

RELEVANT HUMAN RIGHTS WATCH REPORTS:

Cambodia's Commune Elections: Setting the Stage for the 2003 National Elections, 5/02

Repression Of Montagnards: Conflicts Over Land and Religion In Vietnam's Central Highlands, 4/02

CHINA AND TIBET

Preparations for the 16th Chinese Communist Party Congress and the accompanying change in China's top leadership colored human rights practices in China in 2002. Concerned with maintaining economic and social stability as the transition unfolded, leaders in Beijing appeared to calculate carefully when to tread lightly and when to crack down hard. They responded to major, well-coordinated, and sustained worker protests in China's northeast with only minimum force; moderated the response to disclosures of their failure to tackle the HIV/AIDS crisis effectively; and, when accused of abusing psychiatric science by incarcerating political offenders in mental hospitals, expressed some willingness to cooperate with the World Psychiatric Association. Chinese authorities continued to reform the legal system and professionalize judicial personnel, and agreed to include human rights training for law enforcement officials as part of a technical cooperation program with the U.N.

The leadership moved unequivocally, however, to limit free expression and build a firewall around the Internet, to destroy Falungong even beyond China's borders, and to eliminate dissident challenges. In Tibet, the government welcomed representatives of the exiled Dalai Lama for the first time since 1993, even as it continued to repress religious belief and expression. In Xinjiang, however, the regime tightened all restrictions, citing alleged Uighur collaboration with al-Qaeda.

HUMAN RIGHTS DEVELOPMENTS

As Chinese media outlets continued to proliferate and increasingly to challenge government guidelines, propaganda authorities responded by obstructing the free flow of information. They blocked major Internet search engines, closed publications, harassed foreign and domestic journalists, tightened controls on satellite transmission, and hampered the work of academics and activists. For two weeks in September, officials blocked access to Google, a major search engine, and diverted traffic to sites providing officially approved content. When access was restored, users reported selective blocking. Chinese authorities appeared to be using packet sniffers—devices that scan Internet transactions, including e-mail, to block text with sensitive word combinations.

A second search engine, Altavista.com, was shut down for a day, but Yahoo's China site escaped blockage. Earlier in the year, along with some three hundred other Internet companies, Yahoo had voluntarily signed a trade-association-sponsored "Public Pledge on Self-Discipline for China Internet Industry," committing itself to removing any information that the government claimed could jeopardize security, disrupt stability, break laws, or spread superstition.

The pledge mirrored Ministry of Information and Technology regulations that went into effect in early 2002. They required Internet service providers to use only domestic media news postings, to record information useful for tracking users and their viewing habits, to install software capable of copying e-mails, and to immediately end transmission of so-called subversive material.

Chinese authorities charged activists with subversion for using the Internet to promote causes ranging from political change to worker rights. In August, a Gansu court sentenced Li Dawei to an eleven-year prison term for downloading five hundred "counterrevolutionary" essays and publishing them in book form. Lu Xinhua and Wang Jinbo received four-year sentences for criticizing Jiang Zemin. Party cadre Zhou Xiubao was detained in July for an Internet posting calling for "true Marxists" in the CCP to join together. In August, public security officials detained Chen Shaowen for articles on unemployment, legal defects, and social inequities. By October 2002, courts still had not announced verdicts in the cases of five activists tried for Internet-related offenses in August and September 2001.

A campaign to close unlicensed Internet cafés, begun in April, gained momentum in June after a deadly fire in a Beijing café, and culminated in October with the promulgation of new regulations. They banned small under-capitalized cafés, limited hours of operation, banned users under sixteen, required identification card registration, and permitted authorities to see Internet use records. Most cafés had operated illegally due to restrictive licensing regulations and concomitant corruption.

Beginning January 1, Chinese authorities required foreign television outlets to use a government "rebroadcast platform" to distribute their channels, thus enhancing official censorship capabilities. A few weeks earlier, Beijing city authorities ordered the dismantling of satellite dishes provided by cable television companies to Chinese viewers. Revised "Provisions on Management of Satellite TV" required universities, hotels, residences, and government institutions to reapply to view overseas cable and satellite broadcasts. University departments had to prove research need; hotels and foreign residence complexes had to prove 80 percent foreign occupancy.

Restrictions on domestic print media escalated. Several Party circulars ordered official newspapers to use caution when reporting on sensitive issues and not to publish reports downloaded from the Internet. One circular reminded editors that all stories related to central leaders and their families required approval from "higher" authorities; that reports of major new policies must reference Xinhua, the official news service; and that even "objective" stories that might affect stability or incite the public to demand justice should not be published.

