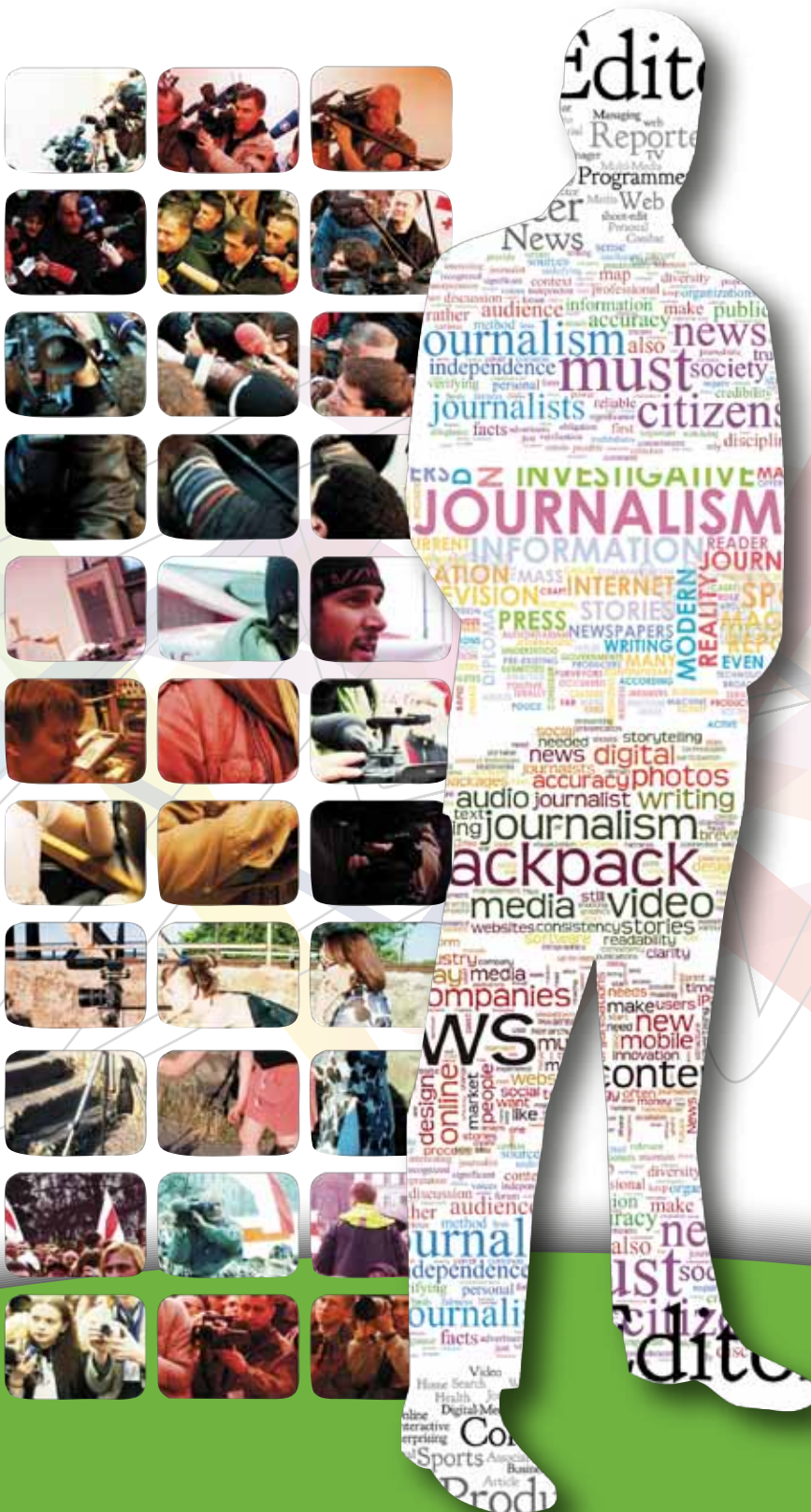


HKBU – SOPA AWARD WINNERS FORUM

香港浸會大學 – 亞洲出版業協會卓越新聞獎得主論壇



HKBU-SOPA Award Winners Forum 2013

Opening Ceremony and Public Forum

Date: 5 November 2013 (Tuesday)

Time: 3:45 pm Opening Ceremony

4:45 pm – 6:30 pm Public Forum on Investigative Journalism in Asia

Venue: WLB103, Lam Woo International Conference Centre, Shaw Campus, Hong Kong Baptist University, 34 Renfrew Road, Kowloon Tong, Kowloon



