2008, in Chongqing, where 9,000 drivers went on strike and around 20 vehicles were smashed in the protests.⁶²

On November 10, in Yongdeng County, Gansu Province, a majority of the county's 240 taxi drivers protested outside the transport bureau office, ending the protest only after officials agreed to form a plan to deal with the county's 700 illegal taxis.⁶³

On the same day, protests against illegal taxis and rental fees started in Sanya, Hainan Province, lasting for five days. Twenty-one people were detained during the strike and five officials resigned afterward.⁶⁴

On November 20, in Guangdong Province, taxi drivers in Shantou protested over officials' tacit acceptance of illegal taxis, which were cutting into their profits.⁶⁵ On November 28, drivers went on strike for three days in Chaozhou after the government showed no sign of fulfilling promises made in response to earlier demonstrations that called for suspending issuance of new taxi licenses.⁶⁶

In Suizhou, Hubei Province, 400–500 drivers gathered outside a train station to protest against new rental fees on November 25.⁶⁷

On December 1, despite efforts by local officials to lower rental fees, an estimated 70 percent of Guangzhou taxi drivers went on strike.⁶⁸

Charter 08: Domestic Call for Reform

To commemorate the 60th anniversary of the *Universal Declaration of Human Rights*, a diverse group of 303 Chinese writers, intellectuals, lawyers, journalists, retired Party officials, workers, peasants, and businessmen planned to issue an open document on December 10—"Charter 08"—calling for legal reforms, democracy and protection of human rights in China.⁶⁹ However the Charter organizers decided to release it early on December 9, 2008, after two of the Charter signers—**Liu Xiaobo** (刘晓波) and **Zhang Zhuhua** (张祖桦)—were detained on December 8. Zhang was released after interrogation. As of

late December, Liu remained in detention on suspicion of “inciting subversion of state power.” Several efforts have been launched to build international support for Charter 08’s call for reform and freedom of expression, and for Liu Xiaobo’s immediate and unconditional release, including a December 23 public letter to President Hu Jintao signed by a group of China scholars, writers, human rights advocates such as HRIC, and Nobel laureates. The list of prominent signatories to the letter includes Salman Rushdie, Umberto Eco, Seamus Heaney, and Wole Soyinka.⁷⁰

Charter 08 sets forth 19 specific recommendations, including: constitutional reform; separation of administrative, legislative and judicial powers; freedom of association, expression, and religion; and citizen education that encompasses universal values and civil rights. The recommendations address current reform debates, and promote many rights already recognized in Chinese law and that constitute part of China’s international human rights obligations, including the *International Covenant on Civil and Political Rights* (ICCPR), signed by the Chinese government 10 years ago, still pending ratification.

The Chinese authorities responded to the Charter 08 initiative by harassing signers,⁷¹ sending an unsettling message that a crackdown for 2009 may be already underway.⁷² However, as of December 29, the number of signatures totaled 6,834, including supporters from overseas. Despite the harassment and domestic climate of fear, individuals inside China who signed Charter 08 comprised 79 percent of the total.⁷³

SELECT COMMENTS POSTED ONLINE BY CHARTER 08 SIGNERS⁷⁴

只有坚持并落实08宪章的理念，才有作为做一个人的基本尊严。我愿意签名，并承担与此相关的一切后果。

Basic human dignity can only be achieved by persisting and implementing the ideas set out in Charter 08. I am willing to sign on, and bear all the consequences.

您好！我是一名留学生。非常支持这个签名活动。但是说实话，我心里还是挺害怕的，不过无论如何，我决定签名了。希望我们都能够有机会看到真正的变革到来的那一天。

Hello! I am a student studying abroad. I really support this gathering of signatures. But to be honest, I am still very scared. However, no matter what happens, I have decided to sign. I hope we will have the opportunity to see the day when reform truly arrives.

08宪章道出了大家的心声，不敢说的话终于全说出来了！为了当下以及后世国人的幸福，顶！

Charter 08 expresses the aspirations of all people. The words that no one dares to say have finally been spoken! For the happiness of people today and of future generations of our countrymen, I strongly support Charter 08!

我是警察，很想签下我渺小的名字。但，因为我的家人和我的怯懦，请原谅！

I am a police officer. I really wanted to sign my small and insignificant name. But please forgive me for my and my family’s cowardice!

我也害怕，我时时恐惧，可是为了下一代的幸福，为了下一代不再受专制的苦，为了我临死前不受良心的折磨，我郑重签名连署拥护08宪章！

I, too, am afraid. I constantly feel a sense of dread. But for the happiness of the next generation, so that they will not have to know the suffering of autocracy, and so that I can face my own conscience before I die, I earnestly sign my name to endorse Charter 08!

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TAKE ACTION



In the 2008 *Take Action Campaign* (www.ir2008.org), Human Rights in China (HRIC) highlighted 12 individuals in prison and 12 human rights issues in China. Each month on its website, HRIC provided background information on one individual case and an overview of a specific related issue, and suggested actions that the Chinese government, the international community, and the general public could take to promote positive change in China.

The 12 persons highlighted included well-known rights defenders and activists such as **Chen Guangcheng** (陈光诚), a blind, self-taught lawyer now serving a three-year-and-four-month prison sentence for “intentional damage of property” and “blocking traffic,” as well as lesser known individuals such as **Wang Jinjiu** (黄金秋), an Internet essayist serving a 12-year prison sentence for “subversion of state power.” The highlighted issues ranged from the rule of law to minority rights to torture. The campaign concludes with the December featured case of **Nurmuhammet Yasin**, a Uyghur writer serving ten years in prison on the charge of “inciting separatism.”

HRIC welcomed the release in 2008 of two individuals featured in this campaign: petitioner **Mao Hengfeng** (毛恒凤), after completing her two-year-and-six-month prison sentence, and democracy advocate **Hu Shigen** (胡石根), after serving 16 years of a 20-year prison sentence.

HRIC’s post-Olympics work will build on this campaign as we continue to advocate on behalf of individuals and broad issues. We invite our readers to send in their ideas for actions. Please email your suggestions to communications@hrichina.org, and put “take action” in the subject line.



Photo credit: MJ Kim/GETTY IMAGES

**Name**

Nurmuhemmet Yasin

Date & Place of Birth

March 6, 1974
Maralbesh County
(Bachu County, 巴楚县)

Date of Formal Arrest

November 29, 2004

Charge

Inciting separatism
(煽动分裂国家)

Trial Date

February 2, 2005

Sentence

10 years' imprisonment

Current Location

Urumqi No. 1 Prison,
Xinjiang Uyghur
Autonomous Region

Anticipated Release

November 28, 2014

DECEMBER: NURMUHEMMET YASIN

Nurmuhemmet Yasin is a Uyghur writer, poet, and freelance journalist from Maralbesh County, Xinjiang Uyghur Autonomous Region (XUAR). In late 2004, he published his novella, "The Wild Pigeon," in the *Kashgar Literature Journal*, which was nominated for an award by a major Uyghur literary website. Chinese authorities reacted differently. Interpreting the allegorical story as a repudiation of Chinese rule in the restive Xinjiang region, they detained Yasin on November 29, 2004, on charges of "inciting separatism." Authorities also recalled all 2,000 copies of the literary journal and seized Yasin's personal computer, which contained more than 1,600 poems, short stories, and an uncompleted novel.

Between November 30, 2004, and May 17, 2005, Yasin was interrogated by the State Security Bureau, beaten, and threatened. He was denied legal representation, and was convicted of inciting separatism in a closed trial in February 2005, a verdict that Manfred Nowak, the UN Special Rapporteur on Torture, said was given "possibly on the basis of information extracted by torture." Yasin was sentenced to ten years' imprisonment. His appeal was denied. He has been denied visitors ever since his arrest. In May 2005, he was transferred to the Urumqi No. 1 Prison. In an interview conducted on November 30, 2005, Yasin told Manfred Nowak that he had been beaten by other prisoners in his cell for not speaking Mandarin. Nowak also received reports that detainees at this prison were not allowed to pray in detention. Nowak's interview is the last reliable report on Yasin's condition. In 2006, Nowak appealed to the Chinese government for Yasin's release and detailed the conditions of Yasin's imprisonment in the "Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment."

In August 2007, HRIC received unconfirmed reports that Yasin had been tortured to death in prison. Attempts by exiled Uyghur groups to contact his wife and mother have been unsuccessful.

ABOUT THE ISSUE: ETHNIC MINORITIES

With a view to "properly treating" relations among China's 56 different ethnic groups, the Chinese government has established a system that allows autonomous governments in areas where ethnic minorities are highly concentrated. These autonomous regions—five provinces, 30 prefectures, 120 counties, and well over 1,100 ethnic townships—were established to guarantee ethnic minorities self-governance, proportional representation in the government, and greater control over local economic development initiatives. The Chinese Constitution and other laws regarding regional autonomy entitle all nationalities the freedom to use and develop their own spoken and written languages and to preserve their customs. Despite these measures, rights for ethnic minorities have been severely curtailed in pursuit of "national unity." There are dramatic inequalities between China's ethnic minorities and the dominant Han Chinese in education, health, and employment opportunities. Ethnic minorities make up around nine percent of the total population, but account for 46 percent of the national total living in conditions of extreme poverty.

Today, repression has a particularly grave impact on Mongols in the Inner Mongolia Autonomous Region, Tibetans in the Tibet Autonomous Region, and Uyghurs in XUAR. Repression is explicitly or implicitly carried out under the guise of "development" and "security," through the means of ongoing exclusion from political participation, inequitable development policies, and lack of protection of minority cultural identity and religious practices. Such repression has resulted in widespread discontent, unrest, and protest.

INDIVIDUAL CASES FEATURED IN TAKE ACTION CAMPAIGN 2008 | JANUARY–DECEMBER 2008

JANUARY



Shi Tao (师涛) was a freelance writer and journalist in Hunan. In 2004, he sent notes regarding the government's security preparations for the 15th anniversary of the June Fourth crackdown to an online forum in the U.S. using his *Yahoo!* email account. He is serving a ten-year sentence for "illegally providing state secrets overseas."

Current Status and Take Action: Shi Tao is currently held at Deshan Prison, in Hunan, and is slated for release in 2014. The World Association of Newspapers has launched a campaign to free Shi Tao; support their work at <http://www.wan-press.org/china>.

FEBRUARY



Chen Guangcheng (陈光诚), a blind, self-taught ("barefoot") lawyer and activist, fought for numerous rural causes, including abuses in implementation of the one-child policy in Shandong. He was convicted in 2006 for "intentional damage of public property" and "gathering people to block traffic," and is serving a four year and three month prison term.

Current Status and Take Action: Chen is currently held at Linyi City Prison, Shandong Province. He is slated for release in 2010. Take action for Chen by sending an appeal, available at <http://www.ir2008.com/02/action.php>.

MARCH



Mao Hengfeng (毛恒凤), a petitioner since 1988 on family planning and housing issues, was detained multiple times, forcibly admitted to a psychiatric hospital, and sentenced to various terms of Reeducation-Through-Labor. In 2007, Mao was sentenced to two years and six months in prison for "intentional damage of property."

Current Status: Mao Hengfeng was released from prison on November 29, 2008.

APRIL



Hada (哈达) was active for 27 years in defending indigenous Mongol culture and language and promoting political participation by Mongols. He was detained in 1995 for his involvement with the Southern Mongolian Democratic Alliance, tried in 1996 on charges of "separatism" and "espionage," and is serving a 15-year prison sentence.

Current Status and Take Action: Hada is currently held at the Inner Mongolia Autonomous Region (IMAR) Prison No. 4 (Chifeng [Ulanhad] Prison). He is slated for release in 2010. Take action for Hada by sending an appeal, available at <http://www.ir2008.com/04/action.php>.

MAY



Yao Fuxin (姚福信) was secretly detained in 2002 and formally charged with "gathering a crowd to disturb social order" for his role in Liaoyang labor demonstrations. He was later charged with subversion due to alleged involvement in the banned China Democracy Party. In 2003, he was sentenced to seven years in prison.

Current Status and Take Action: Yao is currently held at Lingyuan No. 2 Prison, in Liaoning. He is slated for release in March 2009. Take action for Yao by sending an appeal, available at <http://www.ir2008.com/05/action.php>.

JUNE



Hu Shigen (胡石根) is one of the "Beijing Fifteen," the largest group of labor and democracy activists tried and sentenced after the June Fourth crackdown. In 1994, Hu was convicted of "organizing and leading a counterrevolutionary group" and "counterrevolutionary propaganda instigation" because of his involvement with organizations critical of the government. Hu was sentenced to 20 years' imprisonment.

Current Status: Hu Shigen was released from Beijing No. 2 Prison on August 26, 2008, but is subject to an additional five years' deprivation of political rights.

JULY



Tenzin Delek Rinpoche (བསྟན་འཛིན་པ་དེ་ལགས་) sought to strengthen the Tibetan community, including by working to build schools and monasteries and reaching out to the poor. In 2002 he was sentenced to life in prison for “crimes of terror” and “inciting separatism” after being linked to a bombing in Sichuan through the confession of another Tibetan, though no record of that confession exists.

Current Status and Take Action: Tenzin Delek Rinpoche is currently serving his life sentence in Chuandong Prison, Sichuan. Take action for Tenzin Delek Rinpoche by sending an appeal, available at <http://www.ir2008.com/07/action.php>.

AUGUST



Shuang Shuying (双淑英) is a 76-year old evictions petitioner and religious rights activist. In 2007, Shuang and her son Hua Huiqi were beaten and detained by the police when they tried to petition for compensation for the Olympics-related demolition of their Beijing home. After Shuang hit an oncoming police car with her cane in fear, she was sentenced to two years in prison for “intentional damage of public and private property.”

