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《中国人大》对外版

**“We must do our best to ensure
that all our people enjoy their
rights to housing”**



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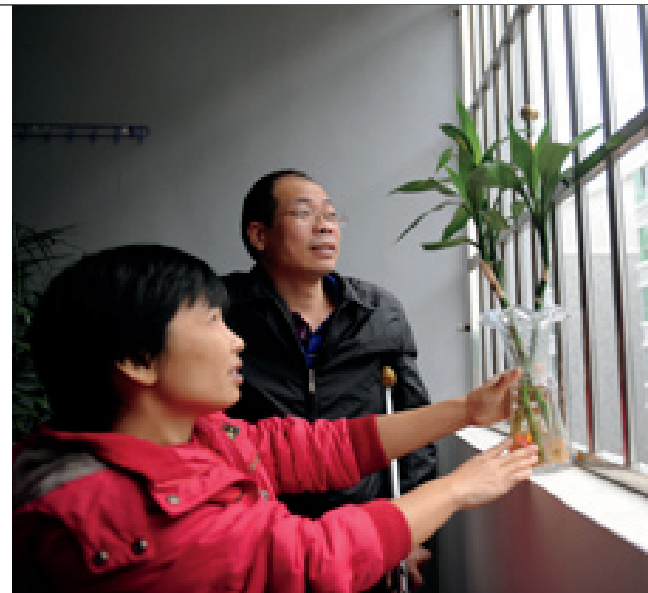
Yang Guifang, 87, casts her ballot at a courtyard in Zhubei village of Xining, capital of Qinghai Province on July 20, 2011. Yang and her fellow villagers participate the elections of deputies to Chengbei district and township people's congresses. Entrusted by her son and daughter-in-law who work in big cities as migrant workers, Yang also casts ballots for them. *Liu Xian*

选举城北区区、镇两级人民代表大会

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表



Contents



Election

6

Touching the election

10

Beijing kicks off local legislative election

12

Grassroots participation records the development of Chinese democracy

Special Report

14

“We must do our best to ensure that all our people enjoy their rights to housing”

19

“Stabilizer” needed for funding the low-income housing

22

Fairness and justice: the lifeline of low-income housing

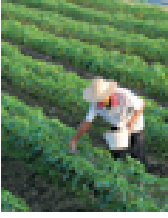
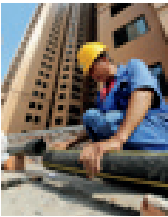
24

The institutional design of low-income housing to be improved

Interview

26

Building a harmonious world with lasting peace and common prosperity



General Editorial

Office Address: 23 Xijiaominxiang, Xicheng District Beijing 100805, P.R. China

Tel: (86-10)6309-8540
(86-10)8308-3891

E-mail: zgrrd@npc.gov.cn

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Legislation

32

A timely modification of Civil Procedure Law

35

China opens the door for public interest litigation

Supervision

36

Labor relations: from disputes to mutual trust

People

40

Guan Huai: caring for laborers whole-heartedly

History

42

Out of the past, into the future

Focus

44-46

COVER: Wang Lijuan and her husband Cai Longqing visit their newly purchased house at Gaolin Community in Xiamen, Fujian Province on July 19, 2011. Wang said she was satisfied with the application and allocation of the social houses in the city. She applied to buy their house in December 2010. Zhang Guojun

Touching the election

By Jin Guolin

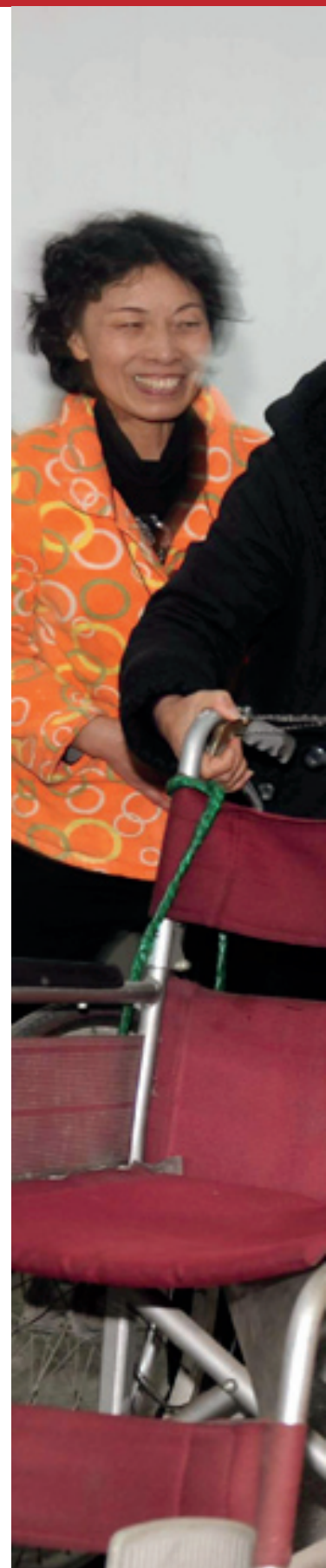
On November 7, 1931, in Ruijin of Jiangxi Province, the First National Congress of the Chinese Soviet of Workers, Peasants and Soldiers announced the official establishment of Provisional Central Government of the Chinese Soviet Republic.

On November 8, 2011, in Chinese capital Beijing, voters cast their “sacred” ballots to elect new lawmakers at district and township levels.

From Ruijin to Beijing, after 80 years of arduous trek under the leadership of the Communist Party of China (CPC), Chinese people have established and improved the socialist system where the people are the masters with unremitting efforts.



The picture shows the site of the First National Congress of the Chinese Soviet of Workers, Peasants and Soldiers. Xinhua





With the assistance of working staff, Ni Baoshu (second from right), 87, a resident in Guang'andongli community, casts his ballot to elect local people's congress deputies in Beijing's Xicheng District on November 8, 2011. Luo Xiaoguang

Chinese Constitution stipulates, “the term of office of local people’s congresses at various levels is five years.” Therefore, from the beginning of 2011 to the end of 2012, new deputies to the local people’s congresses at county and township levels will be elected.

According to the statistics of the authority, the election will see more than 2 million deputies elected at county-level and township-level people’s congresses. More than 900 million voters at the county level and more than 600 million voters at the township level will cast their ballots.

With a large number of participants, the election is a major event in the political life of Chinese people. Some experts even believe it is the world’s largest democratic election in terms of the number of participants.

With a large number of participants, the election is a major event in the political life of Chinese people. Some experts even believe it is the world’s largest democratic election in terms of the number of participants.



Yi Shijuan cast her ballot in Putuo District, Shanghai on November 16, 2011. Yi served as a deputy to the First National People’s Congress. Xia Lina



Citizens cast their ballots in Nanchao community, Chaohu in Anhui Province on December 1, 2011. Xu Zhenhua



Regulations and procedures on proxy voting are strictly abided by during the election of people’s congresses at county and township levels in Jiangxi Province. Zhang Weiwei

It is reported that 12 provinces and regions wrapped up the elections in 2011, including Shanxi, Jiangxi, Xinjiang, Beijing and Tianjin, while 14 provincial-level regions, including Inner Mongolia, Heilongjiang, Shanghai, will finish the work in the first half of 2012 and five provinces, including Liaoning, Hunan, will finish the work in the second half. By the end of 2012, the election will be completed across the nation.

The ongoing election is the first since the Electoral Law was revised in 2010, which requires the ratio of deputies in rural and urban areas to be the same as that of their respective populations, more adequately reflecting the human, regional and ethnic equalities in China. As is shown in the provincial-level regions that have finished the elections, the overall situation is rather smooth. All regions have attached great importance

to the election, making preparations in advance and organizing elections meticulously. There are several highlights in the election:

Voters have high enthusiasm for the election and the turnout reached more than 90 percent. Based on their own conditions, all regions have taken active and effective measures to ensure the participation of the floating population. Besides, the election committee organized candidates to meet with voters in accordance with the law, implementing the new provisions of the revised Electoral Law; the composition of deputies is further optimized, especially that the ratios of frontline workers, peasants and women have increased respectively compared with last election. ■



People in Shazaojing Village in Hami, Xinjiang Uygur Autonomous Region cast their ballots under the grape trellis on July 7, 2011. The city kicked off its election of deputies for 9th People's Congress of Hami in more than 500 constituencies on the same day. *Cai Zengle*



Chinese President Hu Jintao casts his ballot in Xicheng District, Beijing on November 8, 2011. *Xinhua*



NPC Standing Committee Chairman Wu Bangguo, casts his ballot during an election for deputies to Beijing's Xicheng District People's Congress on November 8, 2011. *Ma Zengke*

Beijing kicks off local legislative election

President Hu Jintao cast his ballot at a voting booth in downtown Beijing on November 8, 2011, among the city's 9 million voters, to elect new lawmakers at district and township levels.

"I'm glad to exercise my right as a voter of the Xicheng District of Beijing," Hu said at the voting booth in Zhongnanhai, where the central government offices are located.

Out of 6,615 district-level candidates and 15,145 township-level counterparts, Beijing will elect 4,349 deputies to district

people's congresses and 9,941 deputies to township people's congresses.

It is the first election after the Electoral Law, amended in 2010, that granted an equal representation ratio for rural and urban residents.

Since 1995, each rural deputy had represented a population four times that in urban areas.

The system of people's congresses is essential to China's political system, and full implementation of local people's con-

gressional elections is crucial to guarantee citizens' right of rule, Hu said.

He expects the new deputies to keep close contact with the people, express their voices and exercise their duties in line with laws.

Former President Jiang Zemin and members of the Standing Committee of the Political Bureau of the Communist Party of China (CPC) Central Committee, including Wu Bangguo, Wen Jiabao, Jia Qinglin, Li Changchun, Xi Jinping, Li Keqiang, He Guoqiang and Zhou Yongkang, also cast their votes either at polling stations or by entrusting others to cast ballots on their behalf.

At some polling stations in Xicheng District, people began to line up to vote at 6:00 am. Polls remain open until midnight.

Ninety-six-year-old Wang Yingai cast her ballot for the sixth time in her life.

"I'm in good health and live a good life, so I don't have any detailed requests for the deputies," she said. "But I would like to exercise my duty and help pick a responsible individual."

However, many voters have very concrete requests.

"Many old residential buildings in our district don't have a waterproof layer on their roofs, and residents face a serious problem of water leakage," said Bu Guohua, a 58-year-old teacher



People in Beijing dance and sing to celebrate the implementation of general elections in Xidan, Beijing in December 1953. *Xinhua*

Voters in Beijing's Xicheng District cast their ballots at a polling station at the Great Hall of the People during an election for deputies to people's congresses at district and county levels on November 8, 2011. *Liu Weibing*



from the Beijing Institute of Fashion Technology. “I hope the deputies will express our complaints to the government and help settle this problem.”

Wei Ting, a 42-year-old store manager of the Beijing Wumart Supermarket, was nominated as a candidate.

“I had never thought of being nominated. Maybe I serve customers well so people think I’m a warm-hearted person and suitable to exercise the duty,” she said.

If elected, she said, she would do some research among her constituency and find out what she could do to help locals solve their problems.

The city has worked hard to register voters and encourage them to vote, said Liu Weilin, spokesman of the Standing Committee of Beijing Municipal People’s Congress.

More than 24,000 voter registration booths have been set up since September in 2011, and more than 9 million Beijingers registered for the voting, accounting for more than 90 percent of qualified citizens, he said.

In order to facilitate 7 million migrant workers to vote, the city enabled those staying in Beijing for more than one year, or having resident permits, to vote in districts and townships of their current residence or working places.

According to the law, deputy candidates must be nominated by political parties, social organizations, or a minimum of 10 voters in their constituency.

The elections of local people’s congresses have commenced across the country and will last till 2012, with more than 900 million voters at the district levels and 600 million township counterparts. (Xinhua) ■



Three students from Beijing No.8 Middle School receive flowers and cast their votes to select people’s congress deputies at district level on November 8, 2011 at the Financial Street electoral ward in Beijing. These students celebrated their 18th birthday to become qualified voters on the same day. CFP



Candidates for the Xihuxiang Town People’s Congress meet with voters and answer their questions in Guazhou County, Gansu Province on July 18, 2011. Li Yongchao

Grassroots participation records the development of Chinese democracy

By Jin Guolin

“The election is open and transparent and voters are satisfied with the process,” said Lu Xiang, director of the Women Congress of Qigong Village, Gansu Province, on the election of the deputies to the people’s congresses at county and township levels. According to Lu, “There are improvements in openness and transparency this time: The roll of voters was published more than 20 days in advance, information of the candidates was made public each time from the primary to the confirmation and to the end of election, and the vote counts for each candidate were written clearly beside the name.” An open and transparent election is just what this outspoken grassroots female official has expected.

Ma Deyuan, living in the same village with Lu, experienced the elections of the deputies to the people’s congresses at grass-

roots levels in the late 1950s. During the election period, enthusiastic villagers decorated the village with lanterns and streamers, and the sound of gongs and drums could be heard everywhere, Ma recalled. Because of the illiteracy of the peasants at that time, the election was carried out by show of hands.

