

# NPC



ISSUE 2 • 2016

《中国人大》对外版

National People's Congress of China

## CALL FOR BETTER SUPERVISION AND FOOD SAFETY STANDARDS



ISSN 1674-3008



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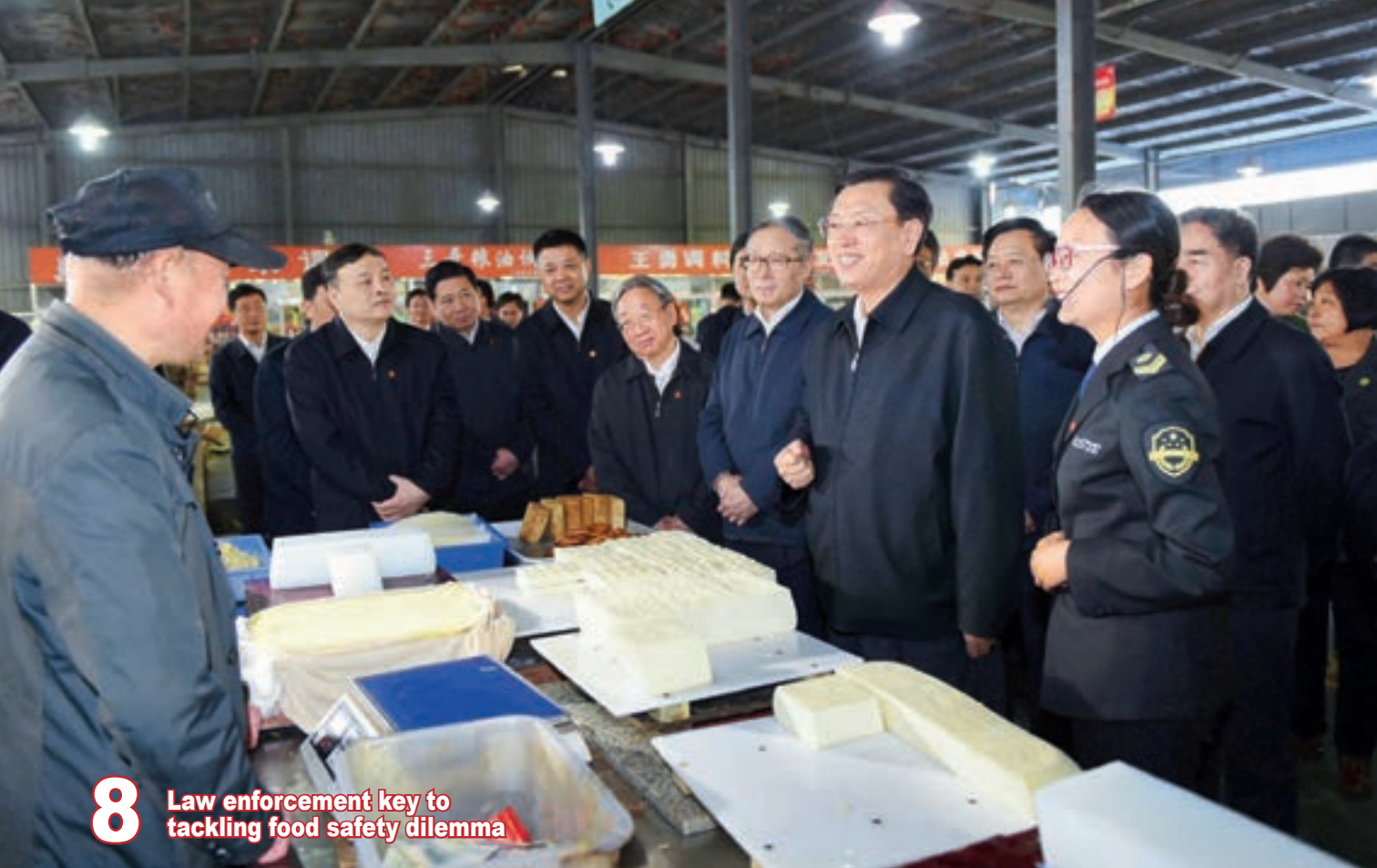






Zhang Dejiang (C, front), chairman of the Standing Committee of China's National People's Congress, speaks upon his arrival at the airport in the Hong Kong Special Administrative Region (SAR) on May 17. Zhang Yu





## 8 Law enforcement key to tackling food safety dilemma

# Contents

### Supervision

6

Call for better supervision and food safety standards

8

Law enforcement key to tackling food safety dilemma

12

Pushing for safe eating: Inquiry on Food Safety Law



### Special Report

16

Chairman Zhang Dejiang inspects Hong Kong, stresses economic, social development

19

Chairman Zhang Dejiang gives speech at Belt and Road Summit

23

Forward cooperation and jointly open up new chapter of development

### Legislation

26

With civil code, China aims to realize rule of law

30

Amended law bans consuming State-protected wild animals

34

China adopts law regulating overseas NGOs





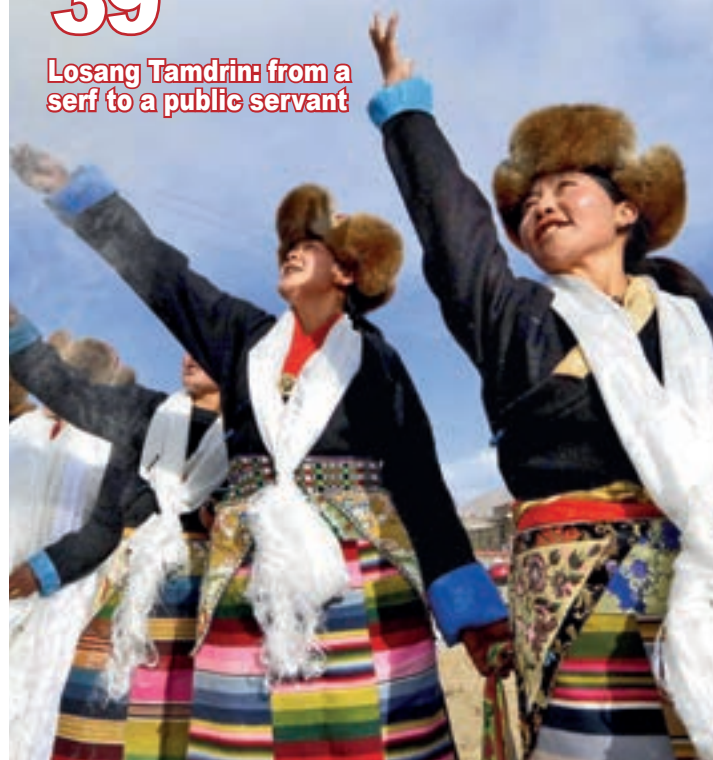
## 26 With civil code, China aims to realize rule of law



## 30 Amended law bans consuming State-protected wild animals

39

## Losang Tamdrin: from a serf to a public servant



ISSUE 2 · 2016

### Focus

36

## China and the US, rebuilding consensus?



### Story

39

## Losang Tamdrin: from a serf to a public servant

### People

43

## Jin Ping, a pioneer in China's civil law expedition



**COVER:** Zhang Dejiang, chairman of the NPC Standing Committee, learns about quality control of farm products while visiting Lianfeng Village of Baiyi Township in Linhe District of Bayan Nur City, North China's Inner Mongolia Autonomous Region, May 7. Zhang made an inspection tour on the implementation of the Food Safety Law in Inner Mongolia from May 7 to 9. *Ding Lin*



**NPC**

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E-mail: zgrd@npc.gov.cn

ISSN 1674-3008

CN 11-5683/D

Price: RMB35

Edited by The People's Congresses Journal  
Published by The People's Congresses Journal

Printed by Beijing Zhong Ke Printing Co., Ltd. in China



# Call for better supervision and food safety standards





Zhang Dejiang, chairman of the NPC Standing Committee, presides over the 3rd plenary meeting of the 21st session of the 12th NPC Standing Committee at the Great Hall of the People in Beijing on June 30. Zhang delivers a report to lawmakers on the inspection of the implementation of the Food Safety Law. *Du Yang*

Chairman of National People's Congress (NPC) Standing Committee Zhang Dejiang said that China's food safety situation remained "severe," and called for better supervision and food safety standards on June 30.

Dirty food processing environments, fraud and adulteration in food production, and irregularities in transportation had been uncovered, said Zhang, when delivering a report to lawmakers on the inspection of the implementation of the Food Safety Law.

The country has more than 11.85 million licensed food businesses, according to Zhang.

The report follows an NPC Standing Committee nation-

wide inspection of the enforcement of the law in April and May.

Led by Zhang and four vice chairpersons of the NPC Standing Committee, five inspection groups went to 10 provincial regions including Tianjin, Inner Mongolia, Fujian, Hubei, Guangxi and Chongqing. They visited breeding centers, markets for farm produce, food producers, catering businesses and other units.

Inspectors found that some food producers lacked a sense of responsibility. A few were driven purely by profits.

In the planting phase, pesticides and chemical fertilizers are not being used appropriately, said Zhang.

In addition, although almost 683 food safety standards and over 4,000 limits to pesticide levels have been issued, food safety standard supervision in some areas is weak, said Zhang.

However, the general situation of food safety in China has improved, as the food sampling qualification rate was 96.8 percent in 2015, up 2.1 percentage points from 2014.

An inter-departmental cooperation mechanism for food safety has been established, added Zhang, saying that severe punishment against offenses have had a deterrent effect.

In 2015, China Food and Drug Administration supervised the investigation of 364 major food safety cases, and food and drug administration authorities at all levels investigated over 240,000 cases, issuing fines worth 1.165 billion yuan (\$175.3 million).

Since the revised Food Safety Law was enacted, the police uncovered 15,000 criminal cases involving food safety issues, with over 26,000 suspects questioned.

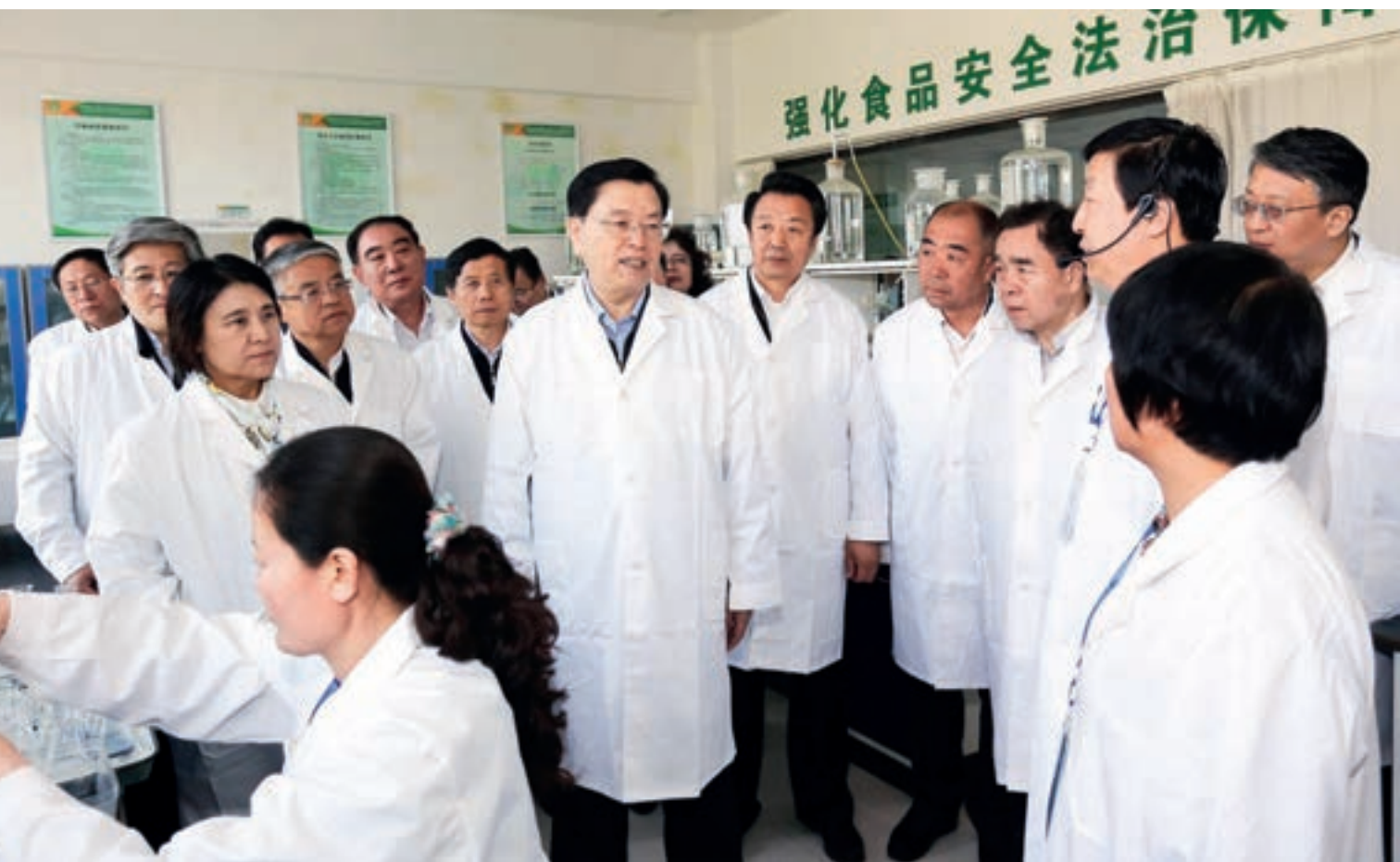
Zhang suggested that publicity of the Food Safety Law should be further strengthened, and supervision over cultivation and planting be enhanced, and there should be a standards system consistent with international and Chinese conditions.

The NPC Standing Committee chairman also suggested that food test agencies be improved. (Xinhua) ■



The 3rd plenary meeting of the 21st session of the 12th NPC Standing Committee is held at the Great Hall of the People in Beijing on June 30. *Xie Huanchi*





Zhang Dejiang, chairman of the NPC Standing Committee, learns about the quality control of agricultural and livestock products while visiting the Academy of Agricultural and Animal Husbandry Sciences in Bayan Nur City, North China's Inner Mongolia Autonomous Region, May 7. *Ding Lin*

# Law enforcement key to tackling food safety dilemma

**O**n the basis of a comprehensive overhaul on the Food Safety Law in 2015, the Standing Committee of the National People's Congress (NPC) embarked on an enforcement inspection on the very law this year.

Chairman of the NPC Standing Committee Zhang Dejiang headed the enforcement inspection. When presiding over the plenary meeting of the inspection team, he pointed out that we should reinforce every line of defense from farm to dining table, and from laboratory to hospital, to ensure that people can have access to the safety of every bite of food.

In mid-April and the beginning of May, Chairman Zhang led the inspection team to Hubei and Inner Mongolia, where he visited farms, agriculture markets, enterprise workshops

and restaurant kitchens to closely learn about key issues in Food Safety Law enforcement. In the mean time, he chaired seminars to exchange ideas with government officials, enterprise representatives, large agriculture farms, catering staff and technicians, who shared views and suggestions on promoting law enforcement and improving laws and regulations.

According to the supervision plan of the NPC Standing Committee, in the 21st meeting of the 12th NPC Standing Committee held in June, Chairman Zhang, on behalf of the inspection team, delivered a report on the inspection of the implementation of the Food Safety Law and as the presiding officer he made a special inquiry referring to the report. The State Council and its competent departments joined the meeting to listen to the suggestions and answer the inquiry.



The enforcement inspection on the Food Safety Law with such a high-level team has drawn high public attention. The media widely reported that as Chairman Zhang led the inspection in person, the NPC Standing Committee has attached utmost importance to the law and is determined to fulfill its duties and shoulder the responsibility for the people's health.

The enforcement inspection, the work report and the special inquiry are three components of NPC's supervision on the Food Safety Law. Linked with one another, they have been completed step by step, resembling a combination punch and the epitome of NPC supervision work.

### Focused on solving hotspot and difficult problems

Since the 18th National Congress of the CPC, the CPC Central Committee has adopted a series of measures to improve safety-monitoring systems for food and pharmaceuticals, improve food safety regulations, and implement a series of strategies in food safety.

Food safety is a top concern for the CPC Central Committee and highly sensitive for the ordinary people. During the NPC annual session this year, altogether 250 deputies submitted more than 40 legislative bills and suggestions relating to food safety.