Current Status and Take Action: Shuang Shuying is currently held at Beijing Women’s Prison and is slated for release in February 2009. Take action for Shuang by sending an appeal, available at <http://www.ir2008.org/08/action.php>.

SEPTEMBER



Guo Feixiong (郭飞雄), aka **Yang Maodong** (杨茂东), an activist and writer, was formally arrested in 2006 on the charge of “illegal business activity” in connection with the 2001 publication of *Shenyang Political Earthquake* (沈阳政坛地震), a book he edited about a political scandal in Shenyang, Liaoning. In 2007, he was sentenced to five years in prison.

Current Status and Take Action: Guo is currently held at Meizhou Prison in Guangdong, and is slated for release in 2011. At this prison, Guo has been subject to beatings, forced feeding, and solitary confinement. Send an appeal for better treatment for Guo, available at <http://www.ir2008.com/09/action.php>.

OCTOBER



Starting in 2000, while studying overseas, **Huang Jinqu** (黄金秋) wrote a series of essays critical of the Communist Party under the pen name Mr. Clear Water, and published the essays on Boxun.com, a U.S.-based dissident news website. In 2003, he returned to China; one year later he was convicted of “subversion of state power” and sentenced to 12 years in prison.

Current Status and Take Action: Huang is currently held at Pukou Prison in Jiangsu Province, and is slated for release in 2013. More information about Huang is available at <http://www.ir2008.org/10/about.php>.

NOVEMBER



Li Chang (李昌) is a former high-ranking government official. In 1999, Li was convicted of “organizing and using a heretical organization to undermine implementation of the law” and other charges, for helping to organize the Falun Gong mass protest in Beijing on April 25 that year. He was sentenced to 25 years in prison, a term later reduced to 18 years in prison and five years’ deprivation of political rights.

Current Status and Take Action: Li Chang is currently held at Qianjin Prison, in Tianjin, and is not slated for release until 2017. More information about Li is available at <http://www.ir2008.org/11/about.php>.

DECEMBER



Nurmuhemmet Yasin is a Uyghur writer, poet, and freelance journalist from the Xinjiang Uyghur Autonomous Region. In late 2004, he published a novella, “The Wild Pigeon,” in the *Kashgar Literary Journal*. Authorities saw the story as an allegorical repudiation of Chinese rule in Xinjiang, recalled all 2,000 copies of the journal, and sentenced Yasin to ten years in prison for “inciting splittism.”

Current Status and Take Action: Nurmuhemmet Yasin was transferred to Urumqi No. 1 Prison in May of 2005. He has not been heard from since November of 2005. To date, the only information on Yasin that HRIC has been able to obtain are unconfirmed reports from August 2007 that Yasin has died as a result of torture.

TIMELINE: HUMAN RIGHTS DEFENDERS

SEPTEMBER 10–DECEMBER 2, 2008

September 10

New York Times researcher **Zhao Yan** (赵岩) was detained for two days after interviewing several petitioners who had travelled to Beijing to apply to protest. Zhao was previously imprisoned for three years (2004–2007) on fraud charges after being detained in connection with a 2004 *Times* article that accurately predicted the retirement of Jiang Zemin that year; the initial charge of “revealing state secrets” was later dropped, and Zhao was convicted of fraud.

September 18

Henan-based HIV/AIDS activist **Li Xige** (李喜阁) was prevented from leaving her home to attend an HIV/AIDS symposium in Shenyang, Liaoning Province, organized by the China Global Fund to Fight AIDS. Li, who contracted HIV through a tainted blood transfusion, is a frequent petitioner for compensation on behalf of those suffering from HIV/AIDS due to tainted transfusions, and is under tight surveillance by local authorities.

September 19

Jiamusi Intermediate People’s Court in Heilongjiang Province upheld the sentence of Olympics critic **Yang Chunlin** (杨春林). Yang was sentenced to five years’ imprisonment in March 2008 on charges of “inciting subversion of state power” after organizing an open letter campaign entitled “We want human rights, not the Olympics.” The letter received over 10,000 signatures.

September 19

Tao Jun (陶君), a student leader in the 1989 democracy movement, was granted political asylum in the U.S. In early June, Tao evaded state security police who were following him and went to Hong Kong; he then arrived in Los Angeles on June 19, 2008. Previously, he was imprisoned for three years (2001–2004) for “inciting subversion of state power” and was constantly monitored and harassed following his release.

September 22

Yang Peiqun (杨培群), a representative for victims of the May earthquake living in Dujiangyan, Sichuan Province, was detained after travelling to Beijing to petition against local corruption and was made to attend a “law study session.” On October 10, 2008, an official from the Dujiangyan Municipal Political and Legislative Affairs Committee demanded that Yang’s husband, **Guo Xinpan** (郭新盼), pay 5000 *yuan* for Yang’s “law study session” and to retrieve her from Beijing. Guo refused to pay. Yang was released on October 15, 2008, and sent to the hospital due to beatings she suffered during her detention.

September 22 & 25

Yang Chunlin’s (杨春林) wife, son, and sister were denied visits to Yang at Jiamusi Detention Center as well as Xianglan Prison (香兰监狱), where Yang was transferred on September 25, 2008. Prison officials told Yang’s family that prisoners are not permitted visits during their first month in prison.

September 24

Liu Shaokun (刘绍坤), who had been sentenced to one year of Reeducation-

Photo credit: Daniel Chan/REUTERS

Through-Labor (RTL), was released to serve his sentence outside the labor camp. Liu, a middle school teacher in Sichuan Province, was detained on June 25, 2008, and later sentenced to RTL for “inciting a disturbance” after posting photographs of collapsed school buildings in quake-affected areas online.

September 25

Liu Yao (刘尧), a lawyer who had been sentenced to a four-year prison term for inciting protests against a developer, was granted a retrial. Liu represented villagers in Dongyuan County, Guangdong Province, who sought redress for land requisitioned by local authorities. Thirty lawyers from ten provinces had petitioned for a new trial on Liu’s behalf.

September 25

Wuhan-based petitioner **Jin Guangming** (靳光明) was released after being held in a black jail for 68 days in Wuhan, Hubei Province. Jin, a librarian at Wuhan No. 1 Commerce School, has petitioned for compensation for demolished homes and was detained in a “law study class” during the Olympics.

Late September

Ji Sizun (纪斯尊) was formally arrested by the Fuzhou Public Security Bureau on suspicion of “forging an official seal.” Ji applied twice to demonstrate during the Olympics in Beijing’s officially-designated protest zones, but was refused. On August 11, 2008, after his second application was refused, Ji was dragged back to Fujian Province by petitioner retrievers and initially held incommunicado. He is currently being held in Fuzhou No. 2 Detention Center.

October 8

Li Guohong (李国宏), a representative for laid-off workers based in Henan Province, was released on bail for medical treatment. On October 31, 2007, Li and a fellow worker were detained when they went to the Zhongyuan Oil Field public security bureau in Puyang, Henan, to speak on an administrative suit against the oil field. Li was later sentenced to 18 months of RTL on November 16, 2007.

October 10

Hu Jia (胡佳) was transferred from Tianjin-based Chaobai Prison to Beijing Municipal Prison. Hu, a prominent HIV/AIDS activist, is serving a sentence of three-and-a-half years on charges of “inciting subversion of state power.” He was detained on December 27, 2007, and sentenced on April 3, 2008. Hu was reported to have been a candidate for the 2008 Nobel Peace Prize.

October 15

Housing activist **Ye Guozhu** (叶国柱) was released on bail and allowed to return home. On July 26, 2008, the date of his release after serving a four-year sentence for “picking a quarrel and making trouble,” his family was informed by the Xuanwu branch of the Beijing Public Security Bureau that Ye was under criminal detention for suspicion of gathering a crowd to disturb public social order and that he was transferred to the Beijing Xuanwu Detention Center. In 2004, before his prosecution, Ye had sought permission for 10,000 people to demonstrate against forced evictions related to Olympics construction.

October 16

Officers from the Beijing Public Security Bureau forced their way into the family home of house church pastor **Zhang Mingxuan** (张明选), intending to kick out Zhang (who was not home) and his wife, **Xie Fenglan** (谢凤兰). Their eldest son,

Zhang Jian (张健), was beaten by several officers using iron bars. Their younger son, **Zhang Chuang** (张闯), arrived shortly after and was also beaten. Zhang Mingxuan, who serves as President of the China House Church Alliance, was also detained that day in Kunming, Yunnan Province. Zhang has been arrested 26 times. Most recently, he and his wife were detained outside of Beijing during the Olympics.

October 19

Xie Fenglan (谢凤兰), wife of house church pastor **Zhang Mingxuan** (张明选), and her younger sister were detained and sent to Nanyang, Henan Province. On October 22, Zhang Mingxuan managed to contact his injured son, Zhang Jian, to state that he would also likely be sent to Nanyang on October 24.

October 20

Activist, writer, and legal adviser **Guo Feixiong** (郭飞雄, aka **Yang Maodong**, 杨茂东) was denied access to his lawyer, Beijing-based lawyer **Hu Xiao** (胡啸). **Hu** and **Mo Shaoping** (莫少平), Guo's other lawyer, later managed to meet with Guo in the prison's glass partition meeting booth on November 5, 2008, under the surveillance of two prison officers. Guo had provided legal advice on a number of controversial human rights cases. He was convicted on November 14, 2007, for "illegal business activity" based on a confession extracted through torture, and is currently serving a five-year sentence.

October 20

Heilongjiang petitioner **Liu Jie's** (刘杰) husband **Fu Jingjiang** (付景江) was refused a visit on the visiting day for families at the Harbin Women's RTL Center. Fu was told by the center's administration that Liu could not receive visits because she was not obedient. Liu Jie was sentenced to 18 months of RTL in November 2007 after organizing a public letter calling for political reform and improvement to the petitioner system, which received over 12,000 signatures.

October 23

Hu Jia (胡佳) was awarded the European Parliament's 2008 Sakharov Prize for Freedom of Thought.

October 24

Beijing-based petitioner **Yang Qiuyu** (杨秋雨) was detained for questioning by the Longtan Public Security Bureau Substation for three hours. Yang, along with over a hundred other petitioners, applied to demonstrate on October 24, when the Seventh Asia-Europe Meeting was scheduled to open. On October 26, Yang was again detained by four unidentified men; he was released the same day.¹⁹

October 25

Chen Guangcheng (陈光诚) and **Hu Jia** (胡佳) were awarded San Francisco-based Chinese Democracy Education Foundation's 2007 Distinguished Democracy Activist Award. Chen, a blind "barefoot lawyer," provided legal aid to people in Linyi, Shandong Province, in cases regarding forced sterilization and late-term abortion. He was detained in March 2006, and sentenced to four years and three months' imprisonment on August 24, 2006, for "intentional damage of property" and "instigating public unrest."

October 30

Prominent rights defense lawyers **Cheng Hai** (程海) and **Li Subin** (李苏滨) were asked to quit the Beijing Yitong Law Firm after involvement in an online campaign calling for the direct election of officials in the Beijing Lawyers Association. On

August 26, 2008, 35 Beijing lawyers published the campaign appeal online, and by mid-November, the number of signatories had increased to 82.

October 31

Yao Lifa (姚立法), a primary school teacher in Qianjiang, Hubei Province, and a vocal advocate for direct local elections, disappeared. Yao was one of China's first independent candidates in local elections and has competed in Qianjiang's municipal elections since 1987. Yao was released on November 12, 2008, the day that local elections were taking place for the Qianjiang Municipal People's Congress. Authorities from Yao's school admitted that they had sent him away to "study." In 1999, he won a seat on the Fourth Qianjiang Municipal People's Congress.

November 6

Democracy activist **Liu Xianbin** (刘贤斌) was released from prison early, four years before his anticipated release date. On August 6, 1999, Liu, a leading member of the China Democracy Party in Sichuan Province and director of China Human Rights Observer, was sentenced to 13 years in prison and deprived of his political rights for three years on charges of "subversion of state power."

November 11

For a second time, rights activist **Huang Qi's** (黄琦) case was sent from the procuratorate to the public security bureau for further investigation. As a result, Huang's lawyers, **Mo Shaoping** (莫少平) and **Ding Xikui** (丁锡奎), were still unable to view his case files—five months after he was first detained on June 10, 2008, after he published news on his website following the Sichuan earthquake about the plight of parents who lost children. Huang was formally arrested on July 18, 2008, on suspicion of "illegally possessing state secrets." Huang is the founder of the website Tianwang Human Rights Center (64tianwang.com) and was previously imprisoned for five years (2000–2005) on charges of subversion.

November 12

Lawyers for Henan-based land rights petitioner **Liu Xueli** (刘学立) attempted to file an administrative lawsuit against the Luoyang, Henan Province RTL Management Committee, for sentencing Liu to RTL. But the Xigong District People's Court refused to accept the case. During the Olympics, Liu had applied to demonstrate in Beijing's official protest parks but was refused. Liu was detained on September 23, 2008, and told that he had been sentenced to RTL, but was not informed of the cause or duration of the sentence. Liu previously served one year of RTL in 2004 on charges of "disturbing social order."


November 13

Nanjing-based democracy activist **Guo Quan** (郭泉) was detained by police on suspicion of "subversion of state power." Police told Guo's wife, Li Chang, that Guo would be detained for a long time and put on trial. Guo was formerly an associate professor in humanities at Nanjing Normal University and is a founding member of the Chinese New People's Party. He has been detained several times over the past year, most recently during the Olympics.

Mid-November

China Democracy Party member **Xie Changfa's** (谢长发) case was formally sent by the public security bureau to the local procuratorate for examination and indictment. Xie was first detained by Changsha state security officers on June 25, 2008, and was formally arrested on August 1, 2008, on the charge of "subversion."

