



# U.S.-China Diplomacy Over Chinese Legal Advocate Chen Guangcheng

**Susan V. Lawrence**

Specialist in Asian Affairs

**Thomas Lum**

Specialist in Asian Affairs

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## Summary

The case of blind Chinese legal advocate Chen Guangcheng, who escaped from illegal house arrest in China's Shandong Province on April 20, 2012, and made his way to Beijing, the United States Embassy, and, ultimately, the United States, has generated strong congressional interest. While Chen was still in China, some Members questioned whether the U.S. State Department had done enough to ensure Chen's safety, with criticism focused on the State Department's decision to escort Chen from the Embassy to a Beijing hospital on May 2, 2012, and its willingness to accept verbal assurances from the Chinese government that it would ensure a "safe environment" for Chen in China. With Chen now in the United States, remaining issues for the Administration and Congress include the fate of the family members, supporters, and friends back in China who helped him escape. The situation of Chen's nephew, Chen Kegui, may be of particular concern. He faces attempted murder charges for injuring security personnel with a kitchen knife when they burst into his father's house late at night after Chen's escape, and he has been denied access to lawyers retained by his family on his behalf. The United States is also watching to see if China follows through on its promise to investigate Chen's treatment at the hands of local officials in Shandong over the past seven years. In the longer term, congressional considerations include how the United States should respond to other human rights cases in China, and what place promotion of human rights should have in the overall U.S.-China relationship.

Chen's saga tested the bilateral relationship and showed it to have a resilience that surprised some observers. When an associate of Chen's contacted the U.S. Embassy in Beijing on April 25, 2012, to request help for him, Secretary of State Hillary Rodham Clinton reportedly personally authorized a mission to rescue Chen from the streets of Beijing and bring him into the U.S. Embassy compound for assessment by U.S. medical personnel. That move plunged the United States and China into three weeks of high-stakes diplomacy over Chen's fate. With the two countries' premier bilateral dialogue, the U.S.-China Strategic and Economic Dialogue, scheduled for May 3 and 4, 2012, in Beijing, diplomats for the two sides engaged in tense negotiations. Moving at a rapid pace, they produced a detailed and highly unusual set of understandings under which the Chinese government committed to relocate Chen to a "safe environment" away from his home province and offer him the opportunity to study law at one of seven universities, with the Chinese government paying for Chen's tuition and room and board for him and his family. Chen accepted these verbal understandings—the terms of which China never publicly confirmed—and left the Embassy after six days for a local hospital. Hours later, Chen changed his mind about staying in China, occasioning another round of negotiations. Those negotiations produced a subsequent understanding, under which the Chinese government said publicly that Chen was free to apply for documents to study abroad. Chen, his wife Yuan Weijing, and their two children arrived in the United States on May 19, 2012. Chen plans to study law at New York University.

This report begins by examining implications of the Chen case for the place of human rights in U.S.-China relations. It then discusses why Beijing may have been willing to negotiate with the United States at all over the fate of a Chinese citizen inside China. The report highlights the remaining issues in the case, details the understandings reached between the two governments, and then provides background on Chen Guangcheng and a list of his family and other associates in China who may be at risk. The report includes a map showing Chen's home district and Beijing, the city to which he escaped. It also includes a timeline of developments in the case from April 20, 2012, until May 19, 2012, based upon information available at the time of publication.

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## Overview

The Chen Guangcheng affair may mark a watershed moment for the U.S.-China relationship. Despite worries in recent years that strategic mistrust between the two countries might be deepening, U.S. and Chinese officials rapidly negotiated first one and then another solution to the sensitive diplomatic problem created when the Chinese legal advocate Chen Guangcheng sought refuge in the U.S. Embassy in Beijing on April 26, 2012. They did so, moreover, while engaging on multiple other fronts, suggesting a resilience to the relationship that took some observers by surprise. Even as they were settling on the details of the understanding that ultimately led to Chen's departure for the United States, cabinet-level officials from both sides met in Beijing as planned for the annual U.S.-China Strategic & Economic Dialogue (S&ED), the flagship forum for dialogue between the two countries. At the meeting, U.S. and Chinese officials covered dozens of topics, from coordination of policy on North Korea and Iran, to access for U.S. firms to China's financial sector. Immediately following the S&ED, with Chen still in China awaiting paperwork to allow him to travel, the PRC Defense Minister, Liang Guanglie, went forward with a planned visit to the United States. The message both governments seemed to send was that the relationship between the world's first and second largest economies is now so broad, and the stakes involved so great, that U.S. and Chinese officials had to find a way to defuse the potential diplomatic crisis and move on.

Several additional factors may have contributed to the relatively smooth resolution of the situation. The diplomacy between the two governments over Chen took place at a moment of domestic political uncertainty in the People's Republic of China (PRC). It also involved a highly unusual protagonist, a legal advocate who was blind, who bridged the normally separate worlds of rural farmers and urban intellectuals, who had no legal charges pending against him in China, and who had become an icon for the human rights community in China through the power of social media. All those factors may have led China's leadership to decide that a protracted stand-off with the United States over Chen's fate was not in its interest.

Congress has shown a strong interest in both governments' handling of Chen's case. The House Foreign Affairs Committee's Subcommittee on Africa, Global Health, and Human Rights and the Congressional Executive Commission on China (CECC) both held hearings on Chen. Members have also issued statements and written to the Obama Administration with their concerns. Some Members suggested that the State Department may have been too trusting of Beijing's initial commitments to ensure Chen's safety in China. For their part, State Department officials said that while Chen was in the Embassy, he was consistent in indicating that he wanted to stay in China. In an interview immediately after Chen's departure from the Embassy for a Beijing hospital, Assistant Secretary of State Kurt Campbell characterized the State Department's initial negotiations with the Chinese government as creating "the parameters for him to be perhaps a little bit more effective with a little bit more safety," although Campbell added that, "There are no guarantees and China is moving into a period of enormous complexity."<sup>1</sup> With Chen's travails at the hands of local officials related in part to his advocacy for the victims of forced sterilizations and abortions, others have criticized the Administration for not doing more to call attention to China's coercive family planning practices.

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<sup>1</sup> U.S. Department of State, Assistant Secretary Kurt M. Campbell Interview with Michele Keleman of NPR," J.W. Marriott, Beijing, China, May 2, 2012.

With Chen and his immediate family now in the United States, issues of concern for Congress moving forward include the Chinese government's treatment of both Chen's extended family and supporters in China as well as the status of the official investigation that Beijing promised to undertake regarding local government abuses of Chen prior to his escape from Shandong province. Both the U.S. and PRC governments may also worry that their actions in the Chen case might encourage other activists to seek refuge in U.S. diplomatic missions in China or elsewhere. A long-term consideration for Congress is what place human rights should occupy in the overall U.S.-China relationship.