In fact, NPC and its Standing Committee have constantly paid high attention to food safety, and actively performing their duties in legislation and supervision. The NPC Standing Committee enacted Food Hygiene Law as early as in 1995, worked out Law on Quality and Safety of Agricultural Products in 2006, made Food Safety Law in place of Food and Health Law in 2009, and strengthened the regulations in the Eighth Amendment to the Criminal Law to punish violations.

In 2013, not long after it took office, the Standing Committee of 12th National People's Congress listed the revision to the Food Safety Law in its legislative plan. Through three rounds of discussion, the 14th session of the 12th NPC Standing Committee voted to pass the Food Safety Law on April 24, 2015.

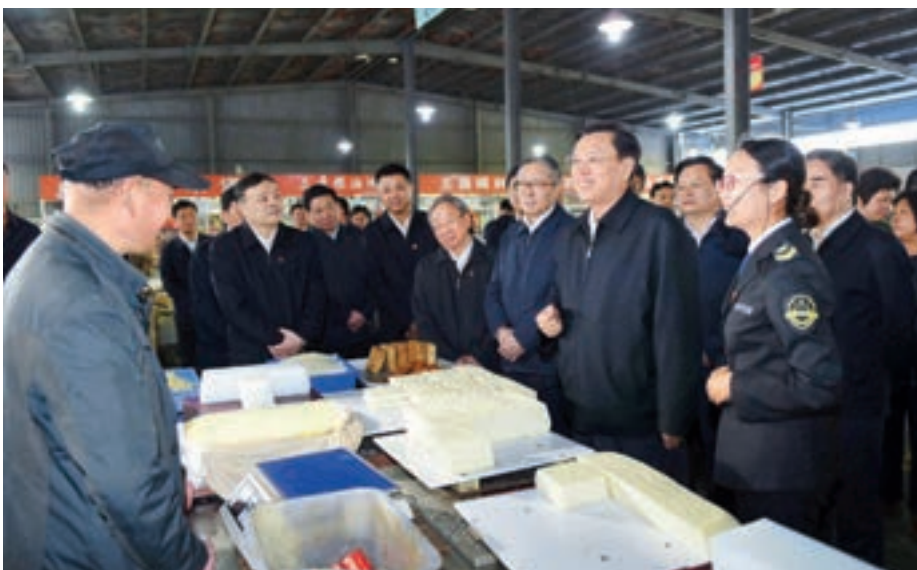
Just half a year after its implementation, the NPC Standing Committee initiated enforcement inspection for the law and ranked it the top priority among all its supervision work this year.

Out of more than 200 laws in effect at present, why it is the food safety law that the NPC Standing Committee put so much weight on at the beginning of this year? We can find the answer from Chairman Zhang's remarks. He articulated that we should focus on the hotspot and tough problems that are of common concerns to the CPC Central Committee and the people. He said the enforcement inspection is indispensable to improve the legal system and legislation work, ensure the implementation of the Party's major decisions and strategies, and better respond to the social concerns.

When attending the first meeting of enforcement inspection

team on April 12, Chairman Zhang listened to the report by relevant departments of the State Council on the enforcement of the law, and made a keynote speech. He pointed out that food safety situation remains severe in China and there is still great room for improvement. Against this backdrop, we should put into practice the instructions made by President Xi Jinping, strictly implement the Food Safety Law guided by the vision of people-centered development. Both the Party and government should be held accountable. Both symptoms and root causes should be addressed. We should intensify efforts to strengthen synergy between different gov-

### Food safety is a top concern for the CPC Central Committee and highly sensitive for the ordinary people.



Zhang Dejiang (2nd R, front), chairman of the NPC Standing Committee, talks to a vendor at Tanxihu market to learn about food safety inspection, detection and supervision in Xiangyang, Central China's Hubei Province, April 17. Zhang made an inspection tour to check on the implementation of Food Safety Law in Hubei from April 17 to 20. Xie Huanchi

ernment departments, increase public knowledge of laws and regulations, and enhance law enforcement and supervision measures. All of these are vital to ensure every bite of food we eat is safe.

It is also worth mentioning that in order to help the enforcement inspection yield effective results, the NPC Education, Science, Culture and Health Committee sent research teams in late February and March to Beijing and Shandong, where they searched for major difficulties and problems existing in implementation of the Food Safety Law. The research team found that loopholes in food safety monitoring system, backward supporting policies and problems in overseeing street vendors and small food workshops all added up to the onerous task of implementing the law.

The law enforcement inspection is focused on all of these

problems found by the research team. Chairman Zhang noted that we should work out a thorough solution by targeting the major problems and weak links in food safety. Based on an analysis of the underlying causes, we should give feasible advice and suggestions on strengthening and improving enforcement work. Only in this way can we make solid achievements to ensure the enforcement of the law, to make every provision meaningful, and to take on a new look in the food safety work.

### Foster the awareness of the rule of law

Hubei, in central China with a large population, is an important economic, food production and consumption province. It was the first stop for the inspection headed by Chairman Zhang.

From April 17 to 20, Chairman Zhang and his team had an inspection tour to check the implementation in Xiangyang and Wuhan. Zhang reiterated that we should put into practice the instructions made by President Xi Jinping guided by the vision of people-centered development. "We should work to raise public awareness of the rule of law, and strictly pinpoint the accountability to help improve our work and assure the people of food safety," he said.

Chairman Zhang visited vegetable bases, breeding research centers, agriculture markets, food production enterprises, catering business, inspection and detection institutions to get firsthand information.

In recent years, no major food safety incidents happened in Hubei, where the Food Safety Law is observed in a rigorous way, and thus the province ranked top in the national assessment for three consecutive years. This March, the provincial Party committee and the provincial government promulgated a document in a bid to hold both the Party and government accountable, and concurrently the provincial food safety regulation is within formulation, spearheading the food safety legislation across the country. While fully affirming these achievements, Chairman Zhang expressed his hope to continue to beef up food safety work in Hubei. He said the province should endeavor to implement the Food Safety Law and resolve to ensure the safety of every bite of food.

In a seminar at the community level in Xiangyang, Chairman Zhang pointed out that it is hard to make a sound law, and even harder to fully implement it. He noted that enforcement inspection and wide publicity would raise public awareness of the laws. He also called for strict surveillance and severe punishment to further develop law practice.

Li Hongzhong, secretary of the provincial CPC committee and chairman of the provincial people's congress, introduced that Hubei was an important agriculture province with food industry as the pillar industry. Food safety concerns not only health and safety of the people, but also the healthy development of food industry and local economy. He promised that the province would seize the opportunity of the inspection, follow the instructions of President Xi Jinping and carefully implement the suggestion proposed by Chairman Zhang. He added that the province would examine where it falls short and strive to narrow the gap with the standard, and furthermore, usher in a new prospect in its food safety supervision and speed up the healthy development of the food industry.



### Exert efforts in key and weak areas

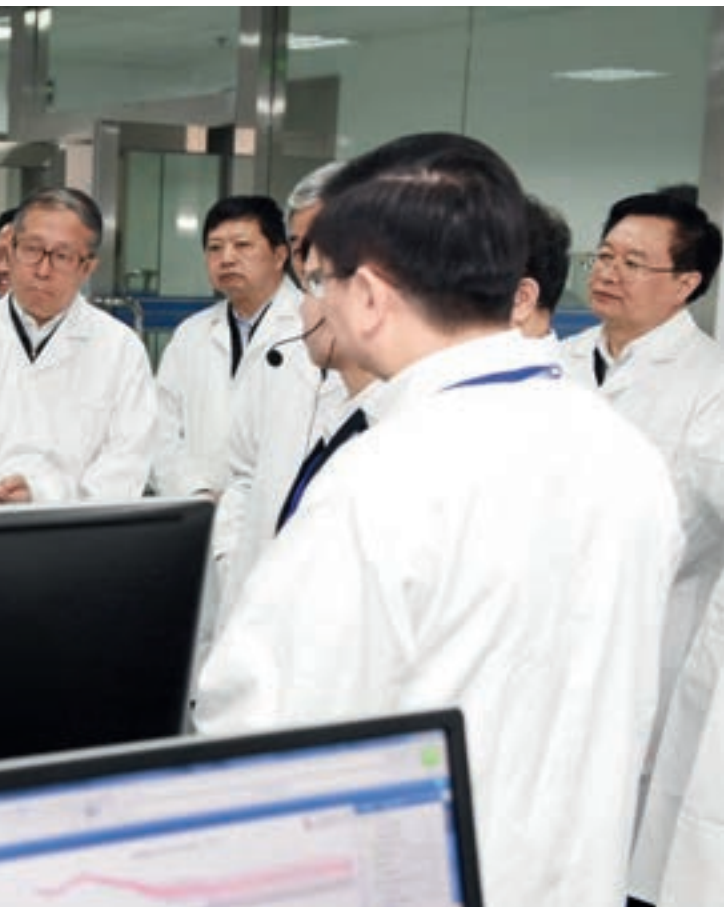
Inner Mongolia, situated in northern China with a beautiful landscape and a large area, enjoys unique strengths in animal husbandry. Statistics show that its milk and mutton production, the main income of farmers and herdsman, ranks the first place in the nation for many years in a row.

As the origin of farm-to-table chain, sheep breeding and dairy processing are the key areas of food safety. Once problems occur in these areas, the entire industry will be jeopardized and the local economy will be greatly threatened. Just like what Chairman Zhang emphasized, safety is the lifeline of enterprises especially food companies. He mentioned that Sanlu milk powder incident had a very detrimental impact on China's dairy industry and its negative effect is still haunting even today. "The lesson is so painful," he said.

From May 7 to 9, the inspection team visited Inner Mongolia. Chairman Zhang made a tour to sheep and cow breeding base to learn how the enterprises specializing in forage planting, cow breeding and dairy production have implemented the Food Safety Law. During the visit, he pointed out the region should step up efforts to ensure quality safety of feed and feed additives and enhance the surveillance on pesticides and veterinary drugs, so as to ensure the safety of the food source.

Inner Mongolia has unveiled a series of regulations in recent years, including Suggestion on Further Strengthening the Food Safety Work, Inner Mongolia Implementation Plan





Zhang Dejiang (C), chairman of the NPC Standing Committee, visits Hubei Institute for Food and Drug Control to learn about food inspection issues related with food additives, pesticide residue and microorganism in central China's Hubei Province, April 19. Zhang had an inspection tour to check on the implementation of the Food Safety Law in Hubei from April 17 to 20. *Xie Huanchi*

**Law enforcement inspection is not only a legal form and essential means of NPC's supervision, but is also a key measure to promote law implementation and build a society with the rule of law.**

on Food Safety, and Regulations on Food Processing Workshops and Vendors, all of which contributed to the notable achievements in food safety. While recognizing the achievements, Chairman Zhang urged the region to continue to ensure safety of dairy and meat products. He called for stricter surveillance on veterinary drugs, fodder and its additives in animal husbandry, and exploration of effective measures to ensure surveillance so that the region will lead the way for the entire nation.

To live up to the expectation of Chairman Zhang, Wang Jun, secretary of the region's CPC committee and chairman

of the region's people's congress vowed to create a new picture of the food safety and make the region a better place through strict enforcement of the law.

### **Four objectives of law enforcement inspection**

Law enforcement inspection is not only a legal form and essential means of NPC's supervision, but is also a key measure to promote law implementation and build a society with the rule of law. Since this term, Chairman Zhang has repeatedly made remarks on NPC's supervision especially on the enforcement inspection.

During the enforcement inspection of vocational education law last year, Zhang indicated that the inspection should comply with four principles, i.e., adhering to CPC's leadership, abiding by the law, problem-oriented, and unifying supervision and support.

Based on the past experience of enforcement inspection, the NPC Standing Committee has formed a complete inspection procedure with 6 steps: establishing key priorities, making adequate arrangements, fully and accurately reporting about inspection, carefully reviewing the report, rectifying and improving the work, and reporting the follow-up work to the NPC Standing Committee. It is considered that a supervision chain has come into being, greatly enhancing the strength and effectiveness of supervision and helping solving deep-rooted problems.

In the course of the enforcement inspection, Chairman Zhang analyzed the practice of supervision in the new situations and under new tasks, and the four objectives of the inspection were elucidated as follows:

First, popularize legal knowledge to assert legal authority. We will encourage people to learn about and make use of the law through enforcement inspection, therefore to raise public awareness of the rule of law.

Second, ensure the governments, the courts and the procuratorates to perform their duties legally and justly. Law enforcement is the major work of the governments, the courts and the procuratorates at all levels. They are the targets of supervision. Specifically, NPC examines whether they carry out their work within their jurisdiction and in accordance with legal procedures. This will ensure all the work of the country is done in a legal track.

Third, push for the full implementation of the laws. One purpose of NPC's supervision is to make sure that the Constitution and laws will be implemented effectively. The enforcement inspection is focused on whether every rule has come into force, whether the required legal mechanism has come into being, and whether every right been claimed and obligation been shouldered. In a word, we should put the law into practice.

Fourth, intensify efforts to perfect law. For laws that have been in effect for a long time and those considered by all that need to be revised, we should conduct inspection to find out where the problems lie in, how existing laws are unsuitable for the reality and how they cannot fit into the current legal system. When it comes to address these problems, we will listen to the suggestions from deputies, the people and every party involved. With a wealth of experience gained, we will be fully prepared for improving the law. (NPC) ■

# Pushing for safe eating: Inquiry on Food Safety Law

**F**ood safety is about everyone's health, even life security. It has become the major concern of the whole society in recent years. To address this issue, from April to May this year, the Standing Committee of the National People's Congress (NPC) carried out inspection of the enforcement of the Food Safety Law which was amended less than one year ago. The report was submitted to the NPC Standing Committee on June 30 and deliberated through group discussions on July 1.

On the morning of July 2, a joint inquiry of the 21st session of the 12th NPC Standing Committee was held in the golden hall of the Great Hall of the People, during which the special inquiry was taking place on the inspection of enforcement of the Food Safety Law. It was Saturday; however, people present at the meeting included Chairman of the NPC Standing Committee Zhang Dejiang as the presiding officer, all 13 vice chairpersons of the NPC Standing Committee,

members of NPC Standing Committee, members of NPC Special Committees and deputies to NPC. Vice Premier Wang Yang and the officials responsible for competent departments came to answer the inquiry.

What were the questions raised by the members? How did the government officials respond? Did they find the way out for the problems?

**Chairman Zhang Dejiang: Through the strictest standard, supervision, punishment and responsibility-taking to push forward the enforcement of the Food Safety Law**

The inquiry started at 9 o'clock. Before members raising questions, Chairman Zhang briefed about the general background of the inquiry. He said that food safety was a major issue concerning basic interests and livelihood of the public. The law enforcement inspection is carried out one year after



Officials from food and drug administration bureau in Xingtai, Hebei Province conduct on-the-spot food checks at a school canteen on June 3. Zhu Xudong





Zhang Dejiang (C back), chairman of the NPC Standing Committee, presides over a joint inquiry of the 21st session of the 12th NPC Standing Committee on the implementation of the Food Safety Law in Beijing on July 2. *Xie Huanchi*

## In China, food safety is still a severe problem, even worse in particular areas and regions, with low level of consciousness and many factors constraining its improvement.

the law was amended, and now the inquiry is held. The reason for doing this is to put into force the policy made by the CPC Central Committee and push forward the strictest enforcement of the law.

Indeed, this is the fourth time for Chairman Zhang to host the inquiries. The first time was in August 2013, on the State Council's handling of infectious diseases and on the implementation of the Law on Prevention and Control of Infectious Diseases. Since then, he hosted the inquiry almost once every year, seen as the new normal of the supervision work by the NPC. The latest one was on June 30 last year, when the 15th session of the 12th NPC Standing Committee held the inquiry of enforcement of Vocational Education Law.

The meeting also had a vice premier and other responsible officials of relevant departments to answer the inquiry. Prior to Vice Premier Wang Yang, there were other two vice premiers Ma Kai and Liu Yandong attending the inquiries respectively in December 2014 and June 2015.

### Members of the NPC Standing Committee: What's your evaluation of the food safety situation and what measures does the government take?

#### Wang Yang: Being confident, but still a long way to go

In China, food safety is still a severe problem, even worse in particular areas and regions, with low level of consciousness and many factors constraining its improvement. Member Zhou Qifeng asked the first question, about the general situation of food safety and the key measures to implement the Food Safety Law so as to guarantee people's dietary safety.