As an old man in his 70s, Ma has participated 15 or 16 grassroots elections. Speaking of the changes in the elections in recent years, Ma said with laughter, “The elections are getting more and more open and transparent! People are satisfied with this.” The elections of deputies to the people’s congresses at county and township levels are conducted by secret ballot. If you don’t want anybody to see you writing on the ballot, you can go to the secret ballot booth. The whole process is serious and standardized. Meanwhile, competitive elections are applied to the deputies in accordance with the law. In addition, voters can meet the candidates before casting their ballots and listen to their standpoints, then decide to select the one who can bring tangible benefits to them.

What made Ma feel fair and smooth is that his village final-



Li Zhanbing and his first Voter Registration Card. Zhang Xiaomin

ly can elect the same number of deputies as the same-sized constituencies in urban areas in 2011. In the past, people often requested for the eliminations of urban-rural and worker-peasant discrepancy. According to the Electoral Law revised in 2010, the election requires the ratio of deputies in rural and urban areas to be the same as that of their respective populations.

Li Zhanbing, participated in the election for the first time in his life upon returning to his home village after graduating from a high school in Jinta County in the summer of 2011. The 19-year-old young fellow showed his Voter Registration Card with excitement, “This is my first Voter Registration Card, and I will save it forever as a commemoration in my life.”

From the textbooks and classes in school, Li has learned some knowledge of the people’s congress system and election, while this time, he is so close to the election of the lawmakers and has a clear view of the people’s congress system. “This is much more fresh and alive than what I have learned in class!” ■



Villagers cast their ballots at a polling station to select deputies to the township people’s congress in Guazhou County, Gansu Province on July 25, 2011. Li Yongchao

“We must do our best to ensure that all our people enjoy their rights to housing”

By Li Xiaojian

The picture taken on December 19, 2011 shows the government-funded houses in Weili County, Xinjiang Uygur Autonomous Region. Statistics from Bayingolin Prefecture in the region indicate that investments in government-funded housing have increased by more than 250 percent from January to November in 2011. *Que.Hure*



When the housing prices remain high, the housing of many low- and middle-income people will become a widely concerned social problem. Therefore, low-income housing is pinned with great hopes to resolve the housing problem for the masses.

The 4th Plenary Session of the 11th National People's Congress (NPC) adopted the outline of the 12th Five-Year Plan, which vows to construct 36 million units of new low-income housing and units in run-down areas that will undergo renovation. By the end of the 12th Five-Year Plan period (2011-15), low-income housing will be made available to around 20 percent of the country's urban households. Among them, 10 million units were under construction in 2011.

In 2009 and 2010, the NPC Financial and Economic Affairs Committee conducted special investigations and researches and made many targeted opinions and recommendations. In 2011, the 23rd Meeting of the 11th NPC Standing Committee held a joint-group meeting based on the group reviews to carry out a special inquiry on the construction of low-income housing.

Wu Bangguo, Chairman of the NPC Standing Committee, noted that strengthening the construction of low-income housing is a major measure to guarantee and improve the wellbeing of the people. The 17th National Congress of the Communist Party of China (CPC) declares clearly to ensure that all Chinese people enjoy their rights to housing. The 12th Five-Year Plan identifies the binding targets for low-income housing project, and the NPC deputies and its Standing Committee are much concerned about this project related to the wellbeing of the people.

The NPC and its Standing Committee believe that with common efforts from all aspects, progresses have been made in the construction of low-income housing, and the housing problem of low- and middle-income families has been alleviated to some extent. However, we should remain sober that China has a large population and is in the processes of industrialization and urbanization, therefore the nation is facing the tough and arduous task of ensuring people's fundamental needs for housing.



A Tianjin resident studies the government-funded housing project when attending the 2011 Autumn Tianjin Housing Exhibition on October 30, 2011. *Li Shengli*

A project that wins with public applause

On the afternoon of October 25, 2011, Jiang Weixin, minister of Housing and Urban-Rural Development, reported to the NPC Standing Committee on the construction and management of urban low-income housing. According to Jiang, since the commercialization of urban housing in 1998, the work of low-income housing has been gradually advanced. At that time, because of the low level of the overall housing, the housing gap between the low-income families and other families was not large. The number of units of low-income housing under construction was not big.

However, since 2003, the price of commercial housing has surged faster than the incomes of urban families, especially those of the low-income families. As a result, the weak housing affordability of the low-income families brought about the housing problem.

The government has adopted a series of measures to tackle with this problem, carrying out the two-track housing system in which the commercial housing is dominant while the low-income housing supplementary. At present, low-income housing in China is divided into low-rent housing, public rental housing, settlement housing for redeveloping run-down areas, affordable housing and price-fixed housing.

With joint efforts by parties concerned, effective progresses have been made in the work of low-income housing. The urban per-capita housing area increased from 18.7 square meters in 1998 to 31.6 square meters in 2010. During the 11th Five-Year Plan period (2006-10), 16.3 million units of low-income housing and units in run-down areas that underwent renovation were in

construction, and 11 million were finished. By the end of 2010, the housing problem of 22 million low- and middle-income families had been resolved in tangible forms.

Nevertheless, the task of low-income housing is far from over. According to researches, by the end of 2010, the housing of more than 20 million low-income families and some middle-income families was not complete with shabby facilities, and 10 million families were living in run-down areas, where housing was old and crowded, kitchen and toilet were missing and even potential safety hazards existed.

In addition, the housing problems of newly employed workers in urban areas and permanent floating population are still serious. China is in a fast track of urbanization with 15 million new urban residents annually. Because of small accumulation and weak housing affordability, some of the newly employed workers and permanent migrant workers live in basements or urban villages with poor housing conditions. This group of people has made significant contributions to urban economic development, therefore, helping them resolve basic housing problem is important to promoting economic development and social stability.

With an attempt to settle the housing problem for the masses, China will construct 36 million units of low-income housing, covering around 20 percent of the country's urban households. In 2011, the total number of units of new low-income housing reached 10 million.

Hu Yanlin, a member of the NPC Standing Committee, pointed out that the massive construction of low-income housing is a major strategic decision and deployment by the CPC Central



On November 12, 2011, disabled Zhong Yanglin (right) and his wife move into the low-rent housing community Yumin Jiayuan in Dingnan County, Jiangxi Province with a monthly rent of 65 yuan. *Zhou Ke*

Committee and the State Council. According to Hu, this endeavor, aimed at narrowing the gap between the rich and the poor, stabilizing housing prices and sharing the fruits of reform among the people, is a project related to the wellbeing of the people. It conforms to the purposes of the Party and concerns the overall situation of China's economic development and social stability.

Zheng Gongcheng investigated the construction and distribution of low-income housing in many cities from 2010 to 2011. He concluded that this measure has improved the housing conditions for the low-income people and provided them with a stable expectation on safe housing.

According to Zheng, a member of the NPC Standing Committee, it is necessary to strengthen and improve the housing conditions for urban and rural residents, constituting part and parcel of the government's endeavor to ensure and improve the wellbeing of the people. It is also an important approach to reflecting national social insurance system, promoting social justice and the rational development of national economy, especially the real estate industry. "In fact, some social problems are the results of enlarging the unease and anxiety caused by lack of stable safety anticipation, especially so with regard to the housing problem. China is stepping up its efforts to construct low-income housing, affecting the return of rationality of the housing prices and the ease of panicking on housing."

The government should address itself to increasing the housing starts as well as the completion rate and occupancy rate.

Many members and deputies share the same view with Hu and Zheng, "The construction of low-income housing promotes the social justice. It is not only a project that meets with public applause, but a reflection of the superiority of the socialist system."

The completion rate, occupancy rate and housing starts are equally important

According to Minister Jiang, among the 10 million units of low-income housing to be constructed in 2011, 9.86 million units have already been under construction by the end of September, accounting for 98 percent of the yearly objective. All the 10 million units are to be started by the end of November in 2011. The statistics indicate the smooth progress of the project.

However, according to Tang Xiaoquan, a member of the NPC Standing Committee, the majority of the 10 million units will be completed in 2012, representing a low completion rate with many housing starts.

"The government should address itself to increasing the housing starts as well as the completion rate and occupancy rate," Yan Yixin, another member of the NPC Standing Committee, said on the issue. So far, many units under construction have not been completed yet,



Wang Shuangmei hangs the laundry at her new home on December 21, 2011. Wang moved into the economically affordable house in Songjiang District, Shanghai in early 2011. *Pei Xin*

and the large numbers of housing starts in all regions in 2011 are suspected to have been achieved in a short period of time, doubted Yan.

As Minister Jiang responded in the special inquiry on the housing starts, during the 11th Five-Year Plan period (2006-10), the total number of units of new low-income housing reached 16.3 million, and by the end of 2010 the number of completed units reached 11 million. In fact, by the end of first half of 2011, 85-90 percent of the 11 million units could be opened for occupancy. The reasonable construction period of low-income housing extends about two and a half years; in this sense most of the 5.9 million new units in 2010 are still under construction in 2011. In other words, counting in the 10 million new units in 2011, the actual number reached 15 million.

Jiang admitted the lack of mentioning the completion rate and occupancy rate in the report, but realized the problem, "The burgeoning number of housing starts means nothing itself. What we are striving for is to ensure not only the high quality and on-time start of the 10 million new units, but also the open of the 5 million in 2011, or at least 3 million, units for occupancy."

"A low-income housing system with Chinese characteristics"

The CPC Central Committee has put forward the goal of building a moderately prosperous society in all aspects by 2020, and improving the housing conditions for the people constitutes part and parcel of the goal. Jiang stated in the report, "we believe that the overwhelming majority will live in completed housing that meets the standards of good civilization and health."



The third phase of Tongxin Garden, a government-funded housing project in Sanya, Hainan Province is under construction on July 2, 2011. CFP

The CPC Central Committee has put forward the goal of building a moderately prosperous society in all aspects by 2020, and improving the housing conditions for the people constitutes part and parcel of the goal.

It is reported that the low-income housing will be focusing on the public rental housing, especially that the ratio of the construction of public rental housing will be greatly increased in large and medium-sized cities with big net inflow of population.

Minister Jiang said, given the fact that there are differences in the level of regional economic and social development, the process of urbanization and the conditions of housing market; uniform is not imposed on housing security. In practice, all regions decide the types of low-income housing in accordance with their own local conditions. "In recent years, we have strengthened

housing security mainly through physical support. With several years of efforts we have eased the demand-supply tension of the housing and developed the housing rental market, and we will transform the physical support into mainly monetary subsidies."

Meanwhile, Jiang indicated objectively that there are some problems in housing security at the stage of exploration. For example, improvements should be made in the planning and facilities of the local low-income housing, the quality of projects needs to be increased, the distribution and management of operation need to be strengthened, the pressure on construction funds and land expropriations and housing demolitions is high, and the top-level design of policies and legal construction are not perfect.

And these problems are just the focal points in the group discussions and special inquiry of the NPC and its Standing Committee.

On October 29, 2011, Wu Bangguo made an important speech on the conclusion of the 23rd Meeting of the 11th NPC Standing Committee, stressing that the NPC and its Standing Committee emphasize on the conscientious implementation of the CPC Central Committee's decisions and deployments and will blaze a new trail to housing security with Chinese characteristics based on our national conditions and practices.

Specifically, we should, first of all, commit ourselves to planning on construction and define reasonable scope, ways and standards of the low-income housing. When defining the scope, we have to take full account of the financial capacity of governments at all levels and strictly distinguish the low-income housing from the improvement of housing, benefiting the low-income families. Second, we should increase public financial support and establish a sustainable funding mechanism by giving full play to market forces. Third, we should establish a sound regulatory mechanism for distribution and operation and include the mechanism into standardization and legalization, so as to ensure fairness, justice and transparency. ■

“Stabilizer” needed for funding the low-income housing

By Xie Sufang

Targeted to low- and middle-income people, the government-funded housing is such a great project related to the wellbeing of people that it is the government's responsibility to implement this endeavor. One of the important components of this project is the funding, which therefore constitutes one of the core issues concerned by members of the National People's Congress (NPC) Standing Committee.

China planned to spend about 1.3 trillion yuan to build 10 million units of low-income housing in 2011, with more than 400 billion yuan allocated to affordable and price-fixed housing, 500 billion yuan to redeveloping run-down areas, and 400 billion yuan to low-rent and public rental housing. The funding mainly comes from governments at all levels, enterprises, and

social investments including individual and bank loans, whose inputs are 400 billion yuan, 500 billion yuan and 300 billion yuan respectively.

According to Wang Bao'an, assistant minister of Finance, the central government allocated 152.2 billion yuan to subsidize the construction efforts in 2011, accounting for 40 percent of the construction funds of the public rental housing and 50 percent of those of the low-rent housing throughout the country. 45.4 percent of the subsidized funds go to the western areas and 41.6 percent to the central areas.

“The construction funds have been basically allocated,” said Jiang Weixin, minister of Housing and Urban-Rural Development, reporting to the NPC Standing Committee on the construc-



Who will provide guarantee for low-income housing projects? CFP



Workers install pipelines at a low-income housing community in Changsha, Hunan Province on September 15, 2011. From January to August of 2011, 356,000 units of new low-income housing and units in run-down areas that underwent renovation were constructed in Hunan Province, reaching 81.7 percent of the annual plan. During the same period, 131,000 units were completed. Long Hongtao

tion and management of urban low-income housing. According to Jiang, the construction funds of the low-income housing are guaranteed.

