

BRIEFS

May-Aug 2020

MAY–AUG 2020

The National Security Law Chills Hong Kong

The middle of the year saw the Hong Kong and mainland governments intervening with a heavy hand to rein in unrest in the former British colony. On 15 May, a 21-year-old became the first protester to plead guilty to rioting during the 2019 protests and was sentenced to four years in jail. Meanwhile, the Independent Police Complaints Council released its report on how the Hong Kong police force had handled the protests. The report concluded that the police had generally acted within guidelines and was largely dismissed as a whitewash by the city's activists. On 4 June, the National Anthem Law, which criminalises any disrespect of China's national anthem, was passed in the Legislative Council. The date was not coincidental: on the same day, thousands in the city attended the annual vigil marking the anniversary of the Tiananmen Square crackdown of 1989, defying the police ban, which had been issued for the first time in over three decades. Twenty-five activists were later charged for attending the event. Disquiet in Hong Kong peaked on 30 June, when mainland lawmakers passed a new National Security Law, which had been announced barely a month earlier. The enactment of the Law—which allowed mainland state security to establish a formal presence in the special administrative region, granted the Hong Kong police new sweeping powers, and due to its vagueness effectively acted as a sword of Damocles hanging over any dissenting voice—provoked an international backlash. In July, Canada, Australia, the United Kingdom, and New Zealand announced the suspension of their extradition treaties with Hong Kong; China retaliated by suspending extradition and judiciary assistance agreements between the first three countries and Hong Kong. The United Kingdom and Australia also extended residency rights for eligible Hongkongers, the former offering up to three million Hongkongers a pathway to British

citizenship and the latter providing a five-year visa extension to Hongkongers currently in Australia. Meanwhile, on 14 July the United States revoked the special status of Hong Kong, halting defence exports and restricting the territory's access to high technology products, and on 7 August imposed sanctions on 11 former and current senior officials in Hong Kong, including Chief Executive Carrie Lam. In retaliation, China sanctioned 11 American citizens, including lawmakers. Amid such global backlash, suppression in Hong Kong continued unabated. In mid-July, Hong Kong authorities rejected a work visa application from Chris Buckley, a veteran Australian Journalist for *The New York Times*. On 27 July, Shiu Ka-chun, a pro-democracy lawmaker, was told his lecturing contract with Hong Kong Baptist University would not be renewed, and on 28 July, Benny Tai, a leader of the 2014 Umbrella Movement, was sacked from his tenured position as associate professor of law at the University of Hong Kong. Meanwhile, four students were detained under the National Security Law for alleged secessionist activities on social media, and the order was issued to arrest six pro-democracy activists living in exile, including US citizen Samuel Chu. Having disqualified 12 pro-democracy candidates from running in the legislative elections, on 31 July the Hong Kong government announced that the elections would be delayed by one year, citing the recent Covid-19 outbreak. On 10 August, the foreign ministries of the Five Eyes issued a joint letter expressing concerns over the disqualification of the candidates and postponement of the elections. On the same day, Jimmy Lai, a newspaper mogul, and Agnes Chow, a prominent pro-democracy activist, were arrested under the National Security Law on a charge of 'collusion with foreign powers'. Both were later released on bail. *NLiu*

(Sources: **ABC 1; ABC 2; BBC; Hong Kong Free Press 1; Hong Kong Free Press 2; Reuters 1; Reuters 2; Reuters 3; SBS News; South China Morning Post 1; South China Morning Post 2; The Guardian 1; The Guardian 2; The New York Times; Wall Street Journal**)

International Spotlight on Xinjiang

In the middle of the year Xinjiang has remained in the international spotlight. In May, the US Congress overwhelmingly passed a bill calling for sanctions on Chinese officials implicated in the oppression of Uyghurs in Xinjiang. The Uyghur Human Rights Policy Act was signed into law by President Trump on 17 June. Roughly at the same time, the US Commerce Department also imposed new restrictions and export controls on 33 Chinese companies that were accused of helping Chinese authorities to enforce surveillance on Uyghurs in the region. Meanwhile, the Chinese government was reported to have resumed its job placement scheme for Uyghurs who had completed compulsory programmes at reeducation camps in Xinjiang after a hiatus due to the pandemic. In late June, investigations by the AP revealed that forced birth control in Xinjiang was far more widespread and systematic than previously known. On 9 July, the US Treasury Department imposed sanctions under the Global Magnitsky Human Rights Accountability Act on four Chinese officials, including Chen Quanguo, a member of China's Politburo and Party Secretary of Xinjiang. On 20 July, the US Commerce Department blacklisted another 11 Chinese companies that it said were implicated in using forced labour and conducting DNA collection and analysis on Uyghurs in Xinjiang. On 31 July, the US Treasury Department blacklisted the Xinjiang Production and Construction Corps, freezing its US assets and prohibiting Americans from dealing with it. Apart from US sanctions, more than 190 organisations from 36 countries called for formal commitments from clothing brands to sever ties with suppliers implicated in using forced labour in Xinjiang. In early August, Merdan Ghappar, a detained Uyghur fashion model, sent a video and multiple text messages that provided rare first-hand insights into the dramatic conditions inside the camps. *NLiu*