During the inspection of the Food Safety Law and the revision of the inspection report, the NPC has always kept smooth communication with related departments under the State Council, being problem-oriented, and looking for solutions to the problems discovered by the inspection team. The inspection indeed also helps the government improve their work.

Wang Yang noted that the State Council and its competent departments spared no effort to improve their work, responding to the problems found during the inspection. For example, as requested by the inspection team to improve institutional mechanism for supervision and management, a study group was set up under the State Council to conduct survey in 10 provinces, municipalities and autonomous regions. The survey was expected to finish in early July, aiming at smoothing institutional mechanism of supervision and management in local areas. At present, the Food Safety Commission under the State Council is considering how the upper level government evaluates the work done by the lower level governments in this regard.

Wang Yang said that in general, we are confident that we can address the issue; however, there is still a long way to go.

He added that in the country, it is quite hard to supervise the food industries for its huge scale and countless companies involved. Even though only one is unqualified out of 1,000 or 10,000 kinds of food, then the total number of unsafe food is enormous.

"We realized that objective factors can never be the excuse of disguising subjective factors. Some departments only focus on the surface rather than the essence, with loopholes in the process of supervision. Irresponsible actions, incompetence and inaction were found among some government officials. Some departments, for quite a long time, shift the blame to each others when getting into trouble."

Wang said that in recent years, the general situation of food safety is good, however in some areas and regions, food safety is still an outstanding issue. We should seriously study and solve the problems found during the inspection, constantly put the Food Safety Law into force, establish a unified and authoritative mechanism for supervision, and encourage the public to participate in the process. According to the



Students and their teacher from Hongqi Primary School in Yongchuan District, Chongqing Municipality participate activities featured on nutrition and health on May 20, which marked the 27th National Student Nutrition Day. The students learned the importance of nutrition and food safety. *Chen Shichuan*



Workers from Xiwang Food Co. Ltd., in Yiling District, Yichang, Hubei Province test the yogurt quality on June 27. *Zhang Guorong*

policy of the central government, we should strengthen crisis control, address the problem from the very source, enhance the major accountability of the companies, and block the vulnerability on the chain of food production. All these measures are taken to ensure safe production and good management, thus people don't need to worry about the food they eat.

### **Members of the NPC Standing Committee: From farmland to dining table, how to realize whole-process supervision?**

It's worth mentioning that questions asked by the members are also concerned by the public. Members Huang Boyun and Pang Lijuan asked about supervision system which is a hot topic during the inquiry.

The question asked by Huang is how to deepen food safety supervision reform, clarifying responsibilities of different parts, tackling loopholes, mobilizing grassroots organizations to be better involved in supervision. He is also interested in what's going to be done for the next step.

Bi Jingquan, director of the office of the Food Safety Commission under the State Council and head of China Food and Drug Administration answered that it is the major policy made by the Party Central Committee and the State Council to establish a unified and authoritative food and drug supervision system and realize whole-process supervision. The policy issued in 2013 suggested that the supervision and management system for food and drug should be integrated into one, corresponding bodies for supervision should be established for provincial, municipal and county levels, and grassroots force should be doubled. Currently, progress has been made in the reform of the food supervision system, with functions integrated and new organizations being established, though problems still exist.

Since food supervision is related to various departments under the State Council, among which the coordination is quite important. Situation has been improved, but still a lot of work to do, especially for the coordination among different

departments of local levels.

Huang also touched upon the punishment for food-related crimes. Huang Ming, vice minister of Public Security, said that the Ministry of Public Security always takes severe measures against food-related crimes. For the next step, we will inform the food safety departments when we seize the products and ask for their help to close down companies, detain related suspects and get samples for identification. We will notify related departments about the flow of unqualified products during the investigation. For the important cases, under the supervision of the upper level department, related departments should work together to control the flow of products and prevent risks. We will try our best to reduce negative impact and combat crimes, guaranteeing the safety on dining tables.

How is the systematic reform of food safety supervision going on, and what are the key measures the State Council is going to take for the next step? After several rounds of asking and answering questions, Pang again asked a follow-up question which is also the last one for this inquiry. Her straightforward and responsible manner in pursuing into the matter was quite impressive and appreciated.

Bi answered seriously that the reform is moving forward with 80 percent of all cities and 40 percent of all counties establishing independent bodies for food and drug supervision and the functions integrated into one. But we are still lack of personnel and capacity.

### **Other difficult problems such as food safety standard and pesticide residue**

During the inquiry, members like Si Jianmin and Ren Maodong asked several questions, digging the root cause out of the appearance, making the Q&A process a truly effective approach rather than merely a formality. It also showcases the sincerity of NPC to help the government improve their work on food safety.

Food safety standard is the basis on which the Food Safety





Spectators taste hand-made dried bean curd sticks on June 20, when the 2016 China International Food Safety Technology & Innovation Expo kicked off at the Beijing International Exhibition Center. *Li Huisi*

Law is made and enforced. Since the Food Safety Law was put into force, almost 5,000 standards have been drafted or integrated. Then what should be further done in order to make the standard the strictest one as requested by President Xi?

Jin Xiaotao, deputy director of National Health and Family Planning Commission, said despite the progress achieved in standard integration, risk monitoring and evaluation, standard setting and so on, the current standard is obviously far away from being the strictest one. There are still some areas such as food additives and packaging materials uncovered by the standard system. Classification of food for ordinary people and people of special needs is also to be improved.

The standard we apply now is too complicated and it makes supervision more difficult. Should we reconsider the system? After raising the question, Si also provides his suggestions for classification of food for ordinary people and people of special needs.

Jin said that the 13th Five-Year Plan is aiming at improving the standard classification, making it stricter and more well-covered.

Ren is interested in pesticide residue issue which is related to the contamination at the sources of the food chain. “Do we have timetables and road-maps for accelerating elimination of pesticide with high toxicity and residue, as stipulated in the Food Safety Law?”

Han Changfu, minister of Agriculture, took the question. He said that so far we have 5,724 standards for pesticide and veterinary drugs, as well as 932 standards for testing the residue, largely covering all the varieties of the bulk of agricultural products, conventional pesticide and veterinary drugs. But there are still two problems, one is that the standard doesn't cover all the agricultural products; the other is that the standard is not used frequently, so the qualified products don't sell well. Farmers don't feel encouraged to apply the standard.

About the timetable, Han said that it is imperative to speed up the process, and zero growth should be achieved by 2020.

### **Other issues like social participation, legal supplementary system and roadside food stalls are also concerned by the public**

Member Liu Depei's question is about guiding and pushing forward social participation, Yao Sheng asked about supplementary system of the Food Safety Law, and Feng Changgen is concerned about safety of products made in small workshops and roadside food stalls. The inquiry lasted more than two hours, during which eight members raised questions, covering supervision, social participation, safety standard, pesticide and veterinary drugs, legal supplementary system, management of roadside stalls, etc. All those are critical problems and hotspot issues for the implementation of the Food Safety Law.

What Chairman Zhang Dejiang said at the end of the inquiry sent the signal that the NPC is taking a pragmatic attitude in supervising. He said that the State Council and the competent departments should seriously study the inspection report and suggestions given by members of the NPC Standing Committee. They are requested to propose targeted measures for resolving the issues and submitted feedback to the NPC Standing Committee. The Education, Science, Culture and Public Health Committee of the NPC should take its responsibility for follow-up supervision. Joint efforts should be taken to implement the law in an effective way so as to promote good governance, improve food safety situation, and safeguard health and safety of the public.

Attendees from different sides thought highly of the questions which hit the very point without preliminaries. The in-depth exchange of views between the members and the officials from the State Council put forward countermeasures for the problems together to improve the work. Journalists also comment on Weibo and WeChat, saying that the inquiry of the NPC is indeed effective in dispelling misgivings and reaching consensus. We expect that work be further improved so as to ensure safety on the tongue. (NPC) ■



Chairman Zhang Dejiang  
inspects Hong Kong,  
**stresses economic,  
social development**





Zhang Dejiang (L), chairman of the NPC Standing Committee, wraps up his tour to Hong Kong Special Administrative Region (HKSAR) on May 19. During his stay in Hong Kong, Zhang who is also a member of the Standing Committee of the Political Bureau of the CPC Central Committee attends the Belt and Road Summit. Chief Executive of HKSAR Leung Chun-ying (R) goes to the airport to see Zhang off. Zhang Yu

**Z**hang Dejiang, chairman of the Standing Committee of the National People's Congress, has highlighted the economic and social development in Hong Kong Special Administrative Region's (SAR) during his three-day inspection tour.

Zhang, who concluded the tour on May 19, said the central government has paid high attention to Hong Kong's economic and social development as well as improvement of people's livelihood.

"I hope that the SAR government and Hong Kong society will concentrate on economic development, people's livelihood and competitiveness, achieve further development by seizing opportunities brought by our country's development, and make due contribution to and play a unique role in the great rejuvenation of the Chinese nation," said Zhang.

The top legislator's plane arrived at Hong Kong International Airport on the noon of May 17, where he was greeted by Hong Kong SAR Chief Executive Leung Chun-ying and the SAR's principle officials.

In a speech delivered at the airport, Zhang, who is also a member of the Standing Committee of the Political Bureau of the Communist Party of China Central Committee, conveyed kind regards from President Xi Jinping and the central government to Hong Kong people.

Zhang inspected the Government Secretariat on the afternoon of May 17 and was briefed by Leung and the principle officials of the SAR government. He also toured the Develop-

## **The central government has paid high attention to Hong Kong's economic and social development as well as improvement of people's livelihood.**

ment Bureau which is in charge of land use planning, urban renewal, public works and heritage conservation and communicated with the department chiefs and young officials of the bureau.

Zhang said, since its establishment, the present SAR government has earnestly implemented the principles of "one country, two systems," "Hong Kong people administering Hong Kong" with a high degree of autonomy, as well as the Basic Law.

The SAR government has put forward the policy idea of "appropriately proactive approach" and has also strived to develop Hong Kong's economy and improve people's livelihood with initial success on multiple fronts, he said, noting the central government is satisfied with the work of the SAR government.

He hoped that all the civil servants would make unremitting efforts to provide better service for Hong Kong residents and make more contrition to the country.

Chairman Zhang also encouraged young civil servants to firmly establish the people-oriented concept and improve the level of expertise, to bear in mind the overall situation and build teamwork spirit, and to improve communication skills with local residents.

"You must have the national consciousness and know



Zhang Dejiang, chairman of the NPC Standing Committee, talks to the elderly as he inspects Sheng Kung Hui Tseung Kwan O Aged Care Complex to see the elderly in Hong Kong SAR on May 19. *Pang Xinglei*



Zhang Dejiang (R), chairman of the NPC Standing Committee, meets with representatives from different walks of life at the headquarters of Hong Kong Special Administrative Region in Hong Kong on May 19. *Hong Shaokui*



Zhang Dejiang (2nd L), chairman of the NPC Standing Committee, talks with young entrepreneurs when inspecting the Hong Kong Science Park in Hong Kong on May 18. *Zhang Yu*

## 'I sincerely hope that Hong Kong compatriots will live a better life,' Chairman Zhang Dejiang said.

more about the country's system and overall development, safeguard our national interest consciously and better perform your duties," he said.

During the inspection tour, Zhang met leaders of central government agencies in Hong Kong and Chinese-funded organizations as well as representatives of Hong Kong's administrative, legislative and judicial institutions. He also met people from different walks of life and delivered a keynote speech at the welcome dinner.

Noting that it had been nearly 19 years since the return of Hong Kong to the motherland, Zhang said with strong support of the central government and the mainland, the SAR government and Hong Kong people worked hard and withstood various tests, making great contributions to the successful practice of the "one country, two systems" principle.

The "one country, two systems" principle and the Basic Law have won support from all Chinese people including more than 7 million Hong Kong compatriots and also won worldwide acclaim, he said.

"All are hard-won. We are proud of it and must cherish it," said Chairman Zhang, adding that he hoped people from all walks of life in Hong Kong would keep in mind the original intention of "one country, two systems" and stay patient and confident.

Chairman Zhang said that the central government will unswervingly implement the principles of "one country, two systems," "Hong Kong people administering Hong Kong" with a high degree of autonomy, and will unswervingly support the Hong Kong SAR government in administering the region according to the law, and conducting mutually beneficial cooperation with the mainland.

Zhang is deeply concerned about Hong Kong's innovation and technology development as well as people's livelihood improvement.

On May 18, Chairman Zhang inspected the Hong Kong Science Park and heard briefings about the development of innovative science and technology in Hong Kong, as well as cooperation between the government, manufacturers, academic organizations and research bodies and efforts in cooperating with the mainland.

He encouraged the Hong Kong SAR government and the science sector to take Hong Kong's advantages and let innovative science and technology serve as a new engine for Hong Kong's economic development.

Chairman Zhang paid a visit to Sheng Kung Hui Tseung Kwan O Aged Care Complex to see the elderly and presented gifts for the elderly care center on the morning of May 19. He also visited On Tat Estate, a newly-built public rental housing estate, and heard briefing on the SAR government's housing policy.

"I sincerely hope that Hong Kong compatriots will live a better life," he said. (Xinhua) ■





Zhang Dejiang, chairman of the NPC Standing Committee, delivers a keynote speech at the opening ceremony of the Belt and Road Summit sponsored by the government of Hong Kong Special Administrative Region (SAR), in Hong Kong, South China, May 18. *Liu Weibing*

# Chairman Zhang Dejiang gives speech at Belt and Road Summit

Chairman of the Standing Committee of the National People's Congress Zhang Dejiang delivered a keynote speech at the Belt and Road Summit on May 18 sponsored by the government of Hong Kong Special Administrative Region (SAR).

The following is the full text of Zhang's speech:

Distinguished Guests,  
Friends,  
Ladies and Gentlemen,

Good morning. I am much delighted to join you here in Hong Kong to discuss the Belt and Road Initiative. Let me begin by expressing, on behalf of President Xi Jinping and the Chinese government, sincere congratulations on the opening of this summit and a warm welcome and cordial greetings to all our guests and both old and new friends from home and abroad!

In the autumn of 2013, President Xi Jinping raised the initiative of jointly building the Silk Road Economic Belt and the 21st Century Maritime Silk Road. This Belt and Road Initiative has drawn wide attention and gained positive response from the international community. The Belt and Road Ini-

tiative responds to the call of the times for world peace and development, and meets the need of all countries for faster development.

It will contribute to economic development of countries along the routes and global prosperity as well as people-to-people exchanges and world peace. The Belt and Road development is a profound endeavor to carry forward the historical heritage and jointly create a brighter future.

Over 2,000 years ago, there were already interactions between the two ends of the Eurasian continent, and that was when the ancient Silk Road began. The road had taken shape by the time of the Qin and Han dynasties of China, and was most prosperous during the Sui and Tang dynasties. During the Tang and Song dynasties, our ancestors developed advanced navigation techniques, and successfully opened up the

Silk Road on the Sea that extended all the way to the West.

Through bustling trade, the countries along that route brought their civilizations closer and lived in peace and prosperity. This period of history gives us something we should carry forward, i.e. the open and inclusive spirit of the Silk Road for peace, mutual learning and win-win cooperation. To maintain sound development of the Chinese economy and realize the “two centenary goals”, China must be more open to the world in the future.

The Belt and Road Initiative answers the call of our times for joint response to risks and joint efforts to strengthen global economic recovery. Development is a major issue facing the world. The shadow of the international financial crisis is not far behind, and the world economic recovery lacks momentum. To avert risks and boost recovery, countries must cooperate in good faith to build up synergy.

The Belt and Road Initiative will boost mutual investment and trade between China and countries along the routes, facilitate connectivity between those countries and support their pursuit of a new-type of industrialization. The initiative will also promote common development and bring real benefits to the peoples along the routes, thus giving positive energy and new impetus to world economic recovery.

The Belt and Road Initiative meets the needs for coordinated development of different regions and a new development pattern that brings shared benefits. Stretching along the Eurasian Continent and having connectivity on its agenda, the Belt and Road links up more tightly the prospering East Asian economies and the highly developed European economies at the two ends. This will galvanize growth of the vast interior of the Eurasian continent.