P.3

Sharing Sessions by Michael FORSYTHE Using Chinese data to follow the money

Date: 5 November 2013 (Tuesday)

Time: 1:30pm-3:30pm

Venue: CVA516, Communication and Visual Arts Building, Baptist University Road Campus, Hong Kong Baptist University, Kowloon Tong, Kowloon

Date: 7 November 2013 (Thursday)

Time: 3:30pm-5:30pm

Venue: RRB381, Renfrew Road Building, Baptist University Road Campus, Hong Kong Baptist University, Kowloon Tong, Kowloon



P.12

Sharing Sessions by Thomas FULLER Facts are tricky things: How the assassination of a Thai general changed my understanding of reporting

Date: 7 November 2013 (Thursday)

Time: 4:30pm-6:30pm

Venue: CVA109, Communication and Visual Arts Building, Baptist University Road Campus, Hong Kong Baptist University, Kowloon Tong, Kowloon

Date: 8 November 2013 (Friday)

Time: 9:30am-11:30am

Venue: CVA203, Communication and Visual Arts Building, Baptist University Road Campus, Hong Kong Baptist University, Kowloon Tong, Kowloon



P.19

Sharing Session by Ernest CHI Investigation in the light and dark

明查暗訪 — 如何完成偵查報道

Date: 6 November 2013 (Wednesday)

Time: 11:30am-1pm

Venue: CVA209, Communication and Visual Arts Building, Baptist University Road Campus, Hong Kong Baptist University, Kowloon Tong, Kowloon

Language: Cantonese



Sharing Session by Titthara MAY
Investigative reporting in Cambodia

Date: 6 November 2013 (Wednesday)

Time: 2:30pm-4:30pm

Venue: CVA111, Communication and Visual Arts Building, Baptist
University Road Campus, Hong Kong Baptist University, Kowloon
Tong, Kowloon



Sharing Sessions by Jamil ANDERLINI
Bo Xilai scandal and what it means for China

Date: 7 November 2013 (Thursday)

Time: 9:30am-11:30am

Venue: CVA203, Communication and Visual Arts Building, Baptist
University Road Campus, Hong Kong Baptist University, Kowloon
Tong, Kowloon

Date: 8 November 2013 (Friday)

Time: 9:30am-11:30am

Venue: CVA209, Communication and Visual Arts Building, Baptist
University Road Campus, Hong Kong Baptist University, Kowloon
Tong, Kowloon



*Mr. Michael FORSYTHE,
Correspondent in Hong Kong,
Bloomberg News*

The Scoop Award (2013)



Michael FORSYTHE

Correspondent in Hong Kong, Bloomberg News

Michael Forsythe is the current correspondent in Hong Kong for Bloomberg News, where he has been a reporter and editor since 2000.

Prior to joining Bloomberg, he was an officer in the United States Navy for seven years. In Washington, he was a reporter covering campaign finance then an editor overseeing Bloomberg's coverage of the 2008 presidential election. In Beijing from 2009 until August of this year, he focused on Chinese politics, particularly its confluence with money. In Hong Kong, he continues to focus on China and will also look at China's relations with its neighbors.

Forsythe is a graduate of Georgetown University with a BA in international economics and Harvard University with an MA in East Asian regional studies. Mike is co-author of the 2012 book "China's Superbank" which examines the central role of China Development Bank in the country's economy.

Forsythe won the SOPA Scoop Award 2013 for his article "Xi Jinping millionaire relations reveal fortunes of elite."

Xi Jinping Millionaire Relations Reveal Fortunes of Elite

By Bloomberg News - Jun 29, 2012

Xi Jinping, the man in line to be China's next president, warned officials on a 2004 anti-graft conference call: "Rein in your spouses, children, relatives, friends and staff, and vow not to use power for personal gain."

As Xi climbed the Communist Party ranks, his extended family expanded their business interests to include minerals, real estate and mobile-phone equipment, according to public documents compiled by Bloomberg.

Those interests include investments in companies with total assets of \$376 million; an 18 percent indirect stake in a rare- earths company with \$1.73 billion in assets; and a \$20.2 million holding in a publicly traded technology company. The figures don't account for liabilities and thus don't reflect the family's net worth.

