

New Citizens Movement Overview

The New Citizens Movement (NCM) is a rights-based movement initiated by a group of prominent Chinese legal scholars and activists, which promotes a new model for Chinese citizenship that calls for actively and constructively engaging in the protection of rights enshrined in China's Constitution. Through this broad, bottom-up action it seeks to advance social change by contributing to finding solutions to the many livelihood issues Chinese citizens face.

The early roots of this movement can be traced to a public-service law center called Gongmeng (alternately referred to as the Open Constitution Initiative), established in 2004 by **Xu Zhiyong** (许志永) and two other PhD graduates. The three lawyers had risen to prominence in 2003 after successfully advocating for the abolition of "Custody and Repatriation," a form of detention notorious for targeting migrants and petitioners, following the torture and death of a university student named Sun Zhigang in one such facility. Gongmeng worked to promote the rule of law and social justice through cases and research related to migrant workers and their children, labor rights, consumer safety, crackdowns in Tibet, and training citizens to use the newly promulgated Open Government Information regulations.

In 2009, Gongmeng was shut down on the basis of tax evasion, a common tactic used to suppress independent civil society groups. Despite efforts to pay the tax fines levied against the organization, it remained closed and Xu, the executive director, was detained for over a month.¹

Upon release, Xu and his colleagues redoubled their efforts to press for rights, now under a decentralized model, the New Citizens Movement, which would be more resilient to suppressive tactics. In 2010, Xu and others published an open "Citizens' Pledge," calling upon citizens to voluntarily adopt the obligations of new citizenship emphasizing rational and moderate efforts to advance rights and social change in China. The call resonated with a diverse range of Chinese citizens, and in the coming years the NCM expanded with members meeting in cities in different parts of the country through informal dinners. The Movement has taken on a series of pressing issues – including the problem of black jails, unequal access to education for migrant children, and corruption – generally focusing on structural challenges that contribute to numerous rights violations.

While its campaign to broaden access to education for migrant children has met with some success, calls for increased official asset transparency have resulted in a spate of detentions of key figures and participants. A chronology of the significant events that culminated in convictions of more than 18 new citizens is provided below, along with bios of those who remain in detention.

¹ Human Rights in China, "Criminally Detained: Zhao Changqing and Six Other Advocates of Public Disclosure of Officials' Assets," April 19, 2013, available at <http://www.hrichina.org/en/content/6648>, and <http://chinachange.org/2013/12/22/why-the-world-needs-to-roar-around-the-new-citizens-movement-trials/>

Chronology of Key Events in the Crackdown on New Citizens Movement

2009	
July	<p><u>Gongmeng</u> fined for tax evasion and closed.²</p> <p><u>Xu Zhiyong</u> (许志永) detained and released a month later.</p>
	<p>Gongmeng begins operating under the name “Citizen,” which Xu Zhiyong describes as an open platform belonging to all citizens aspiring for greater rights protection.³</p>
Late 2009	<p>New Citizens Movement (NCM) participants launch an <u>education rights campaign</u> to abolish the household registration (<i>hukou</i>) requirement for children to take national university entrance examination (<i>gaokao</i>) by 2012.</p> <p>Over a period of three years the campaign helped migrant parents to connect with others whose children were similarly impacted. Over a period of two years participants were able to collect 100,000 signatures calling for reforms. During this time they organized petitions in front of the Ministry of Education the last Thursday of every month, organized panel discussions on the issue, and drafted a plan for reforms to exam requirements. The Ministry of Education has since adopted a policy allowing students to take entrance exams where they live, which 29 provinces and municipalities have since agreed to implement.</p>
2010	
June	<p>Xu Zhiyong, Teng Biao, and others <u>initiate a “Citizens’ Pledge,”</u>⁴ which calls upon citizens to voluntarily undertake a set of obligations.</p>
2012	
May	<p>Xu Zhiyong <u>publishes essay: “China Need a New Citizens Movement,”</u>⁵ outlining the significance of the movement.</p>
December	<p>9: New Citizens Movement participants launch an <u>asset transparency campaign</u>.</p> <p>In the months leading up to the annual meeting of the National People’s Congress in March, the initiative sought to gather signatures for an open letter drafted by Ding Jiayi (丁家喜), Sun Hanhui (孙含会) and others to Xi Jinping through online advocacy, and public awareness raising events (which included holding banners, giving speeches, and handing out pamphlets). The campaign’s efforts yielded 7,000 signatures for the proposal.</p>
2013	
March	<p>5: Annual meeting of the National People’s Congress opens, <u>New Citizens Movement publishes an open letter to XJP</u> calling for 205 senior officials to publicly disclose their assets.</p> <p>31: Yuan Dong (袁冬), Zhang Baocheng (张宝成), Hou Xin (侯欣), and Ma Xinli (马新立) <u>display banners and hand-out leaflets regarding asset transparency</u> in Xidan plaza, Beijing.⁶</p>
April	<p>4: <u>Yuan Dong, Zhang Baocheng, Hou Xin and, Ma Xinli</u> detained on suspicion of “unlawful</p>