## **The Chen Guangcheng Case and the Place of Human Rights in U.S.-China Relations**

The Chen affair appeared to send mixed signals about the place of human rights in U.S. policy toward China. While the case was still unfolding, critics suggested that the Obama Administration may have judged the many issues to be discussed at the U.S.-China Strategic and Economic Dialogue (S&ED) to be more important than the fate of a blind legal advocate, and thus rushed to conclude the negotiations over Chen before the opening of the S&ED, risking Chen's safety.<sup>2</sup> Yet Secretary of State Hillary Rodham Clinton's unorthodox decision to authorize U.S. diplomats to bring Chen into the U.S. Embassy in the first place sent another signal: that the United States was willing to put those matters at risk for the sake of a human rights issue centered on one person.<sup>3</sup>

After one of Chen's associates contacted the U.S. Embassy in Beijing on April 25, 2012, asking for help for Chen, who had broken bones in his foot in his escape from extra-legal house arrest in his home province of Shandong, the U.S. government faced several choices about how to respond. It could have attempted to provide or seek medical treatment for Chen outside of the Embassy. Although Chen had endured 19 months of extra-legal home confinement, he had no criminal charges pending against him and faced no legal restrictions on his movements or associations, giving U.S. diplomats grounds to defend themselves if called on by Chinese officials to explain their actions. Alternatively, the U.S. government could have taken Chen's situation up quietly with the central government, giving Beijing room to blame local officials for Chen's travails and step in to provide him with medical care. Or the U.S. government could have used its bully pulpit to publicize Chen's situation and shame the Chinese government into allowing him to seek medical treatment at a public hospital in the capital.

Instead, Secretary Clinton authorized U.S. diplomats in Beijing to take Chen into the U.S. Embassy compound, apparently persuaded by State Department Legal Advisor Harold Koh's view that Chen's blindness and his foot injury qualified him for "short-term humanitarian

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<sup>2</sup> For presidential candidate Mitt Romney's criticisms along this line, see Reid J. Epstein, "Mitt Romney: Chen Guangcheng Episode 'Day of Shame' for Obama Administration," *Politico*, May 3, 2012, <http://www.politico.com/news/stories/0512/75886.html#ixzz1veiaVn6C>.

<sup>3</sup> The State Department has not explicitly acknowledged Secretary Clinton's role in the decision to bring Chen into the Embassy, but accounts in the *New York Times* and the *Washington Post* based on information from anonymous senior Administration officials credit her with giving her authorization after a late-night meeting at the State Department on April 25, 2012. See William Wan, "Negotiations over Dissident Chen Guangcheng Offered Rare Glimpse into How China's Leadership Operates, U.S. Officials Say," *The Washington Post*, May 19, 2012 and Steve Lee Myers and Mark Landler, "Behind Twists of Diplomacy in the Case of a Chinese Dissident," *The New York Times*, May 9, 2012.

assistance.”<sup>4</sup> In media interviews, U.S. Ambassador Gary Locke described the operation to retrieve Chen as “almost a maneuver out of Mission Impossible.”<sup>5</sup> According to an account in the *New York Times*, the U.S. Embassy sent a car to rendezvous with a car driven by an associate of Chen’s in which Chen was a passenger. Both cars found themselves followed by cars belonging to Chinese security forces. The Americans pulled Chen from his associate’s car into theirs in an alley, “evaded the two Chinese cars,” and hastily returned to the Embassy, where Chen ultimately spent six days.<sup>6</sup>

In giving the authorization for the operation to retrieve Chen, Clinton would have known that the move might create a major diplomatic crisis and potentially scuttle the S&ED and cooperation with China on any number of issues of importance to Washington. The only other time a U.S. diplomatic mission in China is known to have provided refuge to a Chinese activist was in 1989, following the Chinese government’s Tiananmen military crackdown, when the U.S. Embassy took in astrophysicist Fang Lizhi. His case became major issue of contention in the U.S.-China relationship and negotiating his departure took over a year. Clinton’s decision in the Chen case was all the more striking given the controversy she stirred in February 2009 when she stated that the newly installed Obama Administration would continue to press China on such issues as Taiwan and Tibet and human rights, “but our pressing on those issues can’t interfere with the global economic crisis, the global climate change crisis, and the security crisis.”<sup>7</sup>

When Chen was waiting to travel to the United States, an unnamed administration official observed to the *New York Times*, “The days of blowing up the relationship over a single guy are over.”<sup>8</sup> By ordering diplomats to bring Chen into the U.S. Embassy, however, Clinton appeared to suggest that even with all that is at stake in the U.S.-China relationship, Washington was willing to put the relationship at risk over “a single guy.”

## Beijing’s Motivations

Ultimately, China proved willing to negotiate. It did so on a rapid schedule, even though, as Assistant Secretary of State for East Asian and Pacific Affairs Kurt Campbell noted in an interview with National Public Radio, the Chinese government saw Chen’s case “as a matter between the government and a citizen of China. And so they don’t believe, just on a matter of

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<sup>4</sup> In a briefing on May 2, 2012, a senior State Department official told reporters, “On humanitarian grounds, we assisted Mr. Chen in entering our facilities and allowed him to remain on a temporary basis.” Factors were Chen’s disabilities, his medical condition, “and that much of this was conducted during the night.” A second State Department official told journalists, “I think our actions were lawful.” Department of State, “Background Briefing with Senior State Department Officials on Chen Guangcheng,” Beijing, China, May 2, 2012.

<sup>5</sup> U.S. Department of State, Ambassador Gary Locke Interview with Marsha Cooke of CBS, RitzCarlton Hotel, Beijing, May 3, 2012.

<sup>6</sup> Jane Perlez and Andrew Jacobs, “A Car Chase, Secret Talks and Second Thoughts,” *The New York Times*, May 2, 2012.

<sup>7</sup> Secretary of State Hillary Rodham Clinton, *Working Toward Change in Perceptions of U.S. Engagement Around the World*, Department of State, Roundtable with Traveling Press, February 20, 2010, <http://www.state.gov/secretary/rm/2009a/02/119430.htm>.