China will construct 36 million units of new low-income housing in the 12th Five-Year Plan period (2011-15), and is the funding for constructing 26 million units guaranteed? Members of the NPC Standing Committee have paid more attention to the long-term stability of the funding for low-income housing. "The

need of the low-income housing for funds is totally different from that of the commercial housing. For commercial housing, money will be collected as soon as the drawing paper is produced. But for low-income housing, funds will be occupied for a long time. Even the funds in 2011 have been allocated, what about the funds in 2012 and the following years? How will the construction funds be guaranteed?" Fang Xin doubted.

During the special inquiry on the low-income housing, many members directly touched upon the issue of funding. When answering questions, Jiang admitted that the funds needed in 2012 would be more than in 2011, it's because there would be more units of low-income housing carried over from 2011 into 2012.

"If funds are not guaranteed, the quality of the housing will be compromised, because the good quality must be based on the premise of adequate funding. For example, the quality of the housing with a cost of 1,000 yuan per square meter is not the same with that of the housing with a cost of 3,000 yuan per square meter. Therefore, coupled with malpractices, it is possible to lead to a jerry-built project." As Bai Jingfu, a member of the NPC Standing Committee, concerned about the quality problem resulted from insufficient funding.

In addition, fund supplies are needed not only during the construction period, but in the after-construction maintenance and management as well. "The property management fees of low-income housing differ from those of commercial housing. Where do they come from?" Fang questioned about the management and maintenance funds of low-income housing. In her opinion, the responsibility of funds must be defined in advance to prevent the low-income housing to be reduced to dirty, chaotic and poor urban villages because of lacking management and maintenance funds, as what has happened to some old property areas managed by housing authorities. Compared with affordable and price-fixed housing, it is more difficult to fund low-rent and public rental housing. The reason is that the sources of funding for affordable and price-fixed housing are extensive, coming from governments, enterprises and individuals, and that those units of housing can be traded as commercial housing in the market, attracting more social funds. But low-rent and public rental housing is mainly invested by local government. Under China's current taxation system, it is an indisputable fact that the local financial conditions are constrained.

At present, the funding for low-income housing is mainly resolved through financial subsidies, local government bonds issued by the Central Government, increasing the extraction ratio of the proceeds from the transfer of land-use rights, and bank financing.

Financing and loans, although pinned with high hopes by all areas, are not as easy to use as expected. Because of the long period of investment recovery, there are special requirements for financial products and even the financing mechanism. "Low-

rent and public rental housing cannot be sold, and the level of the rent is below that of the market, consequently, the circulation and turnover of funds have been greatly limited.” Wang Zhaoxing, Vice Chairman of China Banking Regulatory Commission, responded during a special inquiry to members of the NPC Standing Committee on how to ensure the stable support for low-income housing to obtain financing from financial sources. Guo Qingping, assistant governor of People’s Bank of China, urged to research on the mechanism for sustainable financing to low-income housing so as to guarantee the planning and security of funds. “We must start from the following two perspectives: First, continue to use qualified government financing platforms to raise funds through various channels and ensure the timely recovery of bank loans. Second, extend the period of loans for public rental housing to no more than 15 years in principle.” Wang noted.

Bank loans cannot be used without limits. According to statistics, by the end of the third quarter of 2011, the balance of loans of financial institutions for low-rent and public rental housing and the renovation of run-down areas had reached 267.2 billion yuan. Furthermore, we have to be highly vigilant on the danger of local government debts, which have remained more than 10 billion yuan. The financing and loans must be controlled within the affordable limits of local governments.

From the present point of view, it is the most feasible measure to solve the funding problem of low-income housing through the proceeds from the transfer of land-use rights. Statistics show that the proceeds from the transfer of land-use rights by local governments amounted to 2.9 trillion yuan in 2010. Many members believe that more proceeds from transfer of land-use rights should be extracted to subsidize low-income housing. “Supporting low-income housing with the revenues from commercial housing is like ‘donating’ by the rich through trading properties.” According to Liu Xirong, a member of the NPC Standing Committee, the proceeds from the transfer of land-use rights should be used on low-income housing on a priority basis to stabilize the funding sources of low-income housing. To this end, Liu also suggested to “reform the financial system, improve the budget system and include the land transfer revenue into fiscal revenue to accept budget supervision by people’s congresses at all levels.”

However, since the land area is limited, the revenue from land transfer is getting less and less. During the 12th Five-Year Plan period (2011-15), the priority of low-income housing will be given to public rental housing, meaning there is a demand

for great amount of fund. Governments at all levels must take precautions, bring more innovative ideas and expand financing channels. Members of the NPC Standing Committee have put forward many constructive recommendations on this regard.

Gong Xueping proposed to establish a multi-channel financing mechanism based on financial budget and encourage and attract social funds to participate in the construction of low-income housing, with an attempt to supplement government finance. He suggested that the government collect unused units of housing and rent them to the families with housing difficulties. Meanwhile, the government should compensate the owners through subsidy and tax relief so as to reduce the financial pressure from the construction of low-income housing.

Some members recommended to build commercial facilities within the low-income housing projects and balance the construction and management funds of the low-income housing with the proceeds from renting or selling the commercial facilities. Some believed that except tapping new sources of revenue, the more important thing for the government is to cut the construction costs of low-income housing.

For example, we must encourage enterprises, especially the State-owned ones, to donate construction materials, give corresponding financial subsidies or tax incentives, and mobilize the entire nation to complete the projects related to the wellbeing of the people.

Many members thought it necessary to strengthen the building of laws and systems for the funding sources of low-income housing, so as to ensure the long-term stability by means of laws and systems. In Hu Yanlin’s opinion,

“government should declare by legislation to establish stable funding for housing in government finances, and intensify efforts to guide social investment, especially that more legislative room should be left for such multi-channel financing as issuing bonds and accepting social donations.”

Funds constitute an important foundation for low-income housing and a necessary guarantee for later maintenance and management. In addition to exploring more ways to raise funds and stabilizing the demand for such funds, governments at all levels should push forward the low-income housing project in a down-to-earth manner when planning low-income housing. According to Jiang, “the Central Government will continue to increase financial subsidies. We will determine the 2012 construction plan on the principle of ‘application on demand from the bottom up’ and pre-arrange the projects, funds and land uses.” ■

**From the present point of view,
it is the most feasible measure
to solve the funding problem
of low-income housing
through the proceeds from the
transfer of land-use rights.**

Fairness and justice: the lifeline of low-income housing

By Li Xiaojian

Fairness and justice are the lifeline of the massive government-funded low-income housing projects. The National People's Congress (NPC) and its Standing Committee believe that the purpose of promoting low-income housing is to benefit the low- and middle-income people with housing difficulties. If we fail to benefit these people and let a small part of other people take advantage of the loopholes, then it doesn't make any sense to carry out the project and will even lead to unfairness or conflicts.

With the completion of the construction of low-income housing, more and more units will be allocated in 2012. The NPC and its Standing Committee therefore suggest to develop a more comprehensive policy framework on access standard, review procedures, dynamic management, exit mechanism and ac-

countability, disclose the sources of housing and the process and results of allocation, share the relevant information and accept social supervision, so as to make people feel satisfactory.

Unfair distribution is the most prominent problem

As Jiang Weixin, who is the Minister of Housing and Urban-Rural Development, said in a report, the responsibility of allocating and managing the low-income housing rests mainly on local governments. The State Council attaches great importance on this regard, requesting all localities to ensure open and transparent processes, fair and just results and reasonable and orderly



Zhang Meibao, 89, participates in a computer lottery in selecting government-funded houses in Jiaxing, Zhejiang Province on November 19, 2011. Chu Yongzhi



Above: The picture taken on April 27, 2011 shows the exterior of the old house that Shan Xinzhi and her family have rented. *Fei Maohua*

Left: Shan Xinzhi (first from left) and her family watch TV at the living room on April 26, 2011. The resident in Xiangyang, Hubei Province was allocated a 42.3-square-meter low-rent home in 2010 after submitting an application and drawing lots. *Du Huaju*

uses. All local governments have already published the access standards for low-income housing and established mechanisms for application, review, queuing, renting and notification. Many local governments have carried out dynamic supervision on the use and management of low-income housing.

However, there are still many problems in distribution and operation. “It is difficult to evaluate and approve because of lack of basic information on family and individual’s housing, income and financial assets. In some areas, there are incidents of cheating on renting and selling. Some families have increased their income but refused to withdraw from low-income housing, which people are not satisfactory about.”

Xu Zhihong said, the housing security, targeted to part of the residents, is aimed at resolving the housing difficulties for urban families with low income, which is different from the pension or medical security. Therefore, it is particularly important to ensure fairness and justice of the distribution of low-income housing. As Vice Premier Li Keqiang stressed on the work meeting of the national low-income housing project, it is the lifeline of housing projects to ensure fairness and justice of distribution. The problem is that abuses of power for personal gains can be seen in the distribution process in all areas. It can be easily found out in the affordable housing. For example, some owners of affordable housing have luxurious cars or trade units of affordable housing. “Only a small number of families that are not eligible for low-income housing have been allocated such housing. However, it

is those incidents of non-compliance that have imposed negative impacts among the masses.”

The standard of housing area can not be broken arbitrarily

Wu Xiaoling believed that the major duty of the government is to ensure the housing for low-income people, i.e. to resolve the housing problem for low-income people through low-rent housing or monetary subsidies with the nature of assistance. The

low-rent housing should be constructed in small areas with multi-functions, comfortable for living and improving housing conditions. According to Wu, “the housing area is too large in some places and it is unfair for those who have resolved housing problems through personal efforts.”

Zheng Gongcheng has investigated and found out in some places that the problem of exceeding the standard in low-income housing does exist. Some units are too large even for high-income families, making it possible to compare

unrealistically and unsatisfactorily. “In my opinion, the current standards, forty square meters for public rental housing, fifty for low-rent housing, sixty for affordable housing and ninety for price-fixed commercial housing, should be abided by strictly and bear no violation.”

Zheng also believed that people should improve their hous-

The problem is that abuses of power for personal gains can be seen in the distribution process in all areas. It can be easily found out in the affordable housing.

ing conditions through their own efforts, while the government only ensures the fundamental housing conditions of low-income families instead of improving people's housing conditions.

Open and transparent operation for low-income people

"The problem in the distribution and management of low-income housing is related to the imperfectness of policy and supervision mechanism and the difficulty of collecting individual information. In spite of this, we should commit ourselves to ensuring fairness and justice in the low-income housing." Xu Zhihong made the remarks on the special inquiry.

Qi Ji, Vice Minister of Housing and Urban-Rural Development, responded at the meeting that the government would take the following four measures to ensure fairness and justice: first, declare the low-income housing system, including the conditions, planning, sources, distribution process and results; second, stick to rigorous procedures to prevent a small number of dishonest people from cheating on the low-income housing. With regard to the waiting procedure, some applicants may fail to draw the lots after trying many times, then these people should be arranged housing with priority; third, implement the error correction mechanism, in which once someone is found cheating on the low-rent housing or obtaining the low-income housing through illegal or false information, it must be corrected immediately and those who have cheated will be disqualified for application within the next five years; fourth, strengthen punishment to deter public employees from breaking the law and disciplines in the housing distribution.

As for the exit mechanism, Minister Jiang said further researches and investigations are needed. The government should guide those enjoying the low-income housing to withdraw from the housing after increasing their income through controlling the size of units.

Hu Yanlin suggested that people's right to know should be fully protected by legislation and that they participate in the supervision process. According to Hu, the conditions of application, the distribution process and the standards of housing should be published so as to avoid corruption and ensure the healthy development of low-income housing.

Jin Shuoren put forward three proposals on implementing openness, fairness and justice: first, pay adequate attention to the construction of laws, regulations and systems, do everything possible to reduce the abuses of power and ensure the distribution principle of fairness and rationality; second, step up the efforts to ensure the implementation for the mechanism and seriously deal with violations of the law and regulations; third, carry out the supervision with earnest. ■



Li Tongzhi and Gao Changhong, a young migrant couple, move into Yiyuan Jiayuan Community, a government-funded housing project in Nantong, Jiangsu Province in July 2011. Starting from June 2010, housing management departments in Nantong began to accept applications for economically affordable houses for migrant workers. By the end of January 2011, a total of 19 migrant workers in the city have been allocated satisfactory houses. CFP

The institutional design of low-income housing to be improved

By Xie Sufang

The start of China's low-income housing project can be traced back to 1998 when comprehensive reform was carried out in the urban housing system. The government was promoting the commercialization of urban housing and the low-income housing at the same time. Since the 11th Five-Year Plan was implemented, China has accelerated the low-income housing construction and now such construction is in massive scale. Against this background, all regions have urgent need for a national low-income housing system with unity and consistency.

"Currently we have to work hard on top-level institutional design to provide guidance to all regions." Lü Wei's point of view resonated among other members of the National People's Congress (NPC) Standing Committee. For the time being, the principle, scope, ways, mechanism and the objective of low-income housing are clear and the government has formulated the overall thinking about the low-income housing. However, in practice, there are different types of low-income housing, vari-



Luogang City Center Project, the largest government-funded housing project in Guangzhou, Guangdong Province, is launched into construction on October 25, 2011, reaching the goal of building 85,000 units of government-funded housing in Guangzhou in 2011. On the same day, the construction of Fanghe Garden, one of the model projects of government-funded housing, is completed, marking the full settlement of the housing problem for the 77,177 low-income families in Guangzhou one year in advance. *Chen Yehua*

ous investment subjects and large regional differences. Also, there are contradictions and gaps between some policies.

