



**Australian Government**

**Refugee Review Tribunal**

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# Country Advice

## China

China – CHN38273 – Corruption in Public Service – Monitoring of overseas pro-democracy – Returning dissidents –

Boxun.com

24 February 2011

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### 1. What reported incidents are there, if any, of corruption in the public service in China, particularly in the recruitment/employment sector?

Corruption is widespread in the People's Republic of China (PRC), both in the private sector and the public service. According to *BBC News*, the Communist Party's Central Commission for Discipline Inspection – China's anti-Corruption regulator – claims 106,000 officials were found guilty of corruption in 2009, an increase of 2.5% on the previous year.<sup>1</sup>

In November 2010, two officials in Fujian province – one in charge of the Pingnan county finance bureau, the other in charge of the personnel bureau – were reportedly suspended from work on suspicion of corruption following an employment scandal. The two individuals were accused of involvement in a covert operation in which the daughter of a former Pingnan official – the latter having since been promoted to the city government – was employed in a government position according to “specially-tailored requirements”.<sup>2</sup> To wit, the requirements stated that a bachelor degree from a foreign university was necessary, thereby excluding all candidates apart from the official's daughter, who won the position without taking a written test.<sup>3</sup>

According to *China Daily*, in August 2010 the former assistant Minister of Public Security received the death penalty with a two-year reprieve after being convicted of abusing his position and accepting bribes worth more than 8.26 million yuan over a period of six years. Prosecutors also accused the official of seeking personal gain by abusing his authority to illegally seek favours for people under criminal investigation, provide job promotions, and procure employment.<sup>4</sup>

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<sup>1</sup> ‘Corruption up among China government officials’ 2010, *BBC News*, 8 January

<http://news.bbc.co.uk/2/hi/8448059.stm> – Accessed 21 February 2011 – Attachment 1

<sup>2</sup> ‘2 officials in Fujian suspended for employment scandal and corruption’ 2010, What's on Xiamen website. 30 November <http://www.whatsonxiamen.com/news16054.html> – Accessed 21 February 2011 – Attachment 2

<sup>3</sup> ‘2 officials in Fujian suspended for employment scandal and corruption’ 2010, What's on Xiamen website. 30 November <http://www.whatsonxiamen.com/news16054.html> – Accessed 21 February 2011 – Attachment 2

<sup>4</sup> ‘Ex-police officer sentenced in bribery case’ 2010, *China Daily*, 25 August

[http://www.chinadaily.com.cn/china/2010-08/25/content\\_11197887.htm](http://www.chinadaily.com.cn/china/2010-08/25/content_11197887.htm) – Accessed 21 February 2011 – Attachment 3

In 2009, a *China Daily* article regarding the dismissal and detention of the head of a college in Guangzhou on suspicion of corruption reported “many professors and teachers have been investigated for offering and accepting bribes for promotion and evaluation of their professional titles in recent years”.<sup>5</sup> In a 2007 article on corruption in the Chinese military, the *Global Times* reported on frequent allegations regarding the recruitment process, claiming that it was an ‘open secret’ that many officers in charge of enlistment solicit bribes from those seeking to join the army.<sup>6</sup>

In 2001, the PRC Ministry of Personnel issued a circular urging local governments to “fight the malpractice and corruption that takes place during recruitment of civil servants and promotion of officials”.<sup>7</sup> A number of examples of corruption were cited, including:

- Forging academic credentials by officials in Lixin County;
- Illegal recruitment and promotion of officials in two Northwestern counties;
- Illegal recruitment of 357 civil servants between 1991 and 1998 by Tongxin County officials;
- Illegal approval of 132 people, including 15 relatives, as officials by the former People’s Political Consultative Conference vice-chairman of the Ningxia Hui Autonomous Region; and
- Dereliction of duty of 20 officials in Gansu Province, some of whom kept paying wages for deceased staff, while others forged academic credentials for their relatives to gain government employment.<sup>8</sup>