² <http://www.hrichina.org/en/content/333>

³ <http://chinachange.org/2013/06/05/the-last-ten-years/>

⁴ English translation available here: <http://chinageeks.org/2010/06/xu-zhiyong-et-al-the-chinese-citizens-pledge/>

⁵ English translation available here: <http://www.hrichina.org/en/crf/article/6205>

⁶ See video of the event here: <https://www.youtube.com/watch?v=ta2VayvE-tA&list=PL551BE22F90D19F09>

	assembly.” ⁷
	7: Xu Zhiyong travels to Hefei, Anhui Province to <u>join others in accompanying the daughter of a rights activist to school</u> from which she had been removed by unidentified men in February. ⁸
	12: <u>Xu Zhiyong</u> placed under house arrest . ⁹
	15: <u>Wang Yonghong</u> (王永红) ¹⁰ and <u>Sun Hanhui</u> , ¹¹ both asset transparency advocates, detained on suspicion of “unlawful assembly.”
	17: <u>Ding Jiayi</u> and <u>Zhao Changqing</u> (赵常青) detained on suspicion of “unlawful assembly.” ¹²
	18: <u>Qi Yueying</u> (齐月英) ¹³ housing petitioner and asset transparency advocate, detained on suspicion of “disseminating false information about terrorism.” ¹⁴ Xu Zhiyong, Teng Biao, and others issue <u>open letter calling for release of citizens detained for asset transparency advocacy</u> . ¹⁵
	27: 10 asset transparency advocates detained in Xinyu, Jianxi. All were subsequently released except: <u>Liu Ping</u> (刘萍), <u>Wei Zhongping</u> (魏忠平), and <u>Li Sihua</u> (李思华). ¹⁶
May	4: New Citizens Movement participant, <u>Song Ze</u> (宋泽), detained in Beijing, questioned about activities to support petitioners and to expose black jails. ¹⁷
	25: “Citizen” releases <u>statement regarding the arrests of asset transparency advocates</u> . ¹⁸
June	12: <u>Song Ze</u> transferred to <u>residential surveillance at a designated place</u> without notification to his lawyer as to his location. ¹⁹
July	16: <u>Xu Zhiyong</u> criminally detained ²⁰ on suspicion of “gathering a crowd to disrupt order in a

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⁸ <http://www.hrichina.org/en/content/6644>

⁹ <http://www.hrichina.org/en/content/6822>

¹⁰ From April open letter

¹¹ <http://chinachange.org/2014/01/07/align-your-loyalty-with-the-constitution-and-the-law-an-open-letter-to-judges-who-will-be-presiding-over-the-civil-rights-trials-in-china/>

¹² <http://www.hrichina.org/en/content/6648>

¹³ From Joint NCM statement regarding the asset transparency arrest, May 25, 2013

¹⁴ <http://www.weiqianwang.org/?p=40143>

¹⁵ See original Chinese letter here: <http://iso.hrichina.org/chs/content/6649>; English translation here:

<http://chinachange.org/2013/04/18/appeal-to-immediately-free-seven-citizens-criminally-detained-for-calling-for-asset-disclosure/>

¹⁶ <http://chinachange.org/2013/05/07/more-citizens-detained-in-china-for-demanding-public-disclosure-of-officials-personal-wealth/>

¹⁷ <http://webcache.googleusercontent.com/search?q=cache:wBeqWr7VOasJ:seeingredinchina.com/2012/07/23/looking-for-song-ze-by-liang-xiaojun/+&cd=1&hl=en&ct=clnk&gl=us>