The official list of topics requiring caution included: Taiwan, Tibet, and East Turkestan independence; religious extremists and Falungong; the military; social stratification; the south-north water diversion project; advocacy of private ownership; taxes and fees in rural areas; student loans; human genetic research; private

entrepreneurs as Party delegates; lawsuits against the government; villagers who sold blood; *Forbes* ranking lists; Confucian moral education in primary schools; university rankings; the Qinghai-Tibet railroad; and major accidents. Authorities also added restrictions on reporting legal cases.

In late 2001, after *Securities Market Weekly* published an article critical of wealth amassed by National People's Congress President Li Peng and his family, authorities confiscated all copies of the issue. In March 2002, officials at the Ministry of Propaganda ordered *Nanfang Zhoumuo* (*Southern Weekend*) to remove a feature story about financial irregularities at Project Hope. The Communist Youth League controls the foundation running the charity. In April, the magazine, under pressure, fired three editors. The official *Worker's Daily* came under fire for sympathetic reporting on the plight of laid-off workers in China's northeast. The Publicity Department of the Chinese Communist Party warned against reporting on economic restructuring and worker rights without considering the "overall national interest"; conversely, the department ordered positive reporting on the government's efforts to help workers find new jobs.

In February, a Beijing district government office issued a directive, "Regarding Strengthening the Management of Events Involving Interviews with Foreign Journalists," based on a Ministry of Foreign Affairs document. The directive stipulated that only an official in good political standing could speak for a work unit; that a written report to the district Foreign Affairs Office was required following an interview; and that requests for conducting social surveys or opinion polls be refused. The regulations prohibited interviews with Falungong "elements" or democracy campaigners, and on matters related to ethnic minorities, religion, human rights, and family planning. In November 2001, police officers detained a German crew and a CNN cameraman filming a Falungong protest, and confiscated film, press cards, residence permits, and equipment. In June, police held Chinese-Canadian journalist Jiang Xueqin for two days for investigating labor unrest in the northeast. Security officers beat a South Korean journalist covering a scuffle in the South Korean consulate between South Korean diplomats and Chinese guards. The guards had dragged away a North Korean man seeking asylum.

Authorities banned newsstand sales of *Time* for months after it published an article about Falungong. In June, the *Economist* was taken off newsstands for publishing an eighteen-page survey arguing for political reform in China. In July, officials blacked out BBC World Service Television.

The publications and film industries were not spared. In January, officials from the Party propaganda department and from six ministerial bodies announced a crackdown targeting political publications. In September, the director of the State Press and Publications Administration announced that "[a]ll possible measures should be taken to ensure that the publications market will not air voices that challenge the Party's policies and unity." A listing of banned books included best-selling novels, a scholarly work on China's income gap, one about peasants relocated from the Three Gorges dam area, and a series through which intellectuals expressed discontents. New regulations on film management permitted independent production but only with approval from the relevant State Council (China's executive body) department.

In September, the *People's Daily* warned cell phone spam mailers that political rumor upset social stability.

Chinese authorities moved cautiously in stemming worker unrest, especially in northeastern cities where, in March, tens of thousands of retired and laid-off workers began the largest, longest, and best-organized campaigns since the 1989 pro-democracy demonstrations. They were protesting non-payment of back wages and pensions, unilateral rollbacks of severance agreements, absence of a social security safety net, and managerial corruption. In Liaoyang, security officers attacked unarmed protestors, arresting four worker representatives, Yao Fuxin, Pang Qingxiang, Xiao Yunliang, and Wang Zhaoming, on charges of "illegal assembly, marches, and protests." As of mid-November, prison authorities had denied the men access to their lawyers. In Daqing, security forces threatened employed workers with job loss if their relatives dared to protest. In all instances, Chinese authorities flouted the right to free association guaranteed in China's constitution and in the International Covenant on Economic, Social, and Cultural Rights which China has ratified. China also has ignored its commitments as a member of the International Labor Organization (ILO) to respect the right of freedom of association.

Other labor-related imprisonment occurred in 2002. On May 30, a Sichuan province court sentenced Hu Mingjun and Wang Sen, members of the banned China Democracy Party, to eleven- and ten-year terms, respectively, on subversion charges for supporting striking workers. On June 1, Di Tianguai was detained in Shanxi province on suspicion of subversion for trying to found a national organization for retired workers.