<sup>8</sup> Steve Lee Myers and Mark Landler, “Behind Twists of Diplomacy in the Case of a Chinese Dissident,” *The New York Times*, May 9, 2012

state-to-state protocol, that this is an issue that should be negotiated, for instance, between the United States and China.”<sup>9</sup>

U.S. officials and analysts outside government have offered a number of explanations for the Chinese government’s willingness to negotiate. The most obvious is that for all the discussion in foreign policy circles of a stronger China’s triumphalism and hubris, China may still believe in the necessity of cooperation with the United States on a wide array of issues, from managing the global economy to keeping China’s wayward neighbor North Korea in line. Clinton, for her part, credited intensive interactions among high-level officials from the United States and China that “created a level of personal relationships and understanding between individuals and our government institutions that is absolutely critical for us to be able to discuss the full range of challenges we both face.”<sup>10</sup>

Others have noted that China’s ruling Communist Party is facing a major generational leadership change later this year, and is still reeling from the aftermath of the April 2012 ouster of one of its top national leaders, former Chongqing Party chief and Politburo member Bo Xilai. Beijing may have decided that a prolonged face-off with the United States over a provincial legal advocate was not in its interests. Analysts have suggested, too, that Bo’s fall may have weakened China’s security apparatus—Bo is believed to have had particularly close ties to the top official who oversees China’s internal security system—and thus allowed more moderate leaders greater flexibility in handling Chen’s case.<sup>11</sup> If the security apparatus has been weakened, however, it is still possible that it will regain its strength, perhaps even by playing up charges that moderate elements of the leadership compromised China’s sovereignty by agreeing to negotiate with the United States over the fate of a citizen in China.

Still another factor in Beijing’s willingness to negotiate may be the fact that although Chen had run afoul of local officials in his home province, the national government had not taken a public stance on his case and he faced no pending legal charges. That set of circumstances, too, may have given the central government greater flexibility.<sup>12</sup> Numerous foreign officials, including Secretary of State Hillary Clinton, raised Chen’s case with Chinese central government leaders over the years, without Beijing ever appearing to intervene, however, suggesting that the national government at least condoned his treatment, and may have actively supported it.

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<sup>9</sup> U.S. Department of State, “Assistant Secretary Kurt M. Campbell Interview with Michele Kelemen of NPR,” press release, May 2, 2012.

<sup>10</sup> U.S. Department of State, “Secretary of State Hillary Rodham Clinton Interview with Indira Lakshmanan of Bloomberg Radio,” transcript, May 8, 2012.

<sup>11</sup> The leader who oversees China’s security apparatus is Zhou Yongkang. Douglas H. Paal, “Relations with China Pass Stress Test,” Carnegie Endowment for International Peace, May 9, 2012, <http://carnegieendowment.org/2012/05/09/relations-with-china-pass-stress-test/dob5>.

<sup>12</sup> Chen’s periods of illegal house arrest were enforced by officials at the county level, and his four years of imprisonment followed an irregular trial at the Yinan County People’s Court in Shandong. (An appeals court at the next higher administrative level, in Linyi Municipality, vacated the county court’s initial judgment against Chen, but the county-level court reinstated it.) For more information, see entries for Chen Guangcheng in the Congressional Executive Commission on China’s Political Prisoner Database: <http://ppd.cecc.gov/QueryResultsDetail.aspx?PrisonerNum=5623> and <http://www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=76855>.

## Remaining Issues

Although the arrival of Chen and his family in the United States resolved the immediate diplomatic crisis, the Chen Guangcheng case is not yet over. For the United States, at least two outstanding issues remain. One is the Chinese government's treatment of Chen's family, neighbors, friends, and supporters back in China. Chinese authorities briefly detained and threatened many of the family members and associates who helped Chen escape, and could yet bring them back into custody. Security agents have restricted the movements of some of them, including Chen Guangcheng's brother, Chen Guangfu. Chen Guangfu's son, Chen Kegui, faces a charge of attempted murder for injuring security personnel with a cleaver when they stormed his home after Chen Guangcheng's escape. Chinese authorities have employed a variety of tactics to block the nephew's access to lawyers who have volunteered to defend him.<sup>13</sup> (See "The Status of Chen's Family and Supporters in China," below.)

The second issue is whether the Chinese government will honor its pledge to investigate the local authorities' handling of Chen over the last seven years, including his two lengthy periods of extra-legal house arrest and the judicial irregularities surrounding his four-year-long imprisonment between 2006 and 2010. U.S. officials say that Chinese officials took statements from Chen on two days during his stay at Chaoyang Hospital in Beijing. The local Shandong authorities' harassment of Chen's family and neighbors since his escape, however, raises questions about how serious Beijing is about getting to the bottom of the abuses that Chen suffered, or about the degree of control that the central government exercises over local ones.

Immediately following Chen's departure from the U.S. Embassy, spokespeople for China's Foreign Ministry demanded a U.S. apology for the "abnormal means" by which Chen entered the U.S. Embassy, as well as a U.S. investigation of the incident and a promise that it would not be repeated. Since accounts in the *New York Times* and the *Washington Post* revealed Secretary Clinton's role in ordering her diplomats to bring Chen into the Embassy, however, China has not repeated those demands.<sup>14</sup> According to some Western analysts, although the manner in which the U.S. diplomats brought Chen into their custody was unusual, international human rights conventions would appear to support the action, and because Chen was legally free and not a fugitive, U.S. diplomats did not violate Chinese law by harboring him.<sup>15</sup>

Although Chinese authorities and the Chinese media have refrained from direct criticism of Secretary Clinton, they have been less circumspect in the case of U.S. Ambassador Gary Locke, potentially complicating his mission in China. On May 4, 2012, the *Beijing Daily*, published by the Beijing Communist Party Committee, carried a commentary charging that Locke is "not an ambassador who is careful with his words and deeds but a regular American politician who is out to stir up the whirlpool of troubles."<sup>16</sup> On the same day, the *Beijing Youth Daily*, published by the

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<sup>13</sup> Maxim Duncan, "China Activist Worried About Nephew's Legal Plight," *Reuters*, May 23, 2012.

<sup>14</sup> The relevant early statements from the PRC Foreign Ministry on the subject are still available in English on the Foreign Ministry's website, but a search for "Chen Guangcheng" on the Foreign Ministry's Chinese-language website currently returns no results. The Chinese Foreign Ministry's Chinese-language website is <http://www.fmprc.gov.cn>.

<sup>15</sup> One observer suggests that the International Covenant on Civil and Political Rights obliges its signatories to protect foreign nationals in their diplomatic missions if releasing them to local officials would subject them to serious injury or death. "Who, What, Why: Is It Legal to Hide in an Embassy?" *BBC News Magazine*, May 2, 2012.