## **2. What reports are there of the Chinese government monitoring pro-democracy dissidents in other countries and what means are used to do so?**

It is widely accepted that Chinese authorities monitor and interfere with pro-democracy adherents and other groups perceived as dissident in many countries outside of China. In 2009, former PRC Ministry of State Security (MSS) officer Li Fengzhi told the US Congress that China was running a vast intelligence operation domestically and internationally to suppress dissent.<sup>9</sup> Li claimed the PRC government uses “lies and violence to suppress people seeking basic human rights”, and “uses huge expenditure of funds to suppress ordinary citizens and even extend their dark hands overseas”.<sup>10</sup>

In 2009, Germany’s Ministry of the Interior issued its Constitutional Protection Report relating to terrorism and espionage threats to the country. According to the *Epoch Times*, one section of the report – titled “Fighting the Five Poisons” – detailed how PRC intelligence services target “groups of people it considers the greatest danger to its own

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<sup>5</sup> ‘College head detained for corruption’ 2009, *China Daily*, 13 October [http://www.chinadaily.com.cn/china/2009-10/13/content\\_8785052.htm](http://www.chinadaily.com.cn/china/2009-10/13/content_8785052.htm) – Accessed 23 February 2011 – Attachment 4

<sup>6</sup> ‘Military takes aim at corruption’ 2010, *Global Times*, 28 September <http://china.globaltimes.cn/chinanews/2010-09/577869.html> – Accessed 23 February 2011 – Attachment 5

<sup>7</sup> ‘Ministry of Personnel to Crack Official Recruitment Graft’ 2001, China Internet Information Centre, 21 August <http://china.org.cn/english/17830.htm> – Accessed 23 February 2011 – Attachment 6

<sup>8</sup> ‘Ministry of Personnel to Crack Official Recruitment Graft’ 2001, China Internet Information Centre, 21 August <http://china.org.cn/english/17830.htm> – Accessed 23 February 2011 – Attachment 6

<sup>9</sup> ‘China has ‘vast dark spy network’: defector’ 2009, *ABC News*, 20 March <http://www.abc.net.au/news/stories/2009/03/20/2521919.htm> – Accessed 13 May 2010 – Attachment 7

<sup>10</sup> ‘China has ‘vast dark spy network’: defector’ 2009, *ABC News*, 20 March <http://www.abc.net.au/news/stories/2009/03/20/2521919.htm> – Accessed 13 May 2010 – Attachment 7

rule”.<sup>11</sup> The report cited the Five Poisons as “Uighurs and Tibetans...the Falun Gong...the democracy movement and advocates for an independent Taiwan”.<sup>12</sup>

According to Chen Yonglin, the former Political Consul at the PRC Consulate-General in Sydney who defected from his post in 2005, PRC officials in Australia actively monitor the activities of Five Poisons groups in Australia, including pro-democracy activists.<sup>13</sup> Chen said during his time at the mission, he was responsible for monitoring pro-democracy activities, as well as the Falun Gong. Chen would take photos of public gatherings and report on these activities to Beijing, providing information such as the number of attendees, the keynote speakers and general information about the content of speeches.<sup>14</sup> Chen further claimed some students and other PRC nationals in Australia would monitor individuals and report on their activities to the PRC missions.<sup>15</sup> Chen’s claim that there was a network of up to 1,000 Chinese spies in Australia has been criticised by some as exaggerated; however, if the claim was to be interpreted as referring to informants rather than trained intelligence officers, the figure is considered to be more plausible.<sup>16</sup>

A 2007 article in *The Age* reported that Chinese students in Melbourne are sometimes pressed by consular officials to monitor the behaviour of other students.<sup>17</sup> The same article quoted Dr John Fitzgerald, professor of Asian studies at La Trobe University as saying that Chinese official surveillance of Chinese-Australians was “extremely widespread”, with targets including democracy activists, academics and Falun Gong practitioners.<sup>18</sup> Dr Fitzgerald added that surveillance was often carried out by tourists, and threats were issued through intermediaries rather than directly from PRC officials, thus providing the PRC government ‘plausible deniability’.<sup>19</sup>

### **3. Are there any reports of political dissidents returning to China being harmed or mistreated as a result of views expressed while overseas?**

The Chinese government is well known to treat those it perceives as dissident – be they in country, off-shore, or returnees – in a manner inconsistent with accepted international human rights standards. The families of dissidents can also be threatened with harm as leverage in an attempt to ensure compliance.