In a developing trend, workers, migrant laborers, and environmental activists began using the judicial system to seek redress. The Beijing-based Center for Legal Assistance to Pollution Victims scored some successes.

Chinese authorities appeared conflicted as they grappled with an impending HIV/AIDS epidemic in China, admitting to a growing number of cases and collaborating on education and prevention with the U.N. and international agencies, but also attempting to control information flows. The ambivalence was clearest in relation to the detention and subsequent release of Dr. Wan Yanhai, internationally recognized for establishing Aizhi Action, an AIDS information project, and for his advocacy on behalf of AIDS-stricken villagers in Henan province. State security officers seized Wan on August 24 for circulating by e-mail an internal government document about the Henan epidemic. The document detailed how, after villagers sold their blood at government-run health stations and workers extracted the plasma, the workers injected villagers with the remaining pooled blood products, creating a high risk of HIV transmission. Wan was released on September 20 following an international outcry and a "confession" admitting that publishing the report was a "mistake." On September 13, Human Rights Watch and the Canadian HIV/AIDS Legal Network presented Wan with the first "Award for Action on HIV/AIDS and Human Rights," an international award program established in 2002. He had been chosen as a recipient months before his detention.

Outspoken academics also continued to be targeted. In January, police in Anhui detained retired professor Wang Daqi for refusing to cease publishing the journal

Ecological Research. Wang, who had advocated the need for political reform to stop environmental degradation, was still in detention as of mid-November 2002.

A three-month “strike hard” (yan da) campaign initiated in April 2001 to crack down on criminal activity and speed the judicial process appeared to have become a permanent feature of law enforcement in China. Targets for 2002 included organized crime; corrupt officials; and those labeled terrorists, separatists, religious extremists, or members of “criminal cults” such as Falungong practitioners. “Strike hard” directives reward convictions, thus exacerbating due process violations such as illegal detentions, hasty trials, severe sentences, and a meaningless appeal process. In Shanghai, where a judge’s performance rating is based on the number of cases handled, city officials revealed that courts reduced “unnecessary formalities during interrogation, evidence presentation and court debates.”

Although the government made changes to law enforcement policies and procedures aimed at bringing them closer to international standards, major discrepancies existed between the policies as written and as implemented. Changes in 2002 included new disciplinary measures for corrupt or incompetent judges; new educational and competency standards for would-be judges, prosecutors, and lawyers; a code of ethics for prosecutors; the introduction of a chief prosecutor for each case rather than a prosecution committee; a prohibition against firing judges without proper legal procedures; and, as part of the effort to eliminate corruption, annual internal disciplinary court inspections. But local cadres and Party officials still interfered in the criminal justice system; criminal “confessions” elicited by torture were admissible as evidence; and defense lawyers were routinely denied access to their clients and to prosecution witnesses.

Public security and state security officials, charged with determining if sufficient evidence existed for a case to be sent to the procuracy, a judicial agency responsible for determining if sufficient evidence exists to indict a suspected criminal offender, routinely ignored legal time limits and refused to tell family members the whereabouts of suspects. Yang Jianli, a prominent dissident and permanent U.S. resident, was detained on April 26 after having entered China a week earlier on a friend’s passport. The Chinese government had refused to renew his own passport. As of late October, Yang’s family was still unsure of his whereabouts. He had not had access to a lawyer although he had been formally arrested on June 21. Without a copy of the arrest warrant, which local authorities in Beijing refused to turn over, no lawyer had been willing to take his case.

China’s National Bar Association reported that 70 percent of criminal defendants were not represented, a reflection of lawyers’ fears that such cases jeopardized their livelihoods and freedom. Lawyers working on civil cases also faced repression. In December 2001, authorities in Shenzhen told Zhou Litai, whose practice was registered in another city, that he could not continue to work in Shenzhen. He had been representing injured and maltreated factory workers on a contingency fee basis. According to the Lawyer’s Law, his license entitled him to practice anywhere in China. In June, Zhang Jianzhong, head of the members’ rights committee of the Beijing Lawyers’ Association, was arrested on suspicion of perjury. China’s Criminal Law allows such a charge, which carries a prison term of up to seven years, if a client’s statements in court contradict evidence obtained by public security offi-

cial. The perjury charge is permissible even if security officials used torture to obtain the original “evidence.”