The initiative can also encourage the countries along the routes to jointly create growth opportunities and share development fruits. The Belt and Road Initiative helps to find the common interests between China and countries along the routes, while addressing different needs. The initiative thus better coordinates development strategies and will contribute to the building of an inclusive and balanced regional cooperation framework that delivers benefits for all. Such an initiative can therefore better serve the fundamental interests of the mankind.

The Belt and Road Initiative is an important move to enhance friendship between countries and promote mutual learning between different civilizations. In history, the ancient Silk Road was not only a route of trade, but also a path of friendship that facilitated the dialogue and mutual learning between different civilizations.

The vast land along the ancient Silk Road was home to important cradles of human civilization. From the Yellow River to the Ganges, from the Nile to the blue Mediterranean, the flowers of ancient civilizations had bloomed in the course of mutual learning and became the shared memory of countries along the routes. The virtues of our ancestors must be cherished and kept alive.

Today, in a world where the economy and society have developed like unseen before, we, the builders of this global village, have every reason and the responsibility to increase exchanges and mutual learning between our peoples.

Let us carry on our civilization of glory into the future. The friendship between peoples is the foundation of State to State relations. The Belt and Road Initiative will advance both eco-



nomc cooperation and people-to-people exchanges, promote the friendly interactions between the peoples of China and countries along the routes, and expand practical cooperation in culture, education, arts, science and technology, tourism, health and sports.

This will enhance mutual recognition, mutual understanding and mutual respect between peoples along the routes and lay a solid popular basis for the building of the Belt and Road and world peace and development.

The Belt and Road Initiative is a major move of China to pursue all dimensional opening-up under the new historical circumstances. It will align China's development with that of the countries along the routes, and combine the Chinese Dream and the dream of their peoples.

China is the initiator, but this is not a one man's show. The Belt and Road Initiative is about win-win cooperation and common development, not a solo performance or a zero-sum game. The Belt and Road are not private exclusive roads but wide and open avenues for us all.

Ladies and Gentlemen,

In March 2015, China's National Development and Reform Commission, joined by other government departments, issued the Vision and Actions on Jointly Building the Silk Road Economic Belt and the 21st Century Maritime Silk Road.

Following this roadmap, we had a good beginning during the past year. Between China and the countries along the routes, there were frequent mutual visits at high levels of the government as well as closer interactions between governments, parliaments, political parties and at sub-national levels.

Common understanding was reached in a number of areas, and over 30 cooperation agreements were signed. China and those countries worked hand in hand to seek the largest de-





Zhang Dejiang (C), chairman of the NPC Standing Committee, attends the opening ceremony of the Belt and Road Summit sponsored by the government of Hong Kong Special Administrative Region (SAR), in Hong Kong, May 18. Zhang Yu

nominator in win-win cooperation and common development.

A package of major projects has started in the building of the China-Pakistan Economic Corridor. An overall plan is being made for the China-Mongolia-Russia economic corridor, partnering a number of cooperation projects. In pursuit of infrastructure connectivity, China's international cooperation on production capacity is well underway in more than 10 key areas, including equipment manufacturing, automobile and electronics. Over a thousand container trains have traveled between China and Central Asia or Europe.

A functional international transport mechanism linking the two ends of the Eurasian continent is up and running. The Asian Infrastructure Investment Bank (AIIB) has entered into operation, and the Silk Road Fund and several other multilateral or bilateral cooperation funds are providing continuous financing support to the Belt and Road Initiative. The RMB cross-border trading has expanded. The joint application to inscribe the portion of the Silk Road that passes through China and Central Asia on the World Heritage List was successful, and the application for the maritime Silk Road has been made.

Interactions have increased in culture, education, science and technology, tourism, business and other areas. All these have proved that the Belt and Road Initiative enjoys a promising future.

Ladies and Gentlemen,

This summit on the Belt and Road takes place in Hong Kong not only because Hong Kong is a Special Administrative Region of China, but also because it is a key link for the

Belt and Road.

In designing its 13th Five-Year Plan and the Vision and Actions for the Belt and Road, the central government has made it a major policy to support Hong Kong's participation in the Belt and Road development.

We believe that Hong Kong, with the following unique advantages, will be able to make important contribution to this endeavor.

First, advantages from Hong Kong's location. In terms of maritime transport, Hong Kong sits on the busiest international sea route and boasts developed port economy. It is also an important gateway in the landscape of China's opening-up. On the land, Hong Kong is next to Guangdong Province.

With modern means of connectivity, Hong Kong has easy, efficient and economic access to China's mainland, thus serves as a hub of transportation and international communication. In terms of air transport, Hong Kong has the world's busiest international airport, topping the list in passenger and goods transport.

Furthermore, Hong Kong borders on the Pearl River Delta, one of the three economic growth poles of China and the pioneer of China's institutional and structural reform and the country's pursuit of innovation-driven development.

Moreover, Hong Kong is next to Shenzhen, a center for innovation and entrepreneurship. As a natural partner, Hong Kong can join forces with China (Guangdong) Pilot Free Trade Zone, the Qianhai Shenzhen-Hong Kong cooperation zone and Fujian Province, which is a core area for the 21st Century Maritime Silk Road. Hong Kong's strength in the service sector and that of its neighboring provinces in manufacturing have great potential in exploring the international markets.

Second, advantages as first mover of opening-up and cooperation. As a free port from the very beginning and the world's freest economy for 22 years in a row, Hong Kong maintains close economic and trade relations with most countries and regions in the world.

After the return of Hong Kong to the motherland, an all-round, wide-ranging and high-level form of exchange and cooperation between the mainland and Hong Kong has taken shape. Many opening-up policies of the mainland were first experimented and practiced in Hong Kong.

This has brought experience for the mainland to open wider, and offered rare opportunities for Hong Kong itself. This offers a good foundation for Hong Kong to seize new opportunities arising from the Belt and Road Initiative and achieve new progress.

Third, advantages in professional services. Hong Kong is a developed economy with a diverse and advanced service sector, an important international financial, shipping and trade center with the world's largest offshore RMB market, and one of the world's most favorite places of arbitration.

In accounting, law, consultancy, tourism, infrastructure development, engineering design and other fields, Hong Kong may offer a variety of services to countries along the Belt and Road routes.

I understand that Hong Kong consultancy companies were appointed by the Chinese Ministry of Commerce as project supervisors in two Chinese assistance infrastructure projects in Nepal and Cambodia.

Many buildings in Nepal collapsed in the devastating

earthquake, yet the projects under their supervision were largely intact. This shows the superior quality of Hong Kong's professional services, and proves that such services have a big role to play in the Belt and Road development.

Fourth, advantages gained from cultural and people-to-people interactions. For decades, Hong Kong has been an important window for cultural exchanges between the East and the West, and for interaction among various civilizations. This has created a distinctive culture that integrates the Chinese and Western civilizations.

In an open and inclusive cultural atmosphere, Hong Kong has inherited and carried forward the traditional Chinese culture, and created a modern culture of its own, represented by movies, TV and music programs, that has a major influence in the wider Chinese language circle. Hong Kong's martial arts movies have loyal fans across the world and have influenced generations of people.

Southeast Asia is an important region for Belt and Road development thanks to people-to-people connections. Lots of ethnic Chinese went there from Guangdong via Hong Kong in the early years, and many ethnic Chinese doing business there have their origin in Guangdong, which like Hong Kong, is part of the Cantonese culture circle. This laid down the cultural foundation for deepening exchange and cooperation.

Ladies and Gentlemen,

The central government attaches great importance to Hong Kong's prosperity and stability, and its role in the national strategy. We will support Hong Kong in building on its existing strengths and exploring new advantages, support closer exchange and cooperation between Hong Kong and the mainland, and support Hong Kong in expanding economic and trade ties with the world.

Hong Kong, for its part, also needs to take a more active part in the national development strategy. I noticed that during this year's annual NPC and CPPCC sessions, many NPC delegates and CPPCC members from Hong Kong contributed their ideas on Hong Kong's role and participation in the Belt and Road development.

The Chief Executive and the SAR government regard the participation in the Belt and Road development as a major opportunity for Hong Kong's development, and have introduced many policies. There are also lively discussions on this topic in the Hong Kong society.

I hope that Hong Kong, with a broader mind and vision, would fully seize the major opportunities of the Belt and Road, link its own development with the Belt and Road, and further bring out its own advantages. The central government will support Hong Kong in playing an active role in the following aspects:

First, respond to the Belt and Road, and build a platform of comprehensive services. We support Hong Kong's agencies and professionals in offering accounting, design, consultancy and other professional services to the Belt and Road.

We support Hong Kong's efforts to build a center for international legal and dispute resolution services in the Asia Pacific, in order to provide legal and arbitration services to the Belt and Road.

We support Hong Kong in developing high added-value shipping industry, and building a multi-functional shipping center for the 21st Century Maritime Silk Road. And we sup-

port Hong Kong companies in leveraging their competitiveness in research, development, management, innovative industry, marketing and logistics, and participating in real economy cooperation such as production capacity cooperation along the Belt and Road. This will help secure Hong Kong's competitiveness in international division of labor.

Second, facilitate capital flows and promote RMB internationalization and the development of the Belt and Road investment and financing platform.

We will encourage mainland companies to use Hong Kong's platform to offer more low-cost capitals for the Belt and Road. We support Hong Kong in strengthening its position as a hub for global offshore RMB business, and develop RMB business along the Belt and Road.

We support Hong Kong's assistance in investment, financing, asset management and other financial services for infrastructure projects, so as to widen the financial channels for the Belt and Road. And we support Hong Kong in offering insurance and reinsurance services for the Belt and Road to offset and reduce risks.

Third, promote cultural exchanges for greater mutual understanding among the people along the Belt and Road. We support different forms of cultural and educational cooperation between Hong Kong and the countries along the routes, and the development of a platform for personnel exchange.

We support friendly and closer people-to-people exchanges between Hong Kong and the cities along the Belt and Road.

We encourage Hong Kong's business associations, social groups, think tanks and other organizations in organizing research, promotion, training, study tours and other events related to the Belt and Road. These exchanges and cooperations will help increase mutual understanding among the peoples along the Belt and Road.

Fourth, deepen cooperation with the mainland and jointly develop markets along the Belt and Road. We support Hong Kong in fully tapping its advantages as the center in multiple areas, deepening cooperation with coastal provinces and cities in professional services and talents with global vision, and elevating cooperation through innovative models.

We encourage Hong Kong to work with inland provinces, autonomous regions and municipalities in developing overseas businesses, build a multi-level form of cooperation at different parts of the value chain, and jointly explore markets along the Belt and Road.

Ladies and Gentlemen,

This is the first year for the implementation of China's 13th Five-Year Plan, and an important year for the Belt and Road development. "A huge tree that fills one's arms grows from a tiny seedling; a nine-storied tower rises from a heap of earth."

This summit in Hong Kong is of great significance for building consensus for cooperation along the Belt and Road. I hope that all forum participants, as outstanding representatives from countries along the Belt and Road, will fully participate and share your wisdom in the following activities, to contribute to the joint effort for Belt and Road development.

Finally, let me wish Hong Kong greater achievements in its participation in the Belt and Road development, and wish this Summit a complete success. Thank you! (Xinhua) ■



# Forward cooperation and jointly open up new chapter of development

## On field study in Shanghai by NPC deputies from Hong Kong

By Chen Qingli

In May, a group of 22 deputies to National People's Congress (NPC) from Hong Kong Special Administrative Region (SAR), headed by Maria Tam Wai-chu and Ma Fung-kwok, visited Shanghai to learn the municipality's efforts in building an international financial center and in developing China (Shanghai) Pilot Free Trade Zone (FTZ). The team visited Shanghai FTZ, Yangshan Deep-Water Port, Commercial Aircraft Corporation of China, Ltd., Shanghai Urban Planning Exhibition Center, and Shanghai Stock Exchange.

### Study on Shanghai's financial policies

It is a major strategy initiated by the CPC Central Committee and the State Council to develop Shanghai international financial center and Shanghai FTZ, which is of great signifi-

cance to deepening reform and opening-up in an all-around way. During the briefing, Mayor Yang Xiong said, according to national plan, Shanghai will push forward financial reform and innovation in order to become an international financial center that matches China's economic strength in 2020. As an international financial center, Hong Kong has rich experi-

**Shanghai will push forward financial reform and innovation in order to become an international financial center that matches China's economic strength in 2020.**



NPC deputies from Hong Kong conduct a field investigation to Commercial Aircraft Corporation of China Ltd. on May 8. *Cai Jing*



NPC deputies from Hong Kong conduct an investigation at China (Shanghai) Pilot Free Trade Zone Artwork Exchange Center on May 7. *Cai Jing*



NPC deputies from Hong Kong pay a visit to Shanghai Urban Planning Exhibition Center on May 8. *Cai Jing*

ence in internationalization, marketization and optimizing legal environment. Shanghai is ready to deepen cooperation and exchanges with Hong Kong so as to achieve common development. Tu Guangshao, a deputy mayor of Shanghai, made a brief introduction to current efforts made by the city in financial reform as well as looked into the future of financial cooperation between Shanghai and Hong Kong.

“Many Hong Kong people are emotionally attached with Shanghai. Hong Kong needs to cooperate with Shanghai which is of greatest potential in financial development,” said Tam. “Both Hong Kong and Shanghai have witnessed tremendous changes in recent two decades. Our study is aimed at learning current development of Shanghai and seeking cooperation opportunities. I believe, the all-around cooperation between the two sides will greatly benefit Hong Kong, Shanghai, and the country as a whole.”

The financial policies of Shanghai FTZ attracted the team’s attention. David Wong Yau-kar talked about two aspects: The first is reform of internal system and the second is opening-up. He stressed that special attention should be paid to financial opening-up. “A lot of work needs to be done in order to build a sound and effective capital market. Financial opening up shall be carried out with precaution, because it will influence the safety of the whole financial system as well as economic and social stability.”

Tu echoed that financial opening up should be implemented prudently and gradually. Without careful planning, it will cause great risks and impede the process of marketization. Currently, Shanghai is working on relevant regulations and stepping up supervision. Shanghai FTZ is responsible for carrying out pilot programs concerning financial openness. Free trade account has been approved to establish a monitoring system to oversee and control risks, support the need of real economy, and prevent unusual capital flow. Till now, there is no illegal capital flow in the zone.

Laura Cha Shih May-lung spoke highly of Shanghai’s financial reform and asked about the scheme of “connecting London and Shanghai stock exchanges”. Zhu Jian, deputy director of Shanghai Securities Regulatory Bureau, said, “the

## Although Shanghai’s investment environment wins popular recognition among Hong Kong investors, it needs further improvement.

‘connect scheme’, as an important outcome of the 7th China-Britain Economic and Financial Dialogue, is now under feasibility study. The key is to deal with technical problems including time difference.” Tu stressed, “Hong Kong enjoys advantages in this regard. Shanghai will spare no effort to support and coordinate with relevant parties.”

### Plan on future development

“We learned about the plane programs of the Commercial Aircraft Corporation of China, Ltd. during daytime. We also examined the subway lines at night. We can feel that Shanghai is a dynamic, advanced and responsible city.”

“We find that great changes are taking place in Shanghai whose development can never be imagined.”

All the team members are deeply impressed by Shanghai’s progress. They believe that business environment is vital to investors. Although Shanghai’s investment environment wins popular recognition among Hong Kong investors, it needs further improvement. Herman Hu Shao-ming said, “Changes of policies here are sometimes unpredictable.” He hoped that Shanghai can strengthen transformation of government functions and establish stable policy environment so as to attract more Hong Kong investors. Tu said, “Business environment of Shanghai will surely be further improved. One of the major tasks of Shanghai FTZ is to create an international business environment. Some of the experience is now ready to be copied and implemented outside the zone. Shanghai expects to create a business environment based on international stan-



dards instead of domestic ones.”

Ma said that the trend of aviation industry is to lease instead of purchase aircraft. He said that Shanghai should take the opportunity to expand leasing service. Tu responded that leasing service is an important part of giant aircraft project, but foreign taxation is still a problem. He said, “Since there are many trans-border activities in Shanghai FTZ, we are making offshore taxation policies that cater to the needs of the zone.”

Ng Leung-sing said, “To achieve best results, pilot projects in the zone should be carried out in a steady manner that focuses on low risk and high profit. Shanghai FTZ’s development is in a correct direction, but more pragmatic measures need to be made with courage of innovation, pioneering spirit, and great vigor and vitality.” He said, “Yangshan Deep-Water Port has realized economic growth, well-off livelihood and sustainable ecological development at the same time. I hope the good experience can help improve development of other regions of the country.” He pointed out, “Yangshan Port is a good example that proves ‘nothing in the world is difficult for one who sets his mind on it.’”

