

China Human Rights and Rule of Law Update

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United States Congressional-Executive Commission on China

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CECC Special Topic

[CHARTER 08 and the Detention of Liu Xiaobo: Background, Recommendations and Resources](#)

On the eve of December 10, 2008, the 60th anniversary of the [Universal Declaration of Human Rights](#), over 300 Chinese citizens signed and posted online a document titled "[Charter 08](#)," calling for political reform and greater protection of human rights in China. Signers included leading intellectuals, lawyers, writers, farmers, and workers. Over the past week, many hundreds more people in China have signed, with some reports placing the number of signers in the thousands. Chinese abroad have signed the Charter as well.

Liu Xiaobo, one of the original signers of the Charter, and a prominent intellectual and dissident, has been detained, apparently for expression protected under international human rights standards that the Chinese government has recognized.

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[Over 300 Citizens Issue "Charter 08"; Several Activists Detained](#)

More than 300 Chinese citizens--including scholars, writers, lawyers, and activists--issued [Charter 08](#), an open statement calling for greater rights and political reform in China on the eve of December 10. The date coincides with the 60th

anniversary of the [Universal Declaration of Human Rights](#) and [Human Rights Day](#). The prominent intellectual Liu Xiaobo has been detained under suspicion of "inciting subversion" in connection with Charter 08, according to a December 10 Independent Chinese Pen Center [article](#) (in Chinese). Several other activists also have been detained in advance of Human Rights Day.

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Propaganda Head Liu Yunshan Calls for Positive Spin on Economy

Liu Yunshan, head of the Communist Party's Central Propaganda Department (CPD), called on propaganda officials to prioritize "economic propaganda work" to deal with the current economic downturn, according to remarks he made on November 18, 2008, as reported in a Xinhua [article](#) (in Chinese) of the same date. Liu, speaking to directors of local propaganda bureaus and "persons responsible for news media," said that "positive propaganda" should be the "guiding principle." He urged officials to "create a positive public opinion environment in order to achieve economic stability and faster growth" and "guide the people to a correct understanding of the difficulties faced," and told them that "political consciousness at the front lines of propaganda ideology must be strengthened." Liu's comments are significant because the CPD [imposes restrictions](#) on the Chinese media's reporting of topics perceived to be sensitive by the Party.

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Xinjiang Authorities Continue Security Measures, Propaganda Campaigns

Authorities in the Xinjiang Uyghur Autonomous Region (XUAR) have continued to promote restrictive security measures and widespread propaganda campaigns throughout fall 2008, according to various reports from the region. As noted in the Congressional-Executive Commission on China [2008 Annual Report](#) (via the Government Printing Office Web site), repression increased in the region earlier in the year amid preparations for the 2008 Beijing Summer Olympic Games, limited reports of terrorist activity, and protests among Tibetan and Uyghur communities in China. In the aftermath of these events, XUAR government chairperson Nur Bekri outlined in September increased measures to "strike hard" against perceived threats in the region, casting blame on U.S.-based Uyghur rights activist Rebiya Kadeer and "western hostile forces." The same month, XUAR Communist Party Secretary Wang Lequan described plans to launch regionwide anti-separatism education later in the year. (See copies of Nur Bekri's and Wang's remarks ([1](#), [2](#)), both posted on September 11 on Tianshan Net.) The XUAR government has long equated some expressions of ethnic identity, peaceful dissent, and religious practice with separatism or other perceived threats to stability, spurring harsh security campaigns in the region and wide-scale rights abuses.

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

Local Governments Target "Illegal" Worship Sites and "Illegal" Religious Activities Throughout Fall

Local governments in China reported in fall 2008 on measures to prevent "illegal" religious gatherings and curb other "illegal" religious activities, continuing longstanding controls over religious practice in China. As noted in Congressional-Executive Commission on China (CECC) Annual Reports (see, for example, reports from [2007](#) and [2008](#)), religious communities must apply to register with the government and must submit to state control over their affairs. Registered groups must receive government approval to establish sites of worship. Religious and spiritual groups that do not meet registration requirements and groups that choose not to submit to government control through registration risk harassment, detention, closure of sites of worship, and other abuses. At the same time, variations in government implementation of its policy toward religion have enabled a number of unregistered and unrecognized religious communities to operate in China. Reports from fall 2008 indicate, however, that such groups remain vulnerable to negative repercussions, as does any religious activity deemed illicit by implementing officials.

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Authorities Pressure Lawyers, Prevent Courts from Handling Milk Cases

According to a September 22 Takungpao [article](#) and an October 16 New York Times (NYT) [article](#), Chinese lawyers in Beijing and the provinces of Hebei and Henan reported that officials have pressured them not to take cases related to milk powder tainted with the toxic chemical melamine, the widespread sale of which was revealed to the public in September 2008. The major dairy producer Sanlu has been at the center of the scandal, which has led to the deaths of at least four infants and sickened at least 53,000 children, according to the NYT article.

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Inner Mongolia Legal Provisions Include Focus on Ethnic Minority Women

The Inner Mongolia Autonomous Region (IMAR) government has included focus on ethnic minority women in recent legislation on women's rights, but its impact may be limited given a track record across China of weak implementation of provisions to protect both women's rights and ethnic minority rights. The IMAR [implementing measures](#) for the national Law on the Protection of the Rights and Interests of Women (IMAR implementing measures), adopted November 14, 2008, and effective March 1, 2009, include three articles with provisions on ethnic minority women. While the provisions are generally more protective than those included in national law and the implementing measures of other ethnic autonomous regions (see below for a comparison), the implementing measures do not incorporate other protections in the 1995 IMAR [supplementary provisions](#) to the national law, which the implementing measures appear to supersede.