Chinese authorities continued to imprison China Democracy Party (CDP) leaders and to prevent CDP members from working with overseas dissidents, unemployed workers, or Falungong practitioners. At this writing, there had been no further word about two leaders: Zhao Zhongmin, detained after a routine safety check on a train revealed that he was carrying CDP materials; and Huang Shaoqin, traveling with him, who managed to escape into hiding. Security agents also have been on the lookout for overseas CDP members trying to enter China. In mid-June, U.S. permanent residents Wang Bingzhang and Zhang Qi—a leader of the Zhong Gong health and meditation group—and French-based former labor leader Yue Wu, went missing in Vietnam. All three were believed to be CDP members. Vietnam officials denied knowledge of the men’s whereabouts. The Chinese Foreign Ministry also denied knowledge of the case after reports surfaced that the two were being held in China.

At a major religious meeting in December 2001, President Jiang Zemin announced that, “Under the current international and domestic conditions, we can only strengthen, not weaken, the Communist Party’s leadership and the government’s control over religion.” Premier Zhu Rongji added that cults were not religion and must be eliminated. Falungong practitioners faced the most severe repression, but through use of an expanded definition of “cult,” officials “legally” prosecuted a wide range of groups and believers. In December 2001, “backbone” members of the Mentuhui (a Christian group also known as the Society of Disciples) in Gansu were administratively sentenced for organizing “home sects,” “cheating the people,” and “disturbing social order.” Authorities announced the sentences at a public rally called to “educate” the local population. In January 2002, a Fujian court sentenced Hong Kong resident Lai Kwong-keung to a two-year term and a fine of approximately U.S.\$18,000 for importing bibles to China. Two codefendants from the mainland, Lin Xifu and Yu Zhudi, received three-year terms. The charges against Lai were reduced from “using a cult to undermine...the law” to “illegal trading” after U.S. President George Bush expressed concern. All three men are members of the “Shouters,” an evangelical Christian group made up of small congregations without professional clergy. Little more than a week after sentencing, Lai was permitted to serve his term at home under state surveillance. In April, the arrangement was extended to Lin.

In February, members of the Holy Ghost Reform Church received seven-year terms on charges of “using a cult to undermine . . . the law.” That same month, police in Hubei province detained nine members of Wilderness Narrow Door for setting up churches and meetings points, “recklessly praying,” and distributing cult materials. In September, an appeals court overturned death sentences for Gong Shengliang and four other leaders of another Christian group, the South Church, on grounds of insufficient evidence. They had been charged with “fomenting an evil cult.” At a new trial in early October lasting less than three days, the court sentenced Gong and two others to life in prison; the remaining leaders received fifteen-year terms. Within hours, the four who were acquitted received three-year administrative sentences.

Falungong spokespersons reported that, as in previous years, practitioners died in custody in 2002. (As of November 12, spokespersons claimed that since start of the crackdown in 1999, 513 practitioners had died in custody.) Followers from abroad detained in China, upon returning home, recounted tales of beatings and torture. Courts continued to sentence core believers to long prison terms; public security officials sent others directly to reeducation camps. In December, a Beijing court sentenced six academics to terms of up to twelve years for distributing Falungong materials. They were among some three hundred Qinghua University students and staff detained at least temporarily in connection with the Falungong crackdown. Nineteen Falungong members, tried for hacking into television stations in Chongqing Municipality or Changchun, Jilin province to broadcast information about the organization, received sentences ranging between four and twenty years.

Relations between China and the Vatican remained tense. According to FIDES, the Vatican news agency, fifty-three bishops and priests remained in custody or under police surveillance in February 2002. In June, Religious Affairs Bureau officials “took away” Father Chen Nailiang, the “underground” vicar general of Wenzhou, Zhejiang province. In July, three priests from Baoding, Hebei province received three-year terms for disturbing the social order; thirty people, most under eighteen, were detained briefly in Fujian province for attending a secret catechism class. Police interfered with two funerals for “underground” bishops by blocking access roads.

China has not lived up to its obligation to refrain from returning refugees to North Korea in situations where their lives or freedom would be threatened (the obligation of *nonrefoulement*). It has refused permission for the U.N. High Commissioner for Refugees (UNHCR) to visit its border with North Korea to assess the situation, although in a handful of cases, it did permit UNHCR officials to interview asylum-seekers in Beijing to determine refugee status. Instead, the government responded to a spate of cases in which North Koreans sought asylum in diplomatic missions in Beijing and Shenyang by tightening security around the compounds and at the North Korean border, demanding that embassies and consulates hand over the asylum-seekers, and prosecuting those who had helped North Koreans to escape. Escapes have been to various countries—not just China. Some 140 North Koreans who managed to gain access to diplomatic facilities negotiated safe passage to South Korea via a third country.

