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Labor Contract Law Adopted with Public Participation

The Law on Supervision and China's Supervision Work
Tibet Takes on New Look



The Fifth Session of the 10th National People's Congress was held on March 5-16, 2007 in Beijing. *Xinhua*



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Region witnesses dramatic changes since 1965

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Labor Contract Law Adopted with Public Participation

By Wu Chen, Meng Na





The 28th session of the Standing Committee of the 10th National People's Congress concluded on June 29, 2007 in Beijing. The meeting voted to adopt the Labor Contract Law of People's Republic of China (draft).
Sheng Jiapeng

The Standing Committee of the National People's Congress (NPC), China's top legislature, adopted the Labor Contract Law in June after soliciting public opinions nationwide and four readings. The law is intended to further protect the legal rights of workers and employees.

With eight chapters and 98 articles, the law won 145 of the 146 votes with one abstention.

The new law, effective from January 1, 2008, is the most significant change in Chinese labor law in more than a decade. More impressive, its final approval followed 18 months of deliberation and unprecedented public participation and debates.

▶ A process of democratic law-making

The draft of labor contract law was first submitted to the top legislature for deliberation in 2005 and released for public submissions from March 20 to April 20 last year, a move regarded as a major step in the country's legislative transparency.

The NPC Standing Committee received 191,849 suggestions within 30 days. The quantity and quality of the suggestions set a new record in China's legislative history. Experts believe the wide public participation in the law's enactment was because it directly concerned the basic interests of common people.

According to the source from the NPC, 65 percent of the suggestions came from low-ranking employees.

The suggestions focused on widely-existing problems of the current labor contract system, such as short validity terms of labor contracts, unequal pay for equal work and employers' reluctance to buy social insurance for employees.

Workers submitted their problems to the legislature, hoping that their views would be fully considered in the legisla-

tion process of the labor contract law.

Li Yuan, director of the Administrative Law Department under the Legislative Affairs Commission of the NPC Standing Committee, said that since China's labor supply exceeded demand, employers, without worries about insufficient labor, often signed short-term contracts, which were a few months long, with employees, so that some employees, afraid of unemployment, dared not ask for reasonable salaries and social insurance.

Therefore, some workers suggested

The NPC Standing Committee received 191,849 suggestions within 30 days.



Xin Chunying, member of the NPC Standing Committee and vice chairwoman of the NPC Legislative Affairs Commission, attended a press conference on the adoption of the Labor Contract Law at the Great Hall of the People on June 29, 2007. She said that the law would not affect foreign enterprises' investment in China.
Sheng Jiapeng

contracts should be valid for at least one or two years to better protect workers' interests. Some suggested an increase in the cost for employers to sack employees in a bid to avoid unfair dismissals.

A provision on "equal pay for equal work" in the labor contract law was also frequently mentioned.

Some wrote letters to the legislature,



Li Yuan, director of the Administrative Law Department under the Legislative Affairs Commission of the NPC Standing Committee, made explanation on the draft of the Labor Contract Law at a press conference to solicit public opinions on March 20, 2007 in Beijing. *Liao Wenjing*

Chairman of the NPC Standing Committee Wu Bangguo urged local governments and trade unions to do their best to protect workers' legal rights after adoption of the labor contract law.

complaining that many migrant workers worked twice as long as urban workers, but earned one fifth to one third of the salaries of their urban counterparts and had no social welfare.

A large number of employers shirk their responsibilities of contributing to pension, medical and unemployment insurance for employees. Some laborers suggested the setting up of supervisory government organizations.

Foreign business groups also

expressed their opinions on some parts of the draft, arguing that overly restrictive rules could raise costs and hurt business.

In response, lawmakers held forums, study sessions, conducted investigations, and visited law experts to better address public concerns. After being revised in the light of suggestions from the public, the draft law was submitted to the legislature in June for a fourth reading.

James Zimmerman, chairman of the American Chamber of Commerce in China thanked the legislature for seeking comment.

“Our members appreciate the Chinese government’s openness in seeking comment from a broad range of stakeholders, including the foreign business community,” Zimmerman said in a written statement.

▶ Providing comprehensive protection for employees

Chairman of the NPC Standing Committee Wu Bangguo urged local governments and trade unions to do their best to

protect workers’ legal rights after adoption of the labor contract law.

Wu said governments and trade unions at all levels should do their best to publicize the law among workers and employers to better safeguard the rights of employees.

Tian Chengping, Minister of Labor and Social Security, said the adoption of the law was of great significance for regulating the labor practices of employers, protecting the legal rights of workers, maintaining a stable and harmonious relationship between employees and employers and enhancing the building of a harmonious society.

“It’s an important law to readjust the relationship between employees and employers in the circumstances of the socialist market economy,” Tian said.

China initiated the labor contract system in the early 1990s with the promulgation of the Labor Law. Previously, most Chinese workers enjoyed the “cradle to grave” welfare system sponsored by the government. But over the past dozen years, an increasing number of workers ensured their salaries and welfare through signing labor contracts, with China’s development into a market economy.

The system has contributed to the rapid and stable social and economic development by establishing a new employment mechanism of mutual selection between employers and workers. However, problems occurred during the enforcement of the labor contract system as some companies were mistreating workers by withholding pay, requiring unpaid overtime or failing to provide written contracts.

The labor contract law was made to plug the loopholes that caused existing problems with detailed provisions.

The labor contract law emphasizes the protection of the employees, who are relatively vulnerable in the labor relationship, to balance the strength and interests of both sides, in a bid to promote the harmonious society, said Sun



Migrant workers from China Railway Seventh Group Co. Ltd read brochures of laws and regulations on October 21, 2007 during a publicity campaign on labor contract law and employment promotion law held on the square of the Zijingshan People's Park in Zhengzhou, capital of central China's Henan Province. *Chen Daishu*

Baoshu, Vice Minister of Labor and Social Security.

The law tries to provide comprehensive protection of employees' rights.

► **Protection for migrant workers**

The law was adopted amid the exposure of forced labor scandals in brick kilns in

central and north China.

According to the law, officials abusing their authority or neglecting their responsibilities, resulting in harm to the interests of workers, will face administrative penalties or criminal prosecution if the actions are serious enough.

Lawmakers lambasted officials involved in the forced labor scandal in north Shanxi Province during their fourth deliberation on the draft in June, which resulted

in the revision, said Yang Jingyu, chairman of the Law Committee.

The officials' actions directly harmed the legal rights of workers and caused social disquiet, so the labor contract law, which aimed to protect workers, should contain provisions to tackle the problem, according to members of the NPC Standing Committee. The lawmakers also urged it be put to a vote as soon as possible.

The forced labor scandals made head-

lines in China in June, sparking outrage among the public and raising concern from national leaders. The workers were forced to work long hours without pay in brick kilns, mines and other small industries.

Xin Chunying, deputy chairwoman of the NPC Legislative Affairs Commission, told a press conference on the adoption of the law that there were already relevant laws, including the Criminal Law and the Labor Law, that could be applied to punish the employers and officials involved in the forced labor scandals.

“The labor contract law makes detailed provisions concerning this issue following the exposure of the forced labor scandals,” she said.

The new law is expected to help protect workers’ legal rights by requiring a written contract, Xin said.

Under the new law, if employers fail to sign a written contract with their employees within a year after the employees start work, it should be taken that they have signed a labor contract of no fixed term.

“Employers should not force employees to work overtime and employees can terminate the contract without early notice to the employers if they are forced to work by violence, threat or restriction of personal freedom,” the law reads.

Xin said such provisions would be useful when workers’ interests were harmed.

► **Protection for part-time workers**

The law considers various types of labor relations, including part-time employment.

Wages paid to part-time workers drew headlines in April this year, when several international fast food chains in China were exposed for underpaying part-time employees, mostly students.

It was reported that McDonald’s, KFC and Pizza Hut in the southern city of Guangzhou paid their part-time employees 4 yuan (52 U.S. cents) per hour, more than 40 percent less than local minimum wage

of 7.5 yuan (97 U.S. cents).

Similar problems exist in other cities. In Shanghai and Wuhan, capital of central China’s Hubei Province, average wages of part-time Chinese employees working in the western fastfood giants were 5.5 (71 U.S. cents) and 3.9 yuan (51 U.S. cents) per hour, lower than the statutory minimum wages of 6.5 (84 U.S. cents) and 6 yuan (78 U.S. cents), according to local

Those who force employees to carry out risky operations, work in dangerous conditions, or illegally restrict the freedom of employees, should face criminal prosecution, the law says.

sources.

The fast food chains were also criticized for failing to sign labor contracts with employees and overworked staff.

According to China’s 1994 labor law and subsequent amendments, college students, who work as part-timers, cannot establish normal labor relations with their employers. As a result they are not protected by the decrees.

“The wages of part-time workers should not be lower than statutory minimum wages set by local governments,” said the newly adopted law.

“Wages should be paid within 15 days of the end of the working day,” it states.

The law also stipulates that employers must pay no less than local minimum wages to part-time employees.

Those who refuse to do so will be forced to pay compensation to employees in addition to the wages, it says.

► **Protecting workers from workplace dangers**

The law also tries to protect workers from workplace dangers.

“Employers should honestly inform applicants of job risks... the risks and the protective measures should be detailed in the contract,” it stipulates.

Those who force employees to carry out risky operations, work in dangerous conditions, or illegally restrict the freedom of employees, should face criminal prosecution, the law says.

Statistics from the Ministry of Health show that China has reported 677,000 occupational disease cases since the 1950s, with lung disease the paramount problem.

► **Companies rights also protected**

It was reported that during the process of collecting suggestions from the public for the draft labor contract law, some companies, especially foreign investors, worried the law would increase their costs in China as stricter measures would be applied in their employer responsibilities. The foreign companies even worried that there would be bias in the enforcement of the law.

Foreign business groups expressed alarm at some portions of an early draft by arguing that overly restrictive rules could raise costs and hurt business.

Xin Chunying said those with no record of illegal employment need not worry about increased costs.

Xin also said it was unnecessary for foreign companies to worry over the bias in the application of the law.

“If there were some bias, it would



One hundred and sixty-seven students from the Lanyi School in Sichuan Province were glad to sign employment contracts with an electronic company in Guangdong on September 27, 2006. *Qiu Haiying*

be in favor of foreign investors because local governments have greater tolerance for them in order to attract and retain investment,” Xin said, adding that foreign companies must abide by the law just like their Chinese counterparts.

NPC Standing Committee member Zheng Gongcheng, an expert on labor law, said the labor contract law itself favored neither employees nor employers.

“As a law that gives full protection to workers’ legal rights, it also stipulates that employees must shoulder equal duties, such as keeping confidential issues concerning employers’ intellectual property rights. This is crucial for foreign companies,” Zheng said.

China has admitted 570,000 foreign enterprises since it opened to foreign investors in the 1980s, and 25 million people had worked for them by the end of 2005, according to official statistics.

► Implementation of the law

A key issue will be enforcement, which is uneven and depends on the cooperation

of local authorities who have been accused of colluding with abusive employers. Meanwhile, workers, whom the law has made efforts to protect, are usually not so well-educated and it could be difficult for them to be familiar with the new law and use it to protect themselves.

Sun Baoshu said the Ministry of Labor and Social Security would publicize the law among employers and employees, making them well-informed about the content of the law and abide by the stipulations.

The social security departments at all levels should revise, update or abolish the regulations which had been made before the promulgation of the new law, and draw relevant regulations in accordance with the labor contract law to ensure its implementation.

The social security departments should strengthen the supervision over enforcement of the labor contract law, carry out inspections over the signing of labor contracts in accordance with the law, and properly handle complaints from employees to prevent and punish violations of the law and to ensure its implementation. ■

► Comments

“It (The Labor Contract Law) is expected to be the most significant change in Chinese labor rules in more than a decade by setting standards for labor contracts, use of temporary workers and severance pay. The law adds to a series of government steps to update China’s legal and political systems to keep pace with explosive economic and social change.”

AP

“China’s legislature passed a sweeping new labor law on Friday (June 29) that strengthens protections for workers across the booming economy. It also moves China closer to European-style labor regulations that emphasize employment contracts. It requires that employees with short-term contracts become full-time employees with lifetime benefits after a short contract is renewed twice. Perhaps most significant, it gives the state-run union and other groups representing employees the power to bargain with employers.”

The New York Times

“The law is a further step to ensure the building of a harmonious society, a piece of good news for the workers. The key is how to well implement it.”

Netizen of Xinhuanet.com

“The law reiterates many concrete problems and further clarifies them, reflecting that the country has paid more attention to the protection of workers’ legal rights. All the workers hope the law to be well implemented.”

Netizen of Sina.com

“It’s good to have such a law. The companies should abide by the law and the workers be aware of their rights. In the long run, we will build a society with harmony, stability and prosperity, in which everyone can enjoy his life.”