(Sources: **BBC**; **Reuters 1**; **Reuters 2**; **The Associated Press**; **The Guardian**; **The New York Times 1**; **The New York Times 2**;))

Worrying News on the Human Rights Front

Citizen-reporters and activists involved in documenting the situation in Wuhan right after the outbreak faced increased repression over the past months. Citizen journalist Chen Qiushi went missing in February and in early September 2020 there was still no news about him. Citizen journalist Zhang Zhan and activists Chen Mei and Cai Wei were detained between April and May, and only in mid-June it was announced they were to stand trial for 'picking quarrels and provoking trouble'. Repression has targeted people from all walks of life. Anti-corruption blogger Chen Jieren was sentenced to 15 years in prison on 30 April. In late June, human rights lawyer Yu Wensheng was secretly sentenced to four years in prison for 'inciting subversion of state power', while human rights lawyers Xu Zhiyong and Ding Jiayi were charged with the same crime. Three Canadians were also indicted—Michael Kovrig and Michael Spavor were accused of stealing state secrets, and Sun Qian, a Falun Gong practitioner, was sentenced to eight years in prison for 'organising/using a cult to undermine implementation of the law' after 'voluntarily' renouncing her Canadian citizenship. On 12 July, after one week in custody on allegations of soliciting prostitution, Professor Xu Zhangrun, the author of several essays highly critical of Xi Jinping's leadership, returned home but was later fired by Tsinghua University. In early August, rights activist Yu Xinyong, who assisted vulnerable citizens with their petitions, was sentenced to four and a half years in prison for 'picking quarrels and provoking trouble'. On the positive side, in early May five labour activists were released more than 15 months after their arrest. In late June, Lu Yuyu, who collected information about mass protests in China, and Liu Xianbin, who wrote articles critical of the Chinese government, were both released from jail. *NLiu*

(Sources: **Caixin**; **CNN**; **Hong Kong Free Press 1**; **Hong Kong Free Press 2**; **National Post**; **Radio Free Asia 1**; **Radio Free Asia 2**; **Reuters**; **South China Morning Post 1**; **South China Morning Post 2**; **South China Morning Post 3**; **SupChina**; **The Guardian**; **The New York Times**;))

Academia in Turmoil

The second quarter of 2020 has seen institutions, researchers, and students with ties to China coming under growing scrutiny in the West. In February, the European Commission sent a ‘concept note’ to national authorities and universities suggesting that academic institutions appoint civilian spy-catchers to stop China and others from stealing secrets. In May, Sweden closed down all Confucius Institutes and Classrooms in the country, while in mid-August the US government designated them as ‘foreign missions’, thus requiring that they register and adhere to restrictions similar to those placed on diplomatic embassies.

The US government has been cracking down particularly hard on scientists with ties to China. In early June it was announced that 54 scientists had resigned or had been fired as a result of an ongoing investigation by the National Institute of Health (NIH) into failure of its grantees to disclose financial ties to foreign governments—93% of the 189 scientists under scrutiny were related to China. Some of these scientists were formally charged. For instance, Harvard University’s Charles Lieber, a chemist and pioneer in nanoscience and nanotechnology, was charged with tax offences; Ohio State University’s Song Guo Zheng, an immunologist, faced a charge of grant fraud; Emory University’s Xiao-Jiang Li, a neuroscientist, pleaded guilty to filing a false tax return.

In other cases, University of Arkansas’ Simon Saw-Teong Ang, an electrical engineer, was indicted on 44 counts of fraud for failing to disclose close ties to the Chinese government and Chinese companies when he obtained federal grants. Qing Wang, a former Cleveland Clinic Foundation doctor, was arrested on charges of wire fraud and making false claims to obtain millions in federal grant funding; Stanford’s Song Chen, a neurologist, was charged with visa fraud for lying about her status as an active member of China’s People’s Liberation Army (PLA). Juan Tang, a researcher in the Department of Radiation Oncology at UC Irvine was arrested on the same charges after leaving the Chinese consulate in San Francisco.

University administrations struggled to keep up with the developments. An incident where a Chinese student was arrested and pleaded guilty to taking photos of a US Navy base in February fuelled allegations of Chinese students as spying threats. In May, officials confirmed that the Trump administration planned to expel Chinese graduate students with ties to the PLA, a move that became effective only in early September, when the US government revoked the visas of more than 1,000 Chinese students deemed a security risk. Following the abrupt order to close Houston’s Chinese Consulate in late July, researchers at the University of Texas were notified about an FBI probe over claims that the Chinese government tried to illegally obtain coronavirus research. In late August, the University of North Texas cut ties with the China Scholarship Council, the Chinese Ministry of Education’s non-profit organisation that provides support for international academic exchange, effectively leading to the expulsion of 15 Chinese visiting scholars.