<sup>16</sup> Zhen Wen, "Clumsy Performance of American Politicians as Seen from Chen Guangcheng Incident," *Beijing Daily*, May 4, 2012.

city's Communist Youth League, carried an article criticizing Locke for "showing off" by taking Chen to the hospital, pushing his wheelchair into the hospital, and allowing the foreign media to photograph him with Chen. The author asserted that Locke's behavior "has exceeded the U.S. ambassador's functions, duties, and role, and also violates the basic scope and ethics of diplomatic activity."<sup>17</sup>

A concern for both U.S. and Chinese officials going forward is likely to be that their actions in the Chen case might encourage other activists to seek refuge in U.S. diplomatic missions in China. U.S. officials have repeatedly emphasized that, in Secretary Clinton's words, "this is an extraordinary case with exceptional circumstances. And it is not something that either we or anyone anticipates occurring again."<sup>18</sup> To discourage such a scenario, China has allowed only very limited coverage of the case in its domestic media and blocked related search terms on news and social media sites. However, during the first two weeks of the story, Chen's friends provided updates about his status and their own situations through Twitter and other social media, while the comment sections of some official news sites reportedly were flooded with supportive expressions for Chen and Ambassador Locke.<sup>19</sup>

## **Understandings Between the United States and China Over Chen Guangcheng**

After Chen Guangcheng entered the U.S. Embassy in Beijing, Secretary Clinton dispatched Assistant Secretary of State Kurt Campbell to Beijing to help defuse the situation. Starting on April 29, 2012, Campbell, State Department Legal Advisor Harold Koh, and U.S. Ambassador Gary Locke shuttled between Chen at the Embassy and Vice Foreign Minister Cui Tiankai at the Chinese Foreign Ministry. A representative from China's Ministry of State Security, the country's domestic and external counter-intelligence organization, reportedly sat on one side of Cui at the negotiation sessions. U.S. officials believe that the official on the other side of Cui was from another unidentified intelligence agency. Reportedly, only Cui spoke.<sup>20</sup>

In a series of media briefings and interviews following Chen's departure from the U.S. Embassy, U.S. officials said Chen expressed five requests or goals to them during his time in the Embassy. They were:

- Reunification with his wife and children, whom he had left behind in Shandong Province when he escaped to Beijing,
- Relocation to "a safe environment" in China outside of Shandong Province,

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<sup>17</sup> Chang Liang, "'Showing Off' Does Not Help to Preserve the Overall State of Sino-U.S. Relations," *Beijing Youth Daily*, May 4, 2012.

<sup>18</sup> U.S. Department of State, "Secretary of State Hillary Rodham Clinton Interview with Indira Lakshmanan of Bloomberg Radio," transcript, May 8, 2012.

<sup>19</sup> Keith B. Richburg, "With Chen Guangcheng News on Twitter, China's Censors Lost Control," *The Washington Post*, May 5, 2012.

<sup>20</sup> William Wan, "Negotiations over Dissident Chen Guangcheng Offered Rare Glimpse into How China's Leadership Operates, U.S. Officials Say," op. cit.

- “An honest investigation, starting at the central government level,” of his allegations of mistreatment at the hands of local officials in Shandong Province,<sup>21</sup>
- An opportunity to study law at a Chinese university, and
- No official retribution for those who helped him escape.

According to U.S. officials, Chen at no point requested political asylum while he was in the U.S. Embassy. Campbell told National Public Radio that he had “30 or 40 hours of conversations” with Chen and “Never once did he talk about asylum or coming to the United States.”<sup>22</sup> Although U.S. diplomats asserted that they did not pressure Chen to stay in China, they appear to have been supportive of Chen’s wishes at that time. “He wanted to play a role in one of the most exciting periods of China’s history. And one can only be impressed and, frankly, motivated by that,” Campbell told NPR.<sup>23</sup> In that interview and others, Campbell also conveyed his sense that Chinese activists who leave China for the United States often face a future that is “sad and lonely.”<sup>24</sup>

## **The First Set of Understandings**

The Chinese government has not publicly confirmed any of the details of the initial set of understandings reached between the two governments, but as reported by U.S. officials, the first set of understandings, all made verbally, encompassed the following elements:

- Chen’s reunification with wife and children,
- Relocation of Chen and his family to “a safe environment,”
- The opportunity for Chen to study at one of seven universities, of Chen’s choosing, with the Chinese government paying for tuition and for the family’s room and board,
- The opportunity for Chen to transfer to another university, either in China or overseas, after two years,
- A Chinese government commitment to “listen to [Chen’s] complaints of abuse and conduct a full investigation,” starting as soon as Chen left the Embassy for hospital treatment, and
- An assurance that Chen had “no remaining legal issues directed at” him and would “be treated like any other student in China.”

According to U.S. officials, after PRC officials brought his wife and children to Beijing and placed them at Chaoyang Hospital to wait for him, Chen accepted the terms. On May 2, 2012, he left the Embassy for the hospital in the company of U.S. Ambassador Gary Locke and other U.S.

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<sup>21</sup> U.S. Department of State, “Assistant Secretary Kurt M. Campbell Interview with Jill Dougherty of CNN,” Beijing, China, May 2, 2012.

<sup>22</sup> U.S. Department of State, Assistant Secretary Kurt M. Campbell Interview with Michele Keleman of NPR,” J.W. Marriott, Beijing, China, May 2, 2012.

<sup>23</sup> Ibid.

<sup>24</sup> U.S. Department of State, “Assistant Secretary Kurt M. Campbell Interview with Jill Dougherty of CNN,” op. cit.

officials. Campbell told NPR that with the deal, he felt, “We have created the parameters for [Chen] to be perhaps a little more effective with a little bit more safety.”<sup>25</sup>

The outcome of the negotiations was particularly striking given Beijing’s history of having either turned a blind eye to violations of law and procedure in the local authorities’ treatment of Chen over many years, or else having actively condoned them. The deal suggested a recognition that Chen had been mistreated, which amounted to a rebuke to local authorities in Shandong, and perhaps to the internal security system at a national level. It also opened the prospect of the Chinese government countenancing a meaningful, if still constrained, role for activists within China. The internationally renowned artist Ai Weiwei pioneered such a role after his release from detention last year. Had Chen been willing to stay in China and test the sincerity of the government’s commitment to follow through with the deal, he would have been a second, very prominent test case of a possible new Chinese approach to handling activists.

## **The Subsequent Understanding**

Within hours of leaving the U.S. Embassy for Chaoyang Hospital on May 2, 2012, Chen had a change of heart about staying in China. He spoke to friends who urged him to leave the country. He spoke to his wife, who related her recent abuse at the hands of local Shandong Province officials. He read ill intention into the hospital’s failure to deliver an evening meal. He said he felt abandoned when the last of the U.S. Embassy personnel at the hospital left for the night. In a series of phone calls to reporters, supporters, and a hearing of the Congressional Executive Commission China (CECC), made using three pre-programmed cell phones provided by the U.S. Embassy, Chen said he wanted to leave China. Participants at the CECC hearing raised a number of concerns which they thought had not been adequately addressed, including how to enforce the unwritten agreements between U.S. and Chinese officials on Chen; how to respond if Chen, his family, and those who helped him faced retribution; and the fate of Chen’s nephew, Chen Kegui.<sup>26</sup>

In a meeting on May 4, 2012, with her counterpart, Dai Bingguo, Secretary Clinton proposed a return to the negotiating table. She reportedly suggested that having Chen go immediately to study in the United States would constitute only a modest revision of the original understandings, which had envisioned Chen going abroad to study after two years in China. In front of Clinton and other U.S. officials in the meeting, Vice Foreign Minister Cui Tiankai reportedly told his superior, State Councilor Dai Bingguo, that he did not want to talk any more with Assistant Secretary Campbell. Dai overruled him, and over the course of the day, a new set of understandings took shape. Specifically, the Chinese side agreed that Chen could apply “like other Chinese citizens” to study abroad, and issued a public statement to that effect.<sup>27</sup> The State Department issued a statement saying it expected China to process Chen’s paperwork “expeditiously.”