Tibet

Chinese government permission for a “private” visit to Tibet by personal representatives of the Dalai Lama, and the release of seven high-profile Tibetan prisoners before their terms expired opened a new chapter in China-Tibet relations. The change in policy may have indicated a greater Chinese readiness for meaningful dialogue, or it may have been meant to mute criticism from the international community and remove a potential barrier to foreign investment.

For Tibetans, little changed. Authorities continued to arrest “political” offenders and to place restrictions on religious practice. Even as representatives of the Dalai

Lama met with local Tibetan government officials, the latter accused the Dalai Lama of attempting to split the motherland and insisted that talks about his “individual future” were predicated on his willingness to publicly state that Tibet and Taiwan were inalienable parts of China. Throughout the visit, the Dalai Lama’s representatives assured officials that he was seeking a “middle way,” not independence but “genuine autonomy” for Tibet.

Authorities continued to deny access to Gendun Choekyi Nyima, the Panchen Lama and second most important figure in Tibetan Buddhism. He was six years old in 1995 when Chinese authorities seized him and his family. Chadrel Rinpoche, who had been involved in the identification and selection of the Panchen Lama, was released from prison, but was reported to be under house arrest. Nyima (Kelsang Yeshe), Panam (Pema Namgyal), and Thubten, three aides to the eighteen-year old Karmapa, another high ranking religious figure, were detained for aiding his escape to India in 1999. In April, authorities seized Tenzin Delek Rinpoche, an influential religious teacher, and several of his staff. Officials in Sichuan province continued to demolish huts and evict residences from Serthar Buddhist Institute (Larung Gar), a monastic encampment housing thousands of Buddhist students.

At a meeting in July of the heads of individual monasteries’ Democratic Management Committees, the leader of the Regional Group for Monastery and Religious Affairs, a local government body created by the Chinese, reportedly said that monks and nuns should “boldly” expose the Dalai Lama and enhance their patriotic awareness. In August, police detained five monks from Drepung monastery for listening to pro-independence songs and for attempting to raise the banned Tibetan flag. That same month, officials and neighborhood committee leaders told Tibetan government workers in Lhasa that they were in danger of losing their pensions and even their jobs if they traveled to Mount Kalish, a sacred site in western Tibet.

In July, authorities closed Tsang-Sul, a privately run school in Lhasa dedicated to preserving the Tibetan language.

Xinjiang

Throughout 2002, China’s leaders reiterated their claims that Uighurs supporting an independent East Turkestan were *ipso facto* terrorists aligned with an international terrorist movement. On January 21, the State Council offered extensive “evidence” of Muslim group terrorist activities. In May, regional Party committee chairman Wang Lequan announced that one thousand Uighurs had fought with the Taliban. The U.S. designation of the East Turkestan Islamic Movement (ETIM) as a terrorist organization and subsequent U.N. Security Council formal classification of the group as such appeared to lend credence to China’s claims. Human Rights Watch had no independent information on ETIM or its activities. Allegations that the group advocated violent struggle against the Chinese, if true, would distinguish it from most Uighur groups, which did not advocate violence.

Steps to curtail “ethnic splittists, religious extremists, and violent terrorists” in Xinjiang included death sentences and extremely long prison terms. According to reports, authorities executed two people and sentenced twenty-six others in Aksu in November 2001 for “separatist” activities; arrested another nine people in

December in the Byingolin Mongol prefecture for preaching illegally and translating the Koran into local languages; arrested scores of people in March in Kasghar for separatism and illegal religious activities; and in April in Hotan, sentenced several more alleged separatists to seven- to twenty-year terms.

The clampdown also featured curbs on Uighur language, culture, and religious practice. In January, after a jobless worker read a poem in the Xinjiang People's Hall in Urumqi that allegedly obliquely advocated a separate Uighur state, government chairman Abulahat Abdurixit announced a purge of those who "openly advocate separatism using the name of art." In September, the Xinjiang Cultural Bureau and Xinjiang Dance Troupe fired workers in charge of the program. A disciplinary circular called the incident a "serious political event" from which officials must learn a "deep lesson."

In January, in what was billed as an attempt to prevent hostile foreign forces from influencing opinion in the region, authorities in Yili prefecture cracked down on illegal TV stations. They ordered increased surveillance of Muslim weddings, funerals, circumcisions, and house moving rituals. In March, authorities closed fifty-two of 118 state-controlled publications, citing "poor quality," but there was serious concern that those closed represented dissenting political viewpoints. Reports surfaced in June of book burnings and tight censorship by the government-owned Kashgar Uighur Publishing House. Titles destroyed included, *A Brief History of the Huns, Ancient Uighur Literature, and Ancient Uighur Craftsmanship*.