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<sup>11</sup> ‘Germany Cracks Down on Chinese Regime’s Spying’ 2010, *Epoch Times*, 29 June  
<http://www.theepochtimes.com/n2/content/view/38233/> – Accessed 21 February 2011 – Attachment 8

<sup>12</sup> ‘Germany Cracks Down on Chinese Regime’s Spying’ 2010, *Epoch Times*, 29 June  
<http://www.theepochtimes.com/n2/content/view/38233/> – Accessed 21 February 2011 – Attachment 8

<sup>13</sup> ‘Chinese defector details spy claims’ 2005, ABC website, 20 June  
<http://www.abc.net.au/lateline/content/2005/s1396471.htm> – Accessed 20 November 2007 – Attachment 9

<sup>14</sup> ‘Chinese defector details spy claims’ 2005, ABC website, 20 June  
<http://www.abc.net.au/lateline/content/2005/s1396471.htm> – Accessed 20 November 2007 – Attachment 9

<sup>15</sup> ‘Chinese defector details spy claims’ 2005, ABC website, 20 June  
<http://www.abc.net.au/lateline/content/2005/s1396471.htm> – Accessed 20 November 2007 – Attachment 9

<sup>16</sup> ‘Chinese defector offers information on secret agents’ 2005, ABC website, 6 June  
<http://www.abc.net.au/worldtoday/content/2005/s1385487.htm> – Accessed 27 April 2010 – Attachment 10

<sup>17</sup> ‘Hard power, soft targets’ 2007, *The Age*, 11 November  
<http://www.theage.com.au/articles/2007/11/10/1194329562764.html?page=fullpage#contentSwap2> – Accessed 21 February 2011 – Attachment 11

<sup>18</sup> ‘Hard power, soft targets’ 2007, *The Age*, 11 November  
<http://www.theage.com.au/articles/2007/11/10/1194329562764.html?page=fullpage#contentSwap2> – Accessed 21 February 2011 – Attachment 11

<sup>19</sup> ‘Hard power, soft targets’ 2007, *The Age*, 11 November  
<http://www.theage.com.au/articles/2007/11/10/1194329562764.html?page=fullpage#contentSwap2> – Accessed 21 February 2011 – Attachment 11

The US Department of State (USDOS) reported that in 2009 “[t]he government continued to refuse re-entry to numerous citizens who were considered dissidents, Falun Gong activists, or trouble makers. Although some dissidents living abroad have been allowed to return, dissidents released on medical parole and allowed to leave the country often were effectively exiled. Activists residing abroad have been imprisoned upon their return to the country”.<sup>20</sup>

According to the USDOS 2007 *China Profile*, the PRC government monitors some political activities of students living abroad. Those who joined organisations considered as hostile to China have been advised through state-owned media that they should quit before returning to China, and that they should refrain from activities that violate Chinese law whilst overseas. Some pro-democracy activists who have been politically active in the United States have been prevented from returning to China. According to the USDOS, a few activists have returned in recent years, and while some have encountered no apparent problems, people who have participated in high-profile democracy activities in the US risk arrest and imprisonment upon return to China.<sup>21</sup>

Many students have claimed that their political activities in the US, such as demonstrating at the United Nations or at PRC consulates, criticising the PRC government on television, writing articles for Chinese-language newspapers, and joining US-based dissident groups would prompt security officials to target them for punishment on their return to China. Some claimed that their families have been harassed as a result of their political activities in the US.<sup>22</sup>