This wave of repression notwithstanding, several incidents led to renewed worries about China’s influence on academic freedom across the globe. For instance, in Australia an article critical of the Chinese government’s actions in Hong Kong by the Australia Director of Human Rights Watch Elaine Pearson was removed by the University of New South Wales after complaints from nationalist Chinese students. On a more structural level, the National Security Law in Hong Kong raised concerns about Chinese students’ safety in foreign classrooms, hampering discussions of issues sensitive to the Chinese authorities. Ostensibly in response to the passage of the law, on 14 July the US government suspended the Fulbright programme for China and Hong Kong. *AC*

(Sources: **Bloomberg**; **EU Observer**; **Denton Record-Chronicle**; **Military.com**; **National Public Radio 1**; **National Public Radio 2**; **ScandAsia**; **Science**; **South China Morning Post 1**; **South China Morning Post 2**; **South China Morning Post 3**; **South China Morning Post 4**; **SupChina**; **The Crimson**; **The Guardian**; **The New York Times**; **Sydney Morning Herald**; **Wall Street Journal**; **US Department of Justice 1**; **US Department of Justice 2**; **US Department of Justice 3**)

Resistance against New Bilingual Education Policy in Inner Mongolia

A new bilingual education policy announced in China's Inner Mongolia Autonomous Region (IMAR) in July 2020 has sparked one of the largest protests by ethnic Mongolians in the region in recent decades. Under the new policy, Mongolian will be gradually replaced with Chinese as the medium of instruction for the classes in 'language and literature', 'morality and law (politics)', and 'history' throughout the nine years of compulsory schooling in the IMAR. Additionally, Chinese state-compiled textbooks will be used for these subjects as part of the unified national curriculum, which was previously rolled out in Xinjiang in 2017 and Tibet in 2018. While the official rationale for the imposition of the new bilingual education policy is that the new national textbooks and curriculum standards are of the highest quality, it is believed that the implementation of this policy is closely linked to the Second Generation Ethnic Policy promoted by scholar-officials in Beijing as well as to the increasing ideological control pursued by the central government. Some ethnic Mongolians have welcomed the proposed Chinese language instruction at school, believing it will help better prepare their children for top Chinese universities and coveted jobs in the Chinese economy. However, most disapprove, worrying that the prioritisation of Chinese over Mongolian will not only undermine the use of the latter as the language of instruction at school, but also erode their children's Mongolian language abilities and even their cultural identities. Amid widespread concerns and fears about the new policy, thousands of ethnic Mongolians, including parents, students, teachers, and activists, signed petitions to the education bureau of the IMAR government within days of the official announcement of the new policy on 6 July. The widely circulated petitions called for the repeal of the new policy, arguing that it violated both the Constitution and the Autonomy Law of China. As the new school semester—when the first phase of the new policy was to be implemented—drew closer, many ethnic Mongolians took to the streets to protest against the new policy, with parents vowing not to send their children to school this upcoming semester and teachers planning to go on

strike. Some ethnic Mongolians also posted videos on social media, proudly declaring their Mongolian identity and singing in Mongolian. In response to the growing public anger, authorities took a series of actions. On 23 August, the only Mongolian social media application 'Beinu' was shut down, and discussions of 'Bilingual Education' were removed from various other social media platforms. Police started to break up public gatherings and protests while warning ethnic Mongolians not to attend any demonstrations and threatening to fire any teachers or other staff members participating in strikes. On 2 September, police in Tongliao city published photos of 90 people suspected of 'picking quarrels and stirring up trouble' on social media, and police in the broader Horqin district issued separate notices calling for information on over 100 people for the same accusation, with promises of 1,000-yuan cash rewards for anyone who supplied reliable information. Meanwhile, the *Global Times* spoke of the undue attention of anti-China forces, overseas separatists, and Western media on the situation in the IMAR, and Chinese Foreign Ministry spokesperson Hua Chunying dismissed recent reports on the IMAR as political hype. Outside China, former president of Mongolia Tsakhiagiin Elbegdorj voiced his support on Twitter for protestors in the IMAR, stressing the inalienable right for ethnic Mongolians to learn Mongolian. The Southern Mongolian Human Rights Information Centre, an exile group based in New York, also condemned the new policy. *NLiu*

(Sources: **Bloomberg**; **Global Times**; **Made in China Journal**; **Radio Free Asia 1**; **Radio Free Asia 2**; **The New York Times**; **Wall Street Journal**)

This text is taken from *Made in China Journal: Volume 5, Issue 2, 2020*,
edited by Ivan Franceschinim and Nicholas Loubere, published 2020 by ANU Press,
The Australian National University, Canberra, Australia.