

China Human Rights and Rule of Law Update

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United States Congressional-Executive Commission on China

Representative Sander M. Levin, Chairman | Senator Byron L. Dorgan, Co-Chairman

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From the Chairmen

Hearing: [The Impact of the 2008 Olympic Games on Human Rights and the Rule of Law in China](#)

Statement of Chairman Sander Levin

The Commission convenes this hearing to examine the likely impact of the 2008 Summer Olympics on human rights and the rule of law in China. In its Olympic bid documents and in its preparations for the 2008 Summer Games, China made commitments pertaining to human rights and the rule of law. Our witnesses today will help us to evaluate these commitments and to assess the openness with which China has allowed the rest of the world to monitor its progress in fulfilling them.

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

Statement of Co-Chairman Byron Dorgan

Mr. Chairman, I want to commend you for holding this hearing today. It will explore what I believe has been a largely unexamined issue: whether the 2008 Olympics will in fact bring lasting benefits to the Chinese people by enhancing their human rights and accelerating rule of law reform.

The 2008 Olympics have focused the world's attention on China's support for repressive regimes, such as Sudan and Burma. And, this has been all for the good. Our government and the international community, however, have paid too little attention to the potential impact of the Games on the human rights of ordinary Chinese citizens.

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

[Statements of Other Commission Members: Click Here.](#)

[Testimony of Roger R. Martella, Jr., U.S. Environmental Protection Agency](#)

The subject of today's hearing, "The Impact of the 2008 Olympic Games on Human Rights and Rule of Law in China," raises issues of critical importance not just to China, but to the world. Beyond the sporting events and pageantry, the Beijing Olympics more importantly may offer spectators the broadest window yet into a more needed feat of strength: whether the planet's fastest growing economy has developed the fundamental legal pillars worthy of the world's greatest stage. After the torch is extinguished at the Beijing National Stadium in August, international opinion likely will remember less the medals China's athletes take home than the nation's achievements—or lack thereof—on the fundamental issues of human rights, the rule of law, and environmental protection.

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

[Testimony of Sharon K. Hom, Human Rights in China](#)

With only about five months left until the opening of the 2008 Olympic Games, we appreciate the Commission's timely attention to the impact of the Olympics on human rights and the rule of law. As documented by the media, NGOs, United Nations, and government reports, including the Commission's 2007 Annual Report, crackdowns on human rights defenders in China have been increasing in the run-up to the Olympics. We welcomed the Commission's 2007 Annual Report, which not only called for an end to the harassment of Hu Jia and other activists, but also examined important issues regarding state secrets, civil society, petitioners, and ethnic minorities.

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

[Testimony of Bob Dietz, Committee to Protect Journalists](#)

Watching China make preparations for the Games, it is clear the government wants them to come off without a flaw. That preoccupation could lead to overly aggressive attempts to control the media, a pattern we believe we are already seeing. While those attempts will most likely be futile, past experience has shown that China tends to err on the side of heavy-handedness when it comes to media control and threats to China's image as a unified nation with little internal dissent. We are not as concerned about the threat that foreign journalists will face in China during the Games, but it seems that the Chinese journalists working with them as translators, fixers, and coordinators—many of whom will be enthusiastic young people with relatively little journalism experience—make up a high-risk group.

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

[Testimony of Sophie Richardson, Human Rights Watch](#)

There are three key questions before us today. The first is whether the human rights situation in advance of the 2008 Beijing Games is improving, as the Chinese government has repeatedly insisted it would. We regretfully submit that it is not. Over the past year, we have continued to document not only chronic human rights abuses inside China, such as restrictions on basic freedoms of speech, assembly, and political participation, but also abuses that are taking place specifically as a result of China's hosting the 2008 Summer Games. Those include an increasing use of house arrest and charges of "inciting subversion" as means of silencing dissent, ongoing harassment of foreign journalists despite new regulations protecting them, and abuses of migrant construction workers without whose labors Beijing's gleaming new skyline would not exist.

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

[Testimony of Robin Munro, China Labour Bulletin](#)

With less than six months to go before the Games begin, I feel only one conclusion is possible here. Over the past year or so, the Games have led to a harsh and growing crackdown against the domestic civil rights movement, and to increasingly unrestrained rights violations by the government and security forces in general. Rights activists have been rounded up by the police and jailed, civil rights lawyers have been intimidated and punished, and even the wives of dissidents have been persecuted in an effort to ensure their silence as the Olympic Games approach.

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

Announcements

CECC Translation: Measures on Open Environmental Information

The Commission has prepared a translation of the [Measures on Open Environmental Information](#), issued by the State Environmental Protection Administration on April 11, 2007. For additional information regarding the Measures, see [SEPA Issues Measures on Open Environmental Information](#).

CECC Updates

[Ethnic Minority Rights](#) [Freedom of Expression](#) [Olympics](#) [Political Prisoner Updates](#)
[Press Freedom](#) [Religion](#) [Tibet](#) [Xinjiang](#)

Uighur Editor Korash Huseyin's Prison Sentence Expires

Editor Korash Huseyin completed his three-year prison sentence for "dereliction of duty" on February 2 and is presumed to have since been released from prison, according to information from the Congressional-Executive Commission on China (CECC) [Political Prisoner Database](#). Radio Free Asia's Uighur service, which reported on the sentence's expiration in a February 1 [article](#), reported that Chinese authorities have not provided confirmation of the release. Huseyin had served as chief editor of the Kashgar Literature Journal, based in the Xinjiang Uighur Autonomous Region (XUAR), which published a short story in 2004 deemed to promote separatism. As noted in the CECC Political Prisoner Database, police initially detained Huseyin on February 3, 2005, one day after the Maralbéshi (Bachu) County People's Court sentenced the story's author, [Nurmemet Yasin](#), to 10 years in prison for "inciting splittism." The same court sentenced Huseyin on July 14, 2005. Huseyin served his sentence in the Maralbéshi Prison. Yasin's story, *Wild Pigeon*, describes a caged bird who commits suicide rather than live without freedom. Authorities read the story as an attack against government policy in the XUAR. Yasin is serving his sentence in the Urumqi Number One Prison.