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<sup>25</sup> U.S. Department of State, Assistant Secretary Kurt M. Campbell Interview with Michele Keleman of NPR,” op. cit.

<sup>26</sup> Congressional-Executive Commission on China, “Recent Developments and the History of the Chen Guangcheng Case,” (Emergency Hearing), May 3, 2012.

<sup>27</sup> Ministry of Foreign Affairs of the People’s Republic of China, “Foreign Ministry Spokesman Liu Weimin’s Remarks on Chen Guangcheng’s Wish to Study Abroad,” May 4, 2012.

## Background on Chen Guangcheng

According to an account in U.S. journalist Philip Pan's 2008 book *Out of Mao's Shadow*,<sup>28</sup> Chen Guangcheng is the youngest of five brothers from a rural family in Shandong Province, on China's east coast. He lost his sight due to a high fever in infancy and with limited educational opportunities for the blind in China, did not attend school until he was a teenager. (Pan says he began school at 17; Chen's mentor at New York University, Chinese legal scholar Jerome Cohen, says Chen began school at 13.) Chen later attended an academy for the blind in the port city of Qingdao and then enrolled at a university in Nanjing. According to Pan, he majored in traditional Chinese medicine because it was one of only two departments open to the blind, but he took law classes on the side.

Chen's early activism focused on disability rights, including sometimes successful efforts to require local officials to honor a law reducing or waiving taxes on the disabled. He also organized a campaign aimed at shutting down a heavily polluting local paper mill. Chen appears to have come to the attention of U.S. officials relatively early on, traveling to the United States with his wife for a month in 2003 on a State Department exchange program. Cohen recalls meeting Chen for the first time at the premises of the Council for Foreign Relations in New York and thinking, "He has the potential to be China's equivalent of Mahatma Gandhi."<sup>29</sup> After returning to China, Chen organized a successful lawsuit to force the Beijing subway system to waive fares for the disabled.

In 2005, neighbors from Chen's home village of Dongshigu, in Shandong's Linyi district, began asking him for legal advice about a crackdown on "unplanned" births, part of the province's implementation of China's national family planning program. Parents with two or more children were being sterilized or, if pregnant, forced to undergo abortions. According to Pan, Chen took depositions, traveled to Beijing to try to interest journalists in writing about the abuses, and persuaded several prominent lawyers to return to Shandong with him to file lawsuits against the local authorities on behalf of victims.

Local authorities responded by placing Chen under an extra-judicial form of house arrest in September 2005. When he escaped and made his way to Beijing, in a foreshadowing of his latest odyssey, local officials tracked him down and returned him to confinement in his farmhouse. The authorities ultimately charged Chen with "intentional destruction of property" and "gathering people to disturb traffic order." They prevented his lawyers from collecting evidence on his behalf, and on the eve of Chen's trial, detained the lawyer who planned to represent him in court. Chen, who was left with no legal representation at his trial, was sentenced to over four years and three months in prison.

After Chen completed his prison sentence in September 2010, the authorities placed him back under the extra-judicial house arrest he had experienced before his jail time. The local authorities placed guards around a high wall they had built around his home and prevented Chen from leaving his home and any of his supporters from entering Dongshigu village. His wife's

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<sup>28</sup> "Blind Justice" in Philip P. Pan, *Out of Mao's Shadow: The Struggle for the Soul of a New China* (Simon & Schuster, 2008), pp. 294-326.

<sup>29</sup> WNYC's The Brian Lehrer Show, "Chen Guangcheng arrives at NYU," interview with Jerome Cohen, May 22, 2012, <http://www.wnyc.org/shows/bl/2012/may/22/new-law-student-nyu/>.

movements were restricted. The couple's son was sent to live with Chen's wife's parents and their young daughter was temporarily prevented from attending school. Cell phone communication to and from their home was blocked, and Chen and his wife, Yuan Weijing, were not permitted contact with Yuan's parents. In 2011, security agents allegedly beat Chen and his wife in their house after they smuggled out a video, later posted online, in which they described the conditions of their forced confinement.<sup>30</sup>

Chen, 40, is now enrolled at New York University. His wife and two children are with him. Jerome Cohen, the New York University legal scholar, says that Chen plans to study comparative law, international law, Anglo-American law, and English, and to allocate time for "political activity." Cohen says Chen also plans to write a book on "the forms of torture to which Chinese prisoners are subjected."<sup>31</sup>

## **The Status of Chen's Family and Supporters in China**

The status of many of Chen Guangcheng's relatives, neighbors, friends, and supporters who assisted him during his escape and his time in Beijing remains uncertain. Chinese authorities have restricted the movements and communications of many of them. His nephew, Chen Kegui, has been detained and charged with the crime of intentional homicide. Several lawyers who offered to defend Chen Kegui have been barred from representing or visiting him or have been warned that their legal licenses may be revoked. The local Yinan County government, in which Dongshigu is located, has instead appointed two lawyers from a government-run legal aid center. The following list includes people reportedly connected to Chen and his escape, many of whom were detained temporarily, interrogated by Chinese authorities, and/or placed under surveillance. Many more people with ties to Chen Guangcheng and Chen Kegui in Shandong, Beijing, and elsewhere may have continued to experience harassment and human rights abuses by the government but whose identities remain unknown or unreported.<sup>32</sup>

### **Relatives of Chen Guangcheng**

- **Chen Guangfu** (陈光福), brother of Chen Guangcheng. After learning from his wife, Ren Zongju, of his brother's escape, Chen Guangfu contacted his brother's activist friend, Guo Yushan, who sent one of his brother's supporters to pick up his brother from Xintai Municipality in Shandong Province and drive him to Beijing. Local security agents reportedly interrogated and beat Chen Guangfu for roughly 48 hours after learning of his brother's escape. On May 24, Chen

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<sup>30</sup> For details about Chen and Yuan's situation from 2005 to 2012, see their entries in the Congressional Executive Commission on China's Political Prisoner Database. Chen's record is accessible at <http://ppd.cecc.gov/QueryResultsDetail.aspx?PrisonerNum=5623> and Yuan's record is accessible at <http://ppd.cecc.gov/QueryResultsDetail.aspx?PrisonerNum=6371>.