Therefore, a clearer and more improved guidance from upper level is needed to avoid problems. "The policy, mechanism, scope and ways of low-income housing have to be improved in practice. Meanwhile, there is also the question of maintaining consistency among policies of different times. For the time being, there is no such a system that is flawless and explicit, which is very much needed in the current situation. We are diverting our efforts towards this direction." According to Minister Jiang, the State Council will conduct in-depth study and investigation on China's low-income housing in theory and policy and work out an effective institutional design.

Members of the NPC Standing Committee attach great importance to the low-income housing and believe that the overall design of such housing system should be clear about the following contents: first, the access requirements for low-income housing, including the scope, targets, area standards and proce-

The State Council will conduct in-depth study and investigation on China's low-income housing in theory and policy and work out an effective institutional design.

dures of application for different types of housing; second, the planning for low-income housing, including the scale of construction, site selection, construction bodies, funding methods and guarantee for land supply; third, the supervision and management mechanism, which clarifies the governing body of the low-income housing and the approach to its management; fourth, the exit mechanism, which defines how to withdraw from and trade low-income housing; fifth,

how to give play to the society, enterprises and individuals and facilitate them to participate in the low-income housing.

In addition, the institutional design provides specification and guidance to the work of all regions and therefore the central government has to prevent local governments from copying one model. A moderate degree of institutional room should be left for low-income housing, so that all regions could decide on their own approach in accordance with their economic and social development, urbanization process and housing market. ■



On September 16, 2011, Wu Bangguo (left), Chairman of the NPC Standing Committee, who was in Russia for an official goodwill visit, meets with Russian President Dmitry Medvedev in Moscow. The two sides exchanged in-depth views and reached important consensus on how to strengthen pragmatic cooperation and keep closer strategic coordination. *Ju Peng*

Building a harmonious world with lasting peace and common prosperity

—Cao Weizhou, Deputy Secretary-General of the NPC Standing Committee, talks on NPC's foreign contact activities in 2011

NPC: The foreign contact activities of the National People's Congress (NPC) constitute an important part of China's overall foreign relations. Would you please outline the general situation of NPC's foreign contact activities and its high-level exchanges

with foreign parliaments and organizations in the past year?

Cao: In 2011, in accordance with the unified arrangements of the Communist Party of China (CPC) Central Committee, we followed the guidance of Deng Xiaoping Theory and the important



NPC Standing Committee Chairman Wu Bangguo (right) meets with Japanese Prime Minister Yoshihiko Noda on December 26, 2011 at the Great Hall of the People. *Liu Weibing*

thought of Three Represents, thoroughly applied the Scientific Outlook on Development, closely focused on the central tasks of the Party and the nation, acted in concert with the nation's overall diplomacy, and made positive contributions to maintaining and extending the period of important strategic opportunity by giving full play to our own characteristics and advantages. In the past year, the NPC received 53 foreign parliamentary delegations and sent 75 delegations abroad.

The high-level parliamentary exchanges are of great significance to promoting State relations. Through high-level exchanges, China's NPC has enhanced mutual political trust with parliaments of developed countries, advanced good-neighborliness with parliaments of neighboring countries, and carried forward the traditional friendship with parliaments of developing countries.

Chairman Wu Bangguo's visits to foreign countries top the pri-

The high-level parliamentary exchanges are of great significance to promoting State relations.

orities of NPC's foreign contact activities. From May 18 to 30, 2011, Wu visited Namibia, Angola, South Africa and Maldives at a time when the international situation was under profound and complex changes, developing countries were rising with strong momentum and the China-Africa friendship was facing with new important opportunities. As a major diplomatic move, Wu's visit has deepened the new-type China-Africa strategic partnership, strengthened good-neighborly friendship and promoted unity and cooperation between China and the developing countries. From September 14 to 27, Wu paid a visit to Russia, Belarus, Uzbekistan and Kazakhstan, illustrating China's policy towards neighboring countries, strengthening the strategic cooperation between China and the four countries, enhancing the level of pragmatic cooperation and parliamentary exchanges, and deepening the good-neighborly friendship.

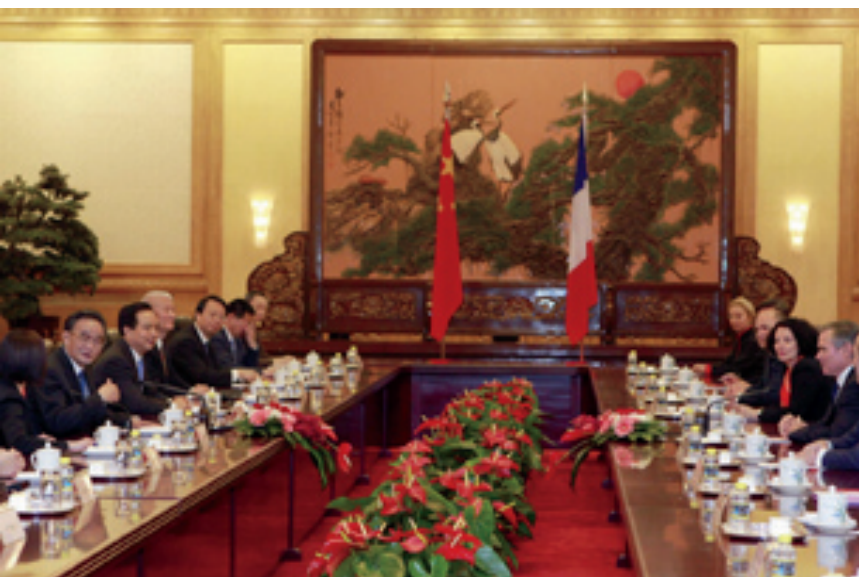
In June 2011, Vice Chairman Wang Zhaoguo visited Ukraine, Ireland and Poland, making extensive contacts with the three countries' parliaments, governments and people from all walks of life, introducing China's political, economic and social development and the main contents of the Outline of the 12th Five-Year Plan through frank and in-depth exchanges, promoting economic and trade cooperation and cultural exchanges, and strengthening inter-parliamentary exchanges and cooperation. Other members of the Council of Chairpersons of the NPC Standing Committee visited more than 30 countries in Asia, Africa, Europe, North America, South America and Oceania, playing a significant role in promoting the all-round friendship and cooperation between China and other countries in the world and enhancing China's international status and influence.

During the past year, we received Speakers of Parliaments from

14 countries, including France, Venezuela, Botswana, Bangladesh, Canada, Serbia, Uzbekistan, Slovenia, Saudi Arabia, Indonesia, Cyprus, Estonia, Maldives and Cambodia, and four Deputy Speakers from Russia, Republic of Korea, New Zealand and South Africa, making positive contributions to deepening friendly and cooperative relations between China and other countries and keeping closer exchanges between legislative bodies.

NPC: The mechanism for regular exchanges constitutes an important platform for NPC's foreign contact activities. What achievements have been made in this regard?

Cao: The mechanism for regular exchanges serves as an important platform on which China's NPC keeps dialogues and communications with relevant foreign parliaments. At present, the NPC has launched mechanisms for regular exchanges in 14 countries and the European Union. In 2011, the NPC held mechanism meetings with Russian State Duma and Federal Council,



Top Chinese legislator Wu Bangguo meets with his French counterpart Bernard Accoyer, Speaker of the French National Assembly, at the Great Hall of the People on April 27, 2011. *Ju Peng*

US Senate, European Parliament, French Senate, Italian House of Representatives, Japanese House of Representatives, Korean National Assembly, Australian Parliament and South African Parliament. With proactive efforts, the NPC has exchanged views on international and regional issues of common concerns with relevant national parliaments, expanded consensus and enhanced mutual trust, playing an important role in maintaining the smoothness and stability of communication and promoting long-term healthy development of bilateral relations.

During the 5th Meeting of China-Russia Parliamentary Cooperative Committee, Chairman Wu systematically summarized the valuable experiences of parliamentary exchanges between China and Russia: first, inter-parliamentary exchanges should be carried out with the fundamental purpose of contributing to the overall interests of State relations; second, inter-parliamentary exchanges should be focused on promoting pragmatic cooperation; third, priority of inter-parliamentary exchanges should be given to promoting lasting friendship. Wu called for improving the working mechanism, diversifying the types of exchanges and enriching the contents of cooperation, so as to effectively use and improve the mechanism for regular exchanges. The 6th Meeting of NPC-US Congress (Senate) mechanism has deepened the extensive dialogues between the two legislatures and led the China-related situation in US Congress towards positive

Legislation is an important function of the NPC, and it is one of NPC's priorities to conduct legislative exchanges and cooperation with foreign parliaments, enhance the legislative quality and accelerate democratic and legal construction.

direction. The 6th Meeting of the NPC-Japanese House of Representatives mechanism has promoted the healthy and stable development of China-Japan relations, playing a significant role in dealing with neighboring countries.

NPC: Legislative exchanges are the unique feature of the NPC's foreign relations. How do the foreign relations serve the legislative work?

Cao: Legislation is an important function of the NPC, and it is one of NPC's priorities to conduct legislative exchanges and cooperation with foreign parliaments, enhance the legislative quality and accelerate democratic and legal construction. In 2011, focusing on the legislative plan of the NPC Standing Committee and combining the important issues facing China's economic and social development, the Special Committees and Working Committees of the NPC sent 34 delegations to foreign countries and received 29 foreign delegations, conducting pragmatic exchanges on civil litigation, charities legislation, reform of budget management, use of natural resources, protection of agricultural lands, telecommunication and Internet security, and ethnic and religious policies.

NPC: Multilateral contacts form an important stage for the NPC foreign relations. Specifically, what kind of role have such contacts played?

Cao: At present, the NPC has joined 15 international and regional parliamentary organizations including the Inter-Parliamentary Union (IPU), the Asia-Pacific Parliamentary Forum (APPF) and the Asia-Europe Parliamentary Partnership Meeting. It enjoys an observer status in five regional parliamentary organizations such as the ASEAN Inter-Parliamentary Organization and the Latin-American Parliament. The NPC's multilateral contacts are featured with the combination of friendship with international parliamentary organizations and regional ones,

the combination of cooperation with traditional organizations and emerging mechanisms. In 2011, the NPC delegations attended the 124th and 125th IPU Assemblies, the G-20 Speakers' Consultation, the annual session of the Parliamentary Conference on the WTO, the Conference of Legislators in Asia-Pacific on Environment and Development, the Asian Parliamentary Conference, the 7th Baikal Economic Forum and the 27th Forum of Asian Legislators on Population and Development. The NPC plays a constructive role in publicizing China's policies and participating in international rule-making by making full use of the stages provided by international organizations and international conferences.

NPC: Promoting pragmatic cooperation is an important com-

ponent of NPC's inter-parliamentary exchanges. Would you please briefly describe the situation in this regard?

Cao: Pragmatic cooperation serves as the material guarantee for smooth development of State relations. The foreign contact activities of people's congresses at all levels play a unique role in matchmaking for business and local cooperation so as to promote economic cooperation and open to the outside world. Chairman Wu always attaches great importance to and commits himself to promoting China's foreign economic and trade cooperation, and has devoted a lot of efforts in this regard.

During his visit to Asia and Africa in May 2011, Wu stressed that good political relations should accelerate the economic and trade development, and he expected that both sides strengthen coordination and guidance of economic and trade cooperation, give full play to the main role of enterprise, and actively facilitate a number of major projects that will boost the development of other projects. He also called for expanding cooperation in scope and depth and working hard to convert the good political relations into the fruits of pragmatic cooperation. Wu made many pragmatic proposals to enhance mutually beneficial cooperation with the relevant countries.

During his visit to Europe and Central Asia in September 2011, Wu pointed out that both sides should fit into the development of economic and trade cooperation, establish and improve the cooperative mechanisms, strengthen strategic planning and overall coordination, and work hard to convert economic complementary advantages and strong desire of cooperation into real fruits of cooperation, commonly building a long-term and sustainable relationship of close economic and trade cooperation. When meeting with Russian and Belarus leaders, Wu proposed to encourage enterprises and research institutions from both sides to strengthen scientific and technological innovation and cooperation, especially instructive and cutting-edge technological cooperation, through conducting joint research and development, establishing demonstration projects and increasing mutual investments. Relying on building Science and Technology Parks and Industrial Parks, both sides should also accelerate the industrialization and commercialization of cooperation and cultivate new growth areas for pragmatic cooperation.

During each visit, on the sidelines of intensive political meetings and talks, Wu, in disregard of fatigues and troubles, inspected the projects of bilateral economic and trade cooperation, attended the signing ceremonies of bilateral economic and technological cooperation agreements, and provided guidance to entrepreneurs on strengthening cooperation, leading the bilateral pragmatic cooperation to a higher level. Pragmatic cooperation constitutes an important component of exchanges in the visits by other members of the Council of Chairpersons of the NPC Standing Committee, the inspection tours by the delegations of NPC Special Committees and the incoming visits by foreign parliamentary delega-



NPC Standing Committee Vice Chairman Wang Zhaoguo (left) meets with Ukrainian Parliament Speaker Vladimir Lytvyn in Kiev, capital city of Ukraine on June 6, 2011. *Mu Liming*

tions, touching upon such fields as economy, science, technology, culture and education and having enriched the characteristics of inter-parliamentary exchanges and deepened the State relations.

NPC: Inter-parliamentary exchanges on Tibet-related issues have become a highlight in NPC's foreign relations. How does the NPC safeguard China's national interests in its foreign contact activities?