Ideological campaigns for educators and religious leaders continued. In mandatory "anti-separation struggle reeducation classes," work teams admonished teachers, particularly those in secondary schools, to pay more attention to politics. In May, Xinjiang University encouraged using Chinese in courses previously taught in Uighur or Kazakh. Mandatory classes for the region's imams focused on political indoctrination. Some two thousand were trained in 2002. To complement the classes, authorities assigned ethnic cadres to specific mosques to engage in dialogue with imams.

In late 2001, the U.N. Human Rights Committee ruled that Uighur scholar Tohti Tunyaz had been arbitrarily detained. He was sentenced in March 1999 to an eleven-year term for "inciting separatism" and "illegally acquiring state secrets" after he returned to Xinjiang in connection with his research studies on ethnic minorities at the University of Tokyo. In another prominent case, prison authorities in Xinjiang continued to limit family visits to Rebiya Kadeer to once every three months, breaching Chinese regulations that allow monthly prison visits. An Uighur businesswoman, Kadeer had received an eight-year prison term in March 2000 for sending newspapers to her husband in the U.S.

Hong Kong

In Hong Kong, government plans to introduce anti-subversion legislation overshadowed other human rights issues. On September 24, Hong Kong's Security Bureau released a consultation document, "Proposals to Implement Article 23 of the Basic Law," outlining new laws on sedition, subversion, treason, and secession. The document incorporated a three-month window for public comment. Critics

questioned the Hong Kong government's prior consultations with Beijing on the proposed legislation, pointing to the provision in article 23 of the Basic Law (the territory's mini-constitution) that Hong Kong was to enact such legislation "on its own." They took issue with inclusion of subversion and secession, arguing that existing laws on treason and sedition encompassed the two; and they expressed concern that the document did not include the proposed wording of the new laws, but used vague language that, if included in the final draft, could become severely restrictive of basic rights. With Chinese courts in all probability having final jurisdiction in cases involving subversion, opponents feared all political dissent would be quashed. Specific concerns included: proposed police powers to search offices and homes without warrants in cases of suspected crimes of subversion; outlawing of groups affiliated with organizations which Beijing had banned on national security grounds; the prohibition on giving support to organizations that Beijing had labeled state security risks; a new offense called intimidation of the PRC government; and broad language on theft of state secrets. Journalists expressed concern that dissent could be interpreted as sedition, and that routine reporting on Hong Kong mainland relations could be interpreted as a breach of the proposed state secrets provisions.

Hong Kong authorities in 2002 also made it more difficult for opposition groups to obtain permits for marches, demonstrations, and rallies. In the first such case since the 1997 handover, two activists were charged with unauthorized public assembly for organizing a rally. From April through September, police banned protests on public order grounds, moved other rallies to locales where demonstrators would be out of sight of the protests' targets, and on at least one occasion seized protestors' bullhorns, arguing their use was disruptive.

DEFENDING HUMAN RIGHTS

Independent human rights monitoring organizations did not exist in China in 2002. Unregistered social organizations continued to be illegal by definition, and the Civil Affairs Bureau (CAB), responsible for registering organizations, continued to have the power to deny legal status to groups not meeting conditions set forth in "Social Organization Registration and Management Regulations." Such conditions included alleged opposition to constitutional principles, damage to national unity or the state's interests, and lack of a government sponsor. Hong Kong had a large and active nongovernmental organization (NGO) community, subject to little government interference. There were reports of intrusive inquiries into organizations with agendas the government disliked, but the affected groups continued to function largely unimpeded.

THE ROLE OF THE INTERNATIONAL COMMUNITY

In 2002, China's diplomacy succeeded in deflecting human rights criticism, preventing attempts to censure China's record at the U.N., and using the global anti-

terrorist agenda to justify its crackdown at home. As a new member of the World Trade Organization with an attractive commercial market, China was able to ignore international concerns about labor unrest and worker rights violations without significant repercussions. Although Internet censorship created problems for some major U.S.-based Internet companies, the business community failed to mount an effective counter-strategy. China's political use of psychiatric detention received unprecedented international attention, but it was unclear whether the World Psychiatric Association (WPA) would hold Beijing accountable to its commitment to allow an independent WPA delegation visit to China.