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Xinjiang Authorities Recruit More Teachers for Mandarin-focused "Bilingual" Education

The Xinjiang Uyghur Autonomous Region (XUAR) government recently announced steps to increase the number of "bilingual" elementary school and preschool teachers in the region, according to several reports from XUAR media. As noted by the Congressional-Executive Commission on China in its 2008 [Annual Report](#) (via the Government Printing Office Web site), educational policies described as "bilingual" by the XUAR government have placed primacy on Mandarin Chinese, undercutting provisions in Chinese law to protect ethnic minority languages and promote their use in XUAR schools. The XUAR's "bilingual" education policies have affected the career prospects of ethnic minority teachers, who face Mandarin language skill requirements if their primary teaching language is an ethnic minority language. Under the government's "bilingual" programs, monolingual Mandarin-speaking teachers are not required to learn ethnic minority languages.

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State-Controlled Church Continues To Align Protestant Doctrine to Communist Party Policy

The state-controlled Chinese Protestant church marked the 10th-year anniversary of a program of theology that aligns Protestant doctrine to Communist Party policy, according to several November 2008 reports from the State Administration for Religious Affairs (SARA). As noted in the Congressional-Executive Commission on China [2008 Annual Report](#) (via the Government Printing Office Web site), the state-controlled Three-Self Patriotic Movement (TSPM), which leads the registered Protestant church in China, suppresses denominational differences among Protestants and imposes a Communist Party-defined program of "theological construction" on registered churches. "Theological construction," according to one TSPM official, is intended to "weaken those aspects within Christian faith that do not conform with the socialist society."

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New Science and Technology Plan for Ethnic Minorities Raises Questions About Ethnic Minority Rights

The Chinese central government has issued direction on advancing science and technology development among ethnic minorities and in ethnic minority areas, combining potentially beneficial provisions with those that may clash with the protection of ethnic minority rights. The [Opinion Concerning the Increased Strengthening of Science and Technology Work Among Ethnic Minorities and Ethnic Minority Regions](#) (Opinion)--issued November 3 by the State Ethnic Affairs Commission, Ministry of Science and Technology, Ministry of Agriculture, and the China Association for Science and Technology--builds off of two national programs on science and technology as well as China's first "five-year" program devoted specifically to ethnic minorities and ethnic minority areas. The Opinion describes the promotion of science and technology development as an extension of Communist Party and government policy toward ethnic minorities and links it to strengthening "ethnic unity," the "unity of the motherland," and security in China's border areas. Noting that development of science and technology work has been "delayed" among ethnic minorities and in ethnic minority areas, the Opinion designates the first 20 years of the 21st century to accelerate development.

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China's Anti-Trafficking Efforts One Year After Government's Release of National Action Plan

The Chinese government's anti-trafficking response remains inadequate and noncompliant with international standards one year after the State Council issued the [National Action Plan on Combating Trafficking in Women and Children \(2008-2012\)](#) on December 13, 2007, ([English version](#) via the United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region's China Office, or UNIAP China).

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

Inner Mongolia Press and Publication Bureau Suspends China Business Post

The Inner Mongolia Autonomous Region Press and Publication Bureau (Inner Mongolia PPB) ordered the China Business Post (*Cajing Shibao*) on September 8 to suspend publication for three months after the financial newspaper published a July 11 [report](#) (reprinted in Sina.com) critical of the Agricultural Bank of China, according to a September 25 South China Morning Post (SCMP) [article](#) (subscription required). The newspaper has halted publication in protest of the suspension, and the author of the report has filed a lawsuit against the Inner Mongolia PPB, which issued the paper's license, according to an October 30 SCMP [article](#) (subscription required).

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

Xinjiang Work-Study Programs Continue; Cotton-Picking Activities Limited

The Xinjiang Uyghur Autonomous Region (XUAR) government continued this year to force students to participate in controversial "work-study" programs, but have restricted students in junior high school and lower grades from participating in cotton-picking activities. According to a September 19 Tianshan Net [article](#), the XUAR Department of Education issued a circular this fall stopping all students enrolled in the state's compulsory nine years of elementary and junior high school education from picking cotton in work-study programs. The XUAR government discontinued this form of work-study because central government funding for rural compulsory education, which doubled in 2008 over the previous year, meets XUAR schools' funding needs, according to the report.

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

Government Improves Anti-Domestic Violence Efforts; Victim Protection Remains Limited

In order to provide better protection to domestic violence victims, four Ministries (Public Security, Civil Affairs, Health, and Justice), one Party-controlled organization (All-China Women's Federation), the Party's Central Propaganda Department, and the Supreme People's Procuratorate jointly issued the [Opinions on Preventing and Deterring Domestic Violence](#) (Opinions) on July 31, 2008. Highlights in the Opinions include: requiring public security officers to respond to complaints made through the "110" telephone emergency hotline (Article 8); requiring hospitals and healthcare workers to undergo training programs to prevent and curb domestic violence (Article 11); and requesting All-China Women's Federation offices to establish domestic violence hotlines (Article 13). The Opinions appear to increase the government's responsibility in handling domestic violence cases, according to an [article](#) published by the organization, West Women on September 9.

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