

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Question

- 1. How do the Chinese authorities view the Epoch Times?**
- 2. Was the publication of the Nine Commentaries of concern to the Chinese authorities?**
- 3. [Deleted]**
- 4. Is there a “black list” kept by the Chinese authorities of citizens who criticise the government abroad?**

List of Sources Consulted

Internet Sources:

Google, Vivisimo & Copernic 2001 Personal Agent search engines
BBC News website <http://www.bbc.co.uk>
The Guardian website <http://www.guardian.co.uk/>
CNN website <http://www.cnn.com/>

Databases:		
Public	<i>FACTIVA</i>	Reuters Business Briefing
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including U.S. Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

RESPONSE

1. How do the Chinese authorities view the *Epoch Times*?

It appears that the PRC authorities do not favour the paper and imprisoned some of those journalists who had contributed to it in the past. The reasons that the Chinese government is not pleased with the paper include that it is closely linked with the Falun Gong banned by the government in July 1999 ('Falun Gong heckler agrees to plea deal' 2006, *AP*, 22 June <http://www.wwrn.org/article.php?idd=21941&sec=25&con=4> – Accessed 1 August 2006 – Attachment 1; and US Department of State 2000, *Country Reports on Human Rights Practices – China*, 23 February – Attachment 2) The US Department of State calls it the Falun Gong's newspaper (US Department of State 2006, *Country Reports on Human Rights Practices – China*, 8 March – Attachment 3).

According to the Committee to Protect Journalists, a US group that monitors the treatment of reporters worldwide, several Chinese journalists who contributed to *The Epoch Times* have recently been imprisoned by Chinese authorities (Jurkowitz, Mark 2005, 'Times for a change: International paper puts an emphasis on universal freedoms' *The Boston Globe*, 31 May 31 http://www.boston.com/news/globe/living/articles/2005/05/31/times_for_a_change?pg=2 – Accessed 1 August 2006 – Attachment 5).

The Boston Globe refers to the close connection between the Falun Gong and *The Epoch Times*. It states that all three men working for *The Epoch Times* in Boston practice Falun Gong, and they are vague about the ownership of *The Epoch Times* although they say that there is no formal connection to Falun Gong. It further comments that the introduction to *The Epoch Times*'s "Nine Commentaries" states: "Among [the Chinese Communist Party's] unending list of crimes, the vilest must be its persecution of Falun Gong." (Jurkowitz, Mark 2005, 'Times for a change: International paper puts an emphasis on universal freedoms' *The Boston Globe*, 31 May 31 http://www.boston.com/news/globe/living/articles/2005/05/31/times_for_a_change?pg=2 – Accessed 1 August 2006 – Attachment 5).

San Francisco Chronicle is more specific by saying that the three US-based Chinese language media outlets – *The Epoch Times*, *New Tang Dynasty TV* and *Sound of Hope Radio* – have ties to the Falun Gong movement. Movement followers sit on the boards of these media organizations, and reporters for these media often serve as advocates for Falun Gong (Hua, Vanessa 2005, 'Dissident media linked to Falun Gong', *San Francisco Chronicle*, 18 December <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2005/12/18/MNGGAG8MTA1.DTL&hw=falun+gong&sn=002&sc=447> – Accessed 1 August 2006 – Attachment 6).

More direct reference to the PRC's attitude to *The Epoch Times* is found in an article concerning the cancellation of speech appointment by the Chinese ambassador on the ground that journalists from the *Epoch Times* would attend the meeting ('DJ Chinese Embassy Cancels London Event On Journalist Row' 2006, *Comtex News*, 16 January – Attachment 7).

2. Was the publication of the Nine Commentaries of concern to the Chinese authorities?

Although not definitive, there are reports indicating that the Chinese authorities are concerned with the publication of the Nine Commentaries.