Netizen from Suzhou, Jiangsu Province

审 议
中华人民共和国
全国人民代表大会常务
委员会和县级以上地方
各级人民代表大会常务
委员会监督法草案



The 23rd session of the Standing Committee of the 10th NPC reviewed the draft supervision law of the standing committees of people's congresses at various levels on August 22, 2006.

Ma Zengke

The Law on Supervision and China's Supervision Work

By Yang Jingyu, chairman of the NPC Law Committee

The Law on Supervision of the Standing Committees of People's Congresses at Various Levels (the Supervision Law in brief) was passed on Aug. 27, 2006, at the 23rd session of the Standing Committee of the 10th National People's Congress (NPC), China's top legislature, and was released the same day after President Hu Jintao signed the No. 53 presidential approval. It went into effect on Jan. 1, 2007.

Legislation and supervision of people's congresses over governments, courts and procuratorates are two important powers endowed by the Constitution. The implementation of these two powers needs to follow proper procedures and be standardized by law. The Law on Legislation has stipulated regulations for legislation while the implementation of the supervision power still lacks a legal framework despite positive explorations and useful experiences by standing committees of people's congresses. Therefore, the Supervision Law has been longed for by the public and people's congresses for a long time.

The finalization of the Supervision Law has taken 20 years since the mid-1980s due to its important political significance. The law involves China's political system, and the strengthening of supervision powers while enhancing the Party's leadership and ensuring the implementation of the power of the governments, courts and procuratorates according to the law. All of this requires constant practice and precedents. In the past years, great efforts have been made by people's congresses under the leadership of the Party to draft the law.

The Supervision Law has been longed for by the public and people's congresses for a long time.



A legal inspection panel dispatched by the Standing Committee of the 10th NPC examined a sewage plant on its treatment of waste water in Shenyang, capital of Liaoning Province, on August 29, 2006.
Wang Liming



The 23rd session of the Standing Committee of the 10th NPC passed three laws, including the Supervision Law of the Standing Committees of People's Congresses at Various Levels, on August 27, 2006.
Sheng Jiapeng

The Supervision Law has nine chapters with 48 articles. The first part is the principle for the standing committee of the people's congresses at all levels to supervise, the core of the general provisions.

The second, third and fourth parts stipulate the supervision of working reports from the governments, courts and procuratorates; the supervision of the implementation of plans and budgets; the supervision of the enforcement of laws and regulations. These three parts standardize the working supervision of the standing committees of people's congresses.

The fifth part is the supervision on administrative documents, which is the legal supervision of the standing committees of the people's congresses. The sixth part is the inquisition, the special investigation and deliberation of dismissal cases.

► The Supervision of the Governments, Courts and Procuratorates

In the past years, different practices and explorations of strengthening the supervision of governments, courts and procuratorates have been made by people's congresses at different levels, which have accumulated useful experience for promulgating the Supervision Law. During the process of drafting the law, consensus has been made to focus on reviewing the specific work of the governments, courts and procuratorates. It has been proved by the practice that the public is more concerned with issues closely related to reform, development, social stability and people's

fundamental interests, including the issues of farmers, villages, agriculture, compulsory education, environment protection, work safety, and demolition compensation. In addition, they are concerned with problems of the judicial work such as extracting confession through torture, illegally prolonged detention, unaffordable litigation fees and insufficient implementation of court rulings. Members of the people's congresses are more familiar with these issues so they can give reasonable suggestions, which make the supervision work more effective.

In addition, the failings and achievements of cadres should be closely connected with their evaluation so that they are also kept within supervision.

The 10th National People's Congress has attached great importance to the supervision work. Some problems have been solved thanks to the careful reviews of work reports and the legal inspections. The successful experiences have been summarized in the second chapter of the Supervision Law, including the following three features on how to effectively supervise the governments, courts and procuratorates:

First, the law highlights the main supervision form of hearings and reviews of specific work reports. It is stipulated in the 8th article that the standing committees of the people's congresses should annually choose important issues related to reform, development, social stability and people's fundamental interests to hear and review the specific work reports of governments, courts and procuratorates. In addition, the plan should be released to the public and for submissions from the people.

Secondly, the law stresses that the supervision of the governments, courts and procuratorates should focus on people's fundamental interests and problems that must be resolved quickly. It is stipulated in the 9th article that the topics to hear and review the work of the governments, courts and procuratorates should be in accordance with the following: 1) the emerging problems found by the legal inspections of the standing committees of the people's congresses, 2) problems that attract the most proposals and criticism from the deputies on the work of the governments, courts and procuratorates. 3) problems raised most by the members of the standing committees of the people's congresses, 4) emerging problems found

During the process of drafting the law, consensus has been made to focus on reviewing the specific work of the governments, courts and procuratorates.

during the investigation and research of the special committees and working organs of the people's congresses, 5) problems reflected in the letters and visits from the public, 6) other problems that the public is mostly concerned.

It is also stipulated in the law that the governments, courts and procuratorates can ask the standing committees of the people's congresses at the same level to listen to and reviewing their reports on the specific work. Before listening to the reports, the standing committees can organize members of standing committees and deputies of people's congresses to make investigations on the specific work and ask for opinions from various departments. These opinions will be transmitted to the governments, courts and procuratorates at the same level and will be responded in their reports on the specific work.

Third, the law highlights the supervision effectiveness. It is stipulated in the 14th article of the

The Supervision Law came into effect on July 1, 2007.

Lu Jianshe



law that members from the standing committees of the people's congresses will transmit their opinions towards the reports on the specific work to the governments, courts and procuratorates at the same level and ask them to solve related problems and then hand in a written response. If necessary, the standing committees will demand the governments, courts and procuratorates at the same level to report how the decisions are implemented within the time limits.

► The Supervision of the Implementation of Plans and Budgets

The supervision on the implementation of plans and budgets are an important part of supervision of government work.

Based on the Law on Budget, the Law on Audit and the Decision on Strengthening the Review and Supervision of the Central Budget, the Supervision Law has the following stipulations concerning the economic supervision:

First, the priority of the supervision is 1) the balance of the revenues and expenses of the budget, 2) the major expenses and revenue arrangements, 3) the arrangement of the revenue exceeding the budget, 4) the implementation of the budget systems of government organs, 5) payments for the lower-level government revenue, 6) the implementation of the budget approval resolution of the people's

congresses.

The law stipulates in the 18th article that the NPC Standing Committee should focus on the balance of national debt and the standing committees of local people's congresses focus on the arrangement of the allowance income from the higher level. The supervision effectiveness is the key link. Once the key link is grasped, everything fall into place.

For instance, the supervision of the national debt by the National People's Congress and its standing committee is an important part of the budget supervision. It used to adopt the method of only reviewing the range of the national bond issued that year. But without the information of the remaining part of the bond, it was difficult to ascertain the reasonability of issuing the bond that year, nor could judge the financial security of the bond. Therefore, it was difficult to execute effective supervision on national bond. Some deputies have suggested the management of the balance of the national bond. Based on these suggestions, the State Council made the report on national bond balance management in 2006, which was approved by the Chairmen's Council of NPC Standing Committee.

It was a breakthrough from only reviewing the range of the national bond to the management of the balance of the national bond. It can evaluate the rationality of the national bond and effectively supervise the transparency of the bond implementation to prevent financial risks.

Secondly, the government should report the adjustment of the budget during its implementation to the people's congresses after the plan and budget are approved. This is stipulated in the 17th article of the law, which is in accordance with the Constitution. It stipulates that should the budgets of sectors like agriculture, education, science, culture, health and social security need to be adjusted should be reported to the people's congresses for review and approval. It is also stipulated that the initial adjustment plan should be submitted to Financial and Economic Affairs Committee of the people's congresses one month before reporting to the standing committees of people's congresses for review and approval. The stipulations provide the legal framework to improve supervision of the plan and budget.

Third, while reviewing and approving the budget, the standing committees of the people's congresses should also hear and review the audit reports of the

A girl of Korean nationality presented flowers to He Chunlin, member of the 10th NPC Standing Committee and chairman of the 10th NPC Internal and Judicial Affairs Committee, on July 8, 2003 in Yanbian Korean Autonomous Prefecture in Jilin Province. A legal inspection team, headed by He, examined the implementation of the Law on the Protection of Minors and the Law on Prevention of Juvenile Delinquency in the prefecture.

Li Jungguang



budget implementation of the previous year and balance sheet of other revenues. After the review, suggestions will inform the government, which will report later on how to solve problems.

In addition, the standing committees of the people's congresses should deliberate on the audit report from the corresponding government on the implementation of the budget and other financial revenues and expenses of the previous year. The adjustment of the plans and budgets is also needed to be approved and examined by the standing committees. When necessary, the standing committees can work out resolutions to set time limits for the government to solve the problems and hand in the report. This has been clearly stipulated in the 19th and 20th articles of the law.

Fourth, according to the requirement of the "11th Five-Year Plan", the 21st article of the law stipulates: after the five-year plans of national economy and social development are approved by local people's congresses, the local governments should hand in the evaluation and assessment reports to the standing committees of the people's congresses at the same level for review in the middle term of the implementation of the plans.

It should be emphasized that with the deepening of the economic reform, the indexes in the annual plans and five-year plans are no longer rigidly enforced but guiding (with few exceptions). Generally speaking, the implementation results are more or less different from what the people's congresses have approved. In such cases, if the governments want to make some adjustments, they should follow the law and report to the standing committees of the people's congresses at the same level for review and approval. According to the Supervision Law, the standing committees of the people's congresses mainly hear and review the plan implementation of the governments at the same level.

The Supervision of the Implementation of the Laws and Regulations

According to the Constitution and laws, the Standing Committees of the National People's Congresses supervise the implementation of the Constitution and laws while local people's congresses ensure the implementation of the

The legal inspection is an effective supervision method with a combination of the working and legal supervision gained from years of practice by the people's congresses.

Constitution, laws and legislations in local areas. The legal inspection is an effective supervision method with a combination of the working and legal supervision gained from years of practice by the people's congresses. On the one hand, the legal inspection can promote a fair and efficient legal environment by identifying existing problems, and on the other hand, disadvantages of the laws and legislation can be identified so that suggestions can be raised to modify and perfect them.

Based on successful experience gained from years of practice and research, the Supervision Law stipulates the following parts concerning the legal inspection:

First, like the practice of the supervision of governments, courts and procuratorates, the standing committees of the people's congresses should annually select important issues related to reform, development, social stability and people's fundamental interests to organize legal inspection on the implementation of the laws and legislation. In addition, the plan should be published and opened to public submissions. The 22nd and 23rd articles of the law have the above stipulations.

Second, the standing committees of the people's congresses will organize legal inspection teams according to the annual legal inspection plan with the principles of efficiency. The standing committees of the national and provincial people's congresses can ask the lower-level people's congresses to inspect the legal implementation in their districts and later report to the higher level, which is stipulated in the 25th article.

Third, the inspection team should issue the inspection report promptly after the inspection, which should be reviewed by the standing committees of the people's congresses. The review of the standing committees together with the inspection report will be delivered to the governments, courts and procuratorates for reference. The latter will submit

The standing committees of the people's congresses have the right to annul illegal or inappropriate administrative documents according to the Constitution and the law.

the proposals for solving problems to the standing committees and undergo a review or follow-up inspection, if necessary, which is stipulated in the 27th article of the law.

It should be made clear that the follow-up inspection is an innovation of the Supervision Law to ensure the effectiveness of the supervision.

The Supervision of the Administrative Documents for Record and Examination

To record and examine the administrative documents is the supervision power authorized by the Constitution to the standing committees of the people's congresses. The power is of great importance for safeguarding the uniform standard and dignity of socialist legal system. Based on the Constitution, the Law on Legislation has made stipulations on recording, examining and annulling administrative regulations, local regulations, autonomous regulations, separate regulations and rules. In response, the Supervision Law makes corresponding stipulations in the 28th article. Practically, the Supervision Law aims to resolve two major problems in this regard.

First, according to the stipulations of the Constitution and laws, the standing committees of the people's congresses above county level have the right to annul inappropriate decisions or orders of lower-level standing committees that contravene the Constitution or laws. In practice, some regulations released by the standing committees or the government are apparently illegal, such as charging review fees and fines, stipulated in the 29th article that could be annulled by the higher-level standing



committees of the people's congresses.

Second, legal explanations from the highest court and procuratorate should be reported to the Standing Committees of the NPC. The Chaimen's Council of the NPC Standing Committee has passed the regulation on the working process of the inspection of the legal explanation. The 31st, 32nd and 33rd articles of the law have stipulations on the legal explanation based on the relevant stipulations of the Law on Legislation.

It should be emphasized that the standing committees of the people's congresses have the right to annul illegal or inappropriate administrative documents according to the Constitution and the law. The practice has shown that this right should be executed with caution and accuracy.