November 20	Shanghai-based rights defense lawyer Zheng Enchong (郑恩宠) announced that he was withdrawing from the Communist Party of China. Zheng had previously participated in the Communist Youth League and the Young Pioneers. He was imprisoned in 2003–2006 on charges of “illegally providing state secrets abroad,” and was beaten and harassed in April 2008 for writing essays on the sensitive situation in Tibet following the March protests in Lhasa.
November 20	Eight democracy activists in Shenzhen were detained by police for seven hours after handing out leaflets on democracy to passersby.
November 21	Writer and journalist Chen Daojun (陈道军) was sentenced to three years in prison and an additional three years of deprivation of his political rights on charges of “inciting subversion of state power” after a 30-minute trial. Chen was detained on May 9, 2008, on suspicion of subversion of state power, five days after he had participated in a demonstration against a chemical plant in Chengdu, Sichuan Province. He was formally arrested in June.
November 21	The home of Beijing housing rights activist Ni Yulan (倪玉兰) was bulldozed, leaving her husband homeless. Ni, who is handicapped, was arrested in April 2008 on suspicion of “obstructing official business.” Her trial was originally scheduled for August 4, 2008, but it was postponed without explanation just before the Olympics. She is currently detained at Xicheng District Detention Center of Beijing. Ni was previously imprisoned for one year in 2002 for fighting evictions in Beijing.
November 25	A visit by European Parliament official Helga Trüpel to rights activist Zeng Jinyan (曾金燕) was blocked by police and guards at Zeng’s apartment building. Zeng and Trüpel had previously met in 2006. Zeng, who is married to imprisoned HIV/AIDS activist Hu Jia (胡佳), is currently under house arrest, along with the couple’s infant daughter.
November 27	Although Shanghai-based rights defense lawyer Zheng Enchong (郑恩宠) is usually under surveillance, he was able to accept a visit from European Parliament official Helga Trüpel. The state security police normally outside Zheng’s door were absent at the time of Trüpel’s arrival. However, as soon as Trüpel departed, Zhabei District police returned to their posts outside Zheng’s home, preventing ordinary people and foreign reporters from entering.
November 27	The trial for Beijing activist Ni Yulan (倪玉兰) was again postponed from the rescheduled date of November 27, 2008. The trial was postponed as Ni’s husband, Dong Jiqin (董继勤), decided to relieve Ni’s defense attorney and instead represent her himself.
November 27	Prominent Beijing-based rights defense lawyer Li Heping (李和平) was prevented by Customs from leaving the PRC. Li was travelling to Belgium to receive the 2008 Human Rights Award from the Council of Bars & Bar Societies of Europe.
November 29	Shanghai family planning petitioner Mao Hengfeng (毛恒凤) was released from



Shanghai Women's Prison. Mao, who petitioned after losing her job for refusing to abort her second pregnancy, was detained on May 30, 2006, and sentenced to two years and six months in prison on January 22, 2007. She was sentenced for "intentional damage of property" after breaking two table lamps and other objects during her detention. She previously served a year-and-a-half of RTL, has been forcibly admitted to a psychiatric hospital three times, and has been detained several times.

November 30

It was revealed that Shenzhen, Guangdong Province labor activist **Xiao Chun** (肖春) had been secretly arrested and detained in Shenzhen Longgang Detention Center. Xiao disappeared without any official announcement in the summer of 2008. Xiao Chun represented migrant workers and other laborers in judicial suits, helping them with retrieving back pay and other labor issues.

December 2

Henan-based HIV/AIDS activist **Li Xige** (李喜阁) was taken from her hotel room in Beijing by local police officers and escorted back to Henan Province. Li, who contracted HIV/AIDS in 1995 through a blood transfusion, had travelled to Beijing to participate in several activities for World AIDS Day, including a symposium on HIV/AIDS and a ceremony at the Bird's Nest stadium.

CHINESE PUBLICATION HIGHLIGHTS

From the pages of *Huaxia Dianzi Bao* and *Ren Yu Ren Quan*

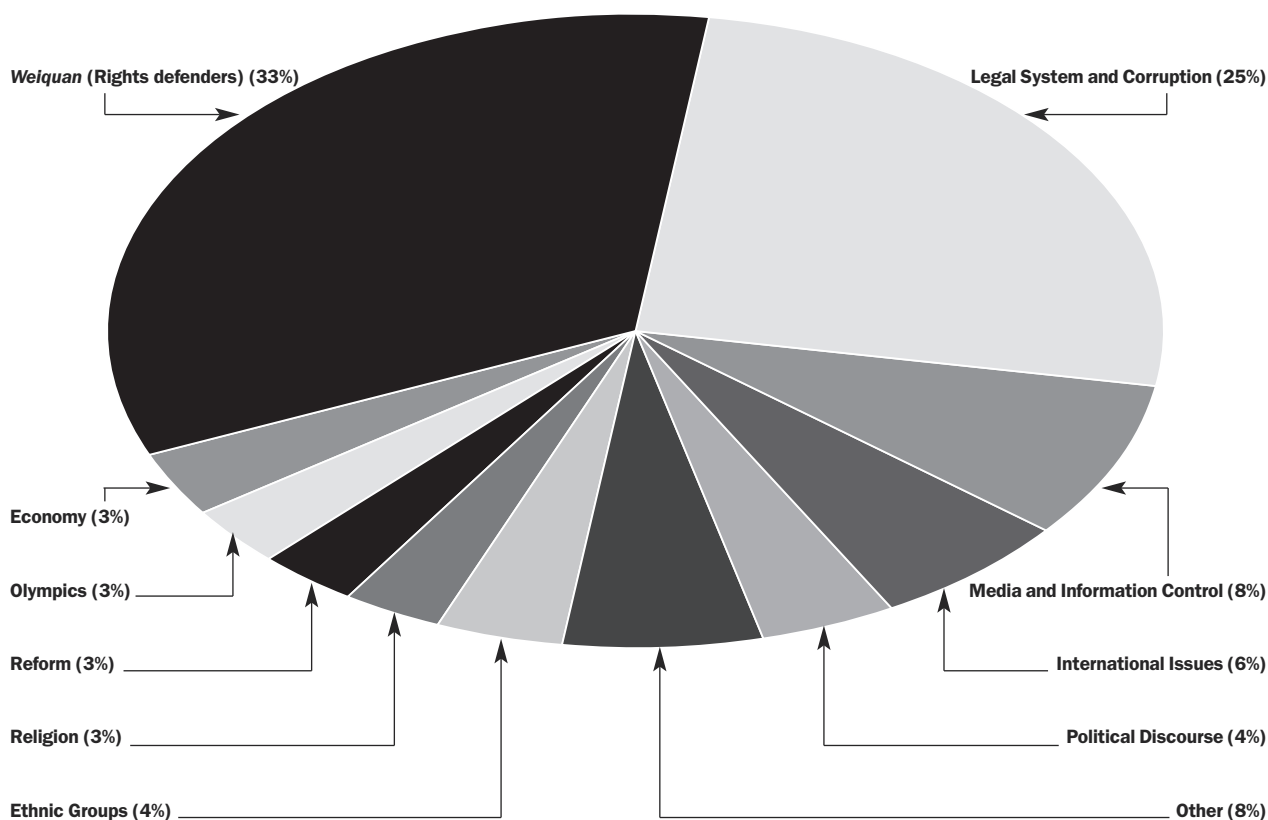
Huaxia Dianzi Bao and *Ren Yu Ren Quan* are HRIC's online Chinese-language publications. *Huaxia Dianzi Bao* is a weekly online newsletter sent to 250,000 subscribers in mainland China, which provides uncensored and underreported news on a number of pressing issues. *Ren Yu Ren Quan* is a monthly online journal that publishes analysis, research, and commentary by independent scholars, writers, and activists.

As part of its editorial commitment to introduce English readers to diverse independent Chinese voices, *China Rights Forum* translates and publishes works by Chinese contributors. Additional translations can be found online at HRIC's website, <http://www.hrichina.org>.

Huaxia Dianzi Bao

<http://www.huaxiabao.org>

Each issue of HRIC's weekly e-newsletter, *Huaxia Dianzi Bao*, includes several short articles and a series of news briefs. New installments, published each Thursday, and archived issues are available on the *Huaxia Dianzi Bao* website. The diagram below presents an overview of the topics covered in the 181 articles in *Huaxia Dianzi Bao* between the months of September and November 2008.



Ren Yu Ren Quan<http://www.renyurenquan.org>

Ren Yu Ren Quan focused on a wide variety of topics in the last several months, including the aftermath of the Sichuan earthquake, the environment of post-Olympics China, and the tainted milk powder scandal. New issues of this monthly HRIC online journal are available at the *Ren Yu Ren Quan* website on the first of every month. Archived issues are also available on the website. A summary of selected articles is provided below.

From the section “Rights, Defense, Democracy, and the Rule of Law” of the September 2008 issue
My Personal Experience with Family Planning Policies [我亲历的计划生育运动]

By Yan Jiawei

In gripping and vivid detail, Yan Jiawei, a Sichuan writer and former physician, describes the horrific practices of population control in China: from late-term forced abortions to vasectomies and tubal ligations. Through his personal experience of the government family planning policies, Yan illuminates the problem of unjust laws: both how they force people, including himself, to act against their conscience, and the lasting psychological damage they inflict.

From the section “Looking Back at the Olympics” of the September 2008 issue
We Must Reject Beijing’s Olympic Model

[京奥模式必须否定]

By Hu Ping

In this article, the Chief Editor of *Ren Yu Ren Quan* argues that, though the Beijing Olympics was indeed a majestic display, the ostentation and the number of gold medals won by Chinese athletes provide scant reason for idolizing the Chinese government. He argues that such a spectacle could never happen in a democratic country because taxpayers would not allow so much of their hard-earned money to be poured into this project. Yet in China, the people have no choice. Hu utilizes this and other examples, including forced evictions of residents to make way for Olympics construction, to show that it is absolutely necessary to reject the Beijing Olympics “model.”

Summaries by Hannah Zhao

From the section “Political Talking Points” of the October 2008 issue
The Poison Released by Tainted Milk

[毒奶释放出制度的毒性]

By Liu Shui

Liu Shui, a writer from Shenzhen, gives a comprehensive timeline and analysis of the missteps that led to the tainted milk scandal. He enumerates the various faults the government and dairy industry leading to the deceit and the failure to do anything to rectify the violations. He also points out that the melamine levels of milk for export and those for national consumption were very different, and that dairy products made by foreign-owned companies in China also contained little or no melamine. He concludes that, tragically, disasters on this scale are often exacerbated by corrupt politics.

From the section “Rights Defense, Democracy, and the Rule of Law” of the October 2008 issue
Remembering Those Lost, Tearfully Gazing Towards the Far Corners of the World:
An Eyewitness Account by an Earthquake

Rescue Volunteer [祭奠亡灵，哭望天涯 (之三) —— 一个灾区志愿者的见闻]

By Pei Sang

Sichuan writer Pei Sang recounts the trauma suffered not only by the victims of the earthquake, but also by rescuers at the collapsed schools. He highlights some of the shortcomings in the design and construction of these educational facilities. For example, a school built for 300 children only had one entrance (also the exit) that was a little over six feet wide—too narrow to safely evacuate the children in an emergency. The devastation of the earthquake was alleviated slightly by successful rescue efforts and the selflessness of various volunteers he met. Yet in the end, he is compelled to ask the still unanswered question that survivors were asking: “Why were these new schools, built less than ten years ago, the first to crumble?”

CULTURE MATTERS

A Parable of Talent Gone to Waste

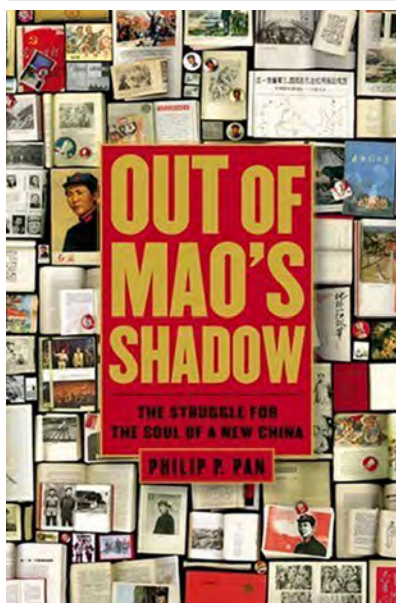
BY THOMAS E. KELLOGG

Philip P. Pan's *Out of Mao's Shadow* is a parable of talent gone to waste. Pan introduces us to Cheng Yizhong, who created China's first fully marketized newspaper, the *Southern Metropolitan Daily*, in 1997. The newspaper, which brought Chinese readers hard-hitting, high-quality news reporting and innovative feature sections on everything from cars to real estate, was an instant hit. It turned its first profit in 1999 and soon became a widely-emulated model for media entrepreneurs nationwide.

Yet Cheng's success was not enough to insulate him from serious trouble. In early 2003, Cheng found himself running afoul of local authorities over his paper's coverage of the government's inept handling of the outbreak of Severe Acute Respiratory Syndrome (SARS). A few months later, Cheng's decision to publish a harrowing account of police brutality in Guangzhou—a story that led to the repeal of a notorious decades-old administrative detention system known as *shourong qiansong* (“custody and repatriation” 收容遣送)—earned him a spot on the government's enemies list. In March 2004, Cheng was detained on allegations of corruption. His detention was seen by many as politically-motivated payback for his paper's hard-edged reporting. Although he was eventually released, Cheng's marvelous creation was taken away from him. He now spends his days ducking the spotlight and editing a local sports magazine.