Priscilla Lau Pui-king said that Shanghai FTZ was not big enough. Could FTZ be expanded? Tu answered, “Shanghai FTZ was originally designed to cover 28 square kilometers. It covers an area of 120 square kilometers now. The expansion of FTZ in Guangdong, Fujian and Tianjin also attributed to the pilot projects of Shanghai FTZ. As a matter of fact, the central government’s basic principle on pilot zones is that the practices should be applicable to other places. Shanghai is doing its best to run FTZ. The central government will decide whether the experience should be copied somewhere else or not.”

## Exchanges and cooperation between Shanghai and Hong Kong

NPC deputies from Hong Kong SAR suggested that exchanges between Shanghai and Hong Kong be strengthened for the sake of common development. Just as Tam said, “our mission is to seek opportunities for cooperation and push forward development of both Hong Kong and Shanghai.”

“There are 80,000 to 100,000 Hong Kong people living permanently in Shanghai, working in the service, tourism, trade and other sectors. Many NPC deputies from Hong Kong SAR advocate exchanges of talents and personnel between the two sides.” “But how to create a better environment for family members of those who came to Shanghai from Hong Kong?” Andrew Yao Cho-fai said that based on his study on a foreign company, a great number of Hong Kong people working in Shanghai still have their kids studying in Hong Kong. “They wish to have a career in Shanghai but they also want Hong Kong’s education for their kids.” Yao suggested Shanghai to establish international schools that can meet the needs of Hong Kong people.

“Hong Kong has the same problem,” said Brave Chan Yung. “Many young people from mainland want to work in Hong Kong after graduation. But they cannot enjoy Hong Kong’s social welfare. If this problem can be solved properly, there will be more exchanges of young talents between the two sides.”

According to Chan, professional social workers are also

very important to the development of modern metropolis. “Shanghai is in a leading position in this regard. Meanwhile, there is also loss of social workers.” Chan said that a number of social workers quit their jobs due to low payment. He suggested that Shanghai borrow Hong Kong’s experience of government purchasing service of social workers.

Tu said, “Shanghai attaches great importance to and will further improve exchanges of talents including civil servants with Hong Kong. With greater development, Shanghai will also have more channels and opportunities to cooperate with Hong Kong.”

Lau said that sustainable development of both Shanghai and Hong Kong’s financial markets depend on their capability to safeguard financing for companies instead of focusing on transaction volume, because all company operators desire for safe and stable financial support at a low risk. She hoped that Shanghai could improve the investment function of primary market.

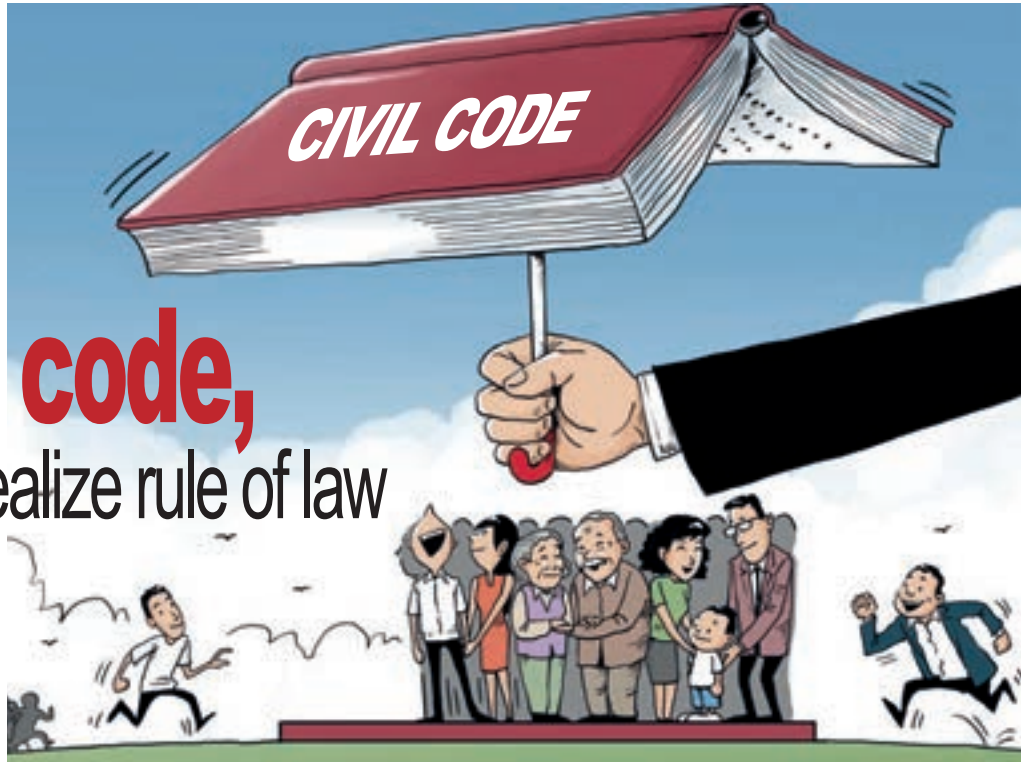
Cai Yi said that Shanghai was in a top position concerning FTZ development. “Since China is speeding up its anti-corruption efforts, Shanghai should also work harder to counter corruption in FTZ. Hong Kong’s Independent Commission Against Corruption set a good example in this respect. It is also hoped that Shanghai could explore better ways of anti-corruption.”

Hu provided his own ideas on talents exchanges. He said, “Hong Kong and Shanghai should strengthen cooperation in various ways including talents exchanges. Talents are vital to every city. Moreover, Hong Kong has advantages not only in engagement with international game rules but also in management of SMEs. We should also exchange experiences in these areas.”

Wong suggested that Shanghai should step up efforts in building offshore financial center. Hong Kong’s advantages in this respect are quite conspicuous. First, as an international port that is closely connected with global market, Hong Kong plays an influential role in international trade. Second, under “one country, two systems”, there is a controllable firewall between the capital market of Hong Kong and mainland, which means the mainland market can be protected from being invaded by outside bad capital. Third, Hong Kong’s financial management system is fair, open and transparent. Therefore, learning from Hong Kong will be conducive to Shanghai in building an offshore financial center.

At the sum-up meeting, Tu, on behalf of Shanghai municipal government, expressed great appreciation to NPC deputies from Hong Kong SAR. He said, Shanghai and Hong Kong have maintained close cooperation. It is believed that there will be more channels and opportunities for the two sides to further enhance exchanges. The meeting was hosted by Yin Yicui, chairwoman of the Standing Committee of Shanghai Municipal People’s Congress. She pointed out that field study is an important work for NPC deputies when the NPC is not in session. During the study, deputies from Hong Kong made many insightful suggestions which should be paid great attention to and taken into consideration in future legislation and supervision. “We should stay in close communication with deputies from Hong Kong in order to let Shanghai and Hong Kong play bigger roles as international financial centers, to advance exchanges of young talents, and to achieve mutual benefit and win-win results.” ■

# With civil code, China aims to realize rule of law



CFP

**L**egislation on China's civil code has formally begun. Through the code, China hopes to establish a country under the rule of law with better protection for civil rights.

During the top legislature's bi-monthly session, senior lawmakers reviewed the civil code's draft general rules, which were submitted for a first reading.

This review marked the formal beginning of the legislative process for the civil code, which is a collection of laws designed to cover private law.

According to the Legislative Affairs Commission of the National People's Congress (NPC) Standing Committee, there are two steps needed to codify the laws. The first is to legislate the general rules, and the second is to integrate separate existing civil laws into a code, which is expected to be enacted in 2020.

It is important for China to legislate the civil code as part of the country's socialist system of laws with Chinese characteristics, said Yin Zhongqing, a member of the NPC Standing Committee, when deliberating the draft in a group discussion.

In 2011, China announced that a "socialist system of laws with Chinese characteristics" had been established on schedule, covering every area of economic, political, cultural, social and ecological development.

## The right time

China aims to make the code as historic as its predecessors, the Napoleonic civil code and German civil code.

Unlike the common law systems in the United States and Britain, which have a doctrine of judicial precedent, civil

**China aims to make the code as historic as its predecessors, the Napoleonic civil code and German civil code.**

law legal systems are based on codified core principles. Civil codes in civil law systems are considered key indicators in judging the quality of legal systems.

In 1952, Chinese jurists began drafting the civil code, but stopped due to political turmoil. And there was no condition for a civil code at that time, as civil law was not compatible with the planned economy of the era.

In the 1980s, Chinese jurists and lawmakers integrated a number of civil laws and enacted a simple General Principles of the Civil Law.

Rather than compiling a civil code, China has enacted a series of separate civil laws in the past decades, such as the Property Law, the Tort Liability Law and the Law of the Application of Law for Foreign-related Civil Relations.

At the Fourth Plenary Session of the 18th Central Committee of the Communist Party of China (CPC) in October 2014, the CPC vowed to build a socialist country with rule of law and to strengthen legislation work, especially the codification of civil laws.

Wang Liming, executive vice president of Renmin University of China and a jurist in civil law, said after the CPC session that it was the right time to compile the civil code, as China had a relatively complete civil law system with separate civil laws to comprise most of the future civil code.

Chinese judges had enough experience and expertise, and



a socialist market system had been established, forming a solid foundation for a civil code, Wang added.

## Guarantee for civil rights

Jurists and lawmakers hope the civil code can better protect civil rights and embody the core values of the Chinese nation.

Protecting civil rights is the core of civil law. The draft general rules stipulate that personal liberties and human dignity are protected by the law. The draft also stipulates that natural persons enjoy basic rights to life, health, name, reputation, and privacy, among others.

“Napoleon once said his glory lay not in his military achievements, but the civil code that would rule after his death. Why is the civil code important? Because the Constitution sets limits for public power, while the civil code upholds private rights,” said Qiao Xiaoyang, an NPC Standing Committee member and head of the NPC Law Committee.

For ordinary people, the civil code is like an announcement or guarantee letter of their rights, added Qiao.

Xu Xianming, deputy head of the NPC Law Committee and a jurist, said civil law is a symbol of a country with real rule of law, and China’s civil code must abide by some basic principles of private law.

Civil codes originated from ancient Roman law. In modern times, there have been two historic civil codes: the French Napoleonic Code in 1804, which has had global influence, and the German Civil Code, which was enacted in 1900.

The separation of public and private law originated in Roman law.

Civil laws are private laws. Civil laws protect private matters from interference from public powers – a key principle of rule of law. This is the common principle from Roman law, and China must abide by it, according to Xu.

Xu said that for private matters, freedom means people may do anything that is not prohibited by law. It is one of the most important principles for rule of law.

“However, I do not find that principle in the draft general rules, said Xu, adding that the general rules should reflect this principle.

“It is the soul of civil law,” he added.

Xu also suggested that China’s civil code specify as many civil rights entrusted by the Constitution as possible in order to ensure those rights are protected by the law in practice, as Chinese courts are not allowed to refer to the Constitution directly in trial.

## Value and spirit

“I am thinking about a question: what is the historical value and the legislative spirit of China’s civil code?” said Li Lianning, an NPC Standing Committee member and deputy chief of the NPC Law Committee.

Li said that with the French civil code, Napoleon consolidated the results of the French Revolution against old feudal privileges, while the German civil code united the legal systems of the German states and provided a reference for the civil codes of other countries.

Li said like the historic French civil code and German civil code, China’s civil code should have similar historical signifi-



The 21st session of the 12th NPC Standing Committee kicks off in Beijing to deliberate the draft general rules of civil code. Li Shishi, chairman of the Legislative Affairs Commission of the NPC Standing Committee, makes an explanation on the draft. Du Yang

cance and reflect the core spirit of socialist values.

In the 18th CPC National Congress in 2012, the Party put forward a set of “socialist core values,” including prosperity, democracy, civility, harmony, freedom, equality, justice, rule of law, patriotism, dedication, integrity and friendship. Li and other lawmakers called for reflecting those values in China’s civil code.

The civil code should help build a complete system to protect citizens’ wealth and their lawful rights. The civil code should strengthen the confidence of citizens in their country by respecting their dignity and allowing them to make full use of their abilities.

“In my opinion, with a good civil code, Chinese people can be united to achieve the Chinese Dream of rejuvenating the nation. That is the historical responsibility and value of China’s civil code,” added Li. (Xinhua) ■



General Principles of the Civil Law of the People's Republic of China is adopted at the 4th Session of the 6th National People's Congress on April 12, 1986. Wang Xinqing

# Highlights of draft rules on civil code's basic principles

A draft of general rules stipulating basic principles of the country's civil code has been submitted to the top legislature for its first reading on June 27.

The National People's Congress Standing Committee will consider the draft general rules, an early step towards a more robust civil code, at its bi-monthly session, which runs until July 2.

Currently, China has no civil code, a collection of laws designed to cover the private sector, and lawmakers have decided to make a civil code in several steps. The first step is drafting the general rules, which began in March 2015.

The draft general rules are expected to be approved in March 2017 and the whole civil code adopted in March 2020, said Li Shishi, chairman of the NPC Standing Committee's Legislative Affairs Commission.

The code is important in modernizing State governance and safeguarding people's interests, Li said, and it will also help the economy.

The following are the highlights of the draft general rules and interpretations from experts.



Two pregnant women receive knowhow on natural delivery in Chongqing on May 7, 2015. The event was organized by China Women's Development Foundation. *Tang Yi*

## 1. Fetus to have civil rights

A fetus has not yet been born, but the father died. Does the fetus have the right to inherit the father's property? A pregnant woman's rights have been infringed in the food safety and environmental pollution cases, and except for the woman, does the fetus also have the right for compensation?

**Draft:** A fetus has the capacity for civil rights in cases relating to the protection of the fetus' interests, such as inheriting properties and receiving grants. But, when the fetus is not alive at birth, the civil rights do not exist from the beginning.

**Interpretation:** The development of a country or a region's legal civilization relies on the protection of vulnerable groups and the people-oriented legislation concept, said Wang Yi, a law professor at the Renmin University of China.

A fetus could not protect its self-interests, and the laws protecting the fetus' rights demonstrate the developing of the legal civilization, Wang said.

## 2. Six-year-old children to have limited capacity for civil conducts

Buying soy sauce is a simple civil conduct. But how old does a child need to be to carry out the conduct that is under legal recognition and protection? The current Chinese laws set the lowest age at 10.

**Draft:** Minors aged between 6 and 18 are persons with limited capacity for civil conducts. They can independently carry out civil acts purely to benefit, or civil acts suitable for their age and intelligence.

**Interpretation:** Following social and educational development,

children aged six have some cognitive and judgment abilities, and they should have the right to do some civil conduct, Wang said. The age change will better protect children's interests.

Children have their own interests, and they are able to decide their behaviors according to their own will, and the adults cannot impose their wills on them, he said. If children do not like the names given by their parents, they could ask for changes.

Other law experts said the age limit change was also due to the country's compulsory education age limit of six.

## 3. Seniors with limited capacity to get guardians

When minors, persons in a vegetative state, people with mental obstacles and patients with Alzheimer's disease want to join social activities, or if their interests need to be protected, who will decide? The answer is their guardians.

The current civil laws only provide that the guardianship covers minors and mentally ill people. The draft has extended help along the lines of those with mental obstacles or who totally or partially lose their cognitive abilities.

**Draft:** Adults who are unable to account for their own conducts shall have no capacity for civil conducts.

**Interpretation:** The change has enlarged the guardianship's application scope, which will give full play to the function of the guardianship system, said Li Shigang, an associate law professor in Fudan University.

Zhang Wei, a lawyer at Beijing Zhi Zhi Law Firm, said the extension of guardianship would effectively protect the elderly's personal and property rights.

"Compared with minors, adults have more rights that are easier to





Kindergarten children in Lianyuan, Hunan Province pose for a group photo on June 16. CFP



A nursing robot chats with elders at a nursing home in Hangzhou, Zhejiang Province, May 17. The robot is controlled by a mobile phone app and can do much more than remind patients to take their medicine. They can be used to make video calls, virtual consultations, or a portable television. Shi Jianxue

damage. That is why it is important and necessary to write it into the draft," Zhang said.