Cao: As the highest organ of State power and the supreme legislative body, the NPC carries out its foreign contact activities on the basis of and with the purpose of safeguarding China's national interests. In practice, we actively publicize the policy of peaceful development, introduce the significance of the formation of the socialist legal system with Chinese characteristics and the achievements of democratic and legal construction, illustrate China's policies and proposals on handling the problems of financial crisis and climate change, and work diligently on Taiwan-related, Tibet-related and human rights problems, safeguarding China's core interests.

Under the leadership of the CPC Central Committee and the NPC Standing Committee, we have sent the NPC Tibetan delegations for three consecutive years to the United States and other Western countries to explain our policies and positions on the Tibet-related issues. The delegations, most members of which are Tibetans, present a new socialist Tibet with vitality, using the facts and their own experiences. The Western community therefore has the opportunity to hear the true voice from Tibetan people. The NPC Tibetan delegations have created a new brand of NPC foreign contact activities and expanded new channels for Tibet-related publicizing work. In 2011, we also arranged for delegations of senior US Congressional assistants to visit Tibet by Qinghai-Tibet

railway, and the Congressional assistants were greatly impressed by the beautiful sceneries of the snow-covered plateau, the unique ecological environment and the peaceful social communities.

NPC: What is the overall plan of the NPC's foreign contact activities in 2012?

Cao: In April 2011, Wu noted when meeting with a visiting Speaker of Parliament, "Although different in national conditions and political systems, parliaments of all countries will become a constructive force in State relations and inject new vitality into bilateral relations, as long as they firmly stick to the overall situation of bilateral relations, adhere to the principle of mutual respect, equal treatment and friendly coexistence, and enhance mutual

understanding and deepen cooperation." Wu's important remarks have defined the fundamental principle for inter-parliamentary exchanges, showing theoretical and practical significance for the NPC's foreign contact activities as well as the universal guiding significance for cooperation between parliaments of the world. As the prerequisite for inter-parliamentary exchanges, mutual respect makes it possible to learn from each other, seek common grounds while reserving differences and conduct close cooperation; as the basic requirement for inter-parliamentary exchanges, equal treatment promotes political consultations on an equal footing, economic equality and mutual benefit and equal communication in attitude; as the essential feature of inter-parliamentary exchanges,



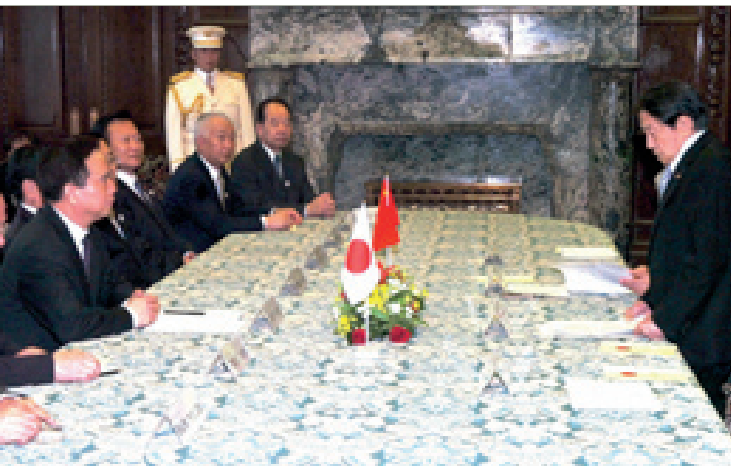
NPC Standing Committee Vice Chairman Lu Yongxiang attends the First Cooperation Forum between BRICS cities and local governments held on December 2, 2011 in Sanya, Hainan Province. *Yin Haiming*



Themed on "China and Spain in a Globalized World", the 6th Sino-Spanish Forum is held in Barcelona, Spain on July 5, 2011. NPC Standing Committee Vice Chairwoman Uyunqing (first from left) attended the event and delivered a speech at the opening ceremony. *Chen Haitong*



On May 20, 2011, Latvian President Valdis Zatlers meets with visiting NPC Standing Committee Vice Chairman Han Qide (left) in Riga, capital of Latvia. *Guo Qun*



NPC Standing Committee Vice Chairman Li Jianguo (first from left) meets with Takeo Nishioka, President of Japan's House of Councilors in Tokyo on July 5, 2011. Li paid the visit to attend the 6th Meeting of the Mechanism for Regular Exchanges between the two legislatures. *Xie Guoqiao*



NPC Standing Committee Vice Chairman Ismail Tiliwaldi (right), who was dispatched by Chinese President Hu Jintao as a special envoy, meets with Akhmatbek Keldibekov, Speaker of Kyrgyzstan Parliament on November 30, 2011 in Bishkek, capital of Kyrgyzstan. *Guan Jianwu*



Jiang Shusheng (right), Vice Chairman of NPC Standing Committee, meets with Feliciano Belmonte, Jr., Speaker of the House of Representatives of the Philippines on May 25, 2011 in a visit to the Philippines. *Gao Qi*

friendly coexistence reflects the common aspiration of friendliness and peace by all the people in the world and shows the nature of parliament as a public-opinion and representative body.

In 2012, according to Wu's requirements, adhering to the purpose of serving China's overall diplomacy, domestic economic construction and the NPC's own work and sticking to the principle of mutual respect, equal treatment and friendly coexistence, the NPC will carry out inter-parliamentary exchanges at all levels and exerts its efforts to expand public diplomacy so as to safeguard and extend China's strategic opportunity period and make new contributions to promoting to build a harmonious world with lasting peace and common prosperity.

NPC: How do you evaluate the overseas edition of National People's Congress Magazine on the whole? How can the Magazine play a better role in NPC's foreign contact activities?

Cao: This magazine serves as an important window from which foreign countries know about China and the NPC and great achievements have been scored since its first publication, playing an important role in the NPC's publicizing work. I sincerely hope that the magazine pay closer attention to the NPC's actual work, especially the inter-parliamentary exchanges, take into account the actual demands by foreign audiences, enhance the effectiveness and build the magazine as a brand of China's international communication. (NPC) ■

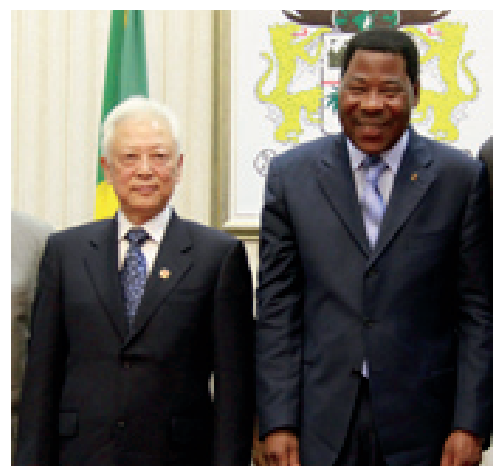


Sri Lankan Prime Minister D.M. Jayaratne meets with visiting NPC Standing Committee Vice Chairman Hua Jianmin (left) in Colombo, capital of Srilanka on March 22, 2011.

Chen Zhanjie



NPC Standing Committee Vice Chairwoman Chen Zhili (right) meets with Basilio Mosso Ramos, President of the National Assembly of Cape Verde to discuss cooperation between the two legislatures on April 12, 2011. *Xinhua*



Benin President Boni Yayi meets with visiting NPC Standing Committee Vice Chairman Zhou Tienong (left) on November 15, 2011. The two sides vowed to strengthen friendly relations between the two countries. *Yang Chao*



NPC Standing Committee Vice Chairman Chen Changzhi (left), who was dispatched by Chinese President Hu Jintao as a special envoy, meets with President of Costa Rica Laura Chinchilla on March 25, 2011. *Fan Huibo*



NPC Standing Committee Vice Chairwoman Yan Junqi (second from right), who is also Vice Chairwoman of the Chinese People's Association for Peace and Disarmament, attends the 4th Peace Forum between Chinese and US Peoples on October 22, 2011. *Zhi Linfei*



Visiting NPC Standing Committee Vice Chairman Sang Guowei (right) meets with Macedonian President Gjorge Ivanov in Skopje, capital of Macedonia on September 16, 2011. *Yang Ke*

A timely modification of Civil Procedure Law

By Zhang Weiwei

In October 2011, the draft amendments to the Civil Procedure Law were submitted to the National People's Congress (NPC) Standing Committee for deliberation. At the same time, it also solicited opinions from the public. In addition to the minor repairs in 2007, the revision to the law in 2011 was the largest one since its promulgation in 1991.

History of legislation

The formulation and development of the Civil Procedure Law are coherent and interconnected. Identical with many other laws, the first civil procedure law was born in the "Spring of Legislation". The legislation of the law kicked off shortly after the 3rd Plenary Session of the 11th Communist Party of China

(CPC) Central Committee. After three years of preparation, it was adopted on March 8, 1982 by the 22nd Meeting of the Fifth NPC Standing Committee.

Professor Jiang Wei with the Renmin University of China, who participated in the legislation, recalled that the drafting of the law was accompanied by continuous divergences, controversies and pressure: it fell into confusion due to the suspension of the formulation of the Civil Law; heated debates were triggered on whether the principle of "Relying on the people to conduct investigations and resolving problems on the spot with mediation as the dominant manner" should be written down in the law; and repeated discussions were made on the coercive measures taken by the court.

"Facts had proved that the principles, systems and procedures regulated by the law, although for trial implementation, were accurate and feasible. It played an important role for the people's court in handling civil and economic disputes legally and timely and laid a solid foundation for the formal promulgation and amendment in the future," said Jiang.

The very nine years after the adoption of the Civil Procedure Law coincided with the surging of China's reform and opening up, significant progress had been made in the socialist market economy, followed by the growing number of civil and economic disputes, demanding further revisions of the law. Moreover, the adoption of the General Principles of the Civil Law and other civil substantive laws required a smooth connection in the legal procedures.

On the basis of summarizing the experiences on civil, economic and maritime trials, the Fourth Plenary Session of the Seventh NPC reviewed and adopted the Civil Procedure Law on April 9, 1991.

In Jiang's opinion, one major revision to the Civil Procedure Law was to include the stipulation of "protecting the litigation rights exercised by the parties" in the General Principles. This change "undoubtedly played a positive role in overcoming the difficulty for the parties to exercise their legal rights, urging judicial personnel to apply appropriate procedural law and sub-



The Presidium of the 4th Plenary Session of the 7th NPC convene for the fourth time in the Great Hall of the People on April 6, 1991. The presidium took a vote on the deliberation reports of the draft Civil Procedure Law (for Trial Implementation) and the Income Tax Law for Enterprises with Foreign Investment and Foreign Enterprises, which were submitted by the NPC Law Committee. Wang Jingde



A ship collects crude oil near the Platform C in the Penglai 19-3 Oilfield in China's Bohai Bay on September 2, 2011. Oil and mud leaking accidents took place at platforms B and C in the oilfield on June 4 and 17, 2011. China's State Oceanic Administration filed the lawsuit against the oil producer, demanding economic compensation for maritime ecological damages on August 16. *Zhang Xudong*

stantive law and respecting and protecting the exercise of the litigation rights”.

In order to meet the needs of reform and opening up, the Civil Procedure Law added the stipulations on insurance contract, instrument dispute and the jurisdiction of general average. Based on China's actual situation and drawing lessons from the experiences of foreign civil legislation, the law also adds new rules on related procedures, such as the Procedure for Hastening Debt Recovery, the Procedure for Publicizing Public Notice for Assertion of Claims, and the Procedure for Bankruptcy and Debt Repayment of Legal Person Enterprises.

Experts on Civil Procedure Law noted that the amendments in 1991 not only strengthened the application of civil litigation principles, but also stressed the participation of litigants by downplaying the intervention from the court. The revision reflected more progress in litigation.

In 2007, the 10th NPC Standing Committee amended the Civil Procedure Law revised in 1991 with an attempt to solve

the difficulties of complaints and enforcement. First, the retrial procedure was improved. It explained the violations of legal procedures, defined the time limit for the retrial, and completed the regulations on legal supervision by the people's procuratorates. Second, in order to enhance the effectiveness of enforcement, the procedure of enforcement was revised, strengthening the compulsory power of enforcement by the people's court, adding the execution of remedy system and establishing the deterrence mechanism on the enforcement of court decisions.

Based on social transformation and contradiction conciliation

NPC deputy Shen Chunyao said that the 2007 amendment, formed on the basis of the proposals by the 10th NPC deputies, achieved a limited goal, which was mainly targeted to solve the difficulties of complaints and enforcement.

Today's social environment has changed dramatically compared with that of 1991 when the Civil Procedure Law was enacted. In the past 20 years, social transformation was accelerating. NPC deputy Huang Liman said that issues concerning fairness and efficiency have become prominent. On the one hand, the number of civil cases keeps increasing but the court suffers from personnel shortage. A number of cases cannot be treated timely. On the other hand, citizens have increasingly higher expectations toward judicial fairness.

Wang Shengming, Vice Chairman of the Legislative Affairs Commission of the NPC Standing Committee, noted that with rapid economic and social development and increasing civil cases, new types of cases continue to appear, and original provisions of civil litigation require further revision.

In response to the new problems and conflicts, the draft has provided solutions. "From the perspective of improving civil procedure, the amendments have refined civil litigation procedure, provided creative regulations to issues such as the supervision in civil lawsuit, public interest litigation and inhibition of malicious litigations, which has been urged by academia and practitioners." Besides, from the perspective of improving judicial efficiency and for the public convenience of the proceedings, the draft has revised the summary procedure and added stipulations on the procedure of small claims.