In May 2003, the PRC government sentenced US permanent resident Yang Jianli to five years in prison for spying for Taiwan and entering China on a false passport. Yang fled to the US after taking part in the 1989 Tiananmen demonstrations, and established a foundation advocating democratic reform in China. According to court documents, Yang’s high-profile activities in the US played a role in his conviction and sentencing.<sup>23</sup> In February 2003, US permanent resident and pro-democracy activist Wang Bingzhang was sentenced to life imprisonment for organising and leading a terrorist group and spying for Taiwan. Wang and two associates were reportedly kidnapped in Vietnam by PRC authorities and taken to China, where they were arrested.<sup>24</sup>

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<sup>20</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 - China*, 11 March, Section 2.d – Attachment 12

<sup>21</sup> US Department of State 2007, ‘China Profile’, USDOS website, May, Section D.2 [73]  
[http://pards.org/paccc/China%20\(May%202007\)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20\(rev.%20December%202012,%202009\)%20\(DOC,%20\).doc](http://pards.org/paccc/China%20(May%202007)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20(rev.%20December%202012,%202009)%20(DOC,%20).doc) – Accessed 21 September 2007 – Attachment 13

<sup>22</sup> US Department of State 2007, ‘China Profile’, USDOS website, May, Section D.2 [74]  
[http://pards.org/paccc/China%20\(May%202007\)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20\(rev.%20December%202012,%202009\)%20\(DOC,%20\).doc](http://pards.org/paccc/China%20(May%202007)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20(rev.%20December%202012,%202009)%20(DOC,%20).doc) – Accessed 21 September 2007 – Attachment 13

<sup>23</sup> US Department of State 2007, ‘China Profile’, USDOS website, May, Section D.2 [75]  
[http://pards.org/paccc/China%20\(May%202007\)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20\(rev.%20December%202012,%202009\)%20\(DOC,%20\).doc](http://pards.org/paccc/China%20(May%202007)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20(rev.%20December%202012,%202009)%20(DOC,%20).doc) – Accessed 21 September 2007 – Attachment 13

<sup>24</sup> US Department of State 2007, ‘China Profile’, USDOS website, May, Section D.2 [76]  
[http://pards.org/paccc/China%20\(May%202007\)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-](http://pards.org/paccc/China%20(May%202007)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-)

In an interview with the *ABC* in 2005, former PRC diplomat Chen Yonglin confirmed the existence of ‘blacklists’ containing names of individuals targeted for surveillance in Australia. Chen said if an individual appearing on the list were to travel to China, they would be monitored and be subject to surveillance by public security officers, and their movements within China would be restricted.<sup>25</sup>

**4. The website for boxun.com states that it is blocked in China. Are there any reports of the Chinese authorities’ response to this website or other similar websites?**

Chinese-language news websites that publish material critical of the Chinese government and its policies, such as Boxun.com and peacehall.com, are generally blocked for Chinese internet users, and contributors can face severe consequences. In February 2011, *Associated Press* reported Boxun.com rejected suggestions it hosted the first calls to protest against the PRC government under the ‘Jasmine Revolution’ banner.<sup>26</sup> The US-version of the site was reportedly unavailable as of 19 February 2011, and reported it was being attacked, claiming it was the most serious distributed denial of service attack they have ever received.<sup>27</sup>

According to Watson Meng, the founder of US-based Chinese-language news website Boxun.com, the website was blocked in China “in April or May 2000, less than two months after it was launched”.<sup>28</sup> In 2002, Meng lost contact with two contributors, and in 2004 he received confirmation that they had been arrested; a number of former Boxun.com contributors have since been gaoled, with their postings on the website cited by prosecutors as evidence of their “crimes against the state”.<sup>29</sup>

In 2006, Human Rights Watch reported the words ‘boxun’ and ‘peacehall’ were contained within a list of censored words used by Chinese internet hosting services as blocking mechanisms.<sup>30</sup> In October 2008, an article from *USA Today* on internet censorship in China reported an activist received a three and a half year gaol sentence for articles he wrote for Boxun.com.<sup>31</sup>