No assets were traced to Xi, who turns 59 this month; his wife Peng Liyuan, 49, a famous People's Liberation Army singer; or their daughter, the documents show. There is no indication Xi intervened to advance his relatives' business transactions, or of any wrongdoing by Xi or his extended family.

While the investments are obscured from public view by multiple holding companies, government restrictions on access to company documents and in some cases online censorship, they are identified in thousands of pages of regulatory filings.

The trail also leads to a hillside villa overlooking the South China Sea in Hong Kong, with an estimated value of \$31.5 million. The doorbell ringer dangles from its wires, and neighbors say the house has been empty for years. The family owns at least six other Hong Kong properties with a combined estimated value of \$24.1 million.

Standing Committee

Xi has risen through the party over the past three decades, holding leadership positions in several provinces and joining the ruling Politburo Standing Committee in 2007. Along the way, he built a reputation for clean government.

He led an anti-graft campaign in the rich coastal province of Zhejiang, where he issued the "rein in" warning to officials in 2004, according to a People's Daily publication. In Shanghai, he was brought in as party chief after a 3.7 billion- yuan (\$582 million) scandal.

A 2009 cable from the U.S. Embassy in Beijing cited an acquaintance of Xi's saying he wasn't corrupt or driven by money. Xi was "repulsed by the all-encompassing commercialization of Chinese society, with its attendant nouveau riche, official corruption, loss of values, dignity, and self- respect," the cable disclosed by Wikileaks said, citing the friend. Wikileaks publishes secret government documents online.

A U.S. government spokesman declined to comment on the document.

Carving Economy

Increasing resentment over China's most powerful families carving up the spoils of economic growth poses a challenge for the Communist Party. The income gap in urban China has widened more than in any other country in Asia over the past 20 years, according to the International Monetary Fund.

"The average Chinese person gets angry when he hears about deals where people make hundreds of millions, or even billions of dollars, by trading on political influence," said Barry Naughton, professor

of Chinese economy at the University of California, San Diego, who wasn't referring to the Xi family specifically.

Scrutiny of officials' wealth is intensifying before a once-in-a-decade transition of power later this year, when Xi and the next generation of leaders are set to be promoted. The ouster in March of Bo Xilai as party chief of China's biggest municipality in an alleged graft and murder scandal fueled public anger over cronyism and corruption. It also spurred demands that top officials disclose their wealth in editorials in two Chinese financial publications and from microbloggers. Bo's family accumulated at least \$136 million in assets, Bloomberg News reported in April.

Revolutionary Leader

Xi and his siblings are the children of the late Xi Zhongxun, a revolutionary fighter who helped Mao Zedong win control of China in 1949 with a pledge to end centuries of inequality and abuse of power for personal gain. That makes them "princelings," scions of top officials and party figures whose lineages can help them wield influence in politics and business.

Most of the extended Xi family's assets traced by Bloomberg were owned by Xi's older sister, Qi Qiaoqiao, 63; her husband Deng Jiagui, 61; and Qi's daughter Zhang Yannan, 33, according to public records compiled by Bloomberg.

Deng held an indirect 18 percent stake as recently as June 8 in Jiangxi Earth & Rare Metals Tungsten Group Corp. Prices of the minerals used in wind turbines and U.S. smart bombs have surged as China tightened supply.

Yuanwei Group

Qi and Deng's share of the assets of Shenzhen Yuanwei Investment Co., a real-estate and diversified holding company, totaled 1.83 billion yuan (\$288 million), a December 2011 filing shows. Other companies in the Yuanwei group wholly owned by the couple have combined assets of at least 539.3 million yuan (\$84.8 million).

A 3.17 million-yuan investment by Zhang in Beijing-based Hiconics Drive Technology Co. (300048) has increased 40-fold since 2009 to 128.4 million yuan (\$20.2 million) as of yesterday's close in Shenzhen.

Deng, reached on his mobile phone, said he was retired. When asked about his wife, Zhang and their businesses across the country, he said: "It's not convenient for me to talk to you about this too much." Attempts to reach Qi and Zhang directly or through their companies by phone and fax, as well as visits to addresses found on filings, were unsuccessful.

New Postcom

Another brother-in-law of Xi Jinping, Wu Long, ran a telecommunications company named New Postcom Equipment Co. The company was owned as of May 28 by relatives three times removed from Wu -- the family of his younger brother's wife, according to public documents and an interview with one of the company's registered owners.