"There is a positive effect to amend the Civil Procedure Law in the context of social transformation and contradiction conciliation," said Huang Liman, adding that the amendments have shown respect to basic litigation rules, stressed the settlement of major judicial problems, handled properly the relationships among various values. It has played a significant role in enhancing the legitimacy, rationality and operability of the proceedings

and improving the credibility of the justice.

Building a more mature litigation mode

As a basic law adjusting litigation activities and relations among equal subjects, the Civil Procedure Law has two major functions, namely, protecting the exercise of litigation right by the parties and ensuring the properly exercise of judicial power by the court.

Reviewing the past experiences, "we can see the revision of the Civil Procedure Law is actually a process to readjust the rights (powers) and obligations between the court and the parties," said Professor Tang Weijian, Deputy Director of Litigation Department of Law School of Renmin University of China. Adopted in 1982, the first Civil Procedure Law (for Trial Implementation) was a product of planned economy due to the limitation of the legislative background. The 1991 amendments mainly modified the litigation mode by strengthening the litigation rights of litigants and decreasing the jurisdiction of the court. The litigation mode was thus in the development road towards adversary system. The amendment, according to Tang, had strengthened the litigant party's right to appeal and adjusted the jurisdiction of the court with the aim to establish a more mature litigation system.

In the explanation of the draft amendments, "protecting the litigation rights exercised by the parties" is the first key doctrine that has to be abided by. As a result, the draft amendments have improved the procedures of prosecution, case acceptance and preparation before trial. Moreover, public interest litigation has been added into the draft, suggesting to stipulate that relevant organs and social groups can bring legal proceedings to the court on the activities that harm social and public interests, such as environmental pollution and violation of the interests of mass consumers.

Taking into account of the actual need of intellectual property rights, the draft has improved the preservation system. At the same time, it has further developed the publicity of adjudicative documents to improve the quality of the trials and enhance the credibility of the judiciary.

In addition to curbing judicial corruption and providing clear, open and transparent legal channels for litigant parties, the amendments have expanded the scope of supervision to civil enforcement activities, establishing the supervision function of the procuratorate organs. It has allowed the procuratorates to access court's litigation files and investigate and verify the situation to the relevant personnel.

"All these provisions are of positive significance to promoting the justice of the court, and also reflect the characteristic of being conducive to the protection of the rights of parties to litigation," said NPC deputy Chen Xiurong. ■



There are more than 10 environmental protection courts within the jurisdiction of Kunming, capital of Yunnan Province. In 2011, the Yunnan Provincial Department of Environmental Protection unveiled new regulations, demanding that its sub-bureaus file at least one or two public interest lawsuits annually and that those failing to fulfill the task will be punished. CFP

China opens the door for public interest litigation

By Xie Sufang

In 2011, the draft amendment to the Civil Procedure Law was submitted to the Standing Committee of the National People's Congress (NPC) for the first deliberation. A newly added provision stipulates that related units or social groups are entitled to take a legal action against activities that harm the interests of the people, such as environmental pollution and infringement of consumers' rights. The revision receives unanimous support among the deputies because it fills the legal gap of "public interest litigation".

According to China's current law, parties to a civil litigation must be direct stakeholders. Therefore, with regard to some incidents that have seriously harmed public interest, such as environmental pollution and food safety issues, public prosecutions cannot be initiated for harming the public interest, lacking adequate legal deterrence to such conducts. Now the draft amendment stipulates clearly that public prosecution can be initiated to the conducts harming public interests. NPC deputies believe it represents a big progress of China's civil litigation system.

As a special civil litigation system, public interest litigation deals with social and public interests. Many members of the NPC Standing Committee find that some problems of public interest litigation have not been decided in the draft amendment and will affect legal practices, calling for further refining and improving of the amendment.

The scope of public interest litigation has to be defined. When speaking of the public interest, "is it based on the number of people involved or on the quantity of public resources or assets or any other standards? Will the activities leading to the loss of State-owned assets or demolition of cultural heritages infringe public interests?" asked NPC deputy Ren Maodong. He said there must be clear provisions in law to make a distinction between public interest, national interest and collective interest.

Who has the right to lodge public interest litigations? This is the focus of the discussions among the deputies. It stipulates in the draft amendment that relevant organs and social groups are entitled to lodge public interest litigations. "Relevant organs include administrative departments and social groups refer to non-government organizations, such as consumer associations," explained an official from the Commission for Legislative Affairs of the NPC Standing Committee.

"Civil litigation should be legal actions between civil subjects with equal status, while public interest litigation is a kind of au-

thorized lawsuit lodged by specific organizations. It is ambiguous to use the phrase relevant organs," said deputy Dai Yuzhong. He noted that the subject of public interest litigation must be clarified in law and that the administrative departments are not suitable to be the subjects of public interest litigation. According to Dai, "Chinese administrative departments have extensive power in supervising public safety issues, such as environmental pollution and food safety. They have the right to investigate and punish those which have violated public interests and protect the legal interest of citizens. Thus it is unnecessary for them to serve as the subjects of public interest litigation in court."

"As the supervisory authority, the procuratorates cannot stand by when national and public interests are violated," said deputy Zou Ping, adding that procuratorial organs are the most appropriate subject of public interest litigations. She suggested that the law clearly entitle the right to procuratorial organs.

By contrast, "social groups" include a wider range of organizations. Many deputies have suggested a clearer definition in this regard. "Do social groups refer to those who have registered at the civil affairs department since such groups represent private rights? Can victims nominate their representatives to lodge litigations? There should be more detailed regulations," said deputy Lü Wei.

Deputy Cong Bin argued that citizens, as natural persons, should enjoy the same legal status and rights as the legal persons in civil lawsuits. In the cases of public interest litigations, citizens should have the equal right to be the subjects of prosecutions.

Additionally, there lacks concrete provisions in the draft amendment for litigation procedures, prevention of litigation abuses, burden of proof and cost of lawsuits concerning public interests. Many deputies have expressed their worries that over-generalized stipulations in law might lead to many problems in practice. They propose "to carry out further studies and deliberations to perfect the law instead of completely turning to judicial practices when facing with the technical problems."

Besides, the draft amendment also made revisions on the filing and accepting procedures, pre-trial preparations, property preservation system and the adjudicative documents. For instance, it requires the people's courts to complete the written ruling within seven days after receiving a legal complaint and the courts handle cases based on different circumstances. ■

Labor relations: from disputes to mutual trust

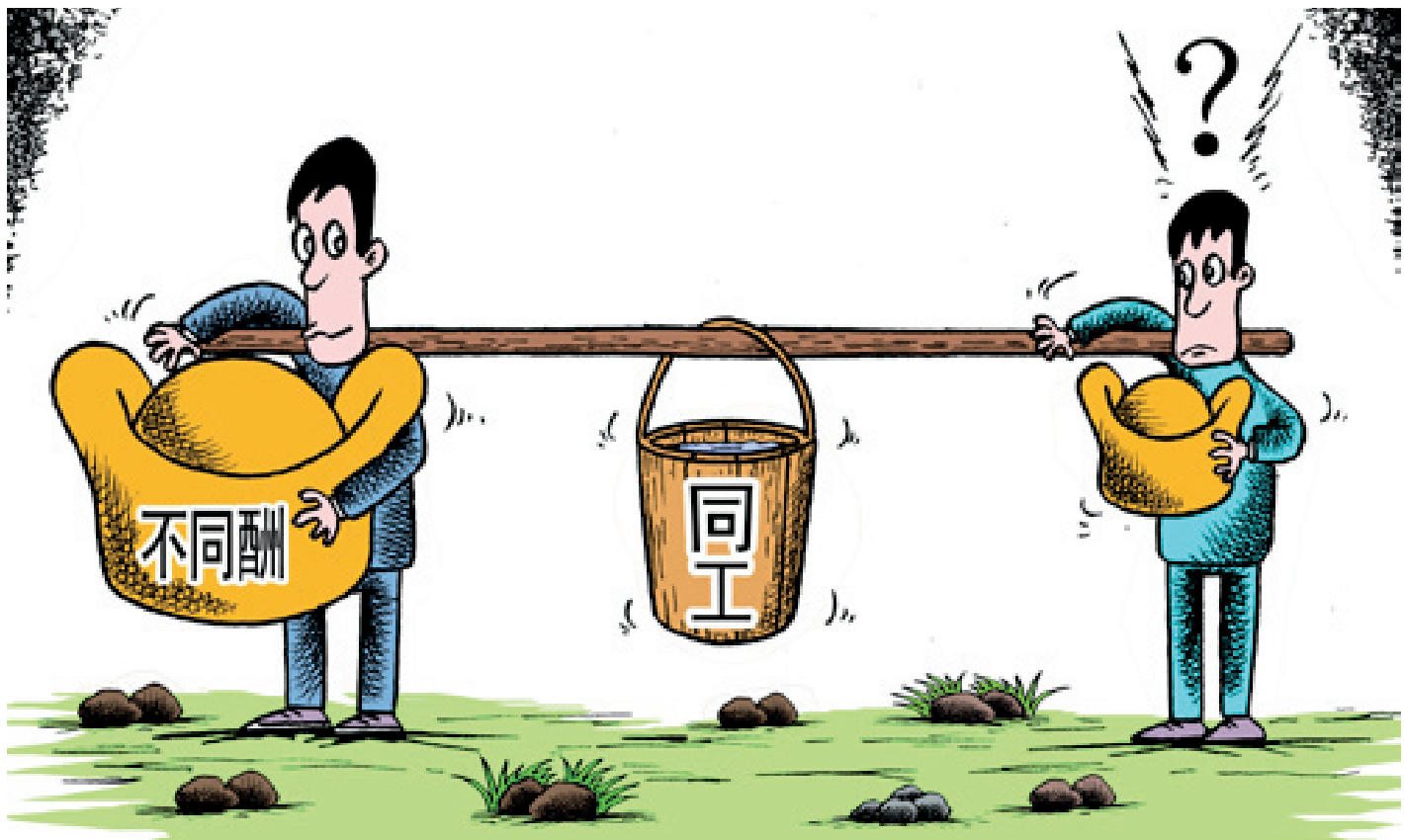
By Zhang Weiwei

In 2008 when the Labor Contract Law came into effect in China, a global financial crisis swept the world. The Standing Committee of the National People's Congress (NPC), China's top legislature, kicked off a law enforcement inspection aimed at achieving a win-win situation between employees and employers by abiding by the law. It also sought to break the deadlock of labor relations. Subsequently, the introduction of a series of measures led both employees and employers out of the economic dilemma.

In July 2011, the NPC Standing Committee launched once again the law-enforcement inspection on the Labor Contract

Law, and submitted the inspection report to the 23rd Meeting of the 11th NPC Standing Committee in late October.

"Safeguarding employees' legitimate rights and interests constitutes part and parcel of the implementation of the Scientific Outlook on Development and embodies the Party's commitment to serve the people," Wu Bangguo, Chairman of the NPC Standing Committee, said at the first plenary meeting of the law enforcement inspection groups. The inspection aims to ensure the better implementation of the Labor Contract Law by labor-intensive small- and medium-sized enterprises and private enterprises, through resolving problems and regulating export



Some enterprises are alleged of abusing labor dispatches, failing to practice "equal pay for equal work". CFP



Yao Guopeng, a 25-year-old migrant worker from Chongqing, cleans the 468-meter-high Oriental Pearl TV Tower in Shanghai on August 21, 2011. *Chen Fei*

of labor service and signing collective contracts on the basis of consultation and strengthening labor inspection.

Lasting inspection efforts

Few laws have evoked such social responses like the Labor Contract Law, which has triggered hot debates since the adoption of the law four years ago. The top legislature pays high attention to the implementation of the law because it is important to laborers' welfare, enterprise development and social harmony and stability.

After four rounds of deliberations, the Labor Contract Law was promulgated in June 2007 and came into effect on January 1, 2008. Then less than one year later, an economic crisis caused by the financial tsunami raged the world and brought huge impacts to many Chinese enterprises, especially those small- and medium-sized ones. Subsequently, many new problems sprouted and brought severe challenges to the relations between employ-

ees and employers.

Faced with such a pressing situation, the NPC Standing Committee made a resolute decision to launch inspections on the implementation of the Labor Contract Law from mid-September to mid-October in 2008. Three groups of inspections were dispatched to the provinces of Shandong, Fujian, Jiangsu, Liaoning, Shaanxi and Guangdong. Having examined more than 30 enterprises in 18 cities, the groups submitted a detailed report to the NPC Standing Committee at the end of 2008, proposing a series of methods to cope with difficulties. "The more difficult the situation is, the more attention is needed for (the improvement of) people's livelihood. Relative departments should better implement the Labor Contract Law based on the current situation, pay more attention to employees' legitimate rights and interests and enterprise development as well as to the social harmony and stability," required the report, defining the implementation of the law in the context of finance crisis.

"The protection of laborers' legitimate rights and interests



Workers load sacked cement produced by a large-sized cement enterprise at a freight yard in Huaibei, Anhui Province on August 17, 2011. Cement carriers have to work in an environment of dusts, which are harmful to their health. CFP



Two workers set up power cables on the construction site of the Beijing-Shijiazhuang Passenger Line in Beijing on October 30, 2011. CFP

is crucial for a win-win situation between employees and employers and accords with the long-term interests of both sides. It is also in the overriding interest of the nation.” The rational decision-making by the NPC Standing Committee in the deliberations of the law has enhanced the confidence for both Chinese enterprises and employees to work together to tide over the difficulties and has deeply impressed the world.