Specifically, once the standing committees identify illegal or inappropriate administrative documents through inspections, their special committees or organs will first communicate with law-making

人大常委会办公厅

新闻发布会



The General Office of the 10th NPC Standing Committee held a press conference on August 27, 2006 to brief reporters on three new laws, including the Supervision Law of the Standing Committees of People's Congresses at Various Levels.

Sheng Jiapeng

bodies and ask them to correct themselves. In most cases, they will correct themselves, only in rare occasions, will the standing committees use their right to annulment. In recent years, such practices have achieved effective results.

For instance, in November 2003, a working body of the standing committee of a provincial people's congress found that a county-level standing committee passed a temporary regulation to set up a standing committee in township-level people's congress to execute power equal to county-level standing committee. More than 20 townships elected standing committees. This practice was in conflict with the Constitution and the Law on Organization. This suggestion was reported to the provincial standing committee and later to the provincial Committee of the Party before it annulled the regulation and later annulled the township-level standing committee.

According to the Constitution and the Local

Organization Law, presidiums of the township-level people's congresses only serve as organizers of the current and following people's congresses instead of permanent organs. However, some local regulations empower the presidiums to decide on the accepting the resignation of the head of the township, appointment of the acting head and the adjustment of the plan and budget, the rights belonging to the township-level people's congresses. Such actions are in conflict with the Local Organization Law. After the NPC Standing Committee discovered the problem, it informed heads of the standing committees of the people's congresses at different levels and asked them to correct.

The sixth, seventh and eighth chapters of the law have specific stipulations about inquisition, investigation on specific problems and the special investigation and deliberation on dismissal cases. ■

Chen Shu: A NPC Deputy Who Speaks for the Disadvantaged

By Zhan Yan

Chen Shu is no stranger to China's new laws: the Property Law, Law on Administrative Approval, Law on the Protection of Minors, Law on Enterprise Income Tax, Law on Enterprise Bankruptcy and Labor Contract Law.

It's not only because she is in the profession, but also because she has participated in legislation of these laws during the past five years.

The 54-year-old, secretary-general of the Guangzhou Bar Association in Guangdong Province, is also a deputy to the National People's Congress (NPC), China's top legislature, which is elected every five years with no more than 3,000 deputies. Their proposals to the parliament should be considered carefully and answered within a certain period of time.

"I contact the grassroots people in my daily work. It gives me enough time to listen to what they have to say, understand their complaints and help the leaders find



Chen Shu, a deputy to the National People's Congress.
Xinhua

ways to tackle the problems," Chen said.

The deputy position, she said, "provides a platform for a legal worker to participate in the national legislation process

and could maximize a lawyer's value in working for the public."

Chen has been consistently focusing on the protection of migrant workers' rights, as Guangdong is an important employer of the rural migrant workers hunting jobs at the manufacturing center.

Chen often visited factories and listened to the migrant workers' voices.

She found the migrant population was suffering from severe discrimination. For example, they could not enjoy the same salary or welfare as local employees. Some local governments even believed they were robbing local residents of job opportunities. They were neither allowed to join labor unions nor know how to protect their rights. They were vulnerable to back wages and often got little compensation after suffering work injuries.

Based on the research, Chen proposed to the NPC the protection of migrant workers' rights by revising the labor union law at the legislative session in 2003, the first time she played her role as a deputy.

About half a year later, the national labor union issued a circulation requiring all employers to allow their employees to join labor unions, no matter they are migrant or local workers.

Chen's special experience has made her more sensitive to the vulnerable.

"When I was 14, I moved from Beijing to the impoverished rural Yan'an in Shaanxi province, following Chairman Mao's calling that urban school graduates should live and work in the countryside. Then I had been working at the grassroots judicial institutions for more than 30 years," Chen recalled.

"I'd seen many hardships the poor had gone through, and built up an earnest understanding on how the public policies could influence a common civilian's life, which is the foundation of any society," she said.

Chen is also keeping a sharp eye on hot social issues and exerting herself to dig deep for the causes behind the superficial.

In 2003, Sun Zhigang, a 27-year designer who traveled to Guangzhou in search of work, was beaten to death after he was detained for failing to provide any living permit or identification card, reports said.

The crime appalled the nation, revealing the unsatisfactory conditions of China's migrant population. Chen attributed the incident to the long existing improper administrative measures.

In 1982, the State Council issued a regulation to house and send home vagrants and beggars. The regulation aimed to provide temporary aid to the needy, but was misused by many local governments who turned it into public security methods targeting those peasants without urban residence permits.

Chen believed it was a chance for the government to redress the unscientific regulations, which impaired human rights and limited the normal flow of labor forces.

Chen proposed to the NPC the estab-



Li Changchun, a member of the Standing Committee of the Political Bureau of CPC Central Committee, meets with NPC deputies of Guangdong delegation. *Li Jin*

lishment of a task force to study regulations on housing and sending back vagrants and beggars. The State Council later recalled the regulation.

Chen believed it was a chance for the government to redress the unscientific regulations, which impaired human rights and limited the normal flow of labor forces.

"If you liken judicial work to a production line, then we are feeding conflicts at the beginning and producing harmonious relations represented by justice and fairness at the end," Chen explained.

Understanding China's unique conditions is an important part for Chen's work as a deputy to the NPC.

"Being a nation with thousands of years of civilization, China's situation is too complicated. The historical cultural deposits sometimes are our strengths and sometimes our burden," Chen said.

"We can only build democracy and ruling by law based on China's unique reality instead of being totally idealistic or theoretical," Chen said.

"Following the rule that economic foundation goes before superstructure, we must promote the country's economic growth first and hope some out-of-date conceptions could be reformed following an improved economic situation," Chen said.

Chen believes China will experience the primary stage in socialism for a long time. “The economy, systematic construction and cultural traditions will interact with each other for a long time.”

Chen stressed that any advice to the People’s Congress should be made after research and it’s not right to comment on the superficial or listen to one-sided complaints.

For example, some retirees complained to Chen about their factory canceling their “retirement allowances”, Chen listened carefully and then investigated the allegations at the factory. She found that the allowances were given in addition to pensions for the retirees when the plant reported high profits and the plant could cancel it when the profits went down. “It was the plant’s rights and the administrative institution should not interfere,” Chen said.

She explained this to the retirees and persuaded them to give up a planned petition. Work like this can remarkably reduce social conflicts, Chen said.

When she found the construction industry reported 65 percent of back wage disputes in her survey, she identified the root cause as the loose approval of projects without sufficient funds, which resulted in chain payment defaults. She proposed to the NPC to revise construction law in a bid to address the problems. The advices were accepted by the Ministry of Construction to root out the source of the problems.

Research is an important part of Chen’s work. “Working as a NPC deputy has no payment and most deputies have their own full-time jobs, but a proposal should not be put forward carelessly. We have to know the whole situation well before putting forward constructive advice to the NPC.”

“Down-to-earth research is crucial as we are national deputies, not district or county deputies and have to know well the situation of the whole country before giving any legislative comments,” she

said.

Being a NPC deputy also means “dare to say” for Chen sometimes.

In June 2004 when most local governments declared they had finished clearing overtime custody malpractice, Chen received a letter from the families of a suspect. The letter said the suspect was detained for more than 1,000 days and the case was going back and forth among different judicial departments without a settlement.

At that time, a NPC standing committee delegation was visiting Guangdong

Chen stressed that any advice to the People’s Congress should be made after research and it’s not right to comment on the superficial or listen to one-sided complaints.

to assess the grassroots judicial conditions. Chen told them the true situation on overtime custody. Under the supervision of the NPC Standing Committee, Guangdong carried out another round of work to clear overtime custody of suspects.

“Some people” wrote anonymously to the provincial People’s Congress, accusing Chen of “exceeding her power of authority”.

“I know I’m carrying out my duty and

should dare to speak out the truth for the public at the right venue,” Chen said.

Chen also guards against abusing her power.

“It’s right for a NPC deputy to reflect public opinions, but improper for him or her to step into the process of a single case’s solution. Deputies can not abuse their power to interrupt social order,” Chen said.

Chen was a lawyer in practice before she acted as a NPC deputy. She said her former work involved contacts with local judicial departments and might have conflicting interests with them. “I decided to retreat from the lawyers in practice and worked as the secretary general of the Guangzhou Bar Association for better work as a deputy. It caused economic loss, but not that much in comparison to the chance to work for the public and realize the personal value of a legal worker,” Chen said.

After the outbreak of SARS, Chen advised the government to promote public health education and the advice was picked up and accepted by the government.

“The work of a deputy to the NPC is a process of learning. I majored in law, but I have also learnt a lot on management and economy in the past five years. The experience helps broaden my horizons of the world,” Chen said.

Chen believes that women representatives might have “gentle perspectives” and show more “sympathy” to the vulnerable.

She pays high attention to the health of women and children. Chen advised the government to promote medical examinations before marriage registration to reduce defects in newborns. After her proposal was publicized through the media, many cities such as Beijing and Guangzhou carried out free medical checks for newlyweds.

She excels by paying much attention to systematic specifics, which might be overlooked even by the public.

In 2003, Chen asked the parliament to patch up the systematic flaws in the real estate industry by allowing individuals to inquire about ownership of a piece of real estate.

“Most common households could only afford an apartment through life-long work, but some real estate developers sold one apartment to two buyers due to the relatively opaque information about real estate ownership,” Chen said.

“The adjustment could ensure honest trade in the society,” Chen said. The advice was followed by the Property Law Draft and the Ministry of Construction.

From the perspective of a civilian,

Chen found the real estate registration and land registration repetitive and should be simplified to improve efficiency and reduce the public’s troubles and cost. The advice was also taken into the Property Law draft, which was passed in March 2007 and enforced on October 1, 2007.

“Many big events have little to do with the common people’s lives, while some specifics are often critical to their interests,” Chen said about her fixation on specifics.

Talking about the five-year work experience, Chen said, “It’s never just a slogan for me that a deputy to the NPC should work for the people. I feel satisfied as I

can do something for the public, reflecting the problems at the grassroots level, finding solutions for the leaders and helping propel our country’s progress.”

“Constructing democracy and ruling by law will be a relatively long process in China and should be handled step by step, and never in a rush,” Chen said.

“The NPC deputy’s work helps me better understand a nation with 1.3 billion people and complexity of its problems. The ruling legislative body is challenged by quick economic growth and unbalanced development. It is also a test of the legislators’ wisdom to balance different interests.” ■

NPC deputy Chen Shu attended the 28th Session of the 10th NPC Standing Committee as a nonvoting delegate in June 2007.