¹⁸ See original Chinese statement here: http://xuzhiyong2012.blogspot.com/2013/05/blog-post_24.html; English translation here: <http://chinachange.org/2013/05/25/citizens-statement-regarding-the-arrest-of-ten-advocates-for-disclosure-of-officials-assets/>

¹⁹ <http://webcache.googleusercontent.com/search?q=cache:wBeqWr7VOasJ:seeingredinchina.com/2012/07/23/looking-for-song-ze-by-liang-xiaojun/+&cd=1&hl=en&ct=clnk&gl=us>

	<p>public place.”²¹</p> <p>18: <u>Xu’s lawyer, Liu Weiguo (刘卫国)</u>, detained for 6 hours on suspicion of “gathering a crowd to disrupt order in a public place” after attempting to visit Xu.²²</p> <p>Transition Institute, the <u>rights defense organization of New Citizens Movement participant, Guo Yushan (郭玉闪)</u> is closed by authorities.²³</p> <p>23: 456 citizens issue <u>public appeal calling for the release of detained asset disclosure advocates.</u>²⁴</p>
August	<u>Guo Feixiong (郭飞雄)</u> , <u>Li Huaping (李化平)</u> , and <u>Liu Jiakai (刘家财)</u> , three asset transparency advocates, detained in Guangzhou, Shanghai, and Hubei respectively.
September	<u>Wang Gongquan (王功权)</u> , prominent businessman and key financial supporter of the New Citizens Movement, detained .
November	<p>Communique of the Third Plenum, an important meeting of the Communist Party of China’s Central Committee in which policy developments are discussed and announced, released.</p> <p>Among other policy plans, the Communique recognized the <u>importance of “letting the people supervise power,”</u> and of developing “complete systems for corruption punishment and prevention,” as well as the <u>need for “effective mechanisms to restrain and coordinate power,</u> and strengthen anti-corruption systems and mechanisms.”²⁵ As well as the <u>acceleration of the household-registration system.</u></p>
December	5: <i>South China Morning Post</i> reports that <u>Wang Gongquan</u> has pled guilty and that his video confession may be broadcast on China’s state-owned television network, CCTV
2014	
January	<p>22: <u>Xu Zhiyong</u> convicted of “gathering a crowd to disrupt order in a public place” and sentenced to four years’ imprisonment.</p> <p>27: <u>Yuan Dong</u> convicted of “gathering a crowd to disrupt order in a public place” and sentenced to 18 months’ imprisonment on January 29.</p>
April	<p>11: <u>Verdict against Xu Zhiyong</u> upheld by Beijing Municipal Higher People’s Court.</p> <p>16: <u>Verdict against Yuan Dong</u> upheld by Beijing Municipal No. 1 Intermediate People’s Court.</p> <p>18: <u>Ding Jiayi, Zhao Changqing, Li Wei, and Zhang Baocheng</u> all convicted of “gathering a crowd to disrupt order in a public place,” receive sentences ranging from 2-3 years.</p>

²⁰ <http://www.hrichina.org/en/content/6822>

²¹ <http://www.hrichina.org/en/content/6825>

²² <http://www.hrichina.org/en/content/6825>

²³ <http://www.hrichina.org/en/content/6825>

²⁴ English translation available here: <http://www.hrichina.org/en/content/6847>

²⁵ English translation available here: <http://chinacopyrightandmedia.wordpress.com/2013/11/12/communique-of-the-3rd-plenum-of-the-18th-party-congress/>

Bios of Select Members Who Remain in Detention

Xu Zhiyong

Xu Zhiyong studied law at Lanzhou University, eventually obtaining a doctorate in Law from Beijing University in 2002. Xu was employed as a lecturer in law at the Beijing University of Post and Telecommunications when he became involved in the rights defense movement. In 2003, Xu, along with three other lawyers, established the Sunshine Constitutional Social Science Research Center, later registered as Gongmeng until its dissolution in 2009. In the following decade, Xu continued to advocate for rights defense and social reforms through responsible citizenship, including running and being elected for a local people's congress as an independent candidate, and organizing campaigns around education of migrant children, black jails, and petitioning. In 2013, Xu Zhiyong was placed under house arrest and then detained following the New Citizen Movement's asset transparency and migrant education campaigns. **Xu was sentenced for four years of prison time for the crime of "gathering a crowd to disrupt public order" in January 2014.**