In July 2011, the NPC Standing Committee once again launched the enforcement inspection on the Labor Contract Law, focusing on the problems found previously, including the low rate of contract signing of migrant workers in the labor-intensive

industry, malpractices in the export of labor service, infringements of employees’ rights and interests, the unsoundness of the collective consultation and collective contract system, and so on and so forth.

From July to August, 2011, the NPC Standing Committee dispatched three groups, headed by Lu Yongxiang, Hua Jianmin and Chen Zhili respectively, to Henan, Fujian, Jiangsu, Liaoning, Shaanxi and Guangdong provinces to conduct the on-the-spot inspections of the implementation of the Labor Contract Law. It also entrusted the standing committees of the people’s congresses in 10 provinces, autonomous regions and municipalities, including Tianjin, Shanxi, Inner Mongolia, Shanghai, Jiangsu, Anhui, Shandong, Hunan, Yunnan and Gansu, to examine the implementation of the law under their jurisdiction.

Hua Jianmin, Vice Chairman of the NPC Standing Committee, provided three recommendations to resolving key problems when addressing the first meeting of the inspection groups. First, we must strengthen to regulate the labor contract system. Second, we must standardize the export of labor services. The inspection groups will focus on three issues: temporary, auxiliary and alternative work positions, equal pay for equal work, and democratic management among dispatched laborers. Third, we must push forward the establishment of collective consultation system and pay attention to learning and discovering good experiences and practices in this regard.

Labor Contract Law gains popularity

Several years have passed since the Labor Contract Law was drafted and promulgated. A consensus has been reached among the public on the implementation of the law.

“At first, many enterprises were reluctant to follow the Labor Contract Law; but now they voluntarily abide by the law.” Officials from the NPC Financial and Economic Committee noted that many companies have improved their awareness of compliance with the law and standardized the employment management. The majority of employees take the Labor Contract Law as an effective tool to safeguard their legitimate rights and interests, paying more attention to protecting their rights in accordance with the law and voicing their demands in a rational manner.

In China, problems related to labor contracts widely exist in labor intensive industries, such as construction, hotels and catering, manufacture, mining and service industries. Based on the suggestions from the 2008 NPC law enforcement inspection reports, several ministerial departments, such as the Ministry of Human Resources and Social Security, the All China Federation of Trade Unions and China Enterprise Confederation,

jointly launched the “Warm Spring Program” in 2009 with the aim to demand more migrant workers to sign labor contracts in the above-mentioned sectors. In 2010, they deployed another campaign to push forward contract signing in small-sized enterprises.

Inspection reports indicate that the rate of labor contract signing has been significantly increased since the implementation of the Labor Contract Law. By the end of 2010, the rate of labor contract signing had reached 97 percent in the enterprises above designated size, representing an increase of 6.3 percent than that in the end of 2007.

The collective consultation and collective contract system have balanced the relations between laborers and employers, conducive to ensuring laborers share the fruits of enterprises’ development and creating a harmony between laborers and employers. In 2010, relevant departments jointly implemented the “Rainbow Project” to increase the rate of collective labor contracts in the small businesses that have not set up trade unions.

So far, major progress has been made in the current stage of our efforts to implement this system. During the inspection, some employee representatives said that there was an obvious increase in their wages and the working conditions were improved thanks to the consultation system. By the end of 2010, the departments of human resources and social security had reviewed more than 921,000 collective contracts involving 114 million employees, increasing by 83.5 percent and 76.5 percent respectively when compared with the figures in the end of 2007.

“Inspection results have shown that most of the problems found in the NPC Standing Committee law enforcement inspections in 2008 have been solved,” said an official with the NPC Financial and Economic Committee. According to some enterprises, the Labor Contract Law is one of the laws that enjoy most popular support in recent years, playing a positive role in safeguarding employees’ rights and interests and improving the employment conditions in Chinese enterprises.

Industrial upgrading through regulated employment

In recent years, the “labor shortage” swept small- and medium-sized enterprises, especially in those labor-intensive industries. According to NPC deputy Gu Shengzu, the surplus rural labor forces have been reduced significantly, leading to a change in the pattern of labor supply and demand. Moreover, the new generation of migrant workers have higher expectations for working environment, welfare, development opportunities and cultural life in cities.

The law enforcement inspection teams have found that the rate of contract signing remains low in some labor-intensive

industries due to their small scales, loopholes in management, inadequate social services and lack of legal awareness among the employers. For those companies that have signed labor contracts with their employees, malpractices exist, such as insufficient regulations, delayed payment of wages and non-payment or underpayment of social insurance.

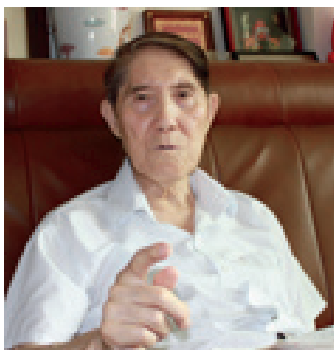
In addition, problems still exist in labor dispatches, infringement of employees’ payment and of their interests and rights. The rate of collective contract signing and the quality of compliance with contracts need further improvement. “We should keep a sober attitude that there are tensions in labor relations and confrontations between labor and management, leading to mass disturbances in some regions and sectors, and therefore we must attach great importance in this regard,” noted the report submitted by the law enforcement inspection teams.

“‘Labor shortage’ has exposed the imbalance between labor and management that has existed for quite a long time,” experts said. The Labor Contract Law, which safeguards employees’ legitimate rights and interests, does not necessarily mean it will damage the employers’ interests. On the contrary, it will help standardize the employment order and enhance the management level by guiding the enterprises with a long-term prospect. It also pushes forward employees to improve their skills and increase the productivity and loyalty to the companies.

The inspection groups have vowed to further enhance the publicity of the law among the public in the future. Additional efforts will also be made to optimize relevant policies and regulations, standardize export of labor services, advance collective wage negotiations and contract signing, strengthen supervision and resolve labor disputes in the future. ■



To improve laborers’ awareness of safeguarding their legitimate rights, Guiyang Human Resources and Social Security Bureau organizes a themed-event to create harmonious labor relations in non-public enterprises on March 11, 2011. Bureau officials also publicized knowledge of the Labor Law and policies on social security and startup business. *Liu Xu*



Professor Guan Huai

Guan Huai: caring for laborers whole-heartedly

By Li Xiaojian

Professor Guan Huai enjoys a high reputation in the field of labor law, winning his fame for his contributions in the drafting of socialist labor law and economics law. Also an educator, Guan is regarded as one of the founders of China's socialist theory of labor law.

Since 1949 when the New China was founded, Guan, a law graduate, has been actively involved in legal education. He participated the preparation, establishment and development of the Department of Law, Renmin University of China. In 1956, Guan began to draft the labor law, which was finally promulgated in 1994. For several decades, he has been committing himself to the development of China's socialist labor law for the interests of the laborers.

After retirement, Guan Huai works as the honorary chairman of the Institute of Social Law under the China Law Society, honorary chairman of Beijing Institute of Labor and Social Security Law as well as legal adviser to the All-China Federation of Trade Unions.

Remarkable achievements have been made in China's labor law legislation in recent years, Professor Guan told NPC Magazine. The year of 2007 was regarded as "Legislation Year of Labor Law", during which three laws – the Labor Contract Law, the Employment Promotion Law and the Labor Dispute Mediation and Arbitration Law – were adopted. Besides, some decrees and local regulations were drafted. All these legislative efforts have demonstrated the determination of central and local governments in safeguarding the legitimate rights and interests of laborers. However, more endeavors are needed to establish a sound system of labor law.

"Under the current environment that emphasizes people's welfare, we'd better draft more labor-related laws and regulations concerning wages, workplace supervision and inspection. Moreover, we should improve China's socialist labor code in order to better protect the harmonious labor relations," Guan said.

China's forerunner of Labor Law study

Professor Guan, formerly known as Guan Jiaju, was born in June 1927 in Yanshi, Henan Province. At the age of 20, he was admitted into the Peking Chaoyang University, which was the most fa-

mous law school at that time. In the college, he participated students' movement and became a member of a youth organization led by the underground Communist Party. In 1948, the Party dispatched him to a liberated area and entered the College of Political Science, North China University for further study. He then changed his name to Guan Huai, meaning "care" in Chinese. After graduation, he became a teacher of the college. In September 1949, Guan was transferred to China University of Politics and Law (CUPL), which was established by Xie Juezai, a Chinese politician and jurist, on the basis of Peking Chaoyang University. Half a year later, CUPL, together with the College of Political Science, North China University, was merged into the Renmin University of China. Since then Professor Guan worked as a teacher and researcher in the field of labor law.

Opening his neatly-written notebook, Professor Guan Huai recalled the early days of the Renmin University of China. "A lot of Soviet experts were invited to work as department consultants at that time. At the beginning, Soviet experts taught lessons directly to Chinese students with interpretation, but the teaching effect was far from satisfaction. Later, the college decided to make some changes, letting the teachers listen to the Soviet experts first and then pass the knowledge on to their Chinese students," said Professor Guan Huai. "We were students and teachers at the same time."

After some time, the teachers of the Law Department mastered the knowledge and began to teach the students themselves. "With the help of another teacher, I was teaching labor law, though China had no labor law at that time. The Soviet Union had promulgated a relatively complete Labor Code of the Russian Federation in 1922. Consequently, the knowledge we taught in class came from the Soviet Union, hardly involving domestic issues."

In order to enrich China's labor law studies, Guan, together with other teachers, published a number of academic papers on labor rights based on the lectures given by the Soviet Union experts. In 1956, Guan published an article titled New China is a Country with Working Freedom," which explained Chinese citizens' rights entitled by the Constitution to work, to rest, to be rewarded according to performance, to enjoy education and social security. Published in 1959, the article On the Working Rights of Chinese Citizens explained the nature and connotation of working rights as well as the measures taken by the government to protect people's working rights.

For many years, Professor Guan never stopped writing. In July 1994 when China's Labor Law was enacted, he edited a new college textbook "Labor Law," which systematically expounded the legislation process, guiding principles and spirits of the law. Since then, he has altogether edited more than 30 kinds of books, including "Labor Law and Social Security Law", "Labor Law", and "An Introduction to Law and Labor Law" and "Guidance to Labor Contract Law".

1956-1994: Witnessing the promulgation of the Labor Law

It took almost 40 years to draft and adopt the first Labor Law after New China was founded in 1949. Professor Guan took an active part in the drafting of the law, which was revised for dozens of times until adopted in 1994.

In 1954, China adopted its first Constitution. "A State leader responsible for the legal work said it was not enough and urged for drafting more laws, including labor law," recalled the professor.

As a result, the Ministry of Labor organized a legislation group, which was headed by the then First Vice Minister Mao Qihua, in 1956. Professor Guan was one of the members of the group. After studying the speeches made by State leaders, they began to draft outlines, framework and major provisions of the law. In the legislation process, the group used and studied materials from home and abroad, including the legislation experiences from the Soviet Union.

Unfortunately the drafting process was disrupted in the second half of 1957. According to Professor Guan, the drafting group was dissolved in the second half of 1958 under the disturbance of frequent movements, such as "anti-rightist struggle" and "the movement of people's commune".

In 1978, when delivering a speech at the closing session of the CPC Central Committee's working conference, Comrade Deng Xiaoping proposed that the socialist legal system must be strengthened to better protect the people's rights as the masters of the nation. He urged a number of laws, including the labor law, to be drafted as soon as possible. Subsequently, the leaders of the Ministry of Labor echoed Deng's remarks quickly by organizing a second drafting of the labor law in 1979. Professor Guan was once again invited to participate in the drafting.

"One obvious change of the second drafting was that more legislative materials could be used, including not only those from the past and the Soviet Union, but also those from the capitalist countries," indicated the professor. He said the drafting process started in early 1979. After numerous debates, the draft law was submitted to the State Council in July 1983, which held a two-day meeting to deliberate the draft law. The Ministry of Labor sent Professor Guan Huai and Mr. Yue Guangzhao to listen to the discussion. A final draft of the law was passed and then submitted to the NPC for deliberation. "However, as some of the concepts in the draft were too advanced,

the draft was not discussed in the meeting of the NPC Standing Committee," Guan said.

With the deepening of reform and opening up, people's mentality gradually evolved. In 1989, there was strong demand to formulate the labor law. A number of NPC deputies and members of the Chinese People's Political Consultative Conference (CPPCC) jointly proposed to call for the drafting of the law as soon as possible during the annual "Two Sessions".

In this case, the promulgation of labor law became extremely urgent. In 1990, the labor law drafting group was established again. Professor Guan said, an important principle is to formulate the law as soon as possible, and the drafting of the labor law was actually "the faster, the better, even though a little bit rough".

After being revised for 30 times, the Labor Law finally was adopted at the 8th Meeting of the Eighth NPC Standing Committee on July 5, 1994. It fully absorbed Professor Guan's suggestions on safeguarding laborers' interests and rights.

Besides, Guan took part in the amendments to the Trade Union Law and the formulation of a number of labor legislations, making significant contributions to China's labor law legislation.