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[Specific%20Source%20and%20Reliability%20Assessment%20\(rev.%20December%202012,%202009\)%20\(DOC,%20\).doc](#) – Accessed 21 September 2007 – Attachment 13

<sup>25</sup> ‘Chinese defector details spy claims’ 2005, *ABC* website, 20 June

<http://www.abc.net.au/lateline/content/2005/s1396471.htm> – Accessed 20 November 2007 – Attachment 9

<sup>26</sup> ‘China cracks down on call for ‘jasmine revolution’ 2011, *The Australian*, 20 February

<http://www.theaustralian.com.au/news/world/china-cracks-down-on-call-for-jasmine-revolution/story-fn3dxix6-1226008866612> – Accessed 21 February 2011 – Attachment 14

<sup>27</sup> Boxun’s main website is under serious DDoS’ 2011, *Boxun News*, 19 February

[http://www.boxun.us/news/publish/usa\\_news/Boxun\\_s\\_main\\_website\\_is\\_under\\_serious\\_DDoS.shtml](http://www.boxun.us/news/publish/usa_news/Boxun_s_main_website_is_under_serious_DDoS.shtml) – Accessed 22 February 2011 – Attachment 15

<sup>28</sup> Jones, K. 2006, ‘Faraway Jails’, Committee to Protect Journalists, 3 October

<http://cpj.org/reports/2006/10/watson.php#more> – Accessed 24 July 2009 – Attachment 16

<sup>29</sup> Jones, K. 2006, ‘Faraway Jails’, Committee to Protect Journalists, 3 October

<http://cpj.org/reports/2006/10/watson.php#more> – Accessed 24 July 2009 – Attachment 16

<sup>30</sup> Human Rights Watch 2006, *Race to the bottom – Corporate complicity in Chinese internet censorship*, August, p.90 <http://www.hrw.org/reports/2006/china0806/china0806webwcover.pdf> – Accessed 11 August 2006 – Attachment 17

<sup>31</sup> Wiseman, P. 2008, ‘Cracking the “Great Firewall” of China’s Web censorship’, *USA Today*, 23 April [http://www.usatoday.com/tech/news/techpolicy/2008-04-22-InternetBandits\\_N.htm](http://www.usatoday.com/tech/news/techpolicy/2008-04-22-InternetBandits_N.htm) – Accessed 28 October 2008 – Attachment 18

## Attachments

1. 'Corruption up among China government officials' 2010, *BBC News*, 8 January <http://news.bbc.co.uk/2/hi/8448059.stm> – Accessed 21 February 2011.
2. '2 officials in Fujian suspended for employment scandal and corruption' 2010, What's on Xiamen website, 30 November <http://www.whatsonxiamen.com/news16054.html> - Accessed 21 February 2011.
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12. US Department of State 2010, *Country Reports on Human Rights Practices 2009 - China*, 11 March.
13. US Department of State 2007, 'China Profile', USDOS website, May [http://pards.org/pacc/China%20\(May%202007\)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20\(rev.%20December%2012,%202009\)%20\(DOC,%20\).doc](http://pards.org/pacc/China%20(May%202007)%20Profile%20of%20Asylum%20Claims%20and%20Country%20Conditions%20Report%20PARDS%20Report-Specific%20Source%20and%20Reliability%20Assessment%20(rev.%20December%2012,%202009)%20(DOC,%20).doc) – Accessed 21 September 2007.
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[http://www.boxun.us/news/publish/usa\\_news/Boxun\\_s\\_main\\_website\\_is\\_under\\_serious\\_DDoS.shtml](http://www.boxun.us/news/publish/usa_news/Boxun_s_main_website_is_under_serious_DDoS.shtml) - Accessed 22 February 2011.
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<http://cpj.org/reports/2006/10/watson.php#more> – Accessed 24 July 2009.
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<http://www.hrw.org/reports/2006/china0806/china0806webwcover.pdf> – Accessed 11 August 2006.
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