<sup>31</sup> WNYC's The Brian Lehrer Show, "Chen Guangcheng arrives at NYU," interview with Jerome Cohen, May 22, 2012, <http://www.wnyc.org/shows/bl/2012/may/22/new-law-student-nyu/>.

<sup>32</sup> Ian Johnson, "Chen Family Says Police Harassment is Increasing; Lawyer Sent To Defend Activist's Cousin During Assault Inquiry Is Held," *International Herald Tribune*, May 11, 2012.

Guangfu reportedly eluded security agents surrounding his home and village and traveled to Beijing in order to advocate for his son, Chen Kegui.

- **Chen Kegui (陈克贵)**, son of Chen Guangfu and nephew of Chen Guangcheng. Chen Kegui reportedly fought with and injured three plain-clothed police officers who stormed his family home on April 27. The Yinan County government in Shandong Province's Linyi Municipality has charged Chen Kegui with intent to murder. He is the only family member known to have been apprehended who remains detained. Local authorities have prevented lawyers chosen by his wife from meeting with him.

## Village Neighbors

- **Chen Guangcun (陈光存)**, a Dongshigu villager and father of Chen Hua, drove Chen Guangfu to Xintai Municipality to see Chen Guangcheng, whom he had not seen in over a year. Chen Guangcun reportedly was interrogated by local police for two days.<sup>33</sup>
- **Chen Hua (陈华)**, a Dongshigu villager and son of Chen Guangcun, drove Chen Guangcheng out of Linyi Municipality to Xintai Municipality. Chen Hua reportedly was interrogated for two days.
- **Liu Yuancheng (刘元成)**, a resident of Xishigu village, sheltered Chen Guangcheng on the first night of his escape and sent his wife to notify Chen Guangfu. Chen had defended Liu and his daughter against local family planning officials in 2006. Liu and his wife reportedly were interrogated for two days.

## Friends and Supporters

- **Guo Yushan (郭玉闪)**, a Beijing scholar and rights advocate, was reportedly contacted by Chen Guangfu on April 21 and told that Chen had escaped. Guo sent a supporter to bring Chen to Beijing and then helped hide him in Beijing in the days before Chen entered the U.S. Embassy. Guo reportedly was questioned for over two days by Chinese security personnel.
- **He Peirong (何培蓉)**, an English teacher and rights activist from Nanjing who had campaigned online for Chen Guangcheng, drove Chen from Xintai Municipality in Shandong Province to Beijing. Ms. He was detained for several days in Nanjing, questioned, and then released.
- **Hu Jia (胡佳)**, a friend of Chen Guangcheng, activist and former political prisoner, assisted Chen in Beijing.
- **Jiang Tianyong (江天勇)**, a rights lawyer, defended Chen Guangcheng in 2005. When he tried to visit Chen at Chaoyang Hospital on May 3, 2010, he was reportedly apprehended by security agents, detained for nine hours, and seriously beaten.<sup>34</sup>

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<sup>33</sup> Tian Yusheng, “谁救了陈光诚? 东河古村秋后算账” (“Who Saved Chen Guangcheng? Retribution in Dongshigu Village”), *iSunAffairs.com*, March 17, 2012.

<sup>34</sup> Keith B. Richburg, Jia Lynn Yang and William Wan, “China Strikes Deal for Chen Guangcheng To Study Abroad, (continued...) ”

- **Li Jinsong** (李劲松), a rights attorney, is a lawyer for Chen Guangcheng.
- **Teng Biao** (滕彪), a lawyer and friend of Chen's, advised Chen during and after his stay at the U.S. Embassy. He reportedly has been forced to temporarily leave Beijing.<sup>35</sup>
- **Zeng Jinyan** (曾金燕), wife of Hu Jia, is a rights activist and was a key source of news about Chen's status during his stays at the Embassy and Chaoyang hospital.

### Lawyers Who Have Offered Legal Assistance to Chen Kegui<sup>36</sup>

- **Chen Wuquan** (陈武权) is a Guangzhou-based lawyer. His license was confiscated by the Guangzhou Lawyer's Association after he volunteered to represent Chen Kegui.<sup>37</sup>
- **Ding Xikui** (丁锡奎) is a Beijing-based lawyer. He is one of two lawyers who was appointed by Chen Kegui's wife, Liu Fang, to represent Chen Kegui, but has been denied access to his client.<sup>38</sup>
- **Liu Weiguo** (刘卫国), a lawyer based in Beijing, told reporters he was "warned off the case" by police.<sup>39</sup>
- **Si Weijiang** (斯伟江) is a Shanghai-based lawyer. He is one of two lawyers appointed by Chen Kegui's wife, Liu Fang, to represent Chen Kegui, but has been denied access to his client.
- **Liang Xiaojun** (梁小军), a lawyer from Beijing, said he was pressured not to defend Chen Kegui.
- **Song Ze** (宋泽), a Beijing-based lawyer, reportedly was detained for three days in connection to the case.

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(...continued)

U.S. Officials Say," *The Washington Post*, May 4, 2012; Mark McDonald, "In the Chen Case, Collateral Damage," *The New York Times*, May 7, 2012.

<sup>35</sup> Andrew Jacobs, "Brother of Blind Chinese Dissident Escapes Guarded Village," *The New York Times*, May 24, 2012.

<sup>36</sup> Over one dozen rights attorneys reportedly have offered to defend Chen Kegui but have been denied access to him.

<sup>37</sup> Sui-Lee Wee, "Activist Chen Guangcheng: China Targets Lawyers Trying to Help," *Reuters*, May 11, 2012.

<sup>38</sup> Human Rights Defenders, "China Human Rights Briefing: Special Edition," May 22, 2012.

<sup>39</sup> Ian Johnson, "Chen Family Says Police Harassment is Increasing," *International Herald Tribune*, May 11, 2012.

Figure 1. Map of China Showing Chen Guangcheng's Home District and Beijing



**Source:** Map created by CRS Information Research Specialist Hannah Fischer using Esri Basemaps. Information about Chen's intermediate stop in Xintai is from Tian Yusheng, "谁救了陈光诚? 东师古村秋后算账" ("Who Saved Chen Guangcheng? Retribution in Dongshigu Village"), *iSunAffairs.com*, March 17, 2012.

**Notes:** Chen Guangcheng began his improbable escape from extra-legal house arrest on April 20, 2012, in Linyi Municipality, Shandong Province. A neighbor from his village reportedly drove him to neighboring Xintai Municipality, where he rendezvoused with a supporter who drove him to the Chinese capital, Beijing, a distance of roughly 300 miles.