Wikipedia comments that in December 2005, the author of the “Nine Commentaries” was identified as Zheng Peichun, a Chinese dissident, who was arrested on the charge of crimes against the state and was sentenced to 7 years imprisonment (‘The Epoch Times’ 2006, *Wikipedia*, 30 July http://en.wikipedia.org/wiki/The_Epoch_Times#_note-0#_note-0 – Accessed 31 July 2006 – Attachment 4).

Similarly, the US Department of State alludes to the pressure from the PRC government in cancelling/non-accepting the printing orders from *the Epoch Times* in Hong Kong. The US Department of State comments that:

In March, the private printing company that Falun Gong used to publish the Hong Kong edition of its Epoch Times newspaper refused to renew the group’s contract, which expired May 13. Falun Gong alleged the contract was canceled because the company feared business reprisals from its mainland clients, some of who had connections to the PRC government. A Falun Gong spokesperson said the printing company considered the content of the paper “sensitive” and was afraid that continued printing would negatively affect its business. Falun Gong found another printer in late May, but said the company refused to sign a written contract--verbal orders are placed each day. They also said that at least 10 other printing companies had refused to print the paper ...

In September the Falun Gong’s newspaper Epoch Times said an international hotel chain canceled its conference room booking due to a water leak. The newspaper had booked the room for a forum on the future of China. A Falun Gong spokesperson said that once it became widely known that the Falun Gong had sponsored the conference, a replacement facility could not be found. The group later held the forum in a public park. This is the second report in three years that an international hotel chain canceled a Falun Gong conference room booking. (US Department of State 2006, *Country Reports on Human Rights Practices – China*, 8 March – Attachment 3).

4. Is there a “black list” kept by the Chinese authorities of citizens who criticise the government abroad?

Human Rights Watch/Asia and Human Rights in China have provided a conclusive evidence that the Chinese authorities maintains a list of overseas-based pro-democracy and human rights activists, putting an end to the long-held suspicion on the existence of such a list. The document in question is titled “A List of Forty-Nine Overseas Members of Reactionary Organizations Currently Subject to Major Control” issued secretly by China’s Ministry of Public Security in May 1994. All those named on the list are identified by the security authorities as being subject to government decrees currently banning them from re-entering China. The overwhelming majority of those on the re-entry blacklist have consistently advocated the use of peaceful means for achieving

greater democracy and human rights in China. Almost 50 percent of those listed were placed on police “most wanted” notices after June 4, 1989, all in connection with alleged offenses arising from their exercise of internationally recognized rights to free speech and association during the protest movement of that year. None of those on the blacklist is known to have committed any act which could be construed as criminal under international law (Human Rights Watch/Asia Human Rights in China 1995, ‘China: Enforced Exile Of Dissidents: Government “Re-entry Blacklist” Revealed’, 6 January <http://www.researchmethods.org/list.htm> – Accessed 3 August 2006 – Attachment 8).

Information Centre for Human Rights and Democratic Movement in China also reports on a government list of 1,000 Chinese followers of the banned Falungong. The Hong Kong-based Information Centre comments that the Chinese government has set up a special service in charge of drawing up a black list of Falungong members living abroad to stop them returning to China (‘China Draws up Black List of Falungong Followers Abroad’ 2000, AAP, 5 January – Attachment 9).

DFAT refers to ‘a movement alert list’ in its advice on Falun Gong. It comments that:

The Chinese authorities are anxious to avoid any Falungong protest activity, including by preventing the return of activists/sympathisers from abroad. As in most other countries, Chinese border police check the identity of individuals arriving at points of entry against a movement alert list. It is likely that the names of known Falungong activists are included on this list. We are not aware of any cases so far in which falungong practitioners returning to China have been detained and/or penalised for their activities abroad. As far as we know, the Chinese government so far has applied judicial or administrative penalties against only those who have been involved in Falungong activities and/or protests within China (DIMIA Country Information Service 2000, *Country Information Report No.396/00 – Update on Falun Gong (Falun Dafa)*, sourced from DFAT advice of 17 July 2000), 31 July – Attachment 10).