A defender of labor rights

"I believe, as a researcher in labor law, I should participate in practical work. So when people ask me for help, I never hesitate. It is important to maintain close contact with the society. I changed my name to Guan Huai (meaning "care" in Chinese), indicating my ideals," said Guan. "Speaking and working for the laborers is my social responsibility as well as my pleasure."

In addition to participating in the labor law legislation and research, Guan Huai also attended various academic exchanges. In 1990, he led a Chinese labor law delegation to India to attend the Labor Law Research Conference, which was sponsored by the Asia-Pacific Legal Association. In 1996, he was invited to give lectures at the School of Law of University of Hawaii. In 1997, he gave lectures at the Institute for Labor Studies of Taiwan Chengchi University.

For his outstanding contributions in the field of labor law, Professor Guan has been given special allowances by the State Council since 1992. In 1999, the China Law Society celebrated its 50th anniversary at the Great Hall of the People. Guan received a certificate to honor his 50-year studies and teaching from Wei Jianxing, then member of the Standing Committee of the Political Bureau of the CPC Central Committee. In 2004, he was awarded by China's Labor Law Research Association for his outstanding achievements in the labor law. In 2010, Renmin University of China, when celebrating its 60th anniversary, issued him an award for his contributions in the development of law education.

Today, the pioneer of China's labor law studies spares no effort to care for the interests of laborers. ■



State leaders, including Hu Jintao, Jiang Zemin, Wu Bangguo, Wen Jiabao, Jia Qinglin, Li Changchun, Xi Jinping, Li Keqiang, He Guoqiang and Zhou Yongkang, attend a grand ceremony to commemorate the centennial of the Revolution of 1911 at the Great Hall of the People in Beijing on October 9, 2011. *Lan Hongguang*

Out of the past, into the future

By Wang Jie

End of feudal monarchy by the Revolution of 1911 saw China embark on the road to national rejuvenation and modernity.

The Revolution of 1911 was a milestone in the rejuvenation of the Chinese nation and brought many changes to the country. Reviewing the century-long legacy of the epoch-making event, from political, economic, cultural and international perspectives, offers today's Chinese society precious historical references.

The Revolution of 1911 put an end to the millenniums-long autocratic monarchy and established a fledgling democratic republic, under which Chinese people's political rights such as democracy, freedom and equality were openly and legally recognized for the first time. Following the revolution, China presented itself to the world as a "modern nation" and embarked on its march toward political modernization.

The Revolution of 1911, known as the Xinhai Revolution in China, pushed the country forward on a new road of national unity and forged a sense of identity as a modern nation. The slogans raised by Dr Sun Yat-sen and other republican forerunners for national unity and the "Chinese nation" concept put forward by the Republic of China, following its establishment in 1912, greatly unified a nation that had long been plagued by political strife and chaos and started China's transition to modernity.

The revolution smashed the feudal fetters and triggered the powerful ideological movement "salvaging the nation through boosting industrial development". Upon the establishment of a revolutionary alliance, advocated by Dr Sun in Tokyo in 1905, economic problems replaced political and ethnic ones to become a key factor influencing the future of China. Ever since, the "industrial development" campaign has swept through China and a wide variety of industrial associations have subsequently emerged.

The campaign for industrial development, coupled with the ever-rising patriotism of the people and the democratic spirit triggered by the Revolution of 1911, greatly improved the domestic environment for economic development and catalyzed the development of national industry and commerce, which was boosted by the introduction of various policies and regulations. Both the Nanjing interim government and the ensuing nationalist government under Yuan Shikai attached the utmost importance to industrial development, setting up special administrative bodies for this purpose and promulgating a series of regulations and stipulations aimed at boosting agricultural, industrial and commercial development.

Despite being influenced by domestic political turbulences during this period, the industrial development campaign launched by the Republic of China in its early days laid a solid foundation for the hardware and software development of China's national economy and provided a systematic and ideological guarantee for its economic modernization later.

The relaxed political environment produced during the transitional period between the old and new regimes following the Revolution of 1911 offered a broad stage for Chinese intellectuals to freely express their ideas. Without ideological taboos and fetters, various kinds of thoughts successively came center stage, promoting cultural and ideological diversity and even a Chinese “cultural Renaissance”. Such a relaxed environment also catalyzed some new educational reforms and further pushed for ideological emancipation.

It was this relaxed political atmosphere that resulted in the widespread dissemination of Marxism and scientific socialism among Chinese intellectuals with political aspirations.

Under the influence of the Chinese revolution, nationalist and democratic movements swiftly swept across the whole of Asia. Following China's revolution, anti-colonialism patriotic movements were also launched in Korea, Vietnam, India and Indonesia. All these movements and revolutions transformed Asia into a battlefield against colonialism and feudalism.

The Revolution of 1911 undoubtedly had a huge influence on Chinese people's ongoing endeavors to realize a national rejuvenation. It laid a foundation for China's democratic politics, promoted the “great unity” of the Chinese nation and enhanced Chinese people's sense of national identity. Economically, it shifted Chinese people's focus to developing industries that would save the nation and started them on the road to economic modernization. Ideologically, the Revolution of 1911 promoted ideological liberation among Chinese people and facilitated the spreading of Marxism in China and the creation of the CPC, two significant events that have helped Chinese people in their efforts to achieve national rejuvenation.

The Revolution of 1911 changed China's image of “backwardness and ignorance” and presented to the world an image of “de-

mocracy, self-striving and independence”.

Although a century has passed, the influence of the Revolution of 1911 will last into the future. Its spirit will continue to encourage Chinese people to work for the long-cherished “great rejuvenation” of their nation. (China Daily) ■



Top: An 18-star flag that symbolizes the solidarity of the then 18 provinces hoists highly at the Hubei Military Government on October 11, 1911.

Middle: On August 16, 2011, tourists pay tribute to the bronze statue of Sun Yat-sen before the Red Mansion, former site of the military government established by the insurrectionary army participating the Wuchang Uprising in 1911.

Above: A picture taken on September 14, 2010 shows the bird's-eye view of the Red Mansion and Shouyi Cultural Park in the old city of Wuchang.

Xinhua

Party lays out 10-year cultural roadmap

The 6th Plenum of the 17th CPC Central Committee was held in Beijing on October 15 to 18, 2011. General Secretary of the CPC Central Committee Hu Jintao delivered an important speech on the meeting, which was chaired by the Political Bureau of the CPC Central Committee.

The Plenum listened to and discussed Hu's work report entrusted by the Political Bureau of the CPC Central Committee. It also adopted the Resolutions of the CPC Central Committee on Major Issues Regarding the Further Reform of Cultural System and the Development and Prosperity of Socialist Culture. Li Changchun made a presentation to the plenary session during the deliberation.

The plenum pointed out that the world today is undergoing major development and transition, during which culture is playing a protruding role in the competition of comprehensive national strength. As a result, it is more difficult to maintain security of the national culture and more imperative to boost the soft power of Chinese culture. The plenum emphasized that adhering to the development path of socialist culture with Chinese characteristics, deepening the reform of cultural administrative system and promoting the development and prosperity of socialist culture must thoroughly implement the guidelines of the 17th CPC National Congress, hold high the great banner of socialism with Chinese characteristics, follow the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the important thought of the "Three Represents" and comprehensively implement the Scientific Outlook on Development. The whole Party and Chinese people of all ethnic groups must stick to the direction of the socialist advanced culture, take the Scientific Outlook on Development as the theme, take the building of socialist core value system as the fundamental task, proceed from meeting people's spiritual and cultural demands, take reform and innovation as the driving force, develop a national, scientific and popular socialist culture oriented towards the modernization, the world and the future, cultivate a high degree of cultural awareness and cultural self-confidence, improve the ethical quality of the whole nation, enhance the soft power of the national culture, promote Chinese culture and strive to build China as a socialist cultural power.

NPC's Top 10 news stories in 2011 announced

Jointly sponsored by websites of the NPC and People's Daily, NPC's Top 10 news stories in 2011 were selected and released on March 2 in Beijing.

The Top 10 news stories are: the establishment of socialist legal system with Chinese characteristics; approval of the amendment to the Criminal Code which cancelled 13 death penalty crimes; the raising of the personal income tax threshold to 3,500 yuan after soliciting opinions from the public; the revision of the Road Traffic Safety Law that enhances the punishment of drunk driving; the inspection on the enforcement of the Food Safety Law; special inquiries on the management of 10 million units of government-funded housing; the revision of the Law on the Prevention and Control of Occupational Diseases that stresses prevention rather than treatment; the guidance to the elections of the deputies to the people's congresses at county and township levels; approval of the Administrative Compulsion Law with the aim to push forward administration according to law; and the inspection on the enforcement of the Labor Contract Law.



A small child observes and learns the animation making of shadow play, a traditional Chinese folk art, on July 29, 2011. The United Nations Educational, Scientific and Cultural Organization announced to add China's shadow play into its human intangible cultural heritage list on November 27. Li Ming



Two young actors perform parts of the Kunqu opera *Peony Pavilion* in Zhouzhuang Town, Jiangsu Province on November 18, 2011. With a history of more than 600 years, Kunqu opera is one of the oldest operas in China. Zhu Guigen

NPC Standing Committee inspects enforcement of Law on the Contracting of Rural Land

From August to October 2011, the NPC Standing Committee dispatched law enforcement panels to check out the implementation of the Law on the Contracting of Rural Land in Hebei, Jilin, Anhui, Shandong, Hunan and Gansu provinces. At the same time, it entrusted local legislative bodies in other provinces to examine the enforcement of the land contract law and the Law on the Mediation and Arbitration of Rural Land Contract Disputes as well.

Positive progress has been made in the implementation of the two laws; however, some problems still exist, according to the inspections. Some places failed to carry out the second round of land contract measures. Malpractice in land transfer and services has led to an austere situation in arable land protection. The current mediation and arbitration system proves inefficient in dealing with the increasing incidents of land disputes.

Based on the inspections, the law enforcement panels suggested local authorities to pay more attention to the enforcement of the two laws, to take measures to ensure the long-term contracting of rural land, and improve their services in land transfer and land dispute arbitration to better safeguard the legitimate rights of the farmers whose land has been requisitioned.



Farmers in Wanquan township in Hainan Province's Qionghai city grow winter vegetables on November 29, 2011. *Meng Zhongde*



Armed police in Zhejiang Province launch an anti-terrorism exercise at Nanshan Training Base in Hangzhou, capital of the province on November 14, 2011. *Guo Guangjie*

China intensifies legislative efforts on anti-terrorism

The Standing Committee of the National People's Congress (NPC), China's top legislature, approved the Decision on Issues concerning Strengthening Anti-Terrorism Work on October 29, 2011.

Adopted at the 23rd session of the 11th NPC Standing Committee, the legally binding resolution defines the leading office and organizational forces of anti-terrorism work and improves the mechanism for freezing the terrorism-related assets, playing a significant role in strengthening China's anti-terrorism work and protecting the national security and the life and property safety of the people.

NPC Standing Committee inquires implementation of education plan

On December 30, 2011, the 24th Meeting of the 11th NPC Standing Committee conducted a joint-group review and a special inquiry on the State Council's report on the implementation of the "National Medium and Long-term Education Reform and Development Plan (2010-20)". Twelve members of the NPC Standing Committee attended the event, raising a number of queries from education budget, balanced development, quality-oriented education to campus safety and school buses. Officials from the Ministry of Education and other departments answered the questions during the inquiry.

Legislators stressed that the proportion of fiscal expenditure on education in gross domestic product (GDP) must reach 4 percent in 2012. At the same time, it is high time to deepen education reform, encourage quality development and innovation, and promote fairness in education. Moreover, more public education resources are urged to put into rural areas, regions of poverty and minorities, to ensure children of migrant workers to equally receive compulsory education in big cities.



A teacher gives a lesson to students at the Shiyao (Experimental) Primary School in Ganyu County, Jiangsu Province on August 31, 2011. *Si Wei*



A worker with the Anhui Linhuo Coal Carbonization Co. Ltd. works beside a coke oven in HuaiBei, Anhui Province on November 28. The company is the largest enterprise of coal chemical industry in Asia. *CFP*

NPC Standing Committee amends Law on Prevention and Control of Occupational Diseases

Adopted at the 24th Meeting of the 11th NPC Standing Committee on December 31, 2011, the amendments to the Law on Prevention and Control of Occupational Diseases are promulgated and go into effect on the same day.

According to the amendments, the occupational diseases refer to the diseases caused to the laborers of employing work units, including enterprises, public institutions and individual economic organizations, by touching powder and dust, radioactive materials and other poisonous and harmful factors in their occupational activities.

The revised law regulates that the laborer shall take the diagnosis of occupational disease at the medical institution undertaking the diagnosis of occupational disease, according to law, of the place where the employing work unit is located, or of the place where his/her residence is registered, or of the place of residence of the laborer himself/herself. If there is no evidence that can deny the inevitable connection between the occupational disease factors and the clinical manifestation of the patient, then the disease shall be diagnosed as occupational disease.

Besides, if the employing work unit refuses to provide the testing results of the harmful factors of the occupational diseases at the work place, the medical institutions undertaking diagnoses and appraisals shall, in combination of the clinical manifestation, the result of supplementary examination of the laborer, and the occupational history and the history of contacting the harm of occupational diseases, and in reference to the daily monitoring information provided by the laborer himself/herself or the work safety authorities, make the conclusion on the diagnosis and appraisal of the occupational disease.

NPC

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