## Further Policy Considerations

In the longer term, Congressional considerations related to the Chen Guangcheng case include: how to promote human rights in China in light of recent events surrounding Chen, as well as in light of trends in the bilateral relationship and political and social developments in the PRC; and how or whether to formulate a policy toward China that combines human rights and other bilateral issues, such as economic, security, and environmental matters. Other policy considerations include assessing U.S. rule of law programs in China, given Chen's experiences as a legal advocate and the fate of human rights attorneys who have attempted to help Chen and his family. Policy makers may also examine U.S. global Internet freedom efforts, given the ways in which news of Chen's escape was both disseminated through the Internet and censored by the government in China.

## Appendix. Timeline of Events in the Chen Guangcheng Case

### April 20, 2012<sup>40</sup>

- With help from his wife, Chen escapes over the wall surrounding his home in Dongshigu Village, Yinan County, Linyi Municipality, Shandong Province, breaking three bones in his foot.

### April 21, 2012

- Chen stumbles into neighboring Xishigu Village, Yinan County, Linyi Municipality, Shandong Province.
- A villager sees Chen and leads him to the home of another villager, Liu Yuancheng, who shelters him.
- Liu sends his wife to the home of Chen's brother, Chen Guangfu, in Dongshigu Village.
- Chen Guangfu is away from home, but his wife, Ren Zongju, hurries to Liu's home and then calls her husband.
- Chen Guangfu calls an activist friend of Chen Guangcheng's in Beijing, Guo Yushan.
- Guo Yushan dispatches a supporter of Chen Guangcheng's, He Peirong, in a car from Beijing to Shandong Province to meet Chen and bring him back to Beijing.
- Dongshigu villager Chen Hua drives Chen Guangcheng out of Linyi Municipality to nearby Xintai Municipality, also in Shandong Province.

### April 22, 2012

- He Peirong meets Chen Guangcheng in Xintai Municipality and drives him to Beijing. In subsequent days, friends of Chen Guangcheng move him around the city, and then call the U.S. Embassy for help.

### April 25, 2012

- One of Chen's associates contacts the U.S. Embassy in Beijing requesting help for Chen, whose leg was reportedly starting to swell. After a late-night meeting at

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<sup>40</sup> Entries for April 20-22 are based on an account in a Hong Kong-based e-publication, *iSunAffairs*. The account differs from accounts offered by Chen and his associates in the days after his exit from the U.S. Embassy. To protect those who helped him, those early accounts suggested that Chen escaped later and progressed to the meeting point with supporter He Peirong largely on his own. *iSunAffairs* said it chose to print its more comprehensive story of Chen's escape, based on interviews with Chen and his associates, because those who helped Chen had already been identified by the Chinese authorities and questioned. *iSunAffairs'* account may yet prove to be incomplete, too. Tian Yusheng, “谁救了陈光诚? 东莱古村秋后算账” (“Who Saved Chen Guangcheng? Retribution in Dongshigu Village”), *iSunAffairs.com*, March 17, 2012.

the State Department in Washington, Secretary of State Clinton authorizes bringing him into the Embassy.

**April 26, 2012**

- The U.S. Embassy in Beijing sends a car to pick Chen up from a rendezvous point and bring him into the Embassy compound. Chen is given a bed in a U.S. Marine dormitory.<sup>41</sup>

**April 27, 2012**

- In Washington, Assistant Secretary of State Kurt Campbell informs the Chinese Ambassador to the United States, Zhang Yesui, that Chen is in the U.S. Embassy in Beijing.<sup>42</sup>
- Chen Kegui, Chen Guangcheng's nephew and Chen Guangfu's son, allegedly wields a kitchen cleaver in a struggle with security personnel who storm his father's home after learning of Chen Guangcheng's escape.
- Chen Guangcheng's brother, Chen Guangfu, is taken into custody, as are other villagers who aided Chen's escape.

**April 29, 2012**

- U.S. and Chinese officials meet for the first time to discuss Chen's case.
- Chen Guangcheng's brother Chen Guangfu is allowed to return to his home, but is put under a form of house arrest.

**May 2, 2012**

- Secretary of State Hillary Clinton arrives in Beijing for the U.S.-China Strategic and Economic Dialogue
- Chen leaves the U.S. Embassy for Chaoyang Hospital in the company of U.S. Ambassador Gary Locke. Locke stays with Chen at the hospital for about 90 minutes, and then leaves. The last of the U.S. Embassy personnel at the hospital leaves later that evening, reportedly in order to give Chen and his family privacy.
- Secretary of State Hillary Rodham Clinton issues a statement saying she is pleased that the U.S. government was able "to facilitate Chen Guangcheng's stay and departure from the U.S. Embassy in a way that reflected his choices and our values." She also references Chinese government commitments to Chen, including giving him "the opportunity to pursue higher education in a safe environment."<sup>43</sup>

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<sup>41</sup> Jane Perlez and Andrew Jacobs, "A Car Chase, Secret Talks and Second Thoughts," *The New York Times*, May 2, 2012.

<sup>42</sup> Steve Lee Myers and Mark Landler, "Behind Twists of Diplomacy in the Case of a Chinese Dissident," *The New York Times*, May 9, 2012.

<sup>43</sup> Department of State, "Hillary Rodham Clinton Press Statement on Chen Guangcheng," Washington, DC, May 2, 2012.

- Chinese Foreign Ministry spokesman Liu Weimin says China “expresses strong dissatisfaction” at the “abnormal means” by which the U.S. Embassy took Chen into the Embassy compound, accusing the United States of “interference in China’s internal affairs.” Liu demands that the U.S. apologize, carry out a “thorough” investigation of the incident, “hold relevant people accountable,” and take steps to ensure that such an incident does not happen again.<sup>44</sup>
- Two senior State Department officials brief the foreign media on the set of understandings that led to Chen’s exit from the Embassy, including the Chinese government’s agreement to allow Chen to relocate from Shandong Province and enroll in a Chinese law school.
- After talking to his wife, friends, and associates, Chen changes his mind about staying in China and requests to travel to the United States.