## 4. Legal persons to be separated into two

Currently, China's laws generally separate legal persons into enterprises, government and judicial organs, public institutions and social groups. But after social development, more forms of social organizations appear, such as foundations, private non-enterprise units and social service organizations.

**Draft:** A for-profit legal person is one set on making profits and distributing the profit to its shareholders or other investors. A non-profit legal person is one set on public welfare or other non-profit purposes. A non-profit legal person cannot distribute interests to its founders and members.

**Interpretation:** It is a progress in classifying legal persons, which is suitable for the country's conditions, covering all sorts of social organizations, said Li Yongjun, a professor of China University of Political Science and Law and a participant in drafting the general rules.

## 5. Non-legal person organizations

The townsmen associations, branches of banks and TV programs could not be identified as natural persons, and they are not qualified as legal persons, but they still carry out civil activities in their names.

**Draft:** Non-legal organizations are those which do not have a legal personality but can carry out civil activities in their names under the law. The draft also names some organizations, such as individual proprietorship enterprises and partnership enterprises and the branches of for-profit and non-profit legal persons.

**Interpretation:** Li said a non-legal organization was between the natural person and legal person, and it could be considered as the collection of people, having corresponding capacity for civil rights and civil conduct. The draft stipulates major aspects of the organizations, such as the registration, establishment, representatives, venues and dissolution. Because there are different kinds of non-legal person organizations, the draft does not specify too many details.

## 6. Virtual property and data to be protected

In an information society, big data has been changing our lives. It is important and urgent to determine the ownership and protection on the data and virtual property, such as QQ coins and other properties in online games.

**Draft:** Civil subjects enjoy intellectual property rights under the law. The draft lists nine objects, including works, patents, trademarks and data.

**Interpretation:** It has significant meaning to stipulate the protection on virtual property and data in the draft rules, which reflects the characteristics of the times and will lead the change of civil laws across the globe, said Yang Lixin, a law professor at the Renmin University of China.

## 7. Interests of good Samaritans to be protected

In recent years, there are many cases of good Samaritans being involved in disputes. When the good Samaritans are injured or their interests are hurt, who should shoulder the responsibility? Should the beneficiaries offer compensations?

**Draft:** If one person suffers damages in protecting the civil rights and interests of others, the infringers should take responsibility and the beneficiaries can offer some compensation properly. If there are no infringers, the infringers escaped or infringers are incapable of shouldering the responsibility, and the victims demand compensation, the beneficiaries should offer some compensation.

**Interpretation:** When good Samaritans suffer damages, the infringers take the responsibility and the beneficiaries should offer compensation if there are no infringers. It reflects the legal principle in taking emergency actions.

Sun Xianzhong, a law researcher with the Chinese Academy of Social Sciences, said the law offered good Samaritans the right to claim in the disputes.

Yin Tian, law professor of Peking University, said it was from the moral perspective for the draft to encourage the beneficiaries to offer some compensation. (chinadaily.com.cn)

# Amended law bans consuming State-protected wild animals





Zoo keepers from Chimelong Safari Park in Guangzhou, Guangdong Province teach children how to look after and interact with baby animals on May 24. *Liu Weiyong*



Children in Yichang, Hubei Province release 2,020 juveniles of Chinese sturgeon into the Yangtze River on April 24. Dubbed as “Giant Panda in the Water,” Chinese sturgeon is strictly protected by the Chinese government. *Liu Liangwei*

## The law strengthens regulations of the use of wild animals and products derived from them.

China’s top legislature on July 2 adopted a revised law on wild animal protection, which outlaws production and purchase of food made from State-protected wild animals.

The law was adopted after a third reading at a bi-monthly session of the National People’s Congress (NPC) Standing Committee. It will take effect on January 1, 2017.

The amended law bans the production and sale of food made from State-protected wild animals and products derived from them, as well as food made from those not under special State protection but lacking proof of legitimate sourcing.

It also bans illegal purchase of State-protected wild animals and derived products for food. Offenders could face criminal penalties.

Meanwhile, the law strengthens regulations of the use of wild animals and products derived from them.

It bans hunting, sale, purchase, and use of State-protected wild animals or derived products, unless for scientific research, captive breeding, population regulation, monitoring of disease, or other purposes.

It mandates that permits should be obtained for the hunting, captive breeding, sale, purchase, and use of State-protected wild animals or derived products.

The use of wild animals and derived products should rely mainly on captive-bred animals, and it must not hurt wild populations and habitats, Yue Zhongming, vice head of an office for economic law under the NPC Standing Committee’s Legislative Affairs Commission, told a subsequent press conference.



## The law establishes the principle of prioritizing protection of wild animals, regulating the use of them and strict supervision.



Reserve workers release three captive slow lorises into the nature. CFP

Park workers release a precious bird in Nonggang National Nature Reserve in Guangxi Zhuang Autonomous Region on June 25, 2014. CFP



The revised law establishes the principle of prioritizing protection of wild animals, regulating the use of them and strict supervision.

This is in line with China's actual conditions and internationally accepted practices, Yue said.

The amended law provides that the central government adjusts the special State protection list every five years based on evaluation results.

Animals bred under controlled conditions through mature methods may be removed from the special State protection list, it says, adding those removed from the list are regulated differently from wild ones.

Captive-bred sika deer, for instance, could be removed from the list, as millions have been bred under controlled conditions nationwide, Yan Xun with the State Forestry Administration told the press conference.

Critically endangered species, such as finless porpoise, could be shifted from the second-class State protection list to the first-class list, Yan said.

Meanwhile, the amended law regulates the release of captive animals to the wild.

Authorities at provincial level and above can organize activities involving the release of State protected animals to the wild, according to the law.

Any organization or individual releasing captive animals should choose indigenous species that are fit to survive in the wild, and the release should have no impact upon local people or harm the ecosystem, it says.

Anyone who frees captive animals in a reckless manner, thus causing property damage or physical injury to others, or jeopardizing the ecosystem, will be held accountable, it says. (Xinhua) ■



# Tibet: paradise for rare wild animals



Tibetan antelopes Li Lin

In recent years, China has gone all out to protect the ecological environment in Tibet Autonomous Region and made remarkable achievements. Today, the kingdom of wildlife on the plateau is growing and showing its vitality.

As an important ecological security barrier of China, Tibet is one of the areas in the world with the best environment quality and the richest biodiversity. It is home to 125 species of wild animals under key State protection, accounting for over 30 percent of China's total. Tibetan antelope, wild yak, kiang, Yunnan snub-nosed monkey, black-necked crane and other kinds of wildlife live and multiply there.

Currently, the nature reserves in Tibet account for 33.9 percent of the region's total land area, a proportion leading the country. There are 22 ecological function protected areas of various kinds, eight national forest parks and three national wetland parks.

Every summer, Tibetan antelopes cross the mountains to complete a long-distance migration. They were once considered "endangered animals" in the 1980s, but the number of this "spirit on the plateau" has risen from about 40,000 to nearly 200,000 now. The quantity of other wild animals has also seen a recovered growth. Tibetan red deer, once considered having been extinct early, were

discovered again in the 1990s. Now, its population keeps growing. The number of Tibetan wild donkeys has increased from 30,000 to more than 80,000, that of Yunnan snub-nosed monkeys to about 1,000, and that of black-necked cranes to 7,000 or so.

All this owes to a series of protective measures: building nature reserves, set up special protection agencies and arranging law enforcement personnel, strictly curbing poaching and conducting real-time monitoring over the population activities.

The forestry departments have established protection networks for the habitats of wild animals in various kinds of nature reserves: hunting is completely forbidden in the nature reserves, protected by over one thousand relevant personnel round the clock. Meanwhile, the government is also exploring the implementation of the wildlife accident compensation mechanism to compensate the afflicted farmers and herders.

"How hard it would be to reverse a steady decline in the number of endangered species? The industrious Tibetans achieve it," former US President Jimmy Carter said in the preface he wrote for the book titled *Across the Tibetan Plateau: Ecosystems, Wildlife, and Conservation*. (China Tibet Online)



# China adopts law regulating overseas NGOs

The 20th session of the 12th NPC Standing Committee votes and approves law on overseas NGOs on April 28. Sheng Jiapeng

**O**verseas NGOs must secure approval from Chinese authorities before they can operate on the Chinese mainland, according to a new law adopted by China's top legislature on April 28.

This applies whether they are planning to open permanent offices or operate temporarily, according to the law, which was adopted at the bi-monthly session of the National People's Congress (NPC) Standing Committee.

The Ministry of Public Security (MPS) and provincial police departments will be responsible for registration and regulation. Overseas NGOs operating on the mainland without approval will be punished.

Overseas NGOs will have to register with the police to set up representative offices if they are to operate on the mainland, according to the law, which will take effect on January 1, 2017.

Those that do not have offices in the mainland but want to temporarily operate here will have to work with their Chinese partners and file their programs with the MPS or the provincial police departments.

NGOs must meet several criteria to set up offices on the mainland. For instance, they must have been legally founded

outside the Chinese mainland, be able to bear civil liability independently and operate for at least two years.

Foundations and social service organizations operated by overseas NGOs, which have already registered with the civil affairs department, will be able to continue operating, according to Xu Xianming, deputy head of the NPC Law Committee, on April 25.

## Under protection of law

The law stresses that legal operation of overseas NGOs on the mainland is protected. They shall not undermine the country's unity, security or ethnic solidarity nor harm the interests of the State, public or the legal rights of citizens and other groups.

They will be banned from engaging in or sponsoring commercial and political activities or illegally engaging in or sponsoring religious activities.

Governments at all levels will be obligated to accommodate the legal operation of overseas NGOs, providing necessary assistance and service. The NGOs will enjoy preferential tax policies.



## Eased restrictions over previous readings

Compared with previous drafts, a number of restrictions were eased in the adopted law.

Although all NGOs founded outside the Chinese mainland are subject to the new law, exchanges and cooperation between Chinese and overseas colleges, hospitals and science and engineering research institutes will follow existing regulations.

The law also removed a provision in the original draft that limited offices on the Chinese mainland to one, and removed the five-year operational limit on representative offices.

The restrictions on staff and volunteers are removed but tougher rules have been imposed on finances including the source of funding, expenses and revenue. Financial reports will be audited and published.

The draft required a permit if an overseas NGO wanted to temporarily operate in the mainland. In the adopted law this has been changed to a compulsory report with the regulator 15 days before the program begins. However, their Chinese partners must obtain approval.

## Proper supervision

Overseas NGOs will be supervised by police and other central and provincial government departments related to the specialty of the NGOs' programs.

The law allows the police to interview chief representatives and senior executives if they are suspected of breaking the law.

Police can also ask the Chinese partners to terminate a cooperation program if it is considered to undermine State security.

NGOs will have their registration certificates withdrawn if they are found stealing State secrets, spreading rumors, sponsoring political activities or any other activity that harms State security and interest. Staff directly responsible for the offences may face police detention or criminal prosecution.

The NGOs that engage in illegal activities including anything that subverts the State or splits the nation, will be banned from operating on the mainland. (Xinhua) ■



The General Office of the NPC Standing Committee holds a press conference on China's new law on overseas NGOs on April 28 at the Great Hall of the People in Beijing. Sheng Jiapeng

## No need to overreact to China's overseas NGOs law

Some people appear to have misunderstood China's new law on overseas NGOs.

They seem to have failed to notice anything beyond the law's restrictive provisions. News flash: There are few laws that only forbid, and this is not one of them.

When the new law takes effect in January 2017, overseas NGOs will walk out of the shadow they have long stood in. Those with solid reasons to operate in China will have a legal identity, a clear code of conduct and protection of their rights and interests from the government and legal system. They will also be subject to supervision, just like their domestic counterparts are.

One issue that drew much concern is the involvement of the police in the registration and regulation processes.

China is hardly the only country in the world to place trust in law enforcement and, as lawmakers have repeatedly pointed out, the police have the resources and expertise to deal with foreigners. Rather than this being the "hostile setup" espoused by certain parties, it is a pragmatic arrangement to ensure an efficient and professional service.

The police have not been handed unrestricted power, and systems will be in place to assure accountability and, should they fail in their duty, suitable punishments.

When comparing previous drafts of the law, which went through three readings, it is clear that great effort has been made to develop a balanced and comprehensive law.

Gathering opinions from different parties including foreign NGOs that already operate in China, the top legislature made notable changes through every reading.

For instance, the adopted law removed a provision in the original draft that limited foreign NGO offices on the Chinese mainland to one, and deleted the five-year operational limit on representative offices. Restrictions on staff and volunteers were also lifted.

The draft had required a permit for NGOs that wanted to operate temporarily on the mainland. In the adopted law this has been changed to a compulsory report with the regulator 15 days before the program begins.

The Ministry of Public Security has promised to work out detailed protocols and publish this code of conduct as quickly as possible so that overseas NGOs will have enough time to prepare for registration.

China is still in the process of modernization, not only economically but also in governance. It is in its best interest to have a dynamic NGO sector, which features both domestic and foreign entities. From education, environmental protection to poverty relief, NGOs have an important part to play.

The law may not be perfect but it is a good beginning. It is likely that problems may emerge as it is enforced but, with the support and cooperation of NGOs, these problems can be properly addressed.

The law was drafted to give NGOs a more stable and positive environment in which to work in China. It will be a mutually beneficial relationship, better than letting the good and bad mix into the grey. (Xinhua)



Fu Ying, chairwoman of Foreign Affairs Committee of the National People's Congress (NPC) of China, delivers a speech themed "China and the US, rebuilding consensus?" at Stanford University on May 10. *Liu Dan*

# China and the US, rebuilding consensus?

By Fu Ying, chairwoman of Foreign Affairs Committee of the National People's Congress

**B**efore coming to the US, I did some homework, and found that our perceptions of each other are highly diversified both in China and the US. Reading the media, one gets the sense that the South China Sea, in particular, is painted as a new geopolitical wrestling ground for our two countries. Some are even foreseeing conflict.

However, if you look at what is happening in real life in many other fields, you see a different picture.

President Xi Jinping and President Obama have had lengthy meetings six times over the past three years, covering wide-ranging subjects, giving strong push to the relationship by initiating important cooperation programs.

China has turned into the biggest trading partner of the US on the monthly basis. Last year, nearly 5 million people traveled between our two countries and there is one flight every 16 minutes between China and the US with 15,000 people traveling a day and about 500 flights a week. Even the two militaries which appear to have difficulties are actually engaged in more exchanges and dialogues than before.

On global issues such as climate change and nuclear security, partnership between the two countries is playing a leading role.

So which is the real state of China-US relationship? Or both are real? There is no denying the fact that the ground is shifting in China-US relations resulted from China's fast economic growth. The need for cooperation and the impact of competition are both growing. So, maybe the gap between perceptions and real life reflects the underlying need to rebuild consensus.

Let me try to recap each other's main concerns the way I see them. On the American side:

First, many are expressing doubts about "the constructive engagement" policy that eight successive US administrations have followed. They argue that, the policy was based on the assumption that by supporting market-oriented reforms, the US would see political changes in China and now, since it's not happening, the "constructive engagement" has failed its purposes and therefore there is a need for a new grand strategy.



Second, the confidence about China's economic prospect is waning as its growth is slowing down. There is concern that China's possible hard landing would spill over and affect the US recovery. Though still attracted to the Chinese market, some US businesses are disappointed that the reform dividend is shrinking.

Third, there is rising anxiety about what global role China is going to play. A view we often hear from the US is that China is seeking to dominate the Asia-Pacific and replace the US leadership. This we see as a reflection of the US's own fear of losing its primacy in the world.

At the same time, however, there is no shortage of optimistic voices from the US. They see China's future role as being determined by its own culture and policy, as well as how it interacts with the outside world.

Compared with their American counterparts, Chinese academics are relatively positive.

First, China opened its door to the US at the same pace it opened to the world, and its policy objective for relationship with the US is in line with that of its general foreign policy, which is to improve its international environment for development and raise the living standards of its population. It involved no desire to export values or seek world power. China has achieved its purposes and we believe the US has also gained tremendously from its relationship with China.

Second, the Chinese economy is undergoing difficult restructuring. China-US economic relationship has come to a higher level, and Chinese businesses have become interested in entering the US market. But they are often constrained by the lack of political confidence. China is going to host the G20 Summit this September, which is hoped to open new opportunities for the two countries to work for balanced global growth.