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

Tibetan Abbot Suspected of Link to Posters Sentenced to Three Years' Imprisonment

A court in Ganzi (Kardze) Tibetan Autonomous Prefecture, located in Sichuan province, sentenced the abbot (khenpo) of a Tibetan Buddhist monastery on July 16, 2007, to three years' imprisonment for endangering state security with "anti-government propaganda" and by "incitement of [the] masses," according to a February 2, 2008, Tibetan Centre for Human Rights and Democracy [report](#). The Congressional-Executive Commission on China (CECC) [2007 Annual Report](#) named Abbot Jinpa of Taglung Monastery, located in Chogtsang village, Seda (Serthar) county, as one of nine Tibetans whom Ganzi authorities [detained between March and August 2006](#), according to news media and non-government organization reports issued between June and September 2006. Authorities did not accuse any of the Tibetans of violent activity, based on those reports and on information available in the CECC [Political Prisoner Database](#).

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

Thousands of Chinese Citizens Call for Ratification of ICCPR Before Olympics

More than 14,000 Chinese citizens signed an open letter released to the public on January 1, 2008, urging the Chinese government to ratify the [International Covenant on Civil and Political Rights](#) (ICCPR) before the 2008 Olympics "without reservations," according to a January 1 Radio Free Asia (RFA) [article](#) (in Chinese). The [letter](#) (posted on the China Human Rights Forum Web site) also called on China to undertake a number of domestic reforms to bring the country in line with the ICCPR, including the revocation of regulations restricting religious freedom and abolishment of the requirement that social organizations must first register with the government to be considered legal. RFA reported that signers of the letter included professors, lawyers, workers, farmers, and government officials.

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

CECC Political Prisoner Data Shows Rise in Tibetan Detentions in 2007

According to information available in the Congressional-Executive Commission on China's (CECC) [Political Prisoner Database](#) (PPD) as of January 30, 2008, the number of known political detentions of Tibetans in 2007 (24) is greater than the number of such known detentions in 2006 (13) and 2004 (15), is currently the same as the number in 2005, and may surpass the

number of known political detentions in 2003 (33) and 2002 (36) as additional information about detentions in 2007 emerges from China. (See, for example, Radio Free Asia (RFA) reports on [June 21](#), [August 22](#), and [October 29](#), on incidents in Sichuan province, Qinghai province, and the Tibet Autonomous Region for some reports of detention that are not currently included in the 24 Tibetan PPD records for 2007.) Chinese authorities detain and imprison Tibetans for peaceful expression and non-violent action, charging them under China's [Criminal Law](#) with crimes such as "splittism" (Article 103) that allegedly "endanger state security."

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

Xinjiang Government Strengthens Campaign Against Political and Religious Publications

Authorities in the Xinjiang Uighur Autonomous Region (XUAR) will make "illegal" political and religious publications the focal point of their campaign to "[Sweep Away Pornography and Strike Down Illegal Publications](#)," according to a January 18 [report](#) from Xinhua. Li Yi, head of the XUAR Propaganda Bureau, made the announcement at a January 17 conference at which he stressed the importance of censoring illegal publications and taking actions such as eliminating pornography and removing "harmful information" from the Internet to ensure reforms develop in a stable manner and to promote a "sound cultural environment." He described the situation regarding "illegal" religious and political publications as "severe," and called for enforcement agencies to maintain vigilance against such publications. While "[Sweep Away Pornography and Strike Down Illegal Publications](#)" [campaigns](#) targeting a range of materials exist throughout China, authorities in the XUAR target religious and political materials also as part of broader controls in the region over Islamic practice and expressions of political dissent.

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

Qinghai-Tibet Railway Statistics Add to Confusion, Mask Impact on Local Population

China's state-run media has released additional information about passengers who used the Qinghai-Tibet railway to travel to and from the Tibet Autonomous Region (TAR) from July 2006 to December 2007, the first 18 months of the railway's operation. Based on Congressional-Executive Commission on China analysis of the fragmentary and sometimes contradictory information, more than a half million passengers, most of whom are likely to be ethnic Han, may have traveled during that period to the TAR to seek work, trade, and business opportunities. The railway's impact could overwhelm the Tibetan population in urban centers such as Lhasa, and sharply increase pressure on the Tibetan culture.

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

Time Line: Central Government Legislation on Religion

In 2004, the State Council issued the [Regulation on Religious Affairs](#) (RRA), marking the first national-level comprehensive regulation on religion. Since then, the government has not issued one consolidated set of implementing provisions, as some observers anticipated, but rather expanded upon specific articles within the RRA by issuing legal measures (*banfa*) regarding these articles. In addition, the State Administration for Religious Affairs continues to publicize a book of interpretations of the RRA that elaborates on each article of the regulation.

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

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