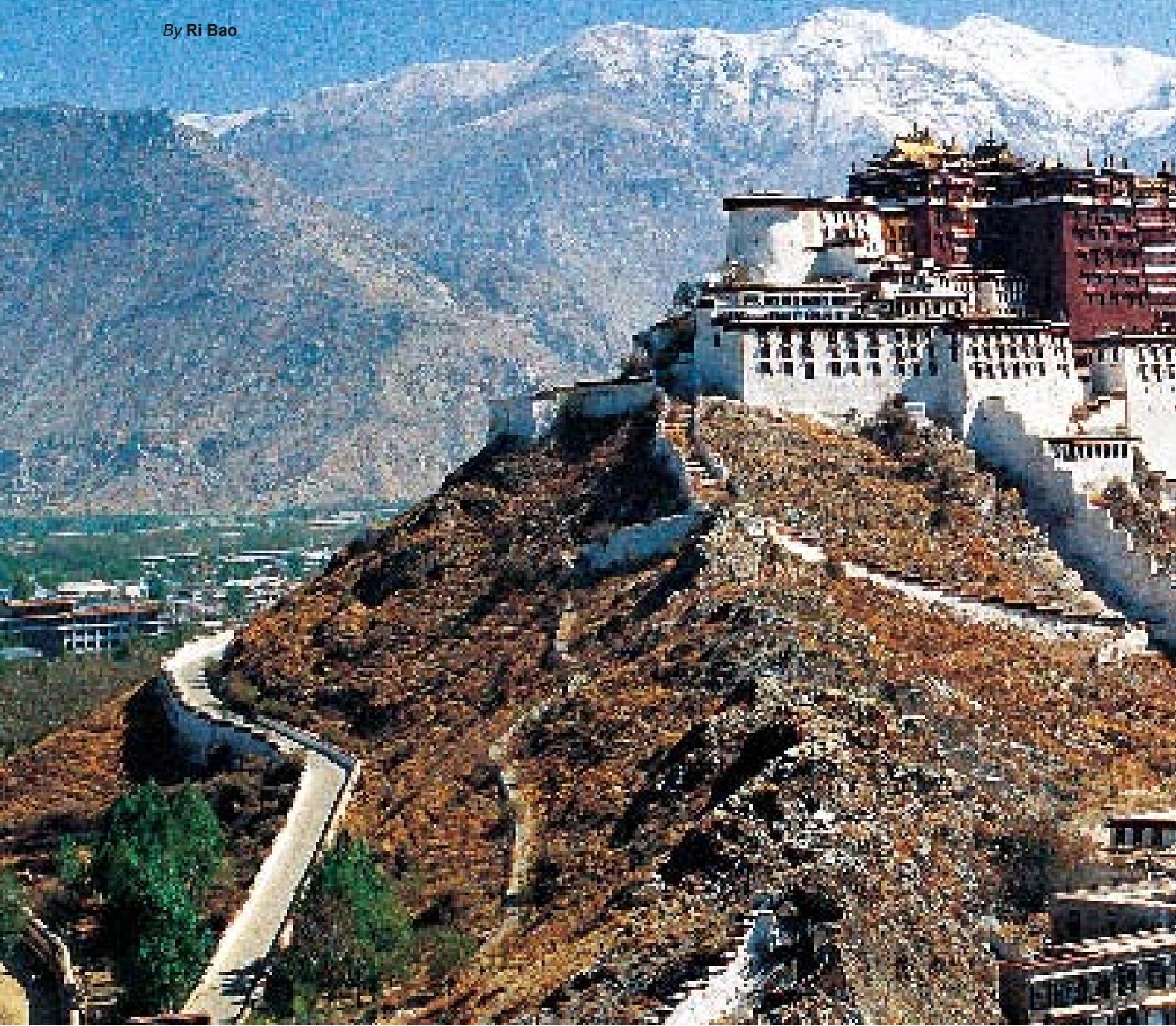
Ma Zengke

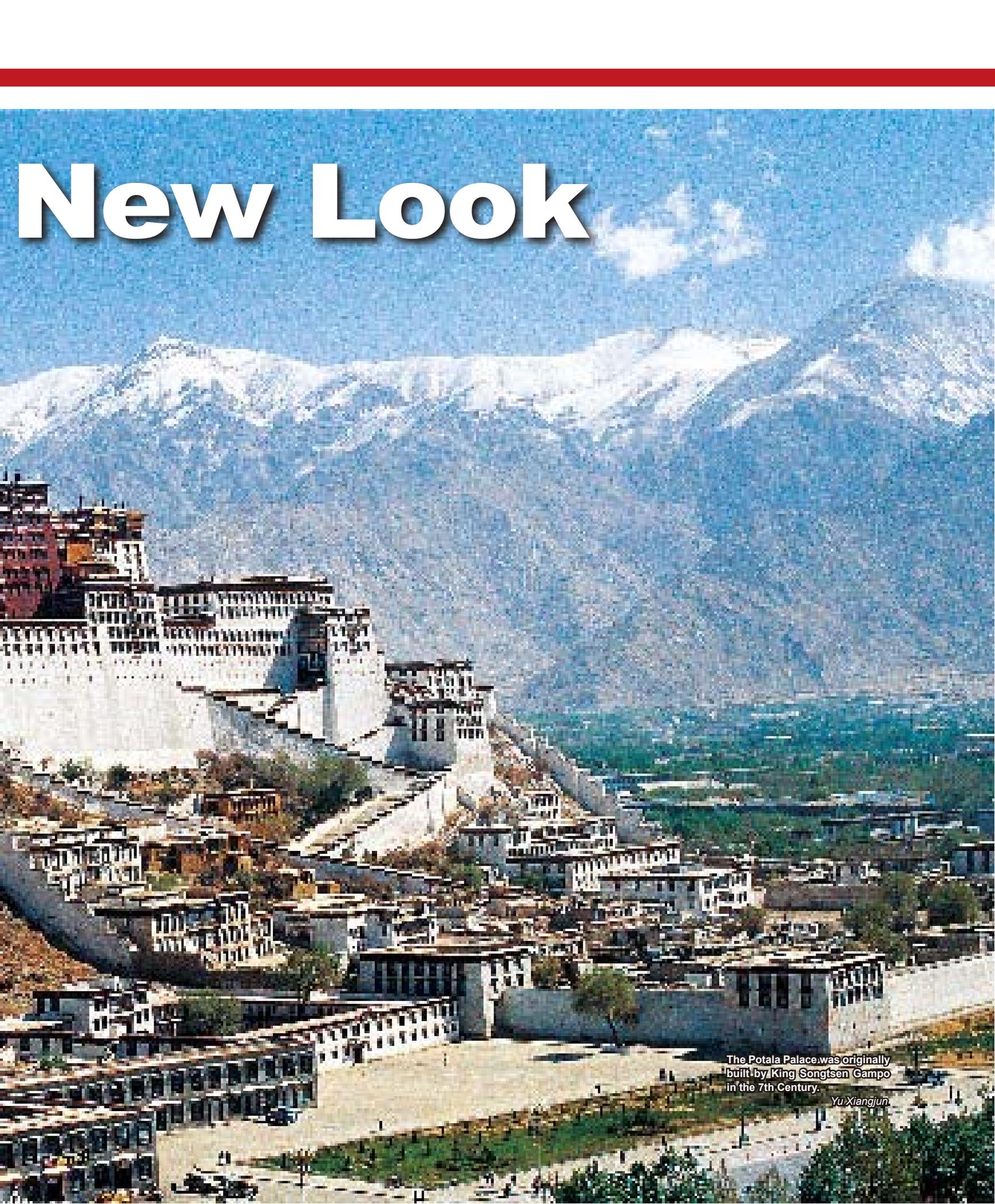


Tibet Takes on

Region witnesses dramatic changes since 1965

By Ri Bao





New Look

The Potala Palace was originally built by King Songtsen Gampo in the 7th Century.

Yu Xiangjun

Long famed for its flamboyant prayer flags, full-bodied juniper incense and thronged pilgrims, a brandnew Tibet is taking shape and Yixi Dorje is proud to be part of the process.

“I am so happy to witness all the changes that are happening. They are big improvements,” said the 37-year white-collar Tibetan, who lives in suburb of Lhasa, capital of Southwest China’s Tibet Autonomous Region.

Dorje’s family moved into a 160-square-metre new house with an 80-square-metre courtyard two years ago.

“Living in our new home has made my family, especially my aged parents, so proud,” he said, recalling the dark and damp house he had lived when he was a child.

Since it was founded in 1965, the Tibet Autonomous Region has witnessed dramatic changes. Dorje’s new house is just a small epitome of Tibet’s

recent development.

Phuntsog, 45, a Lhasa farm employee, who bought a car in 2001, complained that the traffic jam in the city is becoming a real headache.

“Sometimes, there are 500-metre-long jammed cars; it was unimaginable a few years ago. Anyway, it’s a good example of Tibet’s development, isn’t it?” he said tongue-in-cheek.

Relevant statistics back up the judgment that Tibet’s economy is booming. For instance, the gross domestic product (GDP) reached to 29 billion yuan (US\$3.9 billion) last year, about 230 times of that before the region’s peaceful liberation in 1952. Tibet’s growth rate has surpassed 12 percent for six consecutive years, a little higher than the national average.

The per-capita GDP of Tibetans last year was 10,396 yuan (US\$1,384), or 12 percent year-on-year. The per-capita disposable income of urban residents reached 8,941 yuan, up 6.3 percent over the previous year. The per-capita net income of farmers was 2,435 yuan, an increase of 17.2 percent than previous year.

The Tibetan Autonomous Regional Government has set up a goal, to raise the net income of local farmers to the national average by 2010.

The Tibet Autonomous Region has witnessed dramatic changes. Dorje’s new house is just a small epitome of Tibet’s recent development.

► Master of own fate

All these achievements could be attributed to a system, the so-called national regional autonomy, which ensures the Tibetans as well as other ethnic groups in the region to master their own fate and to enjoy the prosperity.

It is a national policy adopted in the regions to set up autonomous bodies for minority groups to manage regional affairs.

“The system of regional autonomy for ethnic minorities guarantees that Tibetan people are their own masters,” Vice-Chairman of the National People’s Congress (NPC) Raidi said.

“The great achievements in the region over the past decades are the strongest answer to the Dalai Lama, who has criticized the existing system and called for ‘a higher degree of autonomy,’” he said, after paying a visit to Tibet in August with an NPC inspection team.

Raidi said the people’s congress system is another foundation for the social and economic development in Tibet.



A NPC Standing Committee panel, headed by vice-chairmen of the 10th NPC Standing Committee Raidi and Sheng Huaren, inspected Tibet on August 4-11, 2007. *Ma Zengke*

The people's congress in Tibet is a provincial legislature that formulates local laws and also has the power to set rules on autonomy and regulations based on the political, economic and cultural characteristics of local ethnic groups.

Since 1965, the people's congress in Tibet and its standing committee have formulated 111 local laws and regulations, concerning political power, social and economic development, marriage, education, spoken and written languages, judiciary, forest, grassland, wild animals and natural resource protection.

For instance, in 1981, the Standing Committee of the People's Congress in Tibet adopted the Modified Regulations of the Tibet Autonomous Region for the implementation of the country's Marriage Law. The regulations lowered the legal age for Tibetans to get married by two years. Nationally, women may marry at the age of 20, men at 22.

Given the difficult geographical conditions of Tibet, regional regulations stipulate a 35-hour work per week, which is five hours less than in other parts of the country.

Besides, the local people's congress has also strengthened legislation on public gatherings and parades, as well as ratifying decisions to prevent the Dalai Lama and his followers seeking their secessionist policies.

"These rules and regulations embody the superiority of a system of national regional autonomy and help ensure local stability," Raidi said. "They guarantee that Tibetans enjoy various rights, and provide solutions for problems they may encounter in political, social, economic and cultural development."

In accordance with the national regional autonomy policy, Tibetan people can fully participate in local and State affairs by entering the people's congresses at all levels.

For example, since the founding of the Tibet Autonomous Region, Tibetan people have participated in the elections of deputies to national and local people's congresses. They manage State and local affairs through these deputies.

In 2002, 93 percent of the electorate in Tibet participated in direct elections at the county level, with 100 percent voting in some places.

Tibetan and other ethnic minority individuals account for over 80 percent of the total number of deputies to the people's congresses at regional and



prefectural levels. The percentage surpasses 90 percent at county and township levels.

Currently, Tibetans and other ethnic minorities account for 87.5 percent of the chairpersons and vice-chairpersons of the standing committees of the regional people's congresses, and about 70 percent of the total number on the committee.

Since 1965, Tibetan people have taken the post as chairperson of the Standing Committee of the Tibet Autonomous Regional People's Congress for six straight terms and seven Tibetans have served the chairperson positions in the people's government.

They hold important positions and have a say in both State and regional affairs. The 14th Dalai Lama, the 10th Panchen Erdeni, Ngapoi Ngawang Jigmei, Parblha Geleg Namgyi and Raidi have all served on the NPC Standing Committee. Currently,

Two aged Tibetan ladies rolled prayer wheels to pass around the Potala Palace in Lhasa. A local saying goes that if you fail to reach Potala Palace, you have never been to Tibet.

Gesangdava



Tibetan children.

Fan Changguo

Official figures showed that from 1984 to 2004, tax exempted from the agriculture and animal husbandry surpassed 250 million yuan (\$33 million).

among the 23 deputies from Tibet attending the 10th NPC, 15 are from ethnic minorities including 13 Tibetans.

► State assistance

The State also provides the region with support in areas such as finance, taxation, and the supply of materials, technology and talents needed by the region for socio-economic development. Since the 1980s, the Central Committee of the Communist Party of China and the State Council have held four national conferences on Tibet, adopting a series of preferential policies and measures on economic and social progress.

For example, since 1984, a long-term policy that “farmland is distributed among farming households for individual management” and “livestock are allocated to individual households, and independently owned, bred and managed by them” has been carried out in Tibet. This policy has spurred farmers’ and herders’ enthusiasm for production.

In regard to taxation, Tibet is the only region in the country that taxes people 3 percent less than any other part of the country. Farmers and herdsmen, who enjoy free medical treatment, are exempted

from agricultural and animal husbandry taxation. No fee is charged on students’ accommodation and food in the region.

Official figures showed that from 1984 to 2004, tax exempted from the agriculture and animal husbandry surpassed 250 million yuan (\$33 million).

As to finance, Tibet’s loan interest insurance rate is 2 percent lower than the national average. In addition, the State gives priority to Tibet in developing its large- and medium-sized projects involving energy, road construction and social development. If there were price hikes the central government would give the region subsidies.

From 1984 to 1994, the government, with nine provinces and municipalities, backed 43 Tibetan projects involving a total investment of 480 million yuan (\$63 million).

From 1994 to 2001, 62 aid projects were initiated by the central government, with an investment of 4.86 billion yuan (\$640 million). Fifteen provinces and central government departments set up 716 projects with a total investment of 3.16 billion yuan (\$416 million).