United Nations

For only the second time since 1990, no country sponsored a resolution condemning China's human rights record at the United Nations Commission on Human Rights meeting (March 18-April 26). The U.S. lost its seat on the commission in 2002 and no European nation was willing to place China on the commission's agenda.

In August, then U.N. High Commissioner for Human Rights Mary Robinson opened a U.N. workshop on judicial independence in Beijing at which she observed that Chinese law and practice still falls short of international human rights standards. In meetings with Vice-Premier Qian Qichen and other officials, Robinson raised a number of individual cases, including Xu Wenli, Rebiya Kadeer, and those of labor leaders in China's northeast. She noted that the treatment of Tibetans and Uighur Muslims was of particular concern and that China had used anti-terrorism laws to crackdown on these groups.

In October, Secretary-General Kofi Annan emphasized the need for "complete mobilization of society" to combat an escalating AIDS epidemic in China.

Chinese authorities continued to work with several U.N. agencies, among them the U.N. Development Programme (UNDP), the U.N. Children's Fund (UNICEF), and the U.N. Education, Social, and Cultural Organization (UNESCO). Programs included AIDS prevention, poverty reduction, health and hygiene improvement, and rural education for girls.

China made no progress toward ratifying the International Covenant on Civil and Political Rights (ICCPR), which it signed in October 1998.

In June, the International Confederation of Free Trade Unions (ICFTU) asked the International Labor Organization's (ILO) Committee on Freedom of Association to take up the cases of the labor activists detained in the northeast. Although the ILO is already involved in several technical assistance programs in China, including development of a social security project, China still has not responded to a June 2000 ILO request to send a direct contact mission to discuss freedom of association.

European Union

The E.U. continued to stress engagement and dialogue, but refrained from overt pressure on Chinese officials to improve human rights.

In March, the European Commission approved a strategy document setting out a framework for E.U.-China cooperation over the next five years. Although it focused on economic reform, the E.U. expressed concern over restrictions on civil and political rights in China and the rights of ethnic minorities.

On March 5 and 6, the Spanish Presidency hosted an E.U.-China human rights dialogue in Madrid. The General Affairs Council (E.U. foreign ministers) later made several recommendations to China for improvement of human rights, including ratifying the ICCPR; limiting the use of the death penalty while moving toward its total elimination; working more closely with U.N. human rights mechanisms; respecting the rights of prisoners and ending torture; respecting freedom of expression, religion, and association; and respecting cultural rights and religious freedom in Tibet and Xinjiang.

E.U. External Affairs Minister Chris Patten visited China in late March. He met with President Jiang Zemin, and noted the E.U.'s concern about China's human rights practices, particularly its treatment of Tibet and the use of the death penalty.

A China-E.U. summit, hosted by the Danish Presidency and attended by Premier Zhu Rongji, took place in Copenhagen on September 24, at the time of the Asia-Europe Meeting (ASEM). Despite the two sides' agreement to "continue their human rights dialogue on the basis of equality and mutual respect," the meeting was disappointing, laying out no concrete measures for improvement in China's human rights situation. The E.U. and China continued their human rights dialogue in Copenhagen in November.

Shanghai Cooperation Organization

Counter-terrorism was high on the agenda of the January Shanghai Cooperation Organization (SCO) meeting. The five Central Asian members and China agreed to step up campaigns against militant Muslim groups and "extremists" and to form a regional counter-terrorism agency.

The Chinese embassy in Washington, D.C., in response to a Human Rights Watch letter to all SCO governments urging inclusion of human rights issues on the anti-terrorism agenda, said that China's preservation of "national sovereignty and territorial integrity" protected the human rights of its population from terrorists. It also forwarded detailed accusations against Uighur groups allegedly involved in terrorist activities.

India and Japan

In January, Premier Zhu Rongji made China's first state visit to India in over a decade. Human rights were not on the agenda of Zhu's New Delhi meeting with Indian Prime Minister Atal Behari Vajpayee. The two pledged cooperation on counter-terrorism efforts and Zhu urged India to resume dialogue with Pakistan.

During a visit to Beijing by Japanese Foreign Minister Yoriko Kawaguchi in September, Chinese officials agreed to schedule a bilateral human rights dialogue meeting before the end of the year. The last such meeting had taken place in October 2000. Japan hoped to raise the dialogue talks to a higher level in the foreign min-

istry. During Kawaguchi's visit, Japanese officials announced a likely reduction in Japan's Official Development Assistance (ODA) to China, a follow up to last year's 25 percent cut. Japanese public and political opinion is strongly opposed to large scale ODA to China in light of Beijing's military build-up and its continued economic growth. Yen loans to China in fiscal year 2001, ending March 31, 2002, totaled U.S.\$1.3 billion.