Third, Chinese academics tend to look at changes in China-US relations from the perspective of the evolution of international order. Many see the status of the relationship no longer as the weak vis-a-vis the strong. Nevertheless, they do not see the relationship as between two strong powers either.

In the past 30 years, China and the US had friendly moments, but never very close; we had problems, but the ties were strong enough to withstand derailing. Now we are at a high level of relationship and if we work together we are capable of making a difference in the world, but if we fight, we will bring disaster onto the world.

The challenge for China as the second largest economy is probably two-fold: One is how to work with the US within the existing order framework and not to fall into the traditional trap of power collision, or the Thucydides Trap, and the other is how to adapt to and participate in the adjustment of the international order.

But the message from the US is confusing, reflected in its reluctance to acknowledge China's effort to help improve the existing order by providing new public goods like the AIIB and the Belt and Road Initiative. Such remarks like: China should not be allowed to make the 21st century rules, are inevitably affecting the assessment by people in China of its external environment, its future role and the relationship with the US.

So the question is: Would the US policy towards China give way to anxiety and orient towards forestalling imminent conflict? And would it lead to a reckless urge to throw down

## Recent tension in the South China Sea is a good reflection of the risks involved.

the gauntlet, and stimulate spiraling tense atmosphere?

Recent tension in the South China Sea is a good reflection of the risks involved. The concern is that the US's open involvement in the disputes and its imagined contention with China may sow the seeds of a self-fulfilling prophecy.

Reading what is said in the US media, one has the impression that the discourse is far from having solid factual ground. Take for example the assertion: It is China who is trying to make new claims and coerce the neighbors. Some cannot even tell Nansha Islands from Xisha Islands.

So let me spend a bit of time on it. The South China Sea issue is basically territorial disputes between China and some of its neighbors about some land features of Nansha Islands, which is one of the four archipelagos in the South China Sea. They were taken back by China from Japan's occupation after WWII. There were dash lines drawn on the map of 1948 to indicate China's ownership. The US was in full knowledge and its recognition of China's sovereignty was also reflected in maps and encyclopedias published in the US even until 1971.

From the 1970s to the 1990s more than 40 islands and shoals were taken by our neighbors and the discovery of oil and gas resources further spurred the drive. But China has never stopped wanting its territory back.

In the 1990s, China improved its relations with the neighbors, and worked with ASEAN to build a regional framework for dialogue and cooperation. The Nansha disputes remained a focal issue but through repeated dialogues, China finally accepted that there were already disputes over some of the land features in Nansha Islands. In return, the neighboring countries accepted China's proposition to "shelve the disputes and seek joint development".

One important milestone is the conclusion of the China-ASEAN Declaration on the Conduct of Parties in the South China Sea (DOC), which confirmed the commitment of the parties to solve disputes through peaceful means and to maintain stability. To some extent, the DOC curbed further attempts to take features in Nansha.

China faithfully followed the principles in the DOC but the ASEAN failed to constrain some of the claimants, who kept high profile activities on the islands they occupied, including upgrading, renovating and expanding the facilities. After the US launched pivot to Asia, more blatant provocations to China's sovereignty happened, and there were even attempts to expand disputes. Back in China, people are getting more and more anxious about these encroachments.

Let me give you one example which is almost the last straw on the camel's back. In April 2012, some Philippine navy boats went into the Huangyan Island lagoon and harassed Chinese fishermen. When the photos of Chinese fishermen forced to stay under the blazing sun grabbed the headlines in China, there was a nationwide cry for the government to protect its citizens and defend its interests. The Philippines on its part acted as if it owned the Island, and refused to talk with



The joint opening ceremony of the 8th China-US Strategic and Economic Dialogue and the 7th China-US High-Level Consultation on People-to-People Exchange is held in Beijing on June 6. *Zhang Duo*

## China's pursuit in the South China Sea remains to safeguard national interests and territorial integrity, and to maintain regional peace and tranquility.

the Chinese side. China decided to control the Huangyan Island. As for the Philippines' subsequent move to unilaterally initiate an international arbitration without any consultation with China, we decided not to participate.

The real challenge for China is whether we can prevent further losses in the South China Sea and protect our interests and whether someday we can push for a peacefully negotiated settlement. In light of the situation, China decided to undertake construction on some of the land features under its control. The construction includes light towers, automatic meteorological stations, ocean monitoring centers and marine science facilities. Furthermore, the functional improvements on these features will also help enhance China's ability to defend its sovereignty, rights and interests as well as offer services.

The role of the US created a new dimension. The US Asia-Pacific rebalancing strategy from its very start targeted at China not only in rhetoric but also in its arrangements. In China, most people believe that the US' growing interference is making the situation in the South China Sea more complicated and turning what is essentially a regional dispute into geo-strategic rivalry.

The ASEAN countries have come to realize the risks of power rivalry which may undermine the regional architectures which they have painstakingly cultivated over the years. They have stepped up talks with China to reduce tension and to negotiate a code of conduct aiming at a rules-based order. Chinese Foreign Minister Wang Yi's proposition of "dual

track" approach is acknowledged and supported by many. It proposes having the disputes addressed by claimants, and that China and ASEAN should work together to safeguard peace and stability in the South China Sea.

What is China's policy objective? According to the US, China is vying for dominance in the Asia-Pacific. But that, from our point of view, is a projection of the US' own hegemony image. China's pursuit in the South China Sea remains to safeguard national interests and territorial integrity, and to maintain regional peace and tranquility.

To observe China, one should not lose sight of the historical context. Though China is growing into a strong country, the painful memory of history is fresh. The country stumbled into the 20th century with its capital under the occupation of the imperialists' armies, and for over a century China suffered the humiliation of repeated foreign aggression and bullying. That is why the Chinese people are very sensitive about anything that is related to the loss of territory and would never allow such recurrence even if it involves just an inch of land. This is something the outside world needs to keep in mind when trying to understand China's behavior.

Now that China is in a drive to attain its economic target, it needs a peaceful external environment, particularly in its neighborhood. The South China Sea offers the most important international transportation route which is also the lifeline for China. Our policy objective includes ensuring freedom and safety of navigation. China needs to upgrade its capacity to better fulfill its responsibilities in this regard.

President Xi has proposed that China and the US move towards a new model of major-country relations, avoiding conflict, confrontation, respecting each other in cooperation. To achieve that, we need to learn. China is a new-comer on the world center stage but it should not try to copy the US. The US also needs to learn to work with countries like China which may not be an ally, but nor an enemy.

So, can we accept and respect each other and build new consensus? That is the question. I am ending my speech with this question in a salute to Stanford University which is known for its excellence in addressing difficult questions. ■



# Losang Tamdrin: from a serf to a public servant

By Tang Zhaoming

**E**ighty-two years old, Losang Tamdrin, a born serf and vice chairman of the Standing Committee of the People's Congress of the Tibet Autonomous Region afterwards, is a witness and builder of the development of Tibet. He embodies the vicissitude of Tibet from old to new and the great transformation of the fate of the Tibetan people.

Several days ago, the reporter from Outlook Weekly accompanied Losang Tamdrin to visit the central primary school of Mangpu Township, Lhazê County, Shigatse City in Tibet, where Losang Tamdrin once set up a minilibrary. The reporter has the chance to get to know Losang Tamdrin's legendary life and is touched again by his decades of devotion to the development of his hometown.



Donned festive dresses, Tibetan villagers in Lhasa, Tibet pray for harvest on March 16, which marked the beginning of spring sowing in accordance to Tibetan calendar. *Li Lin*

## The Party comes and life turns from bitter to sweet

Losang Tamdrin never forgets that he was born in a donkey shed of the landlord. His mother died young and he even did not know his birthday.

In old Tibet, Losang Tamdrin was born a serf since his parents were slaves. As a child, Losang Tamdrin had to go to his master's home, often with an empty belly, and looked after their children. Without shoes to wear, his feet were frozen with sharp pain. The master's children often wielded whips and rode him as if he was a horse. When serving meal and tea, he would get slapped or beaten up for a slightest negligence.

A serf's life was penniless. When Losang Tamdrin's mother died, the body was thrown out through the window, for the master did not allow the body carried through the gate, thinking that would make his gate dirty.

In 1951, Tibet was peacefully liberated, which was the turning point of the fate of Losang Tamdrin and other hundreds of thousands of serfs.

In 1953, Shigatse military division of the People's Liberation Army held a learning class attended by the local aristocrats in Tashilhunpo Monastery. To serve his master's daily life, Losang Tamdrin also came to Shigatse.

Shabby and unkempt, Losang Tamdrin attracted the attention of the head of the class. One day, with the help of a Tibetan interpreter, the head asked Losang Tamdrin whether he wanted to go to school. Losang Tamdrin beamed and jumped when hearing the news. But he got worried that his master would disagree and beat him. It happened. In front of the head of the class, the master agreed without hesitation. But in the evening when the master came back, he scolded and beat Losang Tamdrin with sticks, then tried to dissuade him by saying the Hans would kill and eat human beings.

At that time, in order to develop Tibetan cadres, "Jinzhumami" (the People's Liberation Army) mobilized the Tibetan compatriots to send their children to schools in inner provinces. Escaping from his master, Losang Tamdrin found the "Jinzhumami" of Shigatse military division. From then on, he no longer had to worry about food and clothing.

Soon after, wearing new clothes and carrying living necessities including bowls and mugs, Losang Tamdrin and other 20 Shigatse pupils were escorted by PLA soldiers to Lhasa. Without road at that time, they took turns to ride a few horses to Lhasa.

"I was still wondering on the way, 'is this a dream?' ", recalled Losang Tamdrin decades later, "On estimation, the 'Jinzhumami' even helped me fill in my birthday date of September 9, 1938."

In June 1954, the soldiers spent one week to escort those pupils to Lhasa. Then with the help of some Han uncles, they took vehicles to Chengdu and Chongqing, then took boat to Wuhan.

"The transportation was very inconvenient. It had turned into hot summer days when we arrived in Wuhan. Since we were from the plateau, we couldn't stand the hot weather and get accustomed to the local water and food. Our skins got extremely itchy," said Losang Tamdrin. "The Han uncles took us to see the doctor. I was frightened to death when seeing

the nurse tried to give us an injection, since I had been infiltrated with the idea that the Hans would kill and eat human beings. I ran out of the hospital, till the head of the hospital grabbed me, explained to me and injected me finally."

After the skin disease got cured, those Tibetan children took train from Wuhan to Beijing.

They took over two months from the snow-capped plateau to Beijing, the nation's capital. For the first time, Losang Tamdrin got to know the country was so vast and the people were so happy. Was it paradise on earth? "The Communist Party saved me, and the Party is a living Buddha in my heart," Losang Tamdrin passionately told the reporter.

In Beijing, Losang Tamdrin studied at the preparatory class of the Central Institute for Nationalities. In the first year he learned the Chinese language and then learned other disciplines.

"I'm a descendant of a slave family for generations. Once no food and clothing, let alone the opportunity to read. Everything including all my clothing and stationery were provided by the Communist Party. The Party comes; the bitter life of the Tibetan turns sweet," Losang Tamdrin said emotionally.

**In 1951, Tibet was peacefully liberated, which was the turning point of the fate of Losang Tamdrin and other hundreds of thousands of serfs.**

## Join the fight on the front

"People who go through the cold winter keenly know the warmth of the sun." In December 1958, Losang Tamdrin, 20 years old and excellent in ethics and learning performance, proudly joined the Communist Party of China.

At the Institute, Losang Tamdrin understood that the misery of Tibetan people was caused by exploitation and oppression rather than fate.

Since then, it has become Losang Tamdrin's deep-rooted dream, which is to make the Tibetan people have a good life and hold the fate in their own hands under the leadership of the Party.

In 1959, Dalai Lama and a handful of separatists started the rebellion in Tibet. To counter the rebellion and conduct democratic reforms to emancipate around 1 million of serfs, a large number of Tibetan translators were urgently needed. To answer the call, Losang Tamdrin and other over 200 Tibetan students ended their study earlier than scheduled, returned to their hometown and took part in the cause of counter-insurgency, reform and building.

Losang Tamdrin and other 10 students were assigned to work in Lhasa when the work of counter-insurgency and democratic reform were in full swing in Tibet.

Soon after, as a Tibetan translator, Losang Tamdrin ac-





Spectators appreciate a giant painting, which is 3-meter high and 123-meter long, in Lhasa, capital of the Tibet Autonomous Region on November 20, 2015. The painting, which was created by dozens of Chinese painters in four years, demonstrates the picturesque scenery of Tibet. *Tang Chaoyang*

accompanied a working group to Nyêmo County. Later He was posted alone to a temple in this county, where he conducted the work of anti-insurgency, anti-feudal privileges and feudal exploitation and anti-political persecution.

At that time some activists told Losang Tamdrin that several rebels intended to run away and hid weapons and ammunition underneath the newly-built Buddha sculpture. To find out the evidence, Losang Tamdrin led several activists and snuck around the temple at night. In the end, they successfully dug out British rifles, locally-made guns and ammunition. Losang Tamdrin immediately reported to the working group.

Two days later, an on-the-spot meeting was held outside the temple and the local people were organized to see the hidden weapons and ammunition.

With their plot uncovered, the four Lamas who had planned to participate in the rebellion attempted to assassinate Losang Tamdrin at night and slip away. When they smashed the window, Losang Tamdrin opened fire in bed. The four Lamas were frightened and fled into the mountain.

A few days later, they were captured when going down the hill and trying to find food. They were sent under guard to the temple for the disposal of Losang Tamdrin, and then sent to the county.

“To honor me, the county government rewarded me with a very fine imported dagger,” Losang Tamdrin recalled.

### **Brotherhood between Tibetans and Hans unforgettable**

In 1966, as head of Xainza County, Losang Tamdrin came back to his hometown for the first time after he left 15 years ago. Along the way, he couldn't help thinking of his father and sisters. How were things going with them? After the emancipation, were they also having a happy life with housing to get sheltered and land to cultivate?

When 29-year-old Losang Tamdrin arrived at Lhazê County, he couldn't find his home there, because he left his hometown so long and his hometown had undergone great transformation.

Zhou Renshan, deputy secretary of the Working Committee of Tibet, was the first senior Han cadre to tutor Losang Tamdrin. “I accompanied Secretary Zhou to go to the countryside shortly after I started my career. No matter how busy he was, he always asked me to report work to him in writing. Then he would revise my writing word by word and let me to finish the last version till he got satisfied. His help ensured me to make quick progress and benefited in the long run.”



Emancipated serfs in Tibet burn indentures of the feudal lords in August 1959. A democratic reform, launched in the same year, terminated the serfdom that ruled the old Tibet for hundreds of years. Hundreds of thousands of serfs, which accounted 95 percent of the Tibetan population, became masters of the land after liberation. *Xinhua*

## Since starting his career, Losang Tamdrin had devoted all his passion and energy to his beloved land.

Losang Tamdrin clearly remembered that secretary Ren Rong of Tibet and secretary Cao Xu of Nagqu Prefecture also gave him great support and help, and let him start the development program in the uninhabited area in North Tibet, where he established two county-level administrations and the two counties were turned into “pearls of North Tibet”.

Since starting his career, Losang Tamdrin had devoted all his passion and energy to his beloved land. Two years later, he and other young colleagues volunteered to go to work in Nagqu County, which was then the hardest place in Tibet.

Cao later transferred Losang Tamdrin to Xainza County which was the largest county in Tibet and also the most impoverished. In 1976, Losang Tamdrin led the local cadres and people to develop the uninhabited area in North Tibet. Later, he acted as deputy Party secretary, head and Party secretary of Nagqu Prefecture. He had worked and lived in North Tibet for 26 years and even lots of people never realized that he was from Shigatse.

“In North Tibet, the scarcest is oxygen and the most valu-

able is the spirit.” Losang Tamdrin said. He couldn’t forget that a deep friendship had been forged between him and groups of Han Chinese cadres, doctors and workers during the development of North Tibet since 1976.

In the cold winter of 1966, the “cultural revolution” spread to North Tibet. Losang Tamdrin lost his job. Other people were afraid of contacting him, except that two Han Chinese cadres in the county, in the old sheepskin at night, with wide sleeves filled with dumplings, pickled vegetables, canned food and liquor, swaggered to knock the door, and asked Losang Tamdrin to join eating and drinking.