Barefoot lawyer and disability rights activist Chen Guangcheng is another case in point. Blind from an early age, Chen seems to have willed himself to overcome the formidable obstacles set before him, including not only his own disability but also his background as a

***Out of Mao's Shadow:
The Struggle for the Soul
of a New China***
By Philip P. Pan
Simon & Schuster
November 2008
368 pages, \$28.00



poor peasant from rural Shandong province. After winning a widely-publicized case securing free access to the Beijing subway for handicapped persons, Chen was besieged with requests for help from local villagers on any number of egregious injustices. Ignoring advice from friends impressed by his courage but fearing for his safety, Chen took on several cases certain to rankle the authorities. In the nearby city of Linyi, Chen challenged local officials to end their abusive enforcement of the one-child policy. It proved to be a costly decision.

For his efforts on behalf of the poor and the dispossessed in his home county, Chen was arrested on the streets of Beijing in September 2005. He was dealt a much harsher penalty than Cheng Yizhong: after a brief trial in August 2006, Chen was sentenced to more than four years in prison for “damaging property and organizing a mob to disturb traffic.”¹

Other examples abound: SARS doctor Jiang Yanyong was taken into custody for several weeks after he wrote a letter to senior officials urging the government to reconsider its verdict on the Tiananmen Square protests. Accidental labor activist Xiao Yunliang was sentenced to four years in jail for organizing protests against corruption and job losses at his former factory in northeastern Liaoning province. Their stories, beautifully rendered by Pan, illustrate a paradox that the Chinese government has yet to resolve: the problems that China currently faces can't be meaningfully addressed without the help of committed individuals and the ever growing number of civil society groups. Yet the government is often fearful of those who have the most to give.

Any country would be lucky to have a journalist as creative and innovative as Cheng Yizhong, or a grassroots activist as brave and committed as Chen Guangcheng. The success of social movements rests in no small part on the willingness of individual citizens to put aside what are often more lucrative and less risky career options for the sake of the issues they care about.

Out of Mao's Shadow is also about the choice between pragmatism and moral purity. Does it make more sense to push for change while carefully avoiding arrest and imprisonment, or must one make a moral statement in the face of injustice, regardless of cost? When do moral statements cause a backlash that might be counter-productive to the goals of the movement? And if pragmatism delivers diminishing returns—as with the defense of Chen Guangcheng—then why choose that approach?

During 2005 and 2006, many of the top human rights activists—most of whom are part of the loosely-affiliated group of so-called *weiquan*, or rights defense, lawyers—were drawn into the debate. It is true that, for a time, the conversation generated more heat than light: I remember interviewing a prominent *weiquan* lawyer in a Beijing coffeehouse as that debate was going on, and his anger over what he viewed as both mistaken and harmful moves by those on the moralist side was evident. His voice shook as he named the names of those who were, to his mind, doing much harm and little good.

Yet the passage of time has healed many of the small wounds inflicted then. And here Pan makes a rare error in his analysis: he suggests toward the end of the book that the *weiquan* movement, driven by factional disputes over long-term strategy and short-term tactics, will have difficulty in maintaining any influence. “The lawyers who rallied to defend (Chen Guangcheng) are a demoralized and divided bunch, and the greater *weiquan* movement is foundering and on the verge of collapse,” Pan concludes.² This may have been the case when Pan was putting the finishing touches on his book manuscript, but the factional divisions that cut deep divisions in the *weiquan* movement, though by no means completely vanished, have dissipated. Pragmatism is the name of the game, for now, and the imple-

mentation of strategic approaches is what most *weiquan* lawyers are focused on.

Instead, the largest challenge confronting the *weiquan* movement—still very much in the early stages of development and very vulnerable—is external. Over the past few years, China has seen the rise of tactics once considered unthinkable in the Chinese context: the use of state violence to curb the activities of activists, journalists, lawyers, and other troublemakers.³ In the past, governments would limit themselves to the threat and promise of jail terms to control would-be activists. Yet the lawyers who made their way to Linyi to defend Chen Guangcheng in 2006 were beaten by thugs apparently hired by the local government. In September 2007, rights lawyer Li Heping was kidnapped and beaten by a group of unidentified men.⁴ Although Li’s assailants did not make clear the reasons for their attack, it is believed that the beating was tied to Li’s human rights work.

Ironically, some have traced this deeply troubling trend of violence against lawyers to the *weiquan* movement itself: as human rights lawyers have taken an interest in cases far from Beijing, local governments, unused to being challenged on their home turf, have been forced to respond. Many local officials cannot abide having their authority questioned. They react to these interlopers just as they handle unruly behavior by local peasants: with force. For other officials, a more complex calculus may be in effect: given the prominence that many *weiquan* lawyers enjoy, any arrest will bring with it a chain of unwanted phone calls from nervous central government officials. Using hired thugs to kidnap and beat a lawyer may not, perhaps, generate a similar response, in part because the government’s hand is partially hidden.⁵ How can Beijing—or Washington or Brussels—call to complain when no one knows which government official was ultimately responsible?

Many of the *weiquan* lawyers I spoke to—none of them strangers to oppressive government behavior—still had the capacity to express shock and surprise, and even disappointment, over the use of violence by government actors. This reaction is indicative of the faith that Chinese human rights activists have in their country, and the government’s ability to, over time, live up to the promises that it has made. It is in the best interest of

senior government officials to take steps to preserve that faith, that long-term optimism, among its most rigorous critics. If the current willingness to engage were replaced by a lingering cynicism or even defeatism, it would have negative consequences that would spread far beyond Beijing.

One would hope that, at some point, the central government would realize that the activists and individual citizens profiled in Pan's book are in fact serving society, and, in doing so, serving the government's interest in preserving social harmony through social justice. While government officials may wonder whether non-governmental organizations, a marketized press, and a small but dedicated troupe of human rights lawyers aren't more trouble than they are worth, they might well ask themselves a very difficult question: what would China look like without these nascent and still very fragile institutions and groups? Might it not look uncomfortably like Burma or North Korea? Surely most Chinese officials—their occasional and likely unreachable dreams of a Singapore writ large notwithstanding—would rather see their country evolve in the direction of South Korea or Taiwan? If so, then the government should take steps to increase the political space available to those who are trying to engage in constructive evolutionary change within the system.

Reading Pan's book, it is difficult not to nod one's head in agreement over Pan's suggestion that it is not the rich who will push China to change. One of Pan's most fascinating profiles in the book is of real estate magnate and property developer Chen Lihua, the chubby, 59-year-old woman who learned how to play the game of charming officials and crushing the protests of urban residents who were forced to relocate so that Beijing could be remade. The sums of money to be had from metamorphosing Beijing from what was one of the world's most beautiful cities into one of its least compelling capitals are enough to make a reader's head spin. One scholar estimated that Beijing-based developers like Chen, working hand in glove with government officials, walked away with more than \$17 billion in ill-gotten gains during the 1990s. The same story played out in city after city across China.

Pan makes clear that Chen's careful cultivation of rela-

tionships with both officials in the municipal government and inside Zhongnanhai—the Beijing residential complex that houses the highest-level Communist Party leaders—were crucial to her stratospheric success. Entrepreneurs who, like Chen, made their fortunes in part through government connections, will almost certainly not turn around and bite the hand that fed them. According to Pan:

... those counting on the capitalists to lead the charge for democratization in China are likely to be disappointed. China's emerging business elite is a diverse and disparate bunch, and for every entrepreneur who would embrace political reform, there are others who support and depend on the authoritarian system, who believe in one-party rule and owe their success to it. Chen Lihua fits in this latter category, and her story is a reminder that those with the most wealth—and thus the most resources to devote either to maintaining the status quo or promoting change—are also the most likely to be in bed with the party.⁶

So count out China's new rich. And, by extension, most government officials, many of whom are more interested in lining their pockets than pursuing liberal reforms. It seems almost certain that, for the next few years at least, progressive change in China will be more of a bottom-up process than a top-down one. More often than not, the government will not initiate, it will react. That means that the activism and professionalism of the lawyers, journalists, and others profiled in Pan's book will become even more important. What they are able to accomplish will play a significant role in determining the course of change in China over the next several years.

Pan's *Out of Mao's Shadow* is, without a doubt, one of the best journalistic portraits of China to come along in some time. It edges out even some of my longtime favorites, including Ian Johnson's *Wild Grass: Three Portraits of Change in Modern China* and Nicholas Kristof and Sheryl WuDunn's *China Wakes: The Struggle for the Soul of a Rising Power*. What makes the book so compelling is its combination of rich, on-the-ground reporting, and hard-edged analysis of China's present status and future course. As China enters a period of economic uncertainty, the questions raised by Pan will

become all the more urgent, the potential pitfalls he points out all the more dangerous. His book should be required reading for those looking to better understand the challenges that China faces as it attempts to navigate its way through what will almost certainly be very trying times.

Notes

1. Ching-Ching Ni, "Chinese Activist Gets Jail Sentence," *Los Angeles Times*, August 25, 2006, <http://articles.latimes.com/2006/aug/25/world/fg-blind25>.
2. Philip P. Pan, *Out of Mao's Shadow* (Simon & Schuster, 2008), 322.
3. Philip P. Pan, *Out of Mao's Shadow* (Simon & Schuster, 2008), 314.
4. "Lawyer for Chinese Dissidents Says He Was Beaten, Told to Stop Making 'Trouble,'" Associated Press, October 3, 2007.
5. Author interviews, Beijing and New York, October and November 2008.
6. Philip P. Pan, *Out of Mao's Shadow* (Simon & Schuster, 2008), 156.

A Field Guide to China's "Low Cost" Factories

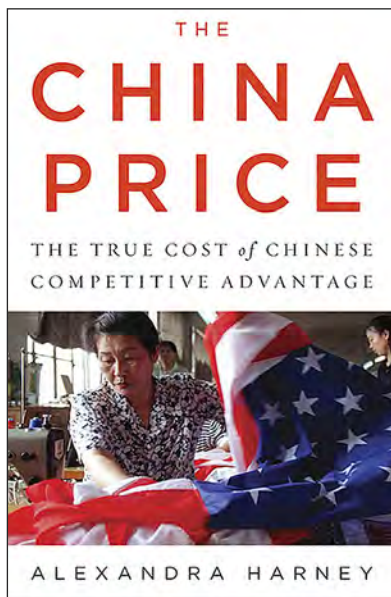
BY GEOFF CROTHALL

If you really want to know why your DVD player costs just US \$30 and that t-shirt retails at under US \$3, you should read *The China Price: The True Cost of Chinese Competitive Advantage*, by former *Financial Times* journalist Alexandra Harney.

Ms. Harney has written a detailed and precisely structured guidebook for American consumers, which reveals the real cost—low wages, hazardous working conditions and environmental degradation—of the products that line the shelves of Wal-Mart and just about every other retail outlet in the United States. The book blends macroeconomic and geopolitical analysis with touching profiles of ordinary Chinese workers and labor activists to create a comprehensive and accessible picture of life in China's factories, and asks how long this situation can last.

During her research for this book, Ms. Harney interviewed individual migrant workers, representatives of workers' rights centers, and corporate social responsibility (CSR) managers throughout China. The result is a well-balanced and grittily realistic account, not only of the problems Chinese workers face in dealing with

***The China Price:*
The True Cost of Chinese
Competitive Advantage
By Alexandra Harney
Penguin Press
March 2008
352 pages, \$25.95**



employers hell-bent on increasing profits at any social cost, but also of how workers nowadays are starting to stand up for their rights—both individually and collectively.

She notes, for example, how migrant workers, particularly the second generation of migrant workers now entering the workforce, are far more aware of their legal rights than before, and are now insisting that employers respect them. The book profiles a young labor activist who lost his hand soon after beginning work at a plastics factory and went on to become a self-taught legal aid worker dedicated to helping other victims of work-related injury and illness. It also cites the case of Deng Wenping, a victim of the silicosis¹ epidemic in the gemstone industry, to illustrate both the health hazards faced by China's workers and the determination of those workers to seek redress for workplace-related

injuries and illnesses.

Deng, as a gem grinder in the Hong Kong-owned Perfect Gem factory in Huizhou, Guangdong Province, first contracted the deadly illness in 2002 because there were no ventilation or air-extraction facilities in his

workshop. When he and other fellow workers were diagnosed as having silicosis, the company fired them all and bitterly fought their requests for compensation. When Deng died in January 2006, his wife and children were left in total penury. But eventually, a series of groundbreaking lawsuits brought by 11 silicosis-afflicted jewelry workers in Guangdong resulted in court orders that forced the delinquent companies to compensate all the victims.

Ms. Harney describes a nascent labor movement in China:

Today, Chinese workers are more likely to shun factories with poor conditions, more prone to protest or strike, and more willing to sue their employers than in the past... By the standards of labor rights movements in the rest of the world, the shift underway in China is subtle. There is no national labor movement, no nationally coordinated strikes or sit-ins, no collective consciousness of the daily struggle of a Chinese factory worker. There is not even a charismatic leader... And yet, the stirrings of activism among Chinese workers are already creating challenges for the country's manufacturing sector.

The book also examines in detail the CSR initiatives and anti-sweatshop movements in the United States that are increasingly influencing the behavior of transnational companies, and the effect these efforts are having on their Chinese suppliers. It reveals how "five-star factories" conform to the codes of conduct laid down by the major brands while their suppliers use "shadow factories" to make sure they can meet the cost and time demands made by those brands. Ms. Harney describes the auditing and compliance work of Wal-Mart and shows that, all too frequently, American companies are more concerned with removing the stigma of "sweatshop" than actually protecting workers' rights:

The inspector asked the manager to retrieve payroll and other records and choose 15 assembly-line workers she could interview later that morning. "Do it as fast as you can," she said. "I have to finish by one P.M. at the latest."... The factory managers watched her warily, afraid of what she might find. At the end of the tour, she pronounced the factory "pretty good"... A

ten minute drive away, another factory owned by the same manager was humming away. This factory was making the same products for Wal-Mart as the factory the auditor saw, but under wholly different conditions and a cloak of secrecy... No one from Wal-Mart has ever seen this factory, though Wal-Mart buys much of the factory's output, according to its owner. Officially, this factory does not even exist.