New Postcom won hundreds of millions of yuan in contracts from state-owned China Mobile Communications Corp., the world's biggest phone company by number of users, according to analysts at BDA China Ltd., a Beijing-based consulting firm that advises technology companies.

Dozens of people contacted over the past two months wouldn't comment about the Xi family on the record because of the sensitivity of the issue. Details from Web pages profiling one of Xi Jinping's nieces and her British husband were deleted after the two people were contacted

The total assets of companies owned by the Xi family gives the breadth of their businesses and isn't

an indication of profitability. Hong Kong property values were based on recent transactions involving comparable homes.

Identity Cards

Bloomberg's accounting included only assets, property and shareholdings in which there was documentation of ownership by a family member and an amount could be clearly assigned. Assets were traced using public and business records, interviews with acquaintances and Hong Kong and Chinese identity-card numbers.

In cases where family members use different names in mainland China and in Hong Kong, Bloomberg verified identities by speaking to people who had met them and through multiple company documents that show the same names together and shared addresses.

Bloomberg provided a list showing the Xi family's holdings to China's Foreign Ministry. The government declined to comment.

In October 2000, Xi Zhongxun's family gathered on his 87th birthday for a photograph at a state guest house in Shenzhen, two years before the patriarch's death. The southern metropolis bordering Hong Kong is now one of China's richest, thanks in part to the elder Xi. He persuaded former leader Deng Xiaoping to pioneer China's experiment with open markets in what was a fishing village.

Family Photo

In the photo, Xi Zhongxun, dressed in a red sweater and holding a cane, is seated in an overstuffed armchair. To his left sits daughter Qi Qiaoqiao. On his right, a young grandson perches on doily-covered armrests next to the elder Xi's wife, Qi Xin. Lined up behind are Qiaoqiao's husband, Deng Jiagui; her brothers Xi Yuanping and presidential heir Xi Jinping; and sister Qi An'an alongside her husband Wu Long.

Xi Zhongxun worked to imbue his children with the revolutionary spirit, according to accounts in state media that portray him as a principled and moral leader. Family members have recounted in interviews how he dressed them in patched hand-me-downs.

He also made Qiaoqiao turn down her top-choice middle school in Beijing, which offered her a slot despite her falling half a point short of the required grade, according to a memorial book about him. Instead, she attended another school under her mother's family name, Qi, so classmates wouldn't know her background. Qiaoqiao and her sister An'an also sometimes use their father's family name, Xi.

Party School

In a speech on March 1 this year before about 2,200 cadres at the central party school in Beijing where members are trained, Xi Jinping said that some were joining because they believed it was a ticket to wealth. "It is more difficult, yet more vital than ever to keep the party pure," he said, according to a transcript of his speech in an official magazine.

His daughter, Xi Mingze, has avoided the spotlight. She studies at Harvard University in Cambridge, Massachusetts, under an assumed name.

Xi's elevation to replace Hu Jintao as China's top leader isn't yet formalized. He must be picked as the Communist Party's general secretary in a meeting later this year and then be selected by the country's legislature as president next March.

Deng Xiaoping

Disgruntlement over how members of the ruling elite translate political power into personal fortunes has existed since Deng Xiaoping's economic reforms began three decades ago, when he said some

people could get rich first and help others get wealthy later.

The relatives of other top officials have forged business careers. Premier Wen Jiabao's son co-founded a private-equity company. The son of Wen's predecessor, Zhu Rongji, heads a Chinese investment bank.

"What I'm really concerned about is the alliance between the rich and powerful," said Wan Guanghua, principal economist at the Asian Development Bank. "It makes corruption and inequality self-reinforcing and persistent."

Public criticism is mounting against ostentatious displays of wealth by officials. Microbloggers tracking designer labels sported by cadres expressed disgust last year at a gold Rolex watch worn by a former customs minister. They castigated the daughter of former Premier Li Peng for wearing a pink Emilio Pucci suit to the nation's annual legislative meeting this March. Some complained that the 12,000 yuan they said it cost would pay for warm clothes for 200 poor children.

'Unequal Access'

"People are angry because there's unequal access to money-making, and the rewards that get reaped appear to the populace to be undeserved," said Perry Link, a China scholar at the University of California, Riverside. "There's no question in the Chinese public mind that this is wrong."

Premier Wen told a meeting of China's State Council on March 26 that power must be exercised "under the sun" to combat corruption.