In 2001, the central government decided to further boost the development in Tibet. From 2001 to 2005, an injection of 31.2 billion yuan (\$4 billion) was put into the construction of 117 projects, and financial subsidies of 37.9 billion yuan (\$5 billion).

Figures also indicated that financial expenditure in Tibet reached to 87.6 billion yuan (\$12 billion) during the past 40 years, since the founding of the autonomous region. Of this sum, 94.9 percent came from central government allowances, and a large amount was spent on environmental protection.

► Environmental protection

In June 2006, an injured 1-week-old Tibetan antelope was rescued by a Hoh Xil Natural Reserve worker called Gama (Tibetans often do not have surnames). He took the fawn back to the center, set his broken leg and cured its wounds.

Gama named the little creature Nima, which means “the sun” in Tibetan. Today, it recognizes Gama’s car and chases after him whenever he drives through the wildlife preservation center, 4,600 metres above sea level, covering 45,000 square kilometers.

“Nima was obviously scared when the first train leaving Lhasa passed through Hoh Xil,” Gama said. “She was barely a month old and had never seen or heard a train.”

Today, about six trains pass by the nature reserve every day, but Gama said the wild animals are no longer scared. “They simply stop grazing and look.”

Extinction of the critically-endangered Tibetan antelopes has been frequently cited by some environmentalists in arguments against the railway. But experience seems to be showing the “Heavenly Railway” and Tibetan antelope can co-exist.

Tibet used to home millions of Tibetan antelopes, but excessive hunting and human encroachment on their habitat has caused the sharp declining of the animal.

In mid-1990s, up to 4,000 antelopes in Tibet were killed by poachers each year. Supervision,

however, has been tightened and nature reserves covering more than 600,000 square kilometers have been formed.

The central government made wildlife preservation a priority in its construction of the railway to Tibet. Thirty-three underpasses were built along the line, enabling animals to follow their normal migratory routes unhindered.

Last year, a Chinese forestry administration report put the population of Tibetan antelopes in Tibet at 150,000, doubling their number in the late 1980s. Hoh Xil alone has 50,000 antelopes.

“Next year, when we mark the second year of the railway, we’ll set Nima free, far from our preservation center. It’ll be time for her to return to the wild,” Gama said.

“Train passengers coming to Tibet next year will see herds of pregnant antelope migrating. Nima could be one of them,” Gama added.

Tibetan girls.

Li Qing



► Roof of the world

Being a major source of some big rivers not only in China but also in some other Asian countries, Tibet's habitat has aroused wide attention both at home and abroad.

"The environment in Tibet matters not only nationally but also regionally. We must spare no effort to preserve the environmental balance on the plateau," said Mao Rubai, chairman of the NPC Environmental Protection and Resources Conservation Committee.

"We must prevent Tibet from repeating the mistakes that other parts of the country have made in pursuing economic development, particularly waiting to deal with pollution until after the damage has been done."

During a nine-day NPC inspection tour to Tibet in August, members of the delegation inquired whether the environment along the Qinghai-Tibet Railway had been effectively protected, and whether its local marsh ecology had been well preserved.

Fortunately, the answers were positive.

Local government officials said in a report that they had divided the Tibetan environment into seven first-class areas, 17 second-class sub-regions and 76 third-class regions. They have also drawn up a "Plan for the State Ecology Safety Barrier Protection and Construction on the Qinghai-Tibetan Plateau."

In Tibet, there were 81 environmental protection organizations at various levels in 2005, with the employment of around 380 staff. Also in 2005, results from tests showed that the water quality of

Buddha exhibition in a traditional Tibetan festival.



the main rivers and lakes in Tibet measured up to the quality criteria specified by the State. Additionally, waste gas emissions dropped 0.82 percent year-on-year; and Lhasa saw 239 days of good air quality and no acid rain that year.

► **Restoring nature's balance**

Local government officials said Tibet will continue to take measures to protect the environment, such as providing solar ovens for farmers, constructing a steppe enclosure net, protecting farmland and forest areas from destruction, restoring cultivated land to forest and preserving animal breeding and pasture areas.

The government will also launch some programmes to shore up the region's environmental protection capability and to curb pollution, including a project to construct an ecological safety barrier on the Qinghai-Tibet Plateau.

Following a suggestion submitted by some NPC deputies, the safety barrier project is estimated to cost 3.87 billion yuan (\$510 million) and will include the establishment of nature reserves and eco-system protection zones, forests and grassland protection, forest recovery and resettlement of nomadic herders, construction of bases for forest tree seedlings, forest fireproofing, prevention of plant diseases and control of insect infestation.

A 9.2-billion yuan (\$1.2 billion) effort is also underway to prevent and control pollution in valley areas along the Yarlung Zangbo River and its four tributaries in Tibet to ensure local people have safe water and food and clean air.

"These projects will effectively hold back the trend of environmental deterioration of the region and help ensure sustainable economic development," Mao said.

Local government officials said they would also promote green energy. This will be combined with an urban development strategy, solving problems such as drinking water safety, household garbage and sewage disposal and noise pollution.

► **Culture and tourism**

"An old Chinese saying goes that seeing is believing. The beauty of Tibetan culture and art is one of our country's treasures," said Vice-Chairman

The central government has approved the protection and remedy of sites such as Zongshan Hill in Gyangze and Nangserling Manor, where Tibetan people fought against British invaders a century ago.

of the NPC Standing Committee, Sheng Huaren, who also attended the inspection tour.

Tibet homes to more than 2,000 cultural heritage sites. Among them, 35 are subject to State protection, 48 to regional protection and 168 to prefecture- and county-level protection. Besides, there are about 1,600 well-preserved lamaseries in the region.

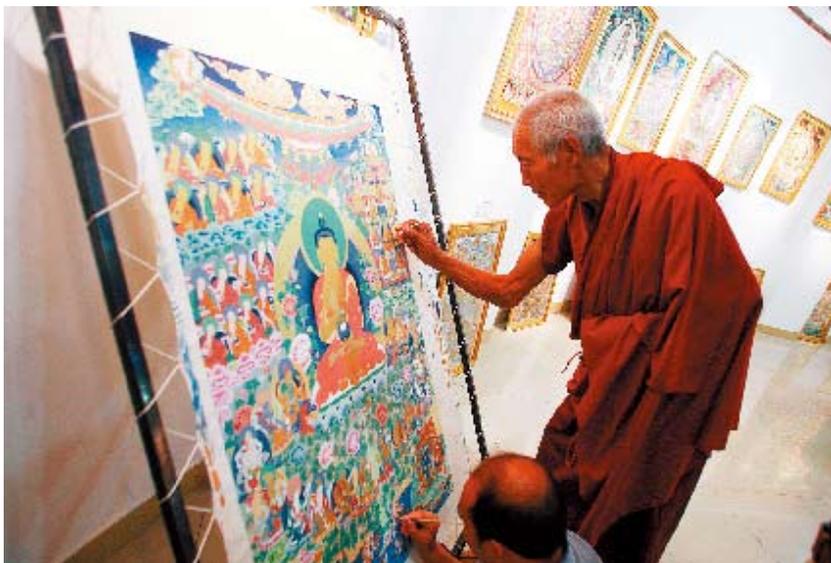
Lhasa, Xigaze and Gyangze County are rated by the State Council as deserving of special historical and cultural protection. The Potala Palace, Jokhang Lamasery and Norbu Lingka have been listed in the world cultural heritage sites by the United Nations Educational, Scientific and Cultural Organization.

The central government attaches great importance to the protection of the cultural relics in Tibet. Statistics indicated that, from the 1980s to the early 1990s, the State invested 53 million yuan (US\$7 million) for first-stage repairs of the Potala Palace. In June 2002, the State invested 330 million yuan (\$43 million) for the further protection and remedy of the Potala Palace, Norbu Lingka and the Sagya Lamasery.

Over the past five years, Tibet has been working on a blueprint for the repair of 10 cultural sites, including Jokhang Lamasery. The central government has approved the protection and remedy of sites such as Zongshan Hill in Gyangze and Nangserling Manor, where Tibetan people fought against British invaders a century ago.

At the same time, efforts have been made to create archives for 371 pieces of first-grade cultural relics at 35 historical sites under national protection, including the Potala Palace, Tibet Museum and Norbu Lingka.

While building the landmark Qinghai-Tibet Railway, an archeological survey was compiled and published. To better protect cultural relics and conduct archeological surveys, the region also set



A senior Lama is drawing Thang-ga, a traditional Tibetan cloth painting.

Wen Zhao

Underneath the disguise of religion, the Dalai Lama is a long-time political exile engaged in Separatist activities.

up the Cultural Relics Protection Institute of Tibet.

Backed by the central government, Tibet also intends to protect and repair some other cultural relics, including the Tombs of Tibetan Kings, ruins of the Guge Kingdom, Zhaibung Lamasery and Tashihungpo Lamasery. More museums or warehouses to store cultural relics will also be built.

Apart from its rich cultural heritage, Tibet also boasts of impressive beautiful scenery thanks to its varied topographic conditions, which comprise largely the Himalayas Mountain, the northern Tibet plateau lake area, and the eastern Tibet high mountain valley area.

Its landscape features grassland, wetlands, lakes, river valleys, forest, highland glaciers, snow-capped peaks and geothermal fields. There are at least 50 peaks with a height of more than 7,000 meters above the sea level and five over 8,000 meters, including the world's highest peak – Qomolangma. Tibet's forestry area is the largest in the country.

In addition, Tibet has three world-class nature reserves – the Qomolangma Nature Reserve, Northern Tibet Changtang Nature Reserve and the Eastern Tibet Yarlung Zangbo Grand Canyon

Nature Reserve. Besides, there is also the Yarlung State Class Scenic Area in the region.

The richness of cultural and natural resources in Tibet attracts a large number of tourists every year. Last year, about 2.51 million people from home and abroad visited the region, 40 percent increase year-on-year. Tourism income last year reached 2.77 billion yuan (\$365 million), an increase of 43 percent over that of 2005.

To offer travel and consulting services for domestic and foreign tourists, Tibet has set up tourism offices in domestic cities such as Beijing, Chengdu, Xi'an, Shanghai and Hong Kong and also in foreign countries including Japan, Nepal and the United States. It is expected that a record number of tourists will visit Tibet next year when numerous people around the world come to Beijing to watch the Olympic Games.

▶ Fighting against Separatists

Despite Tibet's achievements, Sheng Huaren, Vice-Chairman of the NPC Standing Committee, has warned the fight against separatism is still a tough one.

“Not many foreigners know the true picture of Tibet and they regard the Dalai Lama as simply a religious figure,” Sheng said. “But actually, underneath the disguise of religion, the Dalai Lama is a long-time political exile engaged in Separatist activities. He has travelled around the world in Buddhist robes to internationalize the Tibet Issue and to push his own political agenda.”

Sheng said the development of Tibet was the strongest answer to those who, like the Dalai Lama, criticize China's policies in Tibet.

The Dalai Lama and his followers are fomenting trouble in Tibet, according to some foreigners. Nicole Graaf, a German scholar of Tibetan studies, said in an article published by the Berlin-based *Der Tagesspiegel* newspaper on July 22 that the Dalai Lama's clique exercises strict “press censorship”.

Texts and pictures that depict the darkness of the old Tibet before liberation and positive reports on the new Tibet have been excluded from their publicity materials, Graff wrote.

Graaf said the Dalai Lama's asserts that Chinese Government is carrying out “systematic cultural genocide” in Tibet is baseless. Tibetans live normal

lives, she said.

She also said the Dalai Lama's clique asks for financial aid from the West in the name of religion and human rights. She accused those concerned of buying gold watches and luxurious cars for themselves with the donations. She said sponsors were unaware of this.

Australia's *The Age* newspaper published in May an article titled "Behind the Dalai Lama's Holy Cloak". The article pointed out the Dalai Lama is no mere "spiritual leader." He was the head of Tibet's government when he went into exile in 1959. It was a state apparatus run by aristocratic, nepotistic monks who collected taxes, jailed and tortured dissenters, according to the article.

The article said the Dalai Lama was on the US CIA's payroll from the late 1950s until 1974, reportedly receiving \$180,000 a year. He used the money to pay for activities promoted by the "Tibetan government in exile," principally funding offices in New York and Geneva and to lobby internationally.

The article said there are plenty of rumors among expatriate Tibetans of corruption and misuse of monies collected in the name of the Dalai Lama.

Many donations are channeled through the New York-based Tibet Fund, set up in 1981 by Tibetan refugees and US citizens. It has grown into a multimillion-dollar organization that disburses \$3 million each year to its various programs. Parts of



Many foreigners enjoy a summer tour to Tibet.

Liu Qian'gang

its funding come from the US State Department's Bureau for Refugee Programs.