Subsequently, DFAT advised that the above information remains relevant as at 28 June 2005 (DIMIA Country Information Service 2005, *Country Information Report No.05/34 – China: Update on Falun Gong*, sourced from DFAT advice of 28 June 2005), 30 June – Attachment 11) .

It appears, however, there are some recent sign of relaxing the control associated with a “black list” by the PRC authorities (in connection with the Sixth WTO Ministerial Conference in December 2005) and their denial of the existence of such a list. The US Department of State comments on the issue that:

In the months leading up to the Sixth WTO Ministerial Conference in December, the government said it would not allow violent protesters to enter Hong Kong, although it denied having a blacklist. Apart from one French activist and three Filipino activists who were detained at the airport and eventually allowed to enter, there were no reports that immigration officials denied entry to demonstrators. To the contrary, media reports criticized the government for allowing entry to known activists.

PRC authorities do not permit some Hong Kong human rights activists and prodemocracy legislators to visit the mainland; however, this policy has been relaxed over the past two years. In April the PRC invited a group of moderate prodemocracy legislators, including two members of the Democratic Party who had previously been banned from traveling to the mainland, to Shenzhen to discuss with mainland officials the appropriate length of term for Tung Chee-hwa's replacement. In September the chief executive escorted 59 of 60 members of Legco, including some democrats who had been barred from the mainland since the 1989 Tiananmen Square crackdown, to Guangdong for a two-day trip to meet with provincial government and Chinese Communist Party (CCP) officials. In addition a handful of more moderate prodemocracy activists and legislators had their home return permits returned to them during the year (US Department of State 2006, *Country Reports on Human Rights Practices – China*, 8 March – Attachment 3).

List of Attachments

1. 'Falun Gong heckler agrees to plea deal' 2006, *AP*, 22 June.
(<http://www.wwrn.org/article.php?idd=21941&sec=25&con=4> – Accessed 1 August 2006)
2. US Department of State 2000, *Country Reports on Human Rights Practices – China*, 23 February. (<http://www.state.gov/g/drl/rls/hrrpt/1999/284.htm> – Accessed 1 August 2006)
3. US Department of State 2006, *Country Reports on Human Rights Practices – China*, 8 March. (<http://www.state.gov/g/drl/rls/hrrpt/2005/61605.htm> – Accessed 1 August 2006)
4. 'The Epoch Times' 2006, *Wikipedia*, 30 July.
(http://en.wikipedia.org/wiki/The_Epoch_Times#_note-0#_note-0 – Accessed 31 July 2006)
5. Jurkowitz, Mark 2005, 'Times for a change: International paper puts an emphasis on universal freedoms' *The Boston Globe*, 31 May.
(http://www.boston.com/news/globe/living/articles/2005/05/31/times_for_a_change?pg=2 – Accessed 1 August 2006)
6. Hua, Vanessa 2005, 'Dissident media linked to Falun Gong', *San Francisco Chronicle*, 18 December. (<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2005/12/18/MNGGAG8MTA1.DTL&hw=falun+gong&sn=002&sc=447> – Accessed 1 August 2006)
7. 'DJ Chinese Embassy Cancels London Event On Journalist Row' 2006, *Comtex News*, 16 January. (FACTIVA)

8. Human Rights Watch/Asia Human Rights in China 1995, 'CHINA: ENFORCED EXILE OF DISSIDENTS: Government "Re-entry Blacklist" Revealed', 6 January. (<http://www.researchmethods.org/list.htm> – Accessed 3 August 2006)
9. 'China Draws up Black List of Falungong Followers Abroad' 2000, AAP, 5 January. (CISNET China CX39489).
10. DIMIA Country Information Service 2000, *Country Information Report No.396/00 – Update on Falun Gong (Falun Dafa)*, (sourced from DFAT advice of 17 July 2000), 31 July. (CISNET China CX43498)
11. DIMIA Country Information Service 2005, *Country Information Report No.05/34 – China: Update on Falun Gong*, sourced from DFAT advice of 28 June 2005), 30 June. (CISNET China CX125116)