Ding Jiayi

Until his detention, Ding Jiayi was a lawyer at the Beijing Dehong Law Firm. He was accused of planning street actions in the early months of 2013 in Beijing where participants displayed banners and made public speeches. Ding acknowledged in his final statement in court that, "in order to promote asset transparency, we distributed 100,000 flyers, made more than 100 banners, participated in two demonstrations, gathered more than 7,000 signatures, and made appeals to the National People's Congress and the Legislative Affairs Office of the State Council to promulgate a law on asset transparency."²⁶ **On April 18, 2014, Ding was sentenced to prison for three years and six months on the charge of "gathering a crowd to disrupt order in a public place."**

Zhao Changqing²⁷

Zhao Changqing studied history and was a teacher until 2001. A signatory of Charter 08, Zhao Changqing had spent six months in prison for participating in the 1989 Democracy Movement. He served two other prison terms: three years (1998-2001) for "inciting subversion of state power," and five years (2002-2007) for "inciting subversion of state power." After his release in 2007, he continued his rights defense work and engaged in citizen activism, including promoting citizens' dinner gatherings, equal rights education, and official asset disclosure. In 2011, after the authorities cracked down on the Jasmine assemblies, he and others planned and organized "eat and drink in the same town" to exchange information and promote citizen activism. He was detained starting in April of 2013, and accused of planning street actions in the early months of 2013 in Beijing where participants displayed banners and made public speeches. **On April 18, 2014, Zhao was sentenced to 2 years and 6 months in prison for "gathering a crowd to disrupt order in a public place."**

Zhang Baocheng

Zhang Baocheng, a businessman, was detained on April 4, 2013 after unfurling banners and distributing leaflets calling for disclosure of officials' assets. The actions—unfurling banners, distributing leaflets, giving speeches in public—took place in various locations in Beijing, including outside Tsinghua University and Peking University

²⁶ <http://www.hrichina.org/en/citizens-square/excerpt-ding-jiaxis-final-statement-0>.

²⁷ <http://www.hrichina.org/en/press-work/case-update/zhao-changqing-trial-adjourns-defense-protests-procedural-problems>.

and at Chaoyang Park. He was **sentenced to two years for “gathering a crowd to disrupt order in a public place” on April 18, 2014.**

Yuan Dong

Yuan Dong worked as a stockbroker²⁸ until he was detained in April 2013. He was formally arrested on May 7, 2013 for unfurling banners and distributing leaflets calling for disclosure of officials’ assets. The actions—unfurling banners, distributing leaflets, giving speeches in public—took place in various locations in Beijing, including outside Tsinghua University and Peking University and at Chaoyang Park. **He was tried and convicted in January 2014 for “gathering a crowd to disrupt order in a public place” and sentenced to 18-month prison sentence.** On appeal, the Beijing Municipal No. 1 Intermediate People’s Court upheld his first instance verdict.

Li Wei

Li Wei was detained in April 2013 and charged with gathering a crowd to disrupt order in a public place after taking part in demonstrations with other New Citizens Movement activists calling for disclosure of officials’ assets. The actions—unfurling banners, distributing leaflets, giving speeches in public—took place in various locations in Beijing, including outside Tsinghua University and Peking University and at Chaoyang Park. He was detained immediately following a protest in support of education for Anni Zhang, the daughter of a pro-democracy activist. “The activists were drawing attention to authorities’ blocking of 10-year-old Anni Zhang from attending school in Hefei, which is likely an act of retaliation against her father, Zhang Lin, a veteran democracy activist who has been imprisoned several times since 1989.”²⁹ **Li Wei was sentenced to two years in prison on April 18, 2014.**

Guo Feixiong

Guo Feixiong is the pen name of Yang Maodong, a veteran human rights lawyer from Guangdong Province. Guo Feixiong was active as a barefoot lawyer and dissident writer when he was detained in 2006. Sentenced to five years in prison after a pre-trial detention of 17 months, Guo was released in 2011. In August 2013, Guo was once again detained on suspicion of “gathering a crowd to disrupt order in a public place” following his activism calling for greater government transparency and end to corruption. He remains **detained at present.**

²⁸ <http://www.chrdnet.com/2014/02/prisoner-of-conscience-yuan-dong/>

²⁹ “Chinese Authorities Must Release Activists, End Escalating Crackdown on Free Expression,” *China Human Rights Defenders*, April 19, 2013. <http://www.chrdnet.com/2013/04/chinese-authorities-must-release-activists-end-escalating-crackdown-on-free-expression/>