"What has the Dalai Lama actually achieved for Tibetans inside Tibet?" the article asked. "If his goal has been independence for Tibet or, more recently, greater autonomy, then he has been a miserable failure." ■

SIDEBAR

About Tibet

Situated in Southwest China, the Tibet Autonomous Region covers an area of more than 1.22 million square kilometres, about 12.5 percent of the country's land mass.

With a size that equals to the summation of Britain, France, Germany, the Netherlands and Luxemburg, Tibet is the second largest region at province level in China. Along its 3,842-kilometre long frontier, it neighbours a number of countries, including Myanmar, India, Bhutan and Nepal.

As one of the five autonomous regions in China, Tibet exercises jurisdiction over one city (Lhasa), one district directly under Lhasa (Chengguan District), six prefectures, one county-level city and 71 counties.

The region contains part of the Qinghai-Tibet Plateau, the world's largest and highest plateau. Dubbed as the "Roof of the World" or the "third pole", the plateau is full of gullies, glaciers and rocks. Melting ice from the glaciers on the plateau is the source of many of large rivers, such as the Yangtze and Lancangjiang (its lower reaches are called the Mekong River) rivers.

Tibet has a population of 2.81 million, among which 92 percent are Tibetans. Tibetans manage their own affairs in accordance with the country's national regional autonomy policy. Because the country also adopts a basic State policy of "freedom of religious belief", Tibetan Buddhism has become the most popular religion in the region.

Resolutely Opposed to Interference in China's Internal Affairs by Any Country or Individual Using the Issue of the Dalai Lama

An Interview with the Head of the NPC Foreign Affairs Committee on US Congress Awarding a Congressional Gold Medal to the Dalai Lama

On October 17, the US Congress held a ceremony on Capitol Hill and awarded the Dalai Lama the so-called "Congressional Gold Medal", providing the Dalai Lama with a forum to distort the reality and carry out activities aimed at splitting China. This move constitutes a gross interference in China's

given to the Dalai Lama on the ground that he is a "spiritual and cultural leader" and because of his so-called "contribution" to peace, human rights and religious freedom. But what is the true color of the Dalai Lama? What role has he played in the history of Tibet? The facts speak for themselves.

People with some basic knowledge of

practiced in Medieval Europe.

After Tibet's peaceful liberation in 1951, the serfs and slaves in Tibet strongly demanded the abolition of feudal serfdom and the introduction of democratic reform. However, some members of the Tibetan ruling clique were obstinately opposed to reform. They tried to perpetuate feudal serfdom in Tibet to protect their vested interests. They launched an all-round armed rebellion in 1959, and openly made separatist call for "Tibet independence". With the support of Tibetan lamas and people, the Central Government speedily quelled this rebellion aimed at splitting China. In order to restore the dark autocratic feudal serfdom, the Dalai Lama fled China, thus setting himself against the Central Government and the Tibetan people. The Dalai Lama has tried hard not to face the truth of his cruel rule in the old Tibet, and he has never shown any repentance for it. Yet he has posed as the "spokesman" of freedom of Tibet and the "champion" of human rights and human dignity in an attempt to mislead the international community. To glorify the Dalai Lama for his so-called "contribution" to the advancement of human rights and call him a "fighter for human rights" not only distorts history but also makes a mockery of freedom, human rights and human dignity.

After the Dalai Lama fled China, the

After Tibet's peaceful liberation in 1951, the serfs and slaves in Tibet strongly demanded the abolition of feudal serfdom and the introduction of democratic reform.

internal affairs and is highly offensive to the Chinese people. The Head of the Foreign Affairs Committee of the National People's Congress of China received an interview by this magazine on the matter and made the following remarks.

As is known to all, Tibet has always been an integral part of China's territory. It has been an administrative region under the direct jurisdiction of China's Central Government since the mid-13th century. Even the title of the Dalai Lama came into being as a result of conferment by China's Central Government.

The Congressional Gold Medal was

the Tibetan history all know that feudal serfdom and theocracy, which were a dictatorship of upper-class monks and nobles, were practiced in the old Tibet under the 14th Dalai Lama, and that the Dalai Lama was the head of serf owners exercising feudal rule. Under that regime, the overwhelming majority of Tibetans were either serfs or slaves deprived of personal freedom. They were often traded or given away as gifts by their owners, and were subjected to torture in extremely inhumane conditions in their owners' private prisons. Serfdom in the old Tibet was no less cruel and brutal than that

Central Government, acting in the interest of China's national and ethnic unity, exercised great patience in the hope that the Dalai Lama would reverse course. The Dalai Lama's post of vice chairman of the Standing Committee of the National People's Congress of China was kept until 1964. But the Dalai Lama established the illegal "government in exile" abroad, and he has continued to pose as the "political and religious leader" of the Tibetan community in exile, and engaged in a lot of separatist political activities. He has never given up the position for "Tibet independence" in the past few decades. The Dalai Lama has in recent years continued to claim that Tibet is a country occupied by China. He calls for the overthrow of the current social system in Tibet and the establishment of a "greater Tibet", which never existed in history. He also calls for the convocation of an "international conference" to turn Tibet into an "international peace zone" and a demilitarized zone and the expulsion of all non-Tibetans from his "greater Tibet". All these claims which are naked calls for "Tibet independence" are completely in violation of China's Constitution.

All this clearly demonstrates that the Dalai Lama is a political exile engaged in separatist activities under the cloak of "religious leader". Since fleeing China, the Dalai Lama has done nothing to promote Tibet's development or the well-being of the Tibetan people. He in no way represents the people of Tibet. The issue concerning the Dalai Lama is neither an ethnic or religious issue, nor an issue of human rights. Rather, it is a grave political issue of attempting to split China.

Out of ulterior motive, the Dalai Lama has in recent years spread rumors that "Tibet has been invaded and occupied", that "the Tibetans are suffering" and that "the traditional Tibetan culture and natural environment are under threat". But what is the reality?

After the Dalai Lama went into exile following the failed armed rebellion, democratic reform was introduced in

Tibet in response to the strong call of the Tibetan people. Feudal serfdom, a most barbarous system, was abolished and regional autonomy was instituted in Tibet in 1965. The serfs and slaves under the Dalai Lama's rule are now masters of their own house, and they take an active part in the running of state affairs and fully exercise autonomous rights provided by China's Constitution and laws. The Tibetan people exercise regional autonomy and manage their ethnic affairs. Tremendous social and economic changes have taken place in Tibet thanks to the support of the Central Government and people across China. Tibet's population has grown to 2.81 million from about 1.15 million at the time of peaceful liberation, of whom the

now in Tibet 38 nature reserves, covering a total area of 410,000 square kilometers. Environmental monitoring shows that Tibet has a good environment. Its water and air are basically pollution free, most of its areas are in a natural state and Tibet has one of the best natural environments in the world. Tibet has never enjoyed such development and stability as it does today.

Over the years, a small number of biased members of the US Congress have used the Dalai Lama's visit as an excuse to attack China. They have wilfully introduced or adopted groundless bills or resolutions to smear China's image. They have repeatedly made unwarranted charges against China on the so-called

Tremendous social and economic changes have taken place in Tibet thanks to the support of the Central Government and people across China.

vast majority are Tibetans. With Tibet's economy growing at a rate of over 12% for many years, there has been fundamental improvement in the lives of the Tibetan people. The opening of the Qinghai-Tibet railway, a great historic undertaking, will greatly boost the economic and social development in Tibet. There was not a single modern school in old Tibet, whereas by the end of 2006, Tibet had 1,011 schools at various levels, enrolling 534,000 students, or 94% of school-age children. The rights of the Tibetan people are ensured by law. Tibet's traditional culture is well preserved. Freedom of religious belief is fully guaranteed. There are 1,780 lameries in Tibet with more than 46,000 lamas and nuns. The State has allocated huge amount of funding in these years for the maintenance of lameries. Both the Central Government and the Tibetan autonomous government have always given top priority to ensuring proper balance between economic development and environmental protection. There are

issues of human rights and freedom of religious belief. They have now gone so far as to give the Dalai Lama, a political exile and trouble-maker, a Congressional Gold Medal and provide him with an opportunity to wantonly vilify the Chinese Government in an attempt to split China. By doing so, they are openly conniving at the Dalai Lama's separatist activities and sending a wrong signal to the separatist elements for "Tibet independence". What they have done has gravely undermined China-US relations and bilateral cooperation in key fields.

The Chinese people stood up in 1949. To uphold China's sovereignty and territorial integrity is the common resolve and firm determination of all the Chinese people, including the people in Tibet. No force can stop the progress of Tibet in the great family of the Chinese nation. All attempts to interfere in China's internal affairs and undermine its fundamental interests are doomed to failure. ■

China Plays a Unique Role in Resolving Darfur Issue

By Liu Dongkai, Lin Liping, China Features



The commander of the UN Peacekeeping Troops to Sudan issues collective diplomas to Chinese peacekeepers on September 12, 2007 to commemorate their efforts in engineering, transportation and medical treatment. Besides, a total of 22 individual Chinese peacekeepers were given awards for their outstanding contributions.

Shao Jie

As China's first special envoy on African affairs, Liu Guijin has been running against time since assuming office in May. He made three trips to Africa in less than three months, two of them to Darfur, Sudan, at a dramat-

ic time in one of the most volatile spots in Africa. More than one million displaced people came one step closer to returning home as the African Union (AU) and the United Nations (UN) decided to deploy a 26,000-strong joint peacekeeping force in Darfur. The largest country on the continent struggled towards peace and stability as rebel groups sat down to negotiate with the government. As the international community hailed the progress as "unprecedented", many world leaders thanked China for playing a constructive role.

"You can describe China's role in resolving the Darfur issue as unique, since we speak and act in a manner our African friends understand and accept," Liu said.

Over the years, the Sudanese Government has cooperated with the AU in addressing conflicts among local tribes in Darfur. Some Western countries had accused it of genocide in the region, an allegation overturned by an on-site UN investigation. Highly suspicious of the motives of Western countries, the Sudanese Government had refused to allow any troops from outside the AU into Darfur, even under the banner of UN. The situation became more complicated as the West threatened to impose economic sanctions on Sudan. Some individuals and groups in the West even called for use of force without authorization of the UN. The move caused agitation within the AU, while Sudan vowed to fight for its sovereignty.

At the crucial moment, China stood up for a political resolution of the Darfur issue. It adopted a clear-cut stance that the sovereignty and territorial

integrity of Sudan should be respected and that sanctions were not conducive to resolving the issue. In order to avert a possible escalation of the crisis, China immediately embarked on a series of diplomatic efforts.

Chinese President Hu Jintao met twice with Sudanese President Omar Hassan Ahmed El-Bashir from November, 2006 to February, 2007. Hu spelled out China's principles on the Darfur issue, including respect of Sudan's sovereignty and territorial integrity, insistence on a peaceful resolution through dialogue and equal consultation, affirming the role of AU and UN and the imperative of advancing stability and living standards in the region. Chinese leaders have also discussed the Darfur issue with First Vice-President Salva Kiir Mayardit and other Sudanese officials when they visited China.

Meanwhile, Beijing dispatched five groups of envoys to Darfur in the months running up to May, when it appointed Liu Guijin as the special envoy on the Darfur issue. During his visit to Sudan in May, Liu met with President El-Bashir and several government ministers in a bid to persuade them to show greater flexibility on issues such as the proposal put forward by former UN Secretary-General Kofi Annan on deploying an AU-UN joint peacekeeping force in Darfur in three phases. The proposal was the result of a year of mediation by AU and other countries. It won the broad consent of the international community, including the five permanent members of the UN Security Council.

"We made it clear to the Sudanese side that it was in the immediate and long-term interests of Sudan to accept the Annan proposal, since it was universally recognized as a comprehensive solution to the Darfur issue," Liu said.

"China has been trying every possible channel to carry through the message to Sudan. And the Sudanese government apparently agreed with us," he said.

On June 12, Sudan declared in a joint statement with the AU and UN that it had explicitly accepted the third and final phase of the Annan proposal without reservation. On July 31, the UN Security Council passed Resolution 1769 on deploying AU-UN troops in Darfur.

However, China's position on seeking the cooperation of the Sudanese Government rather than asserting pressure or imposing sanctions has drawn criticism in the Western media. Some accused Chi-

China has adopted a very open manner in dealing with the Darfur issue, Liu said.

na of protecting "tyranny" for its own benefit and called for a boycott of the Beijing Olympic Games.

Mediator with an Open Attitude

"In fact, China has adopted a very open manner in dealing with the Darfur issue," Liu said. Chinese leaders and officials have taken every opportunity to exchange views with their Western counterparts, including the US special envoy to Sudan Andrew Natsios' visit to Beijing in January and Chinese President Hu Jintao's meetings with G8 leaders in Germany in June. Beijing has welcomed mediation trips to Darfur by international figures such as US Deputy Secretary of State John Negroponte. It holds an open attitude toward France's proposal of opening up a humanitarian corridor to Darfur, on the condition that relevant countries accept it. At the Paris meeting in June, Chinese Foreign Minister Yang Jiechi acted as a mediator in smoothing out difficulties between Sudan and certain Western countries.