In recent years, Losang Tamdrin went to Peking Union Medical College Hospital to see the doctor. When the reporter interviewed him, he often met in the ward “the old Tibetans”—Ren Hongzhi and his wife, doctors from the hospital.

More than 30 years ago, Ren Hongzhi and Xu Ling, two graduates from Peking Union Medical College, got married in Tibet. Later they were assigned to work in the Xainza County.

The Han couple brought hope to the local peasants to cure and prevent diseases, at the same time they were also facing with difficulties such as Alpine hypoxia, language and transportation.

Losang Tamdrin picked himself the two best horses in the county for the couple to ride. Every time Ren went out to see the patients, Losang Tamdrin would assign a Tibetan doctor to translate and see him off. Every time Losang Tamdrin came back from outside, he brought some vegetables to the couple. When his family had something tasty, he never forgot to share with the couple.

On one occasion when Ren went out to see the patients, their house’s roof got leaked. On hearing the news, Losang Tamdrin led some people and got the roof repaired. When Losang Tamdrin’s son was born, it was Xu who helped with the delivery.

In 1979, Ren and Xu wanted to go to the Peking Union Medical College for further study and family reunion. Although Losang Tamdrin was unwilling to let them go, he supported them anyway and bid farewell to the couple when they got on the bus.

For decades, the connection between the two Tibetan and Han families has never been interrupted, and a brotherly bond forged.

Over the years after retirement from the leadership, Losang Tamdrin has been making contributions to the development of Tibet. He is actively preparing for the construction of a wildlife specimens museum in North Tibet. He has helped set up several mini-libraries in Shigatse and Nagqu, and attract an investment to construct a photovoltaic power plant in Lhazê County. (Outlook Weekly) ■



# Jin Ping, a pioneer in China's civil law expedition

By Xia Lina

**J**in Ping, a renowned civil law expert as well as senior professor of China's Southwest University of Political Science and Law (SWUPL), is the only scholar alive who has participated 3 times in the drafting of the civil code of the People's Republic of China. He has witnessed the twists and turns of civil legislation in the past half century, for which he was honored as "living fossil in the history of contemporary civil law".

Earlier this year, the civil code's draft general rules was submitted to the Standing Committee of the National People's Congress (NPC) for deliberation, thus restarting the compilation of civil code. A Correspondent from the People's Congresses Journal paid a special call on Professor Jin in Chongqing. Already in his 90s, Jin felt very excited by the substantial progress made in the compilation of civil code, and he emotionally recalled the good old days spent as a member of the drafting team.

## Three principles governing legislation

After the first Constitution of the PRC was promulgated in 1954, China subsequently embarked on a gigantic legislation endeavor, the maiden drafting of civil code. By the end of 1954, Jin Ping, then a teacher in SWUPL, was selected and summoned to Beijing to join the project, thus starting his lifelong love affair with the civil code.

Professor Jin's memory brought me back to the early 1950s. "Promulgation of the Constitution laid a solid foundation for the building of democracy and legal system. Rapid progress should be made not only to the economy but also to the buildup of legal system. Therefore, the NPC Standing Committee soon placed the enactment of Criminal Law and Civil Law in the legislative agenda. The first drafting of civil code was inaugurated in the same year when the Constitution was promulgated, and the drafting team was set up in the General Office of the NPC standing committee. I still remember that the Research Office was responsible for the civil law, while the Law Office was in charge of the criminal law. Peng Zhen, then vice chairman and secretary-general of the NPC Standing Committee, assumed a leading role in legislation. He said repeatedly that legislation of fundamental laws like civil law and criminal law held the key to the sound development of democracy and legal system in China. He frequently stressed the three principles governing legislation on various occasions, namely, we have to adhere to the leadership of the Communist Party, meet the needs of the people, and act in a fact-based manner. The entire drafting process, starting from team formation to daily operation,



Professor Jin Ping

**Jin Ping has witnessed the twists and turns of civil legislation in the past half century, for which he was honored as 'living fossil in the history of contemporary civil law'.**

was carried out in accordance with the three principles. Although many years have passed, I still remember the three principles vividly because it was the guiding thoughts of my work, and it proved to be very effective."

The General Office of the NPC Standing Committee did tremendous amount of preparation work. The staff not only translated the civil code of major socialist countries such as the Soviet Union, Czechoslovakia and Bulgaria as well as typical capitalist countries such as Germany and France, but

also categorized legal items in a book so that members of the drafting team could consult, compare and carry out research, which provided great convenience and facilitation to our work. As to how China should learn from foreign countries, the NPC leadership advocated that we should apply a fact-based approach. At that time, such opinions prevailed that the Soviet Union is our “big brother”, and today’s Soviet Union is just what China will be like tomorrow. Even against such backdrop, Peng Zhen warned us that we could not just copy from the Soviet Union. Instead, we should act on the basis of practical conditions in China.

After more than two years intensive work, in December 1956, the first draft civil code was released to the public for comments. “As I recall, the first draft has more than 400 articles. We held many symposiums to extensively solicit comments from relevant courts and government authorities. In addition, we traveled across the country in different groups to collect suggestions from various provinces,” Jin added.

In 1962, as the country bid farewell to the extremely difficult period in the previous three years, economic recovery took place gradually. Right at that time, Chairman Mao Zedong made a proposal that both criminal law and civil law should be introduced. Drafting of civil code, once suspended for some time, was once again placed on the legislation agenda.

“Peng Zhen was still vice chairman and secretary-general of the NPC Standing Committee at that time. He again took the leading post in the legislation efforts and played a guiding role. In the latter half of 1964, the second draft of civil code was ultimately accomplished and printed. This draft contains 3 parts, 24 chapters and 262 articles. Shortly afterwards, domestic political situation became tense again, and drafting of civil code was suspended once again.”

### Things always go by three

From December 19 to 22, 1978, the 3rd Plenum of the 11th CPC Central Committee was held in Beijing. The plenum not only made the strategic decision to give top priority to the socialist modernization construction, but also emphasized the importance to develop the socialist legal system. The third drafting of civil code was launched in conformity with the guiding thought. At the end of 1979, a drafting team was set up by the Legislative Affairs Commission of the NPC Standing Committee.

“Smashing of the Gang of Four and convening of the 3rd Plenum of the 11th CPC Central Committee marks a significant turning point in history. The political route of the Party went back on the right track. Deng Xiaoping pointed out that priority should be given to economic development instead of class struggle, which helped to create a more stable and peaceful environment. Drafting of civil law was again put in the official agenda. In November 1979, drafting of civil code was launched for the third time. The team included not only a group of cadres well versed in policy research and judicial



Peng Zhen, the then Chairman of the NPC Standing Committee, delivers a speech on the drafted general principles of the Civil Law on December 4, 1985. A symposium was held by NPC Law Committee and NPC Standing Committee Legislative Affairs Commission. Wang Xinqing

## At the end of 1979, Jin Ping was again invited to join the drafting team in Beijing, and he was appointed as head of the proprietorship sub-group.

studies but also legal scholars and college teachers. We not only conducted in-depth research and investigation but also extensively learned from experiences abroad including Western countries.” said Jin affectionately.

At the end of 1979, Jin was again invited to join the drafting team in Beijing, and he was appointed as head of the proprietorship sub-group. “After 10 months of hard work, the draft law was finished and released to relevant government authorities and judicial organs for comments and suggestions. This draft had six parts including general principles, property rights, contracts, labor remuneration and incentives, damage liability and inheritance of property. There were altogether 501 articles. Later, we made three revisions, and the new draft was introduced in May 1982.” Jin said.

As reform, opening up and economic development was barely started at that time, the conditions were far from ripe for China to draft a perfect civil code within a short period of time. However, rapid social and economic development made it a pressing task to readjust civil legislation. Under such circumstances, Peng Zhen, then chairman of the NPC Standing Committee, decided to adopt a pragmatic and step-by-step approach. He proposed to first formulate an outline of civil law so as to tackle some pressing issues in practical life, thus the General Principles of the Civil Law of the People’s Republic of China was passed on April 12, 1986.



## Unforgettable memory

More than half a century has passed in a glimpse, yet Jin still yearns for the good old days he spent in the NPC.

He said Sun Yaming and Lin Chengyi were the two experts that impressed him most during the years. “Sun Yaming has always been my supervisor in the drafting team. He is a veteran who joined the revolution in the 1930s, but he was totally unassuming and got along with our youngsters very well. When the team made our first research tour to China’s Northeast, we followed the Party’s call to live and eat with farmers. Being a leading cadre, Sun did exactly the same with the rest of us. His work style as well as integrity is what we should learn forever. Although he has left us, we do miss him very much. Lin Chengyi used to be a professor of Sichuan University and subsequently Chongqing University. He has abundant knowledge and great insight in civil law of other countries, and regions such as Taiwan. More importantly, he was a man with moral integrity and upright personality. My university once invited him to give a lecture and decided to reward him with a slender pay, but he did not take even one cent. In the summer of 1981, I paid a visit to his office where I could only see a big stack of draft paper and documents, while Professor Lin, already in his seventies and wearing a T-shirt, was bending over on the desk and rewriting legal articles. I always cherish the memory of these two old friends, and I wish their spirit of devotion can be passed on to the future generations.”

## As a blazer in civil law studies

If we want to write about the history of civil law development in China, it is impossible to bypass Jin Ping, in particular, the equality theory he proposed regarding the adjustment object of civil law.

What kind of social relations should be adjusted by civil law became not only a theoretical matter that determined the systematic design of civil code but also a practical issue pertaining to the status of civil law in China. For a long period of time after the founding of the PRC, owing to the influence brought by economic reform, as well as ups and downs of civil legislation activities, the academia was long puzzled by the legal question of adjustment object. At that time, a variety of theories sprang up on the stage, and there were endless discussions and debate on this matter. Jin explicitly put forward his equality theory which proved to be a historical contribution to civil law studies in China.

In fact, when Jin took part in the drafting team for a third time, he once pointed out that civil law should adjust the property relations and personal relations between equal subjects. In 1986, he wrote a long article titled “On the adjustment object of Chinese civil law” in which he, from the perspectives of national conditions such as socialist public ownership as well as the role played by the law of value, systematically and powerfully clarified that the adjustment object of Chinese civil law should be equal property relations and personal relations between individuals, citizens and social organizations. The equality theory was undoubtedly a milestone in the history of Chinese civil law, and it was adopted in Article 2 of the General Principles of the Civil Law

passed on April 12, 1986.

Professor Jin’s contribution not only lies with his scientific identification of the adjustment object, but also his relentless appeal for the establishment of many specific systems. For example, he was among the first group of scholars to advocate the system of compensation for mental damage in legislation.

Professor Jin was also one of the first group of scholars who put forward a complete set of property rights concept and called for strengthening research and legislation on the property rights law. In 1987, in his co-authored essay with his student Zhao Wanyi, he reflected upon the predicament of traditional property rights, demonstrated the need for China to establish property rights system, explained in detail the basic outline of property rights framework, and in particular, emphasized the value of *jura in re aliana*. In his eyes, proprietorship is not an isolated right. It can fully play its role only with the configuration of many kinds of *jura in re aliana*. Therefore, while laying more emphasis on the research and legislation of proprietorship, we have to strengthen study and law enactment on *jura in re aliana* so as to promote the development of commodity economy. In the same year, the Civil Law Course edited by Professor Jin held a systematic and in-depth discussion on the usufructuary right system, and a complete set of *jura in re aliana* system was preliminarily established in China.

“In the commercial era, wealth is mainly comprised of promises,” Jin said. Early in 1980, he already captured the significance of contracts to the modernization drive. He once presented the viewpoint that it was indeed imperative for the country to enact the contract law as early as possible so as to clearly and specifically provide the principles, means and procedures to handle commercial contract disputes. In 1986, he questioned the deviation in the orientation of economic contract law legislation. “As economic law is quite different from other departmental laws especially civil law and administrative law in terms of adjustment object and scale of jurisdiction, I suggest that, while identifying its legislative plan and policies, the top legislature should divide them into certain categories to avoid overlapping and chaos in the legal system and judicial practice.” His suggestion was adopted, and a unified approach was taken in China’s contract legislation.

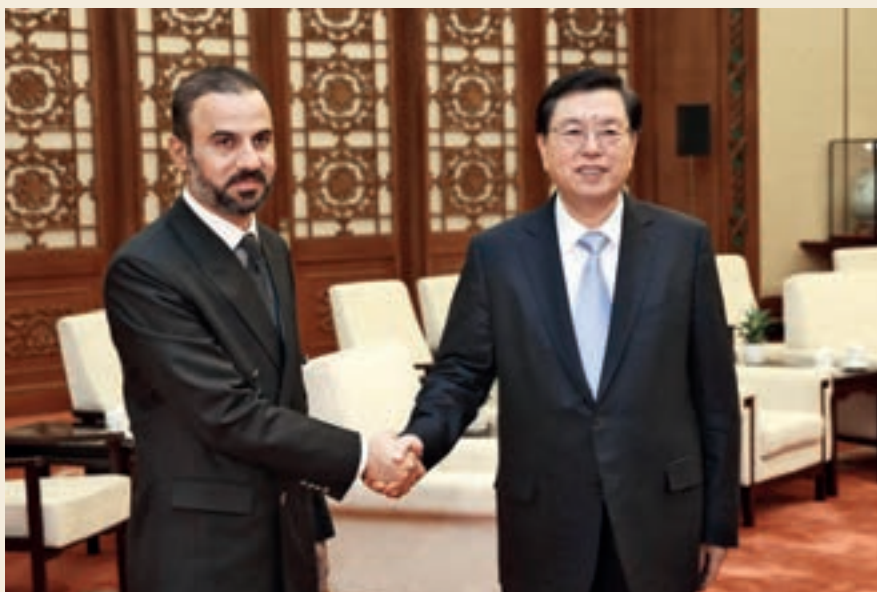
“It is the expectation of several generations in the law circle to introduce a unified civil code. Finally the dream will come true,” Jin said with confidence and pride. “Civil code is an integral part of the socialist law system, and we have to formulate the civil code first in order to improve the law system. Since the reform and opening up, China achieved rapid economic and social development, and we need a unified civil code to adjust the complex civil legal relationship. Introduction of the civil code is bound to play a positive role in deepening reform and upgrading people’s legal quality. Moreover, after more than 50 years of endeavor, we have made substantial progress in civil law studies. A considerable number of talented scholars have emerged, and a lot of conducive experience has been accumulated in civil judicial practice. It is no exaggeration to say the conditions are now ripe to formulate the civil code. In any way, there is no difficulty in introducing the law. We have to be confident and courageous to present to the world an excellent civil code.” ■



↑ Zhang Dejiang (R), chairman of the Standing Committee of China's National People's Congress, meets with Matrai Marta, First Officer of the Hungarian National Assembly, in Beijing, May 16. *Yao Dawei*



↑ Zhang Dejiang (R), chairman of the Standing Committee of China's National People's Congress, meets with Ognjen Tadic, rotating chairman of the House of Peoples of the Bosnia and Herzegovina (BiH) parliament, in Beijing, May 20. *Liu Zhen*



↑ Zhang Dejiang (R), chairman of the Standing Committee of China's National People's Congress, meets with Khalid Hilal Al Ma'awali, chairman of the Consultative Council of Oman, at the Great Hall of the People in Beijing on June 1. *Zhang Hao*



→ Zhang Dejiang (2nd R), chairman of the Standing Committee of China's National People's Congress, meets with a delegation of US lawmakers led by Republican Senator from Montana Steve Daines in Beijing on May 30. *Du Yang*



← Zhang Dejiang (R), chairman of the National People's Congress (NPC) Standing Committee, holds talks with visiting Bulgarian Parliament speaker Tsetska Tsacheva, in Beijing, June 27. *Ding Lin*





Zhang Dejiang (R), chairman of the Standing Committee of China's National People's Congress, meets with President of the National Legislative Assembly of Thailand Pornpetch Wichitcholchai in Beijing on May 27. *Sheng Jiapeng*



Zhang Dejiang (R), chairman of the Standing Committee of China's National People's Congress (NPC), meets with Sergei Naryshkin, chairman of Russia's State Duma, in Beijing, May 5. Zhang and Naryshkin co-chairs the second meeting of the cooperation committee between China's NPC, the top legislative body, and the Russian Federal Council and the State Duma, the upper and lower houses of the Russian parliament. *Sheng Jiapeng*





# China *glenn*

International trade city