The situation in China's factories remains fluid, however, and Ms. Harney suggests that one way forward for American brands and their Chinese suppliers is to encourage the election of workers' representatives to negotiate directly with management, and for managers to appreciate that a contented workforce is a more productive and efficient workforce. Moreover, she says, the Chinese government needs to more effectively implement its own labor and environmental legislation, and:

Create an organization that truly represents workers, particularly migrants, in their negotiations with government agencies, the judicial system and employers. It's not unthinkable that this organization could be the ACFTU, but the state-backed union would need to undergo substantial reform in order to serve workers more effectively.

Finally, Ms. Harney suggests that if the government:

Applied the same elbow grease to policing its factories that it does to policing political debate on the internet, it would improve the standard of its manufacturing base, reduce the caseload of lawsuits and protests by disgruntled workers and ease tensions with its trading partners.

Publication of *The China Price* could hardly be timelier, as 2008 has proven to be a red-letter year for workers' rights in China. Three new national labor laws have come into force since January (the *Labor Contract Law*, *Employment Promotion Law*, and *Law on the Mediation and Arbitration of Labor Disputes*); the government-sponsored All-China Federation of Trade Unions (ACFTU) is in full-swing to "unionize" the entire private sector; and in recent months various city governments and official trade union centers have even begun promoting the use of collective bargaining.

Much of this new thinking by the authorities on labor issues has been driven by the unavoidable reality of rising worker consciousness and labor militancy in China—a factor that threatens to derail the government’s “harmonious society” project and therefore compels it to start making concessions to workers’ demands. Ms. Harney’s gripping and well-researched account provides the essential background to under-

standing this crucial new dynamic in Chinese labor relations today.

Note

1. Silicosis—the inflammation and scarring of the lungs—is caused by inhalation of crystalline silica dust.

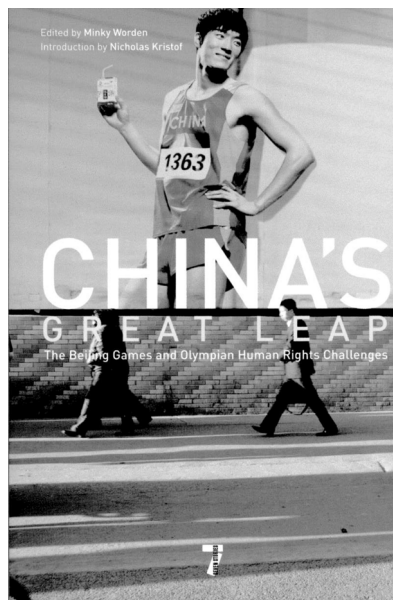
Table Talk about the Olympics and Human Rights

BY JEFFREY N. WASSERSTROM

The “Acknowledgements” section of *China’s Great Leap* comes at the end of the book rather than the beginning, but I read it first and am glad I did. Why? Because in it Minky Worden uses a lovely simile to describe the role she played in pulling together this thought-provoking volume. “Producing an anthology,” she writes, “is like planning a dinner party—you imagine the people you’d most like to have around a dinner table, and how their expertise and life experiences will combine to make the most interesting and engaging discussion possible.”

This dinner party image stayed with me while I read her wide-ranging book, which covers everything from the plight of members of the “invisible army” of migrants who built stunning venues such as the Bird’s Nest Stadium (the subject of Mei Fong’s powerful chapter and a poignant photo essay by Dutch photographer Kadir van Lohuizen), to limits on press freedom (the focus of Phelim Kine’s “A Gold Medal in Media Censorship”). I kept musing on how interesting it would have been to be a dinner guest at an actual pre-Olympics gathering with the international group that Worden assembled, with its mixture of expected and unexpected participants in a discussion of Chinese human rights. For, thankfully, Worden took her self-imposed charge of trying to line up “guests” with varied “life experiences” and forms of “expertise” very seriously. Thus we

China’s Great Leap: The Beijing Games and Olympian Human Rights Challenges
 Edited by Minky Worden
 Seven Stories Press
 May 2008
 336 pages, \$18.95



get to hear from both a sometime contributor to *Sports Illustrated* (Dave Zirin) and an internationally-renowned expert on the Chinese legal system and law professor at New York University (Jerome A. Cohen), from a former child laborer in a garment factory who struck it rich in Hong Kong’s clothing and media worlds (Jimmy Lai), as well as from an iconoclastic literary critic and wonderfully articulate political gadfly who heads the independent Chinese PEN Center in Beijing (Liu Xiaobo).

It is pure fantasy, of course, to think that such a dinner party could have taken place. There are, after all, some very busy people represented in this volume, such as journalist Nicholas Kristof (who wrote the “Introduction”), Hong Kong democracy activist Martin Lee (who gives us a lively survey of post-1997 trends in the former Crown Colony), Human Rights Watch

Executive Director Kenneth Roth (who weighs in with “A Dual Approach to Rights Reform”), and former law professor turned Human Rights in China Executive Director Sharon K. Hom (represented here by “The Promise of a ‘People’s Olympics’”).

In addition, there’s nowhere on earth that everyone who wrote for the volume would be able to convene. At least one contributor, Bao Tong, a former confidant of Zhao Ziyang who is now an outspoken critic of the

Party, can't leave China. And at least one other contributor, the U.S.-based one-time Tiananmen protest leader Wang Dan, can't enter the PRC.

The book that resulted from Worden's dream dinner party is admirable in many ways, but not without its flaws. Let's begin with issues of style. The volume contains a few fresh and memorable turns of phrase, such as Bao Tong's reference to the Chinese Communist Party growing "addicted to tactical cosmetic patches, such as hosting the Olympics," in order to distract attention from its "social justice" failures. And some of the chapters are written in a very lively and engaging manner, such as Emily Parker's look at sports and nationalism in recent PRC history. Nevertheless, the book suffers from some repetitiveness, both in terms of rhetoric (too many uses of stock phrases such as the Olympics as a "coming out" moment for China) and subject matter.

Another shortcoming or pair of shortcomings has to do with historical and comparative context. Too often, authors seem hesitant to look any further in Chinese history than the Cultural Revolution. And too often they seem to take for granted that it is enough to bring in one, or at most two, foreign examples when thinking through a Chinese dilemma. Here the most obvious illustration is that past Olympics other than those that took place in Berlin in 1936 (held up as a cause for despair) and Seoul in 1988 (held up as a cause for hope) are rarely discussed. (It is true, though, that Zirin's chapter breaks from the mold in a refreshing manner, highlighting the relevance of thinking about the repressive and politicized aspects of Games that have taken place or will take place in countries that are neither Fascist, run by a Communist Party, nor located in Asia.)

Readers with little previous familiarity with China would have benefited from being told just a bit more

about a few historical and comparative matters. The book could have been improved by discussing more of the complex ways that ideas about rights (including the "now-you-see-it-now-you-don't" issue of gender equal-

ity) figured in the revolutionary upsurges of the 1910s–1940s and the first years of the People's Republic. And, for comparison, by hearing more about how concepts of human rights have been understood differently in varied settings. More specifically, it is important to mention—even if ultimately to debunk—the fact that Chinese officials have sometimes claimed that "Asian Val-

ues" or socialist traditions justify an interpretation of UN documents, such as 1948's *Universal Declaration of Human Rights*, that differs from that which is the norm in the United States.

It may be churlish when dealing with a volume that covers so much to say that it could have done still more. Nevertheless, the kind of added historical and comparative context I have in mind could have been dealt with simply. All it would have taken is the working in of a chapter by someone like Marina Svensson or Merle Goldman, to name just two scholars who have done academic research on China's past and shown an ability to write accessibly and forcefully about the Party's discourse on, and abuse of, human rights.

Last of all, there is what seems at first to be a flaw in the book, but perhaps need not be thought of as one in the end: how quickly it has already begun to seem dated. The problem here is not just that the chapters were written with the Olympics still on the horizon, and now they have come and gone, but also that the chapters were written before the torch run protests, the May earthquake, and other notable early-to-mid 2008 events had occurred. Reading the volume post 08/08/08, I found myself wishing, with even the best chapters in the volume, that they came with epilogues that con-



Petitioners hold letters of complaint in the "Petitioners' Village," which housed up to 4,000 petitioners in Beijing. It was torn down in the fall of 2007. Photo credit: 2007 Kadir van Lohuizen/NOOR.

tained reflections on how the Olympics had defied or confirmed the author's expectations, and whether other headline-grabbing Chinese developments made them rethink any of their conclusions.

In one sense, then, *China's Great Leap* now needs to be read not as something that prepares us for a coming event but as a kind of period piece. It offers us a valuable window onto how the PRC was, and how it was being thought about and discussed, before a series of major developments took place.

But there's also a more forward-looking way to view it. This is a work that makes for stimulating reading for anyone trying to get a head start on thinking about the twentieth anniversary of the Tiananmen protests and

the June Fourth Massacre that crushed them. *China's Great Leap* may focus on the Olympics, but one of its appealing features is that it offers us a good sense of what some of the most inspiring and thoughtful participants in 1989's drama—not just Wang Dan and Bao Tong, but also Liu Xiaobo (who co-wrote the moving June 2nd hunger strike manifesto that remains perhaps the most powerful and insightful document produced during the movement) and the courageous labor activist Han Dongfang—now think about important issues. So, *China's Great Leap* may be just as interesting to read with the upcoming 2009 anniversaries in mind (that year will also see the Communist Party marking the passage of 60 years since the PRC was founded) as it was to pick up when China's Olympic moment was on the horizon.

ORGANIZING AND CONTRIBUTING TO POST-OLYMPICS ASSESSMENTS

OCTOBER 21

New York City Bar Association Foreign and Comparative Law Committee: “China: Post-Olympics Reflections” | NEW YORK CITY

Executive Director Sharon Hom presented a post-Olympics assessment to the members of the Foreign and Comparative Law Committee of the New York City Bar Association. Ms. Hom focused on Beijing’s Olympic promises and the legacy of the Games, including the impact of the media regulations for foreign journalists, the real cost of the Games and infrastructure, and the increasingly conservative domestic climate in China.

OCTOBER 27

HRIC/FIDH/ICT Co-hosted Discussion: “Promoting Human Rights in China: Post-Olympics Legacy and Opportunities” | BRUSSELS, BELGIUM

HRIC, along with the International Federation for Human Rights (FIDH) and International Campaign for Tibet (ICT), hosted a discussion on the legacy and opportunities presented by the Beijing Olympics. The discussion was moderated by Jean-Paul Marthoz, Director of Enjeux Internationaux and columnist at the Belgian newspaper *Le Soir*, and featured presentations by a number of speakers. Sam Geall, Deputy Editor of www.chinadialogue.net, spoke regarding the environmental impact of the Games; Greg Walton, SecDev Fellow at Citizenlab, spoke on high technology and security; Pierre Haski, former correspondent to China for Liberation and Director of www.rue89.fr, discussed media freedom and freedom of expression; while Françoise Robin, Lector with the Tibetan Section of Institut National des Langues et Civilisations Orientales (INALCO), Vincent Metten, EU Policy Director at ICT, and HRIC Executive Director Sharon Hom spoke on social development in China and Tibet. *[For articles featuring discussion content, see “Blue Skies over Beijing” by Sam Geall and “Tibet at a Turning Point” by Vincent Metten in this issue.]*

NOVEMBER 17

Canada/European Union Post-Olympics Assessment: “Human Rights, Civil Society and Governance in China” | HONG KONG

Executive Director Sharon Hom spoke at this special Canada/European Union roundtable event organized for the occasion of the 60th anniversary of the *Universal Declaration of Human Rights*. Participants included government representatives, scholars, and NGOs. Ms. Hom, along with Anthony Spires, Professor at the Chinese University of Hong Kong, presented during a session on “Civil Society Organizations in China: a Rising Trend?” and “How far can Hong Kong influence the Civil Society Organizations in China?”

DECEMBER 15**Post-Olympics Assessment Breakfast Briefing | NEW YORK CITY**

Atlantic Philanthropies hosted a private briefing on the impact of the Olympic Games on the environment and human rights in China, as well as the current political climate and strategies for improvement going forward. Gara LaMarche, President & CEO of Atlantic Philanthropies, moderated the discussion; Elizabeth Economy, C.V. Starr Senior Fellow and Director of Asia Studies at the Council on Foreign Relations, spoke regarding the environment; and Executive Director Sharon Hom spoke on the human rights challenges. [For an article featuring discussion content, see “Elizabeth Economy on China’s Environment” in this issue.]

PROMOTING CHINA’S IMPLEMENTATION OF HUMAN RIGHTS OBLIGATIONS AT THE UN

NOVEMBER 6–10**United Nations Committee Against Torture Review
of the People’s Republic of China | GENEVA**

Executive Director Sharon Hom and Hong Kong Program Director Kenneth Lim participated in the review by the United Nations Committee Against Torture of the People’s Republic of China (PRC) on implementation of the *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (CAT).

To contribute to the Committee’s review, HRIC submitted an NGO parallel report detailing key areas of concern regarding PRC implementation of CAT, and providing a number of recommendations. On November 6, Ms. Hom also presented an oral intervention to the Committee during its session for NGOs from China, Hong Kong, and Macao. Ms. Hom and Mr. Lim attended the November 7 Committee session, in which members of the Committee raised their concerns about inadequate information provided by the Chinese government on its compliance with CAT, and the November 10 Committee session, in which members of China’s delegation responded to those concerns.