"We've been trying to persuade our Western colleagues that an iron hand may not necessarily be the only way to solve problems. Imposing sanctions will only make the situation even more complicated by discouraging Sudanese Government cooperation on resolving the issue," said Liu, who also attended the international meeting as a representative of the Chinese Government. "We can use our wisdom and joint efforts to achieve a better result."

Under China's presidency, the UN Security Council adopted Resolution 1769, which is concise and clear-cut in its wording, paving the way for an AU-UN peacekeeping force entering Darfur, but without asserting pressure or imposing sanctions against Sudan. Sudan's UN Ambassador Abdalmahmood Abdalhaleem said that many of the Sudanese Government's concerns have been taken into consideration in the resolution. For example,



On May 22, 2007, Special Representative of the Chinese Government on Darfur Liu Guijin (right) was shaking hands and talking with a native in a market, which is located in the capital of North Darfur, El Fasher. On that day, Liu Guijin visited Darfur and investigated the situations by himself.

the resolution stipulates the AU-UN troops shall conduct the peacekeeping mission in Darfur without prejudicing the role of the Sudanese Government.

“Darfur is Sudan’s Darfur. It is Africa’s Darfur,” Liu said. China has always based its relationship with Africa on equal footing and non-interference in each other’s internal affairs. “China’s Africa policy is deeply rooted in the philosophy of Chinese culture and in its long history,” Liu says.

The Chinese people, belonging to 56 ethnic groups and speaking hundreds of dialects, believe that different cultures can coexist peacefully with mutual respect. Confucius said more than 2,000 years ago that the Chinese people would not impose on others what they themselves did not desire. Since China and Africa both have painful memories of Western colonization, China will never pursue its own interests at the cost of Africa, Liu says. China’s prime interest lies in building a harmonious world, because it can only focus on domestic development under stable international circumstances. And friendship with Africa has always been one of the pillars of China’s peaceful foreign policy. “The so-called new colonialism cannot fit China’s overall strategy,” Liu says. “Accusing China of pursuing neocolonialism in Africa merely reflects the

Both sides abide by the principles of equality, mutual benefit, transparency and non-exclusiveness, he says.

mindset of the accusers who have a colonial past in the continent.”

► **Economic Cooperation of Equality, Non-Exclusiveness**

On China’s economic cooperation with Africa, Liu said that both sides abide by the principles of equality, mutual benefit, transparency and non-exclusiveness, he says.

“China does import oil from Sudan,” he said. But Western oil companies take the lion’s share of resources on the continent. Chinese companies won oil contracts through international bidding and conducted all projects in Sudan jointly with international partners, including those from Britain, Canada, India, Malaysia and Sudan. Since the oil output is divided in accordance with the share of investment, China only gets a quota to buy a minimum part of the total output. According to AU statistics, 33 percent of Africa’s oil exports went to the United States last year. Another 36 percent of African oil flew to Europe, while China only bought 8.7 percent of the total exports.

Western countries have long been showing increasingly great interest in oil resources in Sudan. When Chinese oil companies entered Sudan 11 years ago, the country had to rely on imports for most of its fuels. Before that, some Western oil giants had been drilling in the pastures of Sudan for more than a decade, without finding any oil deposits of commercial value. Chinese companies helped the country pump the first barrel of oil in 1996, thanks to the unique technology they employed. Three years later, the first shipment of oil left Port Sudan. The economy has taken off in the past six years as oil income topped US\$2 billion a year. Economic growth is expected to reach an unprecedented 13

percent this year.

The presence of Chinese companies has brought about alternative sources of funds and technology for the development of African countries. Renowned African economist Adebayo Adedeji said African people were able to get tangible benefits from economic cooperation with China, while Western companies had brought little benefit to locals in their exploitation of African resources.

Chinese companies have invested money back into Sudan for future development. With Chinese investment, Khartoum has developed a complete set of oil refineries, petrochemical plants and trading systems. More than 100,000 Sudanese people have found jobs in cooperative projects between China and Sudan. Chinese companies helped train 6,000 local managers and technicians, who are now serving at key positions in the country's oil industry.

China National Petroleum Corporation (CNPC), the major Chinese oil company operating in Sudan, has donated more than US\$35 million to build roads, bridges, hospitals and schools for local communities, benefiting more than 1.5 million local residents.

Some 65 kilometers to the north of Khartoum, a China-built power plant is generating one-third of the country's electricity. Further to the north, the big dam of Marawi hydropower plant is taking shape under the supervision of Chinese engineers. On completion next year, it will triple the electricity output in Sudan. It will not only eliminate power shortages in Sudan, but also provide irrigation within a radius of 100 kilometers.

As the biggest developing country in the world, China is fully aware that Sudan is in urgent need of accelerating development in order to dig out the root of conflict. As Western countries withhold aid and impose sanctions on Sudan, Chinese companies are building water supply projects in Darfur, which are crucial to ease the tension caused by lack of resources. During his visit to Sudan in February, Chinese President Hu Jintao pledged to give 40 million yuan worth of humanitarian aid to Darfur on top of the 80 million yuan of aid that already given to Sudan. China has also contributed troops and funds to AU-UN peacekeeping mission in Darfur.

At the Tripoli meeting in July, AU special envoy for Darfur Salim Ahmed Salim voiced deep concerns that peace might not last in Darfur if no progress were made on development. The international

community's effort to promote development in Sudan has been handicapped by the West's failures to honor pledges of aid under the Comprehensive Peace Agreement signed between the Sudanese Government and southern rebels. According to the agreement, people in southern Sudan will vote on whether the region will stay in a unified Sudan or split in 2011. And the Darfur region will hold a referendum in 2010. Salim said if the largest country in Africa split, it would send shock waves through the neighboring countries and mean a disaster for the whole continent.

"When I listen to him, I feel his deep love for Africa and his deep worries," Liu said when recalling a conversation with Salim at the meeting. That's why China has been calling for a "double track" approach in addressing the Darfur issue, namely applying balanced and parallel efforts on peacekeeping and a political resolution of the issue. As rebel groups previously not included in the peace process sat down in talks with the AU and UN special envoys in Arusha, Tanzania, in August, the two wheels of the Darfur issue at last started to roll simultaneously toward a lasting peace.

In a meeting with Liu, Ethiopian Prime Minister Meles Zenawi said that China had spoken what Africa wanted to say. ■

(Zhang Haina also contributed to this story)

On May 25, 2007, in the Ethiopia capital, Addis Ababa, Assistant Minister of Commerce Wang Chao (left), the Rotating President of African Union, Ghana President Kufuor (second from left), Africa Union Commission Chairman Konare (third from left) and Ethiopia Prime Minister Meles took photos together. On the same day, foundation laying ceremony of the African Union conference center, which China helped to build, was held.



Jews of Harbin in Pre-1949 Years

By Tang Yuankai and Li Li



SEEKING ROOTS: About 100 Jewish visitors pray in front of their relatives' gravestones at Huangshan Cemetery, Harbin, in June

Although few Jews still reside in Harbin, the capital of Heilongjiang Province, many well-preserved architectures and commercial buildings constructed by the Jewish people nearly six decades ago, still remain as silent witnesses to their legacy.

Harbin, known worldwide as the "City of Snow" is a winter playground, famed for its annual ice and snow gala in Northeast China. It literally teems with historical buildings -- structures built by Jews more than 100 years ago has weathered the decades well and today are in good condition, adding a rich European-style to the city's lively ambiance.

Strolling along on the Zhongyang Dajie or the Central Street, one can easily find the influences left behind by former Jewish residents. Moderne, for example, is a traditional brand-name among Harbin locals. Established by the Jewish traders in 1913, the business building that includes restaurants and cinemas won worldwide acclaim not long

after its opening to the public. Today it is the city's top commercial center, offering outlets for tourism, shopping and entertainment.

Many other famous companies such as the Hua-meixi Restaurant and Harbin Cigarettes Factory were also established and operated by Jewish businesspeople.

"The Jews and Harbiners created numerous economic wonders. Many of them became the founders of banking, industrial and commercial businesses that propelled Harbin into the world marketplace," said Dr. Qu Zhentao, president of Harbin Business University.

Many companies in Harbin still retain their Jewish names. Teddy Kaufman, president of the Israel-China Friendship Society, said the Jews in Harbin established close ties with their Chinese counterparts and even became trade partners.

"We have not forgotten those Jews who had made outstanding contributions to the development of this city," said Qu Wei, a researcher with the Harbin Jews Research Center (HJRC) under the Heilongjiang Provincial Academy of Social Sciences.

"In history, Harbin was dubbed as the 'Tiny Paris in the East' and the 'Oriental Moscow'. One important reason is that people from more than 20 countries participated into building the city into a cultural hub. Among these foreigners, Jews had made tremendous contributions," said Pan Chunliang, deputy director of the Publicity Department of the Communist Party of China Heilongjiang Provincial Committee.

Jews first arrived in Harbin at the end of the 19th Century after the establishment of the Chinese Eastern Railway, a byproduct of a treaty which permits Russians to construct a railway in China to link the Siberian Railway network.

EAST ASIAN HOMETOWN: Paul and Esther Agran, who married in Harbin, revisit the city after they left in 1949



Harbin was a shelter for Jews who escaped oppression and prejudice in Russia.



A.L. Okun Building, located in the middle of Central Street, is now used to house Women and Children's Department Store

“Harbin was a shelter for Jews who escaped oppression and prejudice in Russia. In this city, Jews enjoyed economic independence and established a colorful community life,” recollected the late journalist Israel Epstein (1915-2005), who was a Polish-born Chinese citizen and a member of the 10th National Committee of the Chinese People’s Political Consultative Conference.

In 1908, a Jewish businessman opened the Ashihe Sugar Refinery in Harbin, the first of its kind in China. The refinery helped Harbin accelerate its pace in moving from an agricultural to modern industrial base.

In the years following, Jewish traders set up a number of companies involved in mining, metallurgy, forestry, grain processing, oil manufacture, vintage, candy and cigarette production. In 1914, Jewish traders began to export edible oil and beans to the West, which won a solid reputation for quality.

Harbin was the first city in northeastern China to establish an international bank and Jewish investments played a key role in the city’s economic development. By the 1920s, the Jewish National Bank and Far East Jewish Commercial Bank were opened, providing business loans to small and medium-sized companies. These banks not only helped circulate capital but also needed employment. Primary industry, transnational trade and modern banking industry helped to shape Harbin into an embryonic international metropolis.

In addition to these companies, in 1906 the Harbin Jews also opened beauty parlors and tailor shops, the earliest of their kind in the city, hiring locals and giving them new skills.

Another first for Harbin Jews was the introduction of Western medicine. Large-scale pharmacies such as Songhuajiang and Moscow, were well-

known venues where Jewish traders sold Western medicine. According to historical archives, those who dealt with Western medicine in Harbin and other places in Northeast China were mainly Jewish.

Believing that “knowledge is wealth,” the Jewish people applied credit and honest practices into all of their business operations.

“The operation concept and management strategy of the Jews still has an influence on today’s Harbin residents,” said Li Shuxiao, deputy director of the HJRC.

“The unity and cooperative spirit of the Jewish people influenced the businesses on the Central Street,” echoed Luan Fang, board chairwoman of Harbin Zhongyanghong Group Co. Ltd. When cut-throat competition was rampant in other areas in the city, businesspeople on the Central Street set up a Chamber of Commerce by forming a cooperation center to seek common development and profit.

President Qu praised highly of the historical status of Harbin Jews and the economic and trade wonders they created. Statistics indicated that the Harbin Jews accounted for less than 10 percent of the total number of foreign dwellers in the city but those engaged in trade and other economic activities made up 50 percent of the total. Thanks to these and other business networks, the Central Street thrived.

Qu pointed that though the Jewish population was less than five percent of the city’s total, they were the pioneers that set up all major commercial initiatives, including bringing horse racing to Harbin in 1905.

Harbin is also known as the “City of Music.” Statistics indicate that nearly 40,000 Harbin families now have pianos. In 1919, a railway club symphony orchestra was formed, the first of its kind.

Several waves of immigrants made Harbin the political, economic and cultural hub for Jewish people in East Asia.

Ashihe Sugar Refinery was founded in 1908, and its successive managers, Tsavadev, V.I. Kagan and L.G. Zikman, were Jewish



Both the conductor and the chief violinist were Jewish. As a great number of excellent Jewish musicians joined the orchestra, it grew into one of the top two symphony orchestras in China at that time; the other was the Shanghai Orchestra.

In addition, a music school was set up in May 1921, and many Jewish musicians served as teachers, such as the world famous violinist, Trakhtinberg.