### **May 3, 2012**

- Opening day of the U.S.-China Strategic & Economic Dialogue in Beijing.
- Chinese government officials interview Chen at the hospital about his allegations of mistreatment at the hands of local officials in Shandong Province.<sup>45</sup>
- At a meeting with the Chinese Foreign Ministry’s Cui Tiankai, U.S. officials suggest that Chen should travel to the United States.<sup>46</sup>
- Referring to the Chen case, Chinese Foreign Ministry spokesman Liu Weimin accuses the United States of “confusing public opinion” and “covering up by all means its responsibility for the incident,” and again calls for a U.S. apology, a U.S. investigation of the incident, and a “promise to prevent similar incidents.”<sup>47</sup>
- The Foreign Correspondents Club of China reports that some of its members have had their press credentials confiscated for entering the Chaoyang Hospital grounds to try to report on Chen’s stay there.
- The Congressional Executive Commission on China holds a hearing entitled “Recent Developments and History of the Chen Guangcheng Case.” Chen calls into the hearing from his hospital room in Beijing.
- Republican Presidential candidate Mitt Romney criticizes the Obama Administration’s handling of the diplomacy surrounding Chen, saying that if the Administration failed to put in place measures to ensure the safety of Chen and

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<sup>44</sup> Foreign Ministry of the People’s Republic of China, “Foreign Ministry Spokesperson Liu Weimin’s Remarks on Chen Guangcheng’s Entering the US Embassy in China,” May 2, 2012, <http://www.fmprc.gov.cn/eng/xwfw/s2510/2535/t928382.htm>; “China Demands Apology from U.S. for Harboring Chen Guangcheng,” *Xinhua News Agency*, May 2, 2012.

<sup>45</sup> U.S. Department of State, “State Dept. Officials on Chen Guangcheng’s Situation,” transcript of background briefing at the Ritz-Carlton Hotel, Washington, DC, May 4, 2012.

<sup>46</sup> William Wan, “Negotiations over Dissident Chen Guangcheng Offered Rare Glimpse into How China’s Leadership Operates, U.S. Officials Say,” *The Washington Post*, May 19, 2012.

<sup>47</sup> Foreign Ministry of the People’s Republic of China, “Foreign Ministry Spokesperson Liu Weimin’s Remarks on US Secretary of State Clinton’s Public Statement on Chen Guangcheng,” press release, May 3, 2012, <http://www.fmprc.gov.cn/eng/xwfw/s2510/2535/t928383.htm>.

his family, “this is a dark day for freedom and it’s a day of shame for the Obama administration.”<sup>48</sup>

#### **May 4, 2012**

- Second day of the U.S.-China Strategic & Economic Dialogue in Beijing.
- Beijing Daily, published by the Beijing Communist Party Committee, publishes a commentary charging that Chen “has become the tool and pawn of American politicians for slinging mud at China” and that U.S. Ambassador Gary Locke is “not an ambassador who is careful with his words and deeds but a regular American politician who is out to stir up the whirlpool of troubles.”<sup>49</sup>
- Beijing Youth Daily publishes an article criticizing U.S. Ambassador Gary Locke for “showing off” by taking Chen to the hospital, pushing his wheelchair into the hospital, and allowing the foreign media to photograph him with Chen. The author asserts that Locke’s behavior “has exceeded the U.S. ambassador’s functions, duties, and role, and also violates the basic scope and ethics of diplomatic activity.”<sup>50</sup>
- Secretary of State Hillary Rodham Clinton meets with Chinese State Councilor Dai Bingguo and proposes that Chen travel immediately to the United States for study.
- Referring to Chen, China’s Foreign Ministry spokesman Liu Weimin tells reporters that, “If he wants to study abroad, as a Chinese citizen, he can apply to go through relevant procedures with competent Chinese authorities through normal means according to law like other Chinese citizens.”<sup>51</sup>
- The State Department issues a statement saying that “The United States Government expects that the Chinese Government will expeditiously process” Chen’s applications for travel documents and “make accommodations for his current medical condition.”<sup>52</sup>
- Chinese government officials interview Chen for a second day about his allegations of mistreatment at the hands of local officials in Shandong Province.<sup>53</sup>

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<sup>48</sup> Reid J. Epstein, “Mitt Romney: Chen Guangcheng Episode ‘Day of Shame’ for Obama Administration,” *Politico*, May 3, 2012, <http://www.politico.com/news/stories/0512/75886.html#ixzz1veiaVn6C>.

<sup>49</sup> Zhen Wen, “Clumsy Performance of American Politicians as Seen from Chen Guangcheng Incident,” *Beijing Daily*, May 4, 2012.

<sup>50</sup> Chang Liang, “‘Showing Off’ Does Not Help to Preserve the Overall State of Sino-U.S. Relations,” *Beijing Youth Daily*, May 4, 2012.

<sup>51</sup> Ministry of Foreign Affairs of the People’s Republic of China, “Foreign Ministry Spokesman Liu Weimin’s Remarks on Chen Guangcheng’s Wish to Study Abroad,” May 4, 2012.

<sup>52</sup> U.S. Department of State, “State Dept. on China’s Chen Guangcheng,” press release, May 4, 2012, <http://translations.state.gov/st/english/texttrans/2012/05/201205045074.html>.

<sup>53</sup> U.S. Department of State, “State Dept. Officials on Chen Guangcheng’s Situation,” transcript of background briefing at the Ritz-Carlton Hotel, Washington, DC, May 4, 2012.

### **May 7, 2012**

- Referring to the Chen Guangcheng case, Chinese Foreign Ministry spokesman Hong Lei tells a news briefing that “The U.S. side should draw a lesson from the relevant incident with a responsible attitude, reflect on its policies and moves, and take necessary measures to prevent similar incidents.”
- China declines to renew the visa of American journalist Melissa Chan, the Beijing correspondent for Al Jazeera English. Some speculate that the Chinese government might be using her expulsion, the first of a foreign journalist in China since 1998, in part to express its anger over U.S. handling of the Chen Guangcheng case.

### **May 11, 2012**

- Chen Guangcheng tells journalists that authorities in Shandong Province have charged his nephew, Chen Kegui, with attempted murder in connection with the nephew’s altercation with security personnel who stormed his father’s home.

### **May 15, 2012**

- House Foreign Affairs Committee Subcommittee on Africa, Global Health, and Human Rights holds a hearing entitled “Chen Guangcheng: His Case, Cause, Family, and Those Who are Helping Him.” Chen calls into the hearing from his hospital room in Beijing.

### **May 16, 2012**

- Public Security officials from Chen’s home province of Shandong visit him in his hospital room to take passport photographs and fingerprints and help Chen fill out passport applications for himself, his wife, and their two children.<sup>54</sup>

### **May 19, 2012**

- Chen, his wife, and their two children arrive in Newark, NJ, on United Airlines Flight 88 from Beijing. They take up residence at New York University, where Chen plans to study law.

## **Author Contact Information**

Susan V. Lawrence  
Specialist in Asian Affairs  
slawrence@crs.loc.gov, 7-2577

Thomas Lum  
Specialist in Asian Affairs  
tlum@crs.loc.gov, 7-7616

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<sup>54</sup> Josh Chin, “Blind Activist Seeks Chinese Passport,” *The Wall Street Journal*, May 17, 2012.