The Committee issued its findings in a sweeping report on November 21, stating that it “remains deeply concerned about the continued allegations, corroborated by numerous Chinese legal sources, of routine and widespread use of torture and ill-treatment of suspects in police custody, especially to extract confessions or information to be used in criminal proceedings.” The Committee’s findings included areas of concern addressed in HRIC’s parallel NGO report, including the state secrets system, Reeducation-Through-Labor, and lack of access to counsel—all of which create situations in which defendants and detainees are vulnerable to abuse and torture. More information on the Committee’s findings, as well as links to HRIC’s parallel report, oral intervention, and related documents, can be found at <http://www.hrichina.org/public/contents/78014>.

A cleaner mops the stairs of the National Stadium during the 2008 Olympic Games on August 13, 2008. Photo credit: Gary Hershorn/REUTERS

NOVEMBER

United Nations Working Group on Arbitrary Detention

HRIC submitted three cases to this independent international body of human rights experts, to bring attention to the arbitrary detention of these individuals in violation of their human rights. HRIC builds on decisions by the Working Group to push for the release of individuals and raises their cases with governments that participate in human rights dialogues with China, including the European Union (EU), EU member state governments, and the United States (U.S.) government.

ADVANCING CORPORATE SOCIAL RESPONSIBILITY

OCTOBER 29

Launch of the Global Network Initiative

After two years of negotiation in which HRIC took active part, a multi-stakeholder group of companies, civil society organizations (including HRIC and other human rights and press freedom groups), investors, and academics officially launched the “Global Network Initiative,” a collaborative initiative to protect and advance freedom of expression and privacy in the information and communications technology sector. More information on this Initiative, including the core documents detailing the Initiative’s objectives and the key commitments of the participants, can be found at <http://www.globalnetworkinitiative.org>.

OCTOBER 28

European Economic and Social Committee | BRUSSELS, BELGIUM

Executive Director Sharon Hom provided an update on corporate social responsibility and related issues at the European Economic and Social Committee’s preparatory meeting for the Fourth EU-China Round Table.

REACHING BROADER AUDIENCES

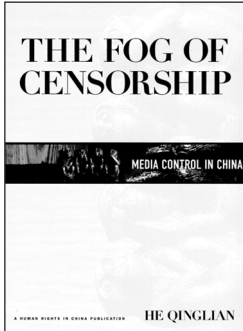
OCTOBER 14

New York University School of Law’s

Timothy A. Gelatt Dialogue on Law and Society in Asia: “China’s ‘Re-Education Through Labor’ and Taiwan’s ‘Technical Training Institutions’” | NEW YORK CITY

Executive Director Sharon Hom spoke as a commentator at this discussion of “Prospects for Abolishing or Reforming RTL” and of the question “Do Taiwan’s ‘Security Tribunals’ Provide Enough Safeguards for ‘Hooligans’ Targeted by Police?,” presented by U.S.-Asia Law Institute Senior Research Fellows Daniel Ping Yu and Margaret K. Lewis, respectively. U.S.-Asia Law Institute Co-Director Professor Jerome A. Cohen moderated the discussion, and Professors Zhiyuan Guo (China University of Political Science and Law and Guanghua Foundation Visiting Scholar, U.S.-Asia Law Institute) and Frank Upham (Co-Director, U.S.-Asia Law Institute) also provided comments.

PRESENTING HRIC RESEARCH WORK



OCTOBER 24

Discussion and Book Signing: *The Fog of Censorship: Media Control in China* by He Qinglian | NEW YORK CITY

As part of the launch of the English edition of *The Fog of Censorship*, HRIC Senior Researcher in Residence He Qinglian discussed the conclusions of her work and the issue of censorship in China, and fielded questions from an audience of about 20 people, including lawyers, academics, journalists, and others. Executive Director Sharon Hom moderated the discussion.

SPECIAL EVENT

OCTOBER 15

Bernstein Fellow Reception | NEW YORK CITY

HRIC board member William Bernstein hosted a reception to celebrate the Robert L. Bernstein Fellowship in International Human Rights. This fellowship enables an NYU Law School graduate to devote a year to full-time human rights work at HRIC. The fellowship is established in honor of Mr. Robert L. Bernstein, Director and Chair Emeritus of HRIC and Founding Chair and Director Emeritus of Human Rights Watch, who has made lifelong contributions to human rights in China and around the world. The event was attended by Mr. Robert L. Bernstein, HRIC board members including Christine Loh, Andrew Nathan, and R. Scott Greathead, Executive Director Sharon Hom, and 2008 Fellowship recipient Chen Yu-Jie.

HONG KONG HIGHLIGHT: HUMAN RIGHTS EDUCATION AND OUTREACH

HRIC's Hong Kong staff participated in the annual Human Rights Day Carnival held on December 7 in Mongkok, a busy Hong Kong shopping district. With a total of 27 local NGOs participating, the Human Rights Day Carnival attracted thousands of people.

Hundreds of mainland and Hong Kong visitors stopped by HRIC's booth to take copies of our publications. Books, especially Chinese-language ones, were quickly snapped up and staff had to go back to the HRIC office mid-way through the event to restock Chinese-language materials. Many visitors also stopped by to read HRIC's information display. With a large map of China as a backdrop, and the theme of "Hundred years of dreams" [百年梦], the display mapped out examples of specific human rights issues, such as environment, housing, and health, with accompanying information summaries.

HRIC also had a "free expression" message board, on which members of the public were invited to write down their own dreams/wishes for Chinese human rights development. Even young children came forward to write their messages on the board, for example, "wish everyone in China has a job" [希望中国人人有工做], and "wish Chinese people do not sell pirated goods" [希望中国人唔好卖翻版]. Many of our younger visitors also participated in our games section. Children with their parents played the "building tower" game and learned that China's development, skipping all those "foundation stones" of human rights or environmental protection, would fall down.

HRIC SPEAKS

In the fall of 2008, HRIC actively engaged the media by:

- Issuing news updates and statements to an extensive recipient list of reporters, producers, advocates, and researchers; and
- Speaking with print, broadcast, and online media.

Topics included crackdowns on human rights defenders, the 60th Anniversary of the *Universal Declaration of Human Rights*, and “Charter 08,” which calls for legal reforms, democracy, and protection of human rights in China.

PRESS RELEASES, STATEMENTS, CASE UPDATES: SEPTEMBER TO DECEMBER 2008

September 10, 2008: HRIC September Take Action: Put an End to Torture in China

HRIC highlighted the case of **Guo Feixiong** (郭飞雄), a human rights defender currently serving a five year sentence for editing a book about a political scandal. Guo was convicted based upon a confession extracted by torture.

September 10, 2008: Open Letter to Meizhou Prison

HRIC sent an open letter to Meizhou Prison in Guangdong to appeal for better treatment for **Guo Feixiong** (郭飞雄).

September 15, 2008: Petitioners Call Sentence Repeal a “Victory for Civilization,” Thank International Media

HRIC published a letter of gratitude from the elderly petitioners **Wu Dianyuan** (吴殿元) and **Wang Xiuying** (王秀英) after an international outcry helped lead to the rescinding of their Reeducation-Through-Labor sentence handed down during the Olympics.

September 16, 2008: Mao Hengfeng, Petitioner on Family Planning Issues, Reports Continued Abuse in Prison

Mao Hengfeng (毛恒凤), later released after serving a two-and-a-half year sentence for destruction of property, reported continued abuse in prison, including being jabbed with needles, being assaulted by prisoners, and being having sound played continuously in her cell.

September 16, 2008: Chengdu House Church Files First Suit in China Against Government Religious Authority

Qiyu Blessings Church, a house church in Chengdu, filed suit against the Shuangliu County Bureau of People's Religious Affairs for illegally shutting down a religious gathering held by the church on May 2, 2008. Update: On September 23, the Shuangliu County Court informed the plaintiff that the court had requested the higher level court in Chengdu to accept this case because it involves “religion” and impacts on Shuangliu's area of jurisdiction, and the plaintiff should revise its complaint. On September 23, the Chengdu Municipal Religious Affairs Bureau made an administrative supervision decision to annul the May 6 administrative decision made by the Shuangliu County Bureau of Religious Affairs. On

October 6, the Shuangliu County Court was ordered not to accept the case because the administrative decision which was the basis of plaintiff's suit had been annulled.

September 26, 2008: Sichuan Teacher, Liu Shaokun, was Released to Serve his Reeducation-Through-Labor Sentence Outside of Labor Camp

Liu Shaokun (刘绍坤), who had been sentenced to one year of Reeducation-Through-Labor after photographing collapsed schools in Sichuan, was released to serve his sentence outside the labor camp. Liu's family expressed gratitude to HRIC and the international community for their concern.

October 8, 2008: Security Forces Beat Impoverished Villagers Seeking Redress for Man-Made Disaster

Hundreds of peasants organized a peaceful sit-in and blocked traffic at a major road in Sanjiang town, Guangdong Province, to protest the collapse of a local dam which had been made vulnerable by the official sale of the surrounding palm trees. The sit-in was brutally broken up by over 500 police officers.

October 17, 2008: HRIC Calls for Press Freedom for all Journalists in China

HRIC welcomed the Chinese government's decision to make permanent the temporary regulations governing foreign reporters during the Olympic Games, but called on the government to extend these same basic protections to domestic journalists as well.

October 23, 2008: HRIC Congratulates Hu Jia, Recipient of 2008 Sakharov Prize

HRIC welcomed the conferral of the 2008 Sakharov Prize for Freedom of Thought to rights activist **Hu Jia** (胡佳), both for the recognition of his work as an individual and as a symbol of international concern for the situation within China.

October 31, 2008: Lawyers Are Dismissed by Firms for Supporting Beijing Lawyers Association Direct Election, Law Firms are Threatened

Rights defense lawyers **Cheng Hai** (程海) and **Li Subin** (李苏滨) were asked to resign from their positions at Beijing Yitong Law Firm on October 30, after calling for direct election of the officials of the state-controlled Beijing Lawyers Association [equivalent to the Bar Association].

November 3, 2008: Rights Defender Subjected to Torture in Prison is Denied Access to Lawyer

Rights defender **Guo Feixiong** (郭飞雄), who had been tortured in prison, was also denied access to legal counsel when his attorney **Hu Xiao** (胡啸) travelled over 1,000 miles to Meizhou Prison, but was not permitted to meet with Guo.

November 4, 2008: Prominent Advocate of Direct Local Elections is Disappeared by Authorities

Yao Lifa (姚立法), an advocate of direct elections and a teacher in Hubei Province, was disappeared by local authorities prior to the Qianjiang Municipal elections. Yao had angered authorities by working to uncover official manipulation of the election.

November 10, 2008: UN Experts: "Serious Information Gap" on China's Efforts to End Torture

The United Nations Committee Against Torture criticized China for failing to provide substantive answers to the issues it raised regarding torture in China. HRIC participated in China's review before

the Committee by submitting a parallel report, presenting an oral intervention in Geneva, and meeting with the press.

November 13, 2008: Guizhou Police Threaten Rights Group Over Commemoration of 60th Anniversary of Universal Declaration of Human Rights

A group in Guizhou that planned to organize a seminar to commemorate the 60th Anniversary of the *Universal Declaration of Human Rights*—led by **Chen Xi** (陈西), **Shen Youlian** (申有连), and **Liao Xuangyuan** (廖双元)—was threatened by the police. The group vowed not to back down.

November 18, 2008: HRIC Condemns XUAR Authorities' Plans to Force Six-Month Pregnant Woman to Undergo Abortion

Six-months pregnant **Arzigul Tursun** was detained by authorities in Ghula (Yining Prefecture in Chinese) in the Xinjiang Uyghur Autonomous Region so as to be forced to undergo an abortion due to population control policies. HRIC later learned that she was released without having undergone the procedure on November 18.

November 21, 2008: UN Committee Says China "Should Take Immediate Steps to Prevent Acts of Torture"

The UN Committee Against Torture issued its report on China's compliance with international obligations regarding torture. The Committee mentioned three "over-arching problems": the 1998 *State Secrets Law*, harassment of legal rights defenders, and physical assaults on rights defenders by unaccountable thugs. The Committee also recommended the abolition of the Reeducation-Through-Labor system, initiation of thorough investigations into allegations of harassment of rights defenders, abolition of any provisions preventing right to legal counsel, and an impartial investigation into the events of June 4, 1989.

November 24, 2008: Rights Activist's Family Sends Appeal After Home was Demolished

Authorities in Beijing's Xicheng District used a bulldozer to demolish the home of rights defense activist **Ni Yulan** (倪玉兰), who has been in detention since April 2008 without a trial. Her husband, **Dong Jiqin** (董继勤), was made homeless and as a result slept in a train station in Beijing after the forced demolition.

December 5, 2008: Two Guizhou Rights Activists Detained

Chen Xi (陈西) and **Shen Youlian** (申有连), two main organizers of the Guizhou Citizens Fourth Annual International Human Rights Symposium and the 60th Anniversary of the *Universal Declaration of Human Rights* commemorative events, were taken away by the police in the afternoon of December 4, 2008. Three other Symposium organizers, **Liao Shuangyuan** (廖双元), **Huang Yanming** (黄燕明), and **Du Heping** (杜和平), had already "disappeared" before December 4.

December 9, 2008: Independent Scholars Detained: Start of 2009 Crackdown?

A diverse group of 303 Chinese writers, intellectuals, lawyers, journalists, retired Party officials, workers, peasants, and businessmen issued an open letter—"Charter 08"—calling for legal reforms, democracy, and protection of human rights in China. On December 8, Beijing public security officers took away two of the Charter's signatories—**Liu Xiaobo** (刘晓波) and **Zhang Zhuhua** (张祖桦). Zhang was released after 12 hours of interrogation, but Liu remains detained on suspicion of "inciting subversion of state power." An English translation of the Charter is available at <http://hrichina.org/public/contents/85717>.