“From organizing the symphony orchestra to the establishment of music school, the Jews shaped and developed classical music in Harbin,” said research fellow Qu.

After World War II, the majority of the Harbin Jews moved to Europe, but the seed of classical music they planted has remained.

► Eternal Friendship

“We value the historical connections and friendly relations with the Jewish people and look forward to developing such historically-based ties with Israel in the future,” said Chen Haosu, vice-president of the Chinese People’s Association for Friendship with Foreign Countries.

“A fascinating place, Harbin is a homeland that I missed all the time,” said Kaufman. About 90 years ago, Kaufman’s parents moved to the city from Russia. They started their family, had a son and became prominent members of the local Jewish community. Kaufman’s grandfather once presided over a Jewish home for the aged. Kaufman’s father headed a religious organization and his

mother worked for a Jewish women’s association.

After graduating from a business school in Harbin, Kaufman worked for *Jewish Life*, a weekly magazine, which was launched by his mother. He later transferred to a religious organization before he left the city in 1949.

Several waves of immigrants made Harbin the political, economic and cultural hub for Jewish people in East Asia, Kaufman said. The Jewish population exceeded 20,000 at its peak.

In 1963, when the last Jew left the city for Israel, 65 years had passed since the first arrival of Jews in Harbin. They survived the darkest time in history, receiving the generous understanding from the local residents who themselves were going through foreign occupation, civil war and poverty.

“Numerous Jewish people, now scattered around the world, are forever connected with Harbin -- either they or their relatives once lived in the city,” Kaufman said. “We spent our childhood and youth time there. We will forever regard the city as our homeland.”

Violinist Helmut Stern followed his parents to Harbin in the 1930s to escape Nazi persecution. He lived there for 11 years -- growing from a music student to a world-class musician.

According Li Shuxiao, a researcher with the HJRC, the Jewish people felt at home in Harbin where the local Chinese offered them both hearth and home and a place where both Chinese and Jews in Harbin lived harmoniously with each other.

“Harbiners have paid attention to what went on with their Jewish friends and their descendants after they left the city. It hopes they could come back some day,” Li said.

“We got along well with the Chinese people,” said Paul and Esther Agran. The Jewish couple met each other in Harbin and got married before they left in 1949 for America.

Dr. Yehoyada Harim, Israeli Ambassador to China, said, “Thousands of Jews fled to China from Russia and East Europe to re-establish their homes in Harbin. And here they got to know, by personal experiences what humanitarianism means.”

“All my family members are grateful for what the Chinese people have done for us,” said the Henry Family from Britain. The elder Henry moved from Russia to Harbin in 1903 where he opened a textile shop. After he passed away in

1946, he was buried in the city he loved.

When the younger Henry paid a visit to his grandfather's tomb, he inscribed a Hebrew epitaph. "A copy of the epitaph is better than a photo for our descendants to touch and feel history. They should remember the roots of their family and their Chinese homeland, which is closely connected with the Jewish people."

► Eternal Spirit

Covering a space of 6,500 square meters, the Huangshan (Royal Mountain) Jewish Cemetery in Harbin is the largest and best preserved of its kind in East Asia. The cemetery holds 605 tombs, many of which are Jews who had once lived in the city.

The cemetery was initially built in downtown Harbin in 1903. In 1958, the municipal government and the Jewish Religious Association helped move more than 600 Jewish tombs into the cemetery. During the "cultural revolution (1966-76)" period, the site fell into disrepair as turbulence swept the whole nation. Since 1991, the local government has spent more than two million yuan (about US\$240,000) to renovate the tombstones in the cemetery.

Among the Jews buried in the cemetery, there were many businesspeople, officials, musicians, writers, actors and bankers who had been active in community activities in their life.

The then Israeli Vice Premier Ehud Olmert paid a visit to his grandfather in the cemetery in June, 2004.

"My family has a close bond with Harbin," recalled Mr. Olmert. "My parents grew up here and received a fine education. They felt the friendliness of the Chinese people."

Mr. Olmert said that his father talked a lot about his days in Harbin.

"He always recalled with pride that he once taught Chinese to a group of Chinese students," he said. "When he died at the age of 88, he spoke his last words in Chinese. Although I didn't understand, I know he missed China as well as his Chinese homeland - Harbin."

"It was in Harbin that the generation of my parents began to fight for their dream of establishing a Jewish country," said Mr. Olmert, adding that, "the Jews in Harbin initiated the Zionist Movement, which sought to provide and maintain a national



The Harbin Orchestra was composed mainly of Jewish musicians in the 1930s

home for all Jews.

The former mayor of Jerusalem added, "Many Jews with the dream of Zionism rest in peace in the cemetery. Today, I want to tell them in the capacity of a Jewish country's vice-premier that their Zionist dream has come true."

At the end of 2000, the Harbin Municipal Government opened a website that offers a database with a search engine about those buried in the Huangshan Cemetery. Cemetery authorities took photos of the tombs, numbered them and posted epitaphs in three languages: Chinese, Russian and English.

According to Li Fangbin, the administrative director of the cemetery, the website has received hundreds of visits. Mr. Olmert expressed his gratitude on behalf of the Jews who got information about their relatives from the website.

"I thank the Chinese Government for its efforts to preserve the Jewish cultural relics. I am willing to act as a bridge to connect Harbin with Israel and with Jews all over the world," said Mr. Olmert, who was acting as an Israeli counselor to China when he found his grandfather's and three other relatives' burial sites in the cemetery.

The local government has also done much to refurbish and preserve Jewish buildings in the city. Synagogues, schools and halls are all included in the city's list of protected structures. Research institutions are offering suggestions on how to renovate the relics back to their original appearance.

"We sincerely wish that institutions and organizations, both at home and abroad, could make joint efforts to carry out in-depth research in this field and contribute to this undertaking, which is beneficial to both Chinese and Jewish people," said Bao Haichun, head of the Harbin Academy of Social Sciences.

"For Harbin Jews, the memory of their 'Chinese homeland' will last forever," wrote Epstein in the preface to his book, *The Jews in Harbin*. ■

Behind the “People’s Palace”

By Zong He

The all-important 17th National Congress of the Communist Party of China (CPC) recently concluded at the Great Hall of the People in Beijing. In the history of CPC (1921-2007),

10 out of 17 national congresses were held in this sacred building. Every year, usually in March, the Great Hall of the People will host “two major conferences” – the annual sessions of the National People’s Congress (NPC) and of the Chinese Peo-



East Gate of the Great Hall of the People.

ple's Political Consultative Conference (CPPCC). The NPC Standing Committee Office is based on the southern part of the Hall.

Located on the west side of world-famous Tian'anmen Square, the 171,800-square-meter hall is larger than the nearby Forbidden City (now the Palace Museum) built in the Ming and Qing dynasties (1368-1911). Its major conference hall is large enough to seat 10,000 people and its banquet hall can serve 5,000 guests. Additionally, the Great Hall of the People has 34 meeting halls named after China's 34 provinces, autonomous regions, municipalities directly under the central government, and special administrative regions.

As a heart of China's political, economic, cultural and diplomatic activities, the Great Hall of the People continues to play a more and more important role. However, not so many young people know the details and stories behind this auspicious building.

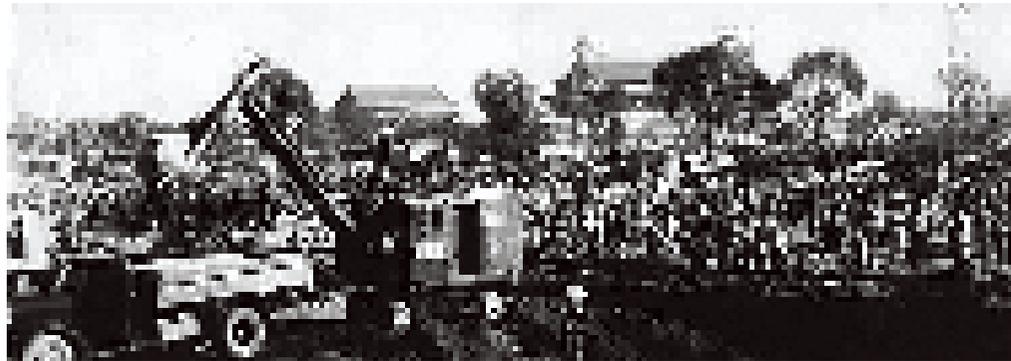
In 1958, the CPC Central Committee decided to construct 10 great buildings as "substantial gifts" to the 10th birthday of the fledgling People's Republic of China. Among them, the Great Hall of the People ranked Number One. It took only 10 months to complete the Hall, from October 1958 to August 1959. Taking part in the construction were more than 10,000 people from 17 provinces and cities. Besides, 23 provinces and cities provided building materials for the project. In Beijing, more than 300,000 government workers, students and residents volunteered to work for this "people's palace."

After seeking suggestions from both top leaders and common workers, the design of the Great Hall of the People was at last settled. It was Chairman Mao Zedong who finally named the building as the "Great Hall of the People." The Party chairman always put people first, saying: "People, and the people alone, are the real force in making world history."

The commander-in-chief of the project construction was Wan Li, who was the then Vice-Mayor of Beijing Municipal People's Government. Though immersed in a myriad of State affairs every day, Premier Zhou Enlai also kept a close eye to the design and construction of the "10 great buildings," particularly the Great Hall of the People.

The major conference hall is the highlight of

The Great Hall of the People continues to play a more and more important role.



A busy building site of the Great Hall of the People.

the Great Hall of the People. If following traditional architectural concepts, it might be designed into a dull space with ceiling, floor and four walls linking together. At Premier Zhou's suggestions, the designers changed their original blueprint and turned the right angle of intersection between ceiling and walls into an arc angle. The ideal effect was achieved. When you enter the major conference hall, you will have a wide sphere of vision. The ceiling and the walls join together just as the sky and seas blend into one color.

In order to accomplish the task on schedule, thousands of men and women worked day and night on the construction site, and a number of "youth shock brigades" appeared. Li Ruihuan, leader of a well-known "youth shock brigade" in 1958, later became the chairman of CPPCC from 1993 to 2003.

Chinese people are hard working and full of wisdom. In less than one year, they completed the Great Hall of the People, which was admired by the world's media as a "people's palace" with the perfect combination of modern architecture and unique Chinese style. Different from royal palaces and gardens, the Great Hall of the People was built by the people and would serve the people from generation to generation.

As soon as the Great Hall of the People was opened in August 1959, it became a most impor-



Construction workers installed granite slabstones at the East Gate of the Great Hall of the People.

tant venue in China.

On September 12, 1959, Peking Opera master Mei Lanfang and other artists gave a special performance to express thanks to the workers and technicians of “10 great buildings.” It was the first large-scale performance ever staged at the Great Hall of the People.

On September 28-29, a grand celebration ceremony was held at the major conference hall to mark the 10th anniversary of the People’s Republic of China. Present at the ceremony were Chairman Mao Zedong and other top leaders, heads of

states and governments from 80-plus countries and other international friends. It was the first 10,000-people gathering ever seen at the Great Hall of the People.

On the evening of September 30, Chairman Mao Zedong gave a State banquet to entertain 5,000-plus international guests and Chinese representatives from all walks of life. It was the first State banquet ever arranged in the Great Hall of the People.

The National People’s Congress is the highest organ of State power in the People’s Republic of China. The permanent organ of the NPC is its Standing Committee, which is responsible to the NPC and reports on its work to the Congress.

Soon after the Great Hall of the People was completed, the NPC Standing Committee began to conduct office work in the southern part of the Hall. In 1960, from March 29 to April 10, the NPC Second Session was held here. Since then, all the NPC sessions have been held here. During the “cultural revolution,” the 10 years of domestic turmoil from 1966 to 1976, national life was in a state of disorder. As a result, both the third and fourth National People’s Congresses had only one session each.

In the past decades, the Great Hall of the People has witnessed ups and downs of China’s political life. For example, the outbreak of the “cultural revolution” in 1966, the downfall of the “Gang of Four” headed by Jiang Qing in 1976, the start of “economic reform and opening to the outside world” in 1979, return of Hong Kong to China in 1997, and return of Macao to China in 1999.

On August 3, 2001, workers put the gilded bronze national emblem on the eye-catching position of the Great Hall of the People to replace the wooden one, which had been used for 42 years. The new one is 5.2 meters wide, 5.6 meters tall and weighing 1.75 tons. After the gates and windows are polished, the Great Hall of the People looks fresh and full of vitality.

More importantly, remarkable changes have taken place in the system and functions of China’s people’s congresses. NPC deputies from different levels are more active to voice people’s voice and protect people’s interest. One can foresee that with the deepening of economic reform and political reform, China’s NPC system will move to one considerably even better. ■

The Conference Hall of the NPC Standing Committee is one of the 34 meeting halls of the Great Hall of the People.



NPC

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