Australia and Canada

During his March visit to Australia, Chinese Foreign Minister Tang Jiaxuan urged Australia to crack down on Falungong followers and to refuse to meet the Dalai Lama during his upcoming May visit. Prime Minister John Howard and Foreign Affairs Minister Alexander Downer did refuse to see the exiled Tibetan leader, but other senior Foreign Affairs Ministry officials met with him. Downer declared his meeting with Tang to be productive. Dialogue ranged from consular issues to human rights.

Howard toured China only days after the Dalai Lama's visit. Meetings with President Jiang Zemin and other officials focused on business.

In mid-June, Canberra hosted Tibet's Communist Party Secretary, Guo Jinlong, on a one-week unofficial tour. Downer raised human rights concerns, in particular Tibetan cultural identity and freedom of religion. He also noted Australia's desire to extend its human rights technical assistance program in China to Tibet.

Canada expected to continue its bilateral human rights dialogue at a November meeting in Beijing.

United States

Human rights and religious freedom remained on the U.S. agenda, but terrorism and China's cooperation on strategic issues became the major issues.

Seeking to further stabilize political and economic relations, President George W. Bush made his first official visit to Beijing in February. Bush focused heavily on religious freedom in his private talks with Jiang Zemin, and later called on China to embrace democracy and religious freedom in a speech at Qinghua University. Bush said nothing publicly about China's attempt to justify its crackdown in Xinjiang on anti-terrorism grounds although when the two leaders met again in late October in Crawford, Texas, he did comment on repression of ethnic minorities.

Jiang's successor, Vice-President Hu Jintao, visited the U.S. in early May. In his meeting with Hu, Bush reiterated his concern for religious freedom. There was lengthy discussion about Tibet, with Hu reiterating the party line. The two agreed on trade and terrorism. Hu snubbed congressional leaders by refusing to accept four letters appealing for the release of political prisoners and for progress on human rights. Secretary of State Colin Powell also raised human rights and Tibet in a working session with Hu.

The U.S. Commission on International Religious Freedom in its annual report in May issued a scathing assessment of the current state of religious freedom in China, which later denied access to a commission delegation. The newly appointed

Ambassador-at-Large for International Religious Freedom John Hanford visited China in early August and met with government and officially sanctioned religious groups.

In August, during Deputy Secretary of State Richard Armitage's trip to Beijing, the State Department added the East Turkestan Islamic Movement to its list of terrorist organizations. The move was a major coup for China, expected to use the designation to justify its broad repression of ethnic Uighurs. Armitage urged China to "respect minority rights, particularly the Uighurs" and raised the cases of individual political prisoners.

At the Association of Southeast Asian Nations (ASEAN) annual meeting in July in Brunei, the State Department resisted pressure from Chinese Foreign Minister Tang to resume the bilateral human rights dialogue until it saw tangible progress resulting from the October 2001 session in Washington, D.C. Although China's response was minimal—a few prisoner releases and the Tibetan envoys' visit to the Tibet Autonomous Region—just days before the Bush-Jiang summit, the U.S. State Department announced that a dialogue meeting would be resumed the week of December 16 in Beijing.

The Congressional-Executive Commission on China (CECC), established in 2000 to monitor human rights conditions in China and to make policy recommendations, issued its first report in early October. It analyzed human rights trends and made generally weak recommendations. The commission held two hearings and several staff briefings during the year, but sent no congressional delegation to China.

World Bank

Of the nearly U.S.\$563 million the World Bank lent to China in fiscal year 2002 ending in June, \$300 million went to tuberculosis control, sustainable forestry development, and highway projects in western regions. The bank co-sponsored an anti-corruption conference in Beijing in mid-April. In May, bank president James Wolfensohn visited China. He urged China to improve corporate governance, and in meetings with President Jiang Zemin, Premier Zhu Rongji, and the National People's Congress, he confirmed the bank's commitment to help alleviate poverty in the western regions. Wolfensohn met with various civil society representatives, but did not initiate any new legal or judicial reform efforts or raise concerns about Chinese Internet restrictions.

In November, the bank and the Chinese Ministry of Civil Affairs co-sponsored an international seminar on nongovernmental organization (NGO) development and regulation in Shanghai. Human Rights Watch asked the bank to privately intervene with Chinese authorities on the detention of the HIV/AIDS activist Dr. Wan Yanhai, but the bank declined.

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