HRIC SELECT INTERVIEW QUOTES—60TH ANNIVERSARY OF THE *UNIVERSAL DECLARATION OF HUMAN RIGHTS* AND “CHARTER 08” | DECEMBER 2008

On the 60th Anniversary of the *Universal Declaration of Human Rights*

“China has signed and ratified many important international human rights treaties. This reflects that the Chinese government has acknowledged universal values and standards, but from the point of view of Human Rights in China, and from the point of view of the human rights field, China has a saying (听其言观其行): “Judge people by their deeds, not just by their words.” So even though there has been a lot of progress on paper, we need to consider that the state of human rights in China has worsened after the Olympics. A perfect example of this is the current criminal detention of the prominent dissident Liu Xiaobo.”

“The Voice from the North,” Radio Canada International (Mandarin service), December 11, 2008, <http://www.rcinet.ca/rci/console/index.asp?langue=CH&IDExtraits>.

“China is now in its thirty years of economic reform, but yet no political reform. The reality for the vast majority of China’s 1.3 billion people is that they have been left behind by the economic reforms. China presents the most difficult challenge of human rights abuses and will be a test for this emerging human rights system that has been built on top of the *Universal Declaration*.”

“The Universal Declaration of Human Rights turns 60,” BBC Radio 4, *The World Tonight*, December 10, 2008, <http://www.bbc.co.uk/radio4/news/worldtonight/>.

On harassment of “Charter 08” signatories

“And [HRIC Executive Director Sharon Hom] says she expects the crackdown to continue into next year, because of many sensitive and significant anniversaries. These include the 20th anniversary of the June 4 Tiananmen Square crackdown, the 50th anniversary of the Dalai Lama’s flight into exile and the 60th anniversary of the founding of modern China.”

Stephanie Ho, “Chinese Protesters Call for Legal Reforms, Human Rights,” Voice of America, December 10, 2008, <http://voanews.com/english/2008-12-10-voa25.cfm>.

HRIC ORGANIZATIONAL NOTES

HRIC welcomed **A.C.** to the New York staff as Program Assistant. A.C. has a BA and master's, both in international relations and China studies. A.C. has spent time studying in Beijing, and has also worked on public health and rural children's education issues in China.

HRIC welcomed **J.C.** to the Hong Kong staff as Technology Program Associate. He has an AS in computer science and over seven years of experience in the information technology and graphic design industry. J.C. has volunteered for several organizations that serve homeless persons and LGBT youth. He also helped to launch the first LGBT youth community theater in Seattle, Washington.

HRIC hosted four Advocacy and Research Program Interns this fall in its New York and Hong Kong offices:

Tiffany Chen is a junior at Columbia University with a double major in political science and East Asian languages and culture. As the current

president of the Chinese Students Club, she serves as the liaison between Chinese culture and the Columbia campus. Recently, she spearheaded a benefit concert and raised money for the victims of the Sichuan earthquake. She has previously interned at the Committee of House Administration in Washington, D.C., as well as various political offices in New York City.

Garrett Traub graduated from Princeton University in May 2008 with a BA in politics, concentrating in international relations. He has worked as a paralegal at Wilmer, Cutler, Pickering, Hale & Dorr LLP, and intends to pursue a JD with a focus on international human rights law.

P.B. is currently studying international human rights law for her Master of International Law at the Australian National University, Canberra. She has completed a Bachelor of Asian Studies, specializing in Chinese language, Asian history and physics. In the course of those studies, she spent a year studying Chinese language and culture at

Zhejiang and Yunnan Universities. In 2006 she worked as a volunteer with the Karen Women's Organization (KWO) in Mae Sot, Thailand. She assisted KWO staff members responsible for health, education, and income generation projects conducted in refugee camps along the Thai-Burma border. She hopes to pursue a career within the human rights NGO community.

O.K. is currently studying government and public administration at the Chinese University of Hong Kong (CUHK) and will graduate with a BA Soc. in 2009. Before joining HRIC, he was a research trainee at the Hong Kong Policy Research Institute in 2004, where he assisted in a research project regarding district board elections. He is also currently a research assistant in the Department of Government and Public Administration at CUHK, and is working on a project to assess the Hong Kong 2008 Legislative Council election. After graduation, he plans to pursue legal studies.

CRF INDEX FOR 2008

Index by Author

A

- Ai, Bai. Corporal Punishment and China's Assertive Only Children. (3) 2008.
- Anderson, Evan. The Price of Blood. (1) 2008.

B

- Bader, Christine. Business & Human Rights: Corporate Recognition and Responsibility. (1) 2008.
- Brown, Kerry. Book Review: *A China More Just* by Gao Zhisheng. (1) 2008.

C

- Chan, Christina. HRIC Talks with Hong Kong Activist. (3) 2008.
- Chia, Joy. Film Review: *Jia Zhangke's Still Life*. (1) 2008.
- Crothall, Geoff. Book Review: *The China Price* by Alexandra Harney. (4) 2008.

D

- Dahortsang, Tendon. One Slogan, Many Meanings: Bring Tibet to the 2008 Games. (1) 2008.
- Dong, Yuan. Hangzhou's Changyun Group Cheats Workers out of Rightful Company Shares. (1) 2008.
- Dorjee, Tenzin. With Everest on Our Side: A Personal Story of a Public Protest. (1) 2008.
- Duo, Yu. Tonight, Writing Poetry is Frivolous. (3) 2008.

E

- Economy, Elizabeth. Elizabeth Economy on China's Environment. (4) 2008.

F

- Ford, Jocelyn. Media Reporting after the Olympics: HRIC Conversation with Jocelyn Ford. (4) 2008.

G

- Gao, Wenqian. Where is China Headed After the Olympics? (4) 2008.
- Gao, Wenqian, Peter Kwong, Rose Tang, Yan Li, and Yi Ping. Is the Past a Foreign Country? [Discussion Panel] (3) 2008.
- Garside, Roger. Book Review: *The Man Who Loved China* by Simon Winchester. (3) 2008.
- Geall, Sam. Blue Skies Over Beijing. (4) 2008.
- Greathead, Scott. Selling Security Systems to China: Risky Business. (1) 2008.

H

- Hom, Sharon and Hu Ping. Book Launch: *Challenging China*. (1) 2008.
- Hom, Sharon and Michael Posner. Bringing Together Business and Human Rights. (1) 2008.
- Hu, Kunming. A History of the "Yahoo! Incident." (1) 2008.
- Hu, Ping and Sharon Hom. Book Launch: *Challenging China*. (1) 2008.
- Human Rights in China. 2009 Calendar of Important Dates and Anniversaries. (4) 2008.
- . Appeals for Justice. (2) 2008.
- . A Chronology of the June Fourth Crackdown. (2) 2008.
- . Compensation for Silence. (3) 2008.
- . Currents. (3) 2008.
- . Currents. (4) 2008.
- . FAQ on June Fourth. (2) 2008.
- . Mobilizing Youth, Molding Minds. (3) 2008.
- . Resource List. Corporate Social Responsibility. (1) 2008.
- . Resource List. June Fourth. (2) 2008.
- . Round-up: 2008 Beijing Olympic Games. (3) 2008.
- . Take Action: IR2008 Campaign. (1) 2008.

- . Take Action: IR2008 Campaign. (3) 2008.
- . Take Action: IR2008 Campaign. (4) 2008.
- . Take Action: Tiananmen: 2008 and Beyond. (2) 2008.
- . Tiananmen Reflections. (2) 2008.
- . Timeline: Human Rights Defenders. (3) 2008.
- . Timeline: Human Rights Defenders. (4) 2008.
- . Trends and Developments. (1) 2008.
- . What You Can Do. Sichuan Earthquake. (3) 2008.

J

- Jiang, Fuzhen. The Fate of Wu Lihong and Pollution with Chinese Characteristics. (1) 2008.
- Jing, Chu. 11 Years in Prison for Striking a Cymbal? (1) 2008.

K

- Kellogg, Thomas. Book Review: *Out of Mao's Shadow* by Philip P. Pan. (4) 2008.
- Kells, Claire. Film Review: Yung Chang's *Up the Yangtze*. (3) 2008.
- Kwong, Peter. Shanghai 2010: Toward a Greener China? (4) 2008.
- , Gao Wenqian, Rose Tang, Yan Li, and Yi Ping. Is the Past a Foreign Country? [Discussion Panel] (3) 2008.

L

- Legault, Ghislain L. Africa's Newest Friends. (1) 2008.
- Li, Li. Day Four After the Earthquake. (3) 2008.
- . A Moment of Silence, for Children Killed in the Earthquake. (3) 2008.
- Li, Miao Lovett. Book Review: *Wolf Totem* by Jiang Rong. (3) 2008.
- Liu, Nianchun. Tree Rings. (2) 2008.
- . Memory. (2) 2008.

——. The Price of Freedom. (2) 2008.
——. Road. (2) 2008.

M

Metten, Vincent. Tibet at a Turning Point. (4) 2008.
Ma, Sheng-mei. Hyperreal Beijing, 888. (1) 2008.
Meng, Lang. In Our Bodies. (2) 2008.
——. Don't Let Grief Out. (2) 2008.

P

Posner, Michael and Sharon Hom. Bringing Together Business and Human Rights. (1) 2008.

Q

Qiao, Xincheng. Two Essays on Market Economy and Democracy. (1) 2008.

S

Seytoff, Alim. Letter from East Turkestan. (4) 2008.
Stone, Leon. What Was "Tainted" about the Tainted Milk Scandal? (4) 2008.

T

Tang, Rose, Gao Wenqian, Peter Kwong, Yan Li, and Yi Ping. Is the Past a Foreign Country? [Discussion Panel] (3) 2008.
Thonden, Yodon. Notes from Dharamsala: HRIC Conversation with Yodon Thonden (4) 2008.

V

Various. Charter 08—Voices of the People. (4) 2008.
——. Perspectives: China's Youth Abroad [Discussion Panels in New York and Hong Kong]. (3) 2008.

W

Wang, Ai. Thank You, Exile. (1) 2008.
Wasserstrom, Jeffrey. Book Review: *China's Great Leap*, edited by Minky Worden. (4) 2008.
Wei, Ziyou. A Critical Look at Hubei Yihua Group's "Corporate Culture." (1) 2008.

Y

Yan, Li. The Corpse that Puts up Resistance. (1) 2008.
——, Gao Wenqian, Peter Kwong,

Rose Tang, and Yi Ping. Is the Past a Foreign Country? [Discussion Panel] (3) 2008.

——. Our Intangible Cultural Heritage. (3) 2008.
——. Second Life. (1) 2008.
Yi, Ping, Gao Wenqian, Peter Kwong, Rose Tang, and Yan Li. Is the Past a Foreign Country? [Discussion Panel] (3) 2008.
——, and Teng Biao. Protect Human Rights Lawyers, Establish a Legal System. (1) 2008.
Yi, Sha. Answering My Own Questions. (3) 2008.
Young, Nick. Culture as Ideology. (3) 2008.
——. Education: More Extensive but Less Equal. (3) 2008.

Z

Zan, Aizong. Living Space for the Chinese Media Before and After the Beijing Olympics. (4) 2008.
Zhai, Minglei. Stones in Our Hearts. (4) 2008.
Zhang, Qing. An Open Letter to Guo Feixiong from His Wife. (1) 2008.

Index by Subject

China and Africa

Legault, Ghislain L. Africa's Newest Friends. (1) 2008.

Corporate Responsibility

Bader, Christine. Business & Human Rights: Corporate Recognition and Responsibility. (1) 2008.
Greathead, Scott. Selling Security Systems to China: Risky Business. (1) 2008.
Hom, Sharon and Michael Posner. Bringing Together Business and Human Rights. (1) 2008.
Hu, Kunming. A History of the "Yahoo! Incident." (1) 2008.
Human Rights in China. Resource List. (1) 2008.
——. Trends and Developments. (1) 2008.

Wei, Ziyou. A Critical Look at Hubei Yihua Group's "Corporate Culture." (1) 2008.

Cultural Perspectives

Ai, Bai. Corporal Punishment and China's Assertive Only Children. (3) 2008.
Gao, Wenqian, Peter Kwong, Rose Tang, Yan Li, and Yi Ping. Is the Past a Foreign Country? [Discussion Panel]. (3) 2008.
Human Rights in China. Mobilizing Youth, Molding Minds. (3) 2008.
Various. Perspectives: China's Youth Abroad [Discussion Panels in New York and Hong Kong]. (3) 2008.
Wang, Ai. Thank You, Exile. (1) 2008.
Young, Nick. Culture as Ideology. (3) 2008.

Zhai, Minglei. Stones in Our Hearts. (4) 2008.

Education

Ai, Bai. Corporal Punishment and China's Assertive Only Children. (3) 2008.
Human Rights in China. Mobilizing Youth, Molding Minds. (3) 2008.
Young, Nick. Education: More Extensive but Less Equal. (3) 2008.
Various. Perspectives: China's Youth Abroad [Discussion Panels in New York and Hong Kong]. (3) 2008.

Environment

Chia, Joy. Film Review: Jia Zhangke's *Still Life*. (1) 2008.
Economy, Elizabeth. Elizabeth Econ-

- omy on China's Environment. (4) 2008.
- Geall, Sam. Blue Skies Over Beijing. (4) 2008.
- Jiang, Fuzhen. The Fate of Wu Lihong and Pollution with Chinese Characteristics. (1) 2008.
- Kells, Claire. Film Review: Yung Chang's *Up the Yangtze*. (3) 2008.
- Kwong, Peter. Shanghai 2010: Toward a Greener China? (4) 2008.

Ethnic Minorities

- Dahortsang, Tendon. One Slogan, Many Meanings: Bring Tibet to the 2008 Games. (1) 2008.
- Dorjee, Tenzin. With Everest on Our Side: A Personal Story of a Public Protest. (1) 2008.
- Human Rights in China. Currents. (3) 2008.
- Li, Miao Lovett. Book Review: *Wolf Totem* by Jiang Rong. (3) 2008.
- Metten, Vincent. Tibet at a Turning Point. (4) 2008.
- Seytoff, Alim. Letter from East Turkestan. (4) 2008.
- Thonden, Yodon. Notes from Dharamsala: HRIC Conversation with Yodon Thonden (4) 2008.

Human Rights Defenders

- Brown, Kerry. Book Review: *A China More Just* by Gao Zhisheng. (1) 2008.
- Chan, Christina. HRIC Talks with Hong Kong Activist. (3) 2008.
- Human Rights in China. Appeals for Justice. (2) 2008.
- . Take Action: IR2008 Campaign. (1) 2008.
- . Take Action: IR2008 Campaign. (3) 2008.
- . Take Action: IR2008 Campaign. (4) 2008.
- . Take Action: Tiananmen: 2008 and Beyond. (2) 2008.
- . Timeline: Human Rights Defenders. (3) 2008.
- . Timeline: Human Rights Defenders. (4) 2008.
- Jiang, Fuzhen. The Fate of Wu Lihong and Pollution with Chinese Characteristics. (1) 2008.

- Wang, Ai. Thank You, Exile. (1) 2008.
- Zhang, Qing. An Open Letter to Guo Feixiong from His Wife. (1) 2008.

Information Control

- Ford, Jocelyn. Media Reporting after the Olympics: HRIC Conversation with Jocelyn Ford. (4) 2008.
- Hu, Kunming. A History of the "Yahoo! Incident." (1) 2008.
- Human Rights in China. Compensation for Silence. (3) 2008.
- . Round-up: 2008 Beijing Olympic Games. (3) 2008.
- Zan, Aizong. Living Space for the Chinese Media Before and After the Beijing Olympics. (4) 2008.

Labor Rights/Workers' Rights

- Dong, Yuan. Hangzhou's Changyun Group Cheats Workers out of Rightful Company Shares. (1) 2008.
- Human Rights in China. Trends and Developments. (1) 2008.
- Wei, Ziyu. A Critical Look at Hubei Yihua Group's "Corporate Culture." (1) 2008.

Legal Reform

- Various. Charter 08 – Voices of the People. (4) 2008.
- Yi, Ping and Teng Biao. Protect Human Rights Lawyers, Establish a Legal System. (1) 2008.

Olympics

- Dahortsang, Tendon. One Slogan, Many Meanings: Bring Tibet to the 2008 Games. (1) 2008.
- Dorjee, Tenzin. With Everest on Our Side: A Personal Story of a Public Protest. (1) 2008.
- Economy, Elizabeth. Elizabeth Economy on China's Environment. (4) 2008.
- Gao, Wenqian. Where is China Headed After the Olympics? (4) 2008.
- Geall, Sam. Blue Skies Over Beijing. (4) 2008.
- Greathead, Scott. Selling Security Systems to China: Risky Business. (1) 2008.

- Human Rights in China. Round-up: 2008 Beijing Olympic Games. (3) 2008.
- . Take Action: IR2008 Campaign. (1) 2008.
- . Take Action: Tiananmen: 2008 and Beyond. (2) 2008.
- . Take Action: IR2008 Campaign. (3) 2008.
- . Take Action: IR2008 Campaign. (4) 2008.
- Kwong, Peter. Shanghai 2010: Toward a Greener China? (4) 2008.
- Ma, Sheng-mei. Hyperreal Beijing, 888. (1) 2008.
- Metten, Vincent. Tibet at a Turning Point. (4) 2008.
- Seytoff, Alim. Letter from East Turkestan. (4) 2008.
- Zan, Aizong. Living Space for the Chinese Media Before and After the Beijing Olympics. (4) 2008.

Poetry/Artistic Expression

- Duo, Yu. Tonight, Writing Poetry is Frivolous. (3) 2008.
- Li, Li. Day Four After the Earthquake. (3) 2008.
- . A Moment of Silence, for Children Killed in the Earthquake. (3) 2008.
- Liu, Nianchun. Tree Rings. (2) 2008.
- . Memory. (2) 2008.
- . The Price of Freedom. (2) 2008.
- . Road. (2) 2008.
- Meng, Lang. In Our Bodies. (2) 2008.
- . Don't Let Grief Out. (2) 2008.
- Yan, Li. Second Life. (1) 2008.
- . The Corpse that Puts up Resistance. (1) 2008.
- . Our Intangible Cultural Heritage. (3) 2008.
- Yi, Sha. Answering My Own Questions. (3) 2008.

Political and Economic Reform

- Crothall, Geoff. Book Review: *The China Price* by Alexandra Harney. (4) 2008.
- Gao, Wenqian. Where is China Headed After the Olympics? (4) 2008.
- Jing, Chu. 11 Years in Prison for Striking a Cymbal? (1) 2008.

Qiao, Xincheng. Two Essays on Market Economy and Democracy. (1) 2008.

Various. Charter 08—Voices of the People. (4) 2008.

Public Health

Anderson, Evan. The Price of Blood. (1) 2008.

Stone, Leon. What Was “Tainted” about the Tainted Milk Scandal? (4) 2008.

Reviews: Books and Films

Brown, Kerry. Book Review: *A China More Just* by Gao Zhisheng. (1) 2008.

Chia, Joy. Film Review: Jia Zhangke’s *Still Life*. (1) 2008.

Crothall, Geoff. Book Review: *The China Price* by Alexandra Harney. (4) 2008.

Garside, Roger. Book Review: *The*

Man Who Loved China by Simon Winchester. (3) 2008.

Hu, Ping and Sharon Hom. Book Launch: *Challenging China*. (1) 2008.

Kellogg, Thomas. Book Review: *Out of Mao’s Shadow* by Philip P. Pan. (4) 2008.

Kells, Claire. Film Review: Yung Chang’s *Up the Yangtze*. (3) 2008.

Li, Miao Lovett. Book Review: *Wolf Totem* by Jiang Rong. (3) 2008.

Wasserstrom, Jeffrey. Book Review: *China’s Great Leap*. (4) 2008.

Rural Issues

Jing, Chu. 11 Years in Prison for Striking a Cymbal? (1) 2008.

Sichuan Earthquake

Duo, Yu. Tonight, Writing Poetry is Frivolous. (3) 2008.

Human Rights in China. Compensation for Silence. (3) 2008.

———. What You Can Do. Sichuan Earthquake. (3) 2008.

Li, Li. Day Four After the Earthquake. (3) 2008.

———. A Moment of Silence, for Children Killed in the Earthquake. (3) 2008.

Yan, Li. Our Intangible Cultural Heritage. (3) 2008.

Yi, Sha. Answering My Own Questions. (3) 2008.

Tiananmen Square/June Fourth

Human Rights in China. Appeals for Justice. (2) 2008.

———. A Chronology of the June Fourth Crackdown. (2) 2008.

———. FAQ on June Fourth. (2) 2008.

———. Resource List. (2) 2008.

———. Take Action: Tiananmen: 2008 and Beyond. (2) 2008.

———. Tiananmen Reflections. (2) 2008.

2009 KEY DATES AND ANNIVERSARIES



JANUARY 26

Chinese Lunar New Year, Year of the Ox.

The Chinese calendar is an astronomical calendar, organized into cycles of 60 years that are separated into ten stems. These stems are further separated into five elements and twelve branches—the animal astrological signs. January 26 begins the Year of the Ox, predicted to be a year that calls for cautiousness, pragmatism, and endurance.

FEBRUARY 9, 11

First review of China by the UN Human Rights Council in the Universal Periodic Review Mechanism.

The UN General Assembly Resolution 60/251, which created the Human Rights Council, mandates that the Council should conduct a universal periodic review (UPR), “based on objective and reliable information, of the fulfillment by each State of its human rights obligations and commitments.” Each of the UN member states is reviewed once every four years. Under Council Resolution 5/1 adopted on June 18, 2007, NGOs are allowed to actively engage in the UPR mechanism.

MARCH

20th Anniversary of the founding of Human Rights in China.

Human Rights in China (HRIC), a non-profit and non-governmental organization, was founded in March 1989 by Chinese students and scholars in the United States. With a diverse staff now including Chinese lawyers, journalists, scholars, and activists, and a China office in Hong Kong, HRIC is actively engaged in advocacy on behalf of individuals and promoting the institutional protection of human rights in China.

MARCH 5-7

20th Anniversary of the Chinese crackdown on demonstrations against Chinese rule in Tibet in 1989.

After several days of demonstrations that began on March 3, 1989, the PRC State Council declared martial law in the Tibet Autonomous Region on March 7.¹ President Hu Jintao, then Party Secretary of the Provincial Party Committee of the Tibet Autonomous Region (1988–1992), implemented the martial law decree. While only a small number of deaths were officially reported, estimates of Tibetans killed range from 80–400.²

MARCH 10-19

50th Anniversary of the Chinese crackdown on Tibetan protests against Chinese rule and flight of the 14th Dalai Lama, Tenzin Gyatso, from Tibet (March 17, 1959).

Thousands of Tibetans were killed in the crackdown and thousands more were imprisoned. The Dalai Lama fled with 80,000 other Tibetans to Dharamsala, India, where the Tibetan Government-in-Exile was established.³

Notes

1. “Martial Law Decree of the People’s Government of the Tibet Autonomous Region,” No. 1 (1989), March 7, 1989, http://www.tpprc.org/documents/agreements/1989_martial_law_decree.pdf.
2. The Office of Tibet, *Tibet: Proving Truth from Facts* (1996), <http://www.tibet.com/WhitePaper/white5.html>.
3. International Campaign for Tibet, “The Dalai Lama’s Biography,” <http://www.savetibet.org/resource-center/dalai-lama/the-dalai-lamas-biography>.

MAY 4

90th Anniversary of the May Fourth Movement.

On May 4, 1919, about 3,000 Beijing university students demonstrated in Tiananmen Square to protest the Chinese government's concession at the Paris Conference (April 28) to hand over to Japan the former German leasehold in Shandong Province. Demonstrations and strikes spread to Shanghai, followed by a nationwide boycott of Japanese goods. The demonstrations developed into a patriotic anti-imperialist, cultural, and political movement.

JUNE 4

20th Anniversary of the June 4, 1989 crackdown.

Some key dates of the 1989 democracy movement and crackdown:⁴

- **April 15:** Groups of students began mourning the death of reformist leader Hu Yaobang, CPC General Secretary (1981–1987), in Tiananmen Square. It soon expanded into a protest against economic problems and official corruption and a call for democratic reform that was supported by intellectuals, workers, and other citizens.
- **April 26:** An editorial in the official newspaper, *People's Daily*, declared the protest “turmoil.”
- **May 13:** 160 students began a hunger strike to demand an official retraction of the label “turmoil,” and acknowledgment of the protestors’ patriotism. The number of demonstrators who marched in Beijing—many from other cities—reached one million on May 17 and 18.
- **May 19:** Martial law was declared. People’s Liberation Army (PLA) troops began approaching Beijing. Citizens stopped tanks and troops from reaching the city and donated food to the students on the Square.
- **June 3–4:** PLA troops opened fire on demonstrators. Bodies were quickly removed and no official list of casualties has ever been released. Initially, the Chinese Red Cross reported that 2,600 people had died, but then retracted its report. The official government numbers are 241 dead, 7,000 wounded.



JULY 22

10th Anniversary of the Chinese government crackdown on Falun Gong in 1999.

- **April 25:** An estimated 10,000 Falun Gong practitioners staged a sit-in protest in front of Zhongnanhai to appeal for the release of detained practitioners in Tianjin.
- **July 22:** The Chinese government banned Falun Gong and labeled it a “cult” (*xiejiao zuzhi* [邪教组织]), beginning a systematic crackdown.

AUGUST 26

220th Anniversary of the Declaration of the Rights of Man and of the Citizen.

The *Declaration*, a core document of the French Revolution, was approved by the French National Assembly in 1789. Based upon core principles of equality and freedom, it enumerated liberty, property, security, and resistance to oppression as rights inherent to all men. It is viewed as a precursor of modern international human rights.

OCTOBER 1

60th Anniversary of the founding of the People’s Republic of China.

In 1949, the People’s Republic of China was established after the Communist Party of China defeated the Kuomintang in the Chinese Civil War.

Note

4. Human Rights in China, *China Rights Forum* (2) 2008.

Photo credit: Phil Noble/REUTERS

2009

KEY DATES AND ANNIVERSARIES

(Charter 08, <i>cont.</i>)	Guan Hongshan 关洪山 (Hubei, Human Rights Defender)	Guo Weidong 郭卫东 (Zhejiang, Office Worker)	Liu Wei 刘巍 (Beijing, Lawyer)
Mo Jiangang 莫建刚 (Guizhou, Freelance Writer)	Song Xianke 宋先科 (Guangdong, Businessman)	Chen Wei 陈卫 (Sichuan, Democracy Activist)	Yan Liehan 鄢烈汉 (Hubei, Business Owner)
Zhang Yaojie 张耀杰 (Beijing, Scholar)	Wang Guoqiang 汪国强 (Hubei, Human Rights Defender)	Wang Jinan 王金安 (Hubei, Business Owner)	Chen Defu 陈德富 (Guizhou, Democracy Activist)
Wu Baojian 吴报建 (Zhejiang, Lawyer)	Chen Enjuan 陈恩娟 (Shanghai, Rights Activist)	Cai Wenjun 蔡文君 (Shanghai, Rights Activist)	Guo Yongxin 郭用新 (Hubei, Doctor)
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Shen Yulian 沈玉莲 (Shanghai, Rights Activist)			

As of December 29, 2008, the total number of signers was 6,834 . . . and is continuing to grow.

CHARTER 08 | DOMESTIC CALL FOR REFORM | DECEMBER 10, 2008

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