While officials in China must report their income and assets to authorities, as well as personal information about their immediate family, the disclosures aren't public.

The lack of transparency fuels a belief that the route to wealth depends on what Chinese call "guanxi," a catch-all word for the connections considered crucial for doing business in the country. It helps explain why princelings with no official posts wield influence. Or, as a Chinese proverb puts it: When a man gets power, even his chickens and dogs rise to heaven.

'Bigwig Relative'

"If you are a sibling of someone who is very important in China, automatically people will see you as a potential agent of influence and will treat you well in the hope of gaining guanxi with the bigwig relative," said Roderick MacFarquhar, a professor of government at Harvard who focuses on Chinese elite politics.

The link between political power and wealth isn't unique to China. Lyndon B. Johnson was so poor starting out in life that he borrowed \$75 to enroll in Southwest Texas State Teachers College in 1927, according to his presidential library. After almost three decades of elective office, he and his family had media and real-estate holdings worth \$14 million in 1964, his first full year as president, according to an August 1964 article in *Life Magazine*.

Orville Schell, director of the Center on U.S.-China Relations at the Asia Society in New York, said the nexus of power and wealth can be found in any country. "But there is no country where this is more true than China," he said. "There's a huge passive advantage to just being in one of these family trees."

Unfair to Xi

Yao Jianfu, a retired government researcher who has called for greater disclosure of assets by leaders, said it wouldn't be right to tie Xi Jinping to the businesses of his family.

"If other members of the family are independent business representatives, I think it's unfair to describe it as a family clan and count it as Xi Jinping's," Yao said in a telephone interview.

The lineage of Xi's siblings hasn't always been an advantage. Xi Zhongxun, the father, was purged by Mao in 1962. Like many other princelings, the children were scattered to the countryside during the Cultural Revolution. The 5-yuan payment Qiaoqiao received for working in a corps with 500 other youths in Inner Mongolia made her feel rich, she recalled in an interview on the website of Beijing-based Tsinghua University.

After Mao's death in 1976, the family was rehabilitated and Xi's sister Qiaoqiao pursued a career with the military and as a director with the People's Armed Police. She resigned to care for her father, who had retired in 1990, Qiaoqiao said in the Tsinghua interview.

Property Purchase

A year later, she bought an apartment in what was then the British colony of Hong Kong for HK\$3 million (\$387,000) -- at the time, equivalent to almost 900 times the average Chinese worker's annual salary. She still owns the property, in the Pacific Palisades complex in Braemar Hill on Hong Kong island, land registry records show.

By 1997, Qi and Deng had recorded an investment of 15.3 million yuan in a company that later became Shenzhen Yuanwei Industries Co., a holding group, documents show. The assets of that company aren't publicly available. However, one of its subsidiaries, Shenzhen Yuanwei Investment, had assets of 1.85 billion yuan (\$291 million) at the end of 2010. It is 99 percent owned by the couple, according to a December 2011 filing by a securities firm.

It was after her father's death in 2002 that Qi said she decided to go into business, according to the Tsinghua interview. She graduated from Tsinghua's executive master's degree in business administration program in 2006 and founded its folk-drumming team. It plays in the style of Shaanxi province, where Xi Zhongxun was born.

Paper Trail

The names Qi Qiaoqiao, Deng Jiagui or Zhang Yannan appear on the filings of at least 25 companies over the past two decades in China and Hong Kong, either as shareholders, directors or legal representatives -- a term that denotes the person responsible for a company, such as its chairman.

In some filings, Qi used the name Chai Lin-hing. The alias was linked to her because of biographical details in a Chinese company document that match those in two published interviews with Qi Qiaoqiao. Chai Lin-hing has owned multiple companies and a property in Hong Kong with Deng Jiagui.

In 2005, Zhang Yannan started appearing on Hong Kong documents, when Qi and Deng transferred to her 99.98 percent of a property-holding company that owns one apartment, a unit in the Regent on the Park development with an estimated value of HK\$54 million (\$6.96 million).

Repulse Bay Villa

Land registry records show Zhang paid HK\$150 million (\$19 million) in 2009 for the villa on Bellevue Drive in Repulse Bay, one of Hong Kong's most exclusive neighborhoods. Property prices have since jumped about 60 percent in the area.

Her Hong Kong identity card number, written on one of the sale documents, matches that found on the company she owns with her mother and Deng Jiagui, Special Joy Investments Ltd. All three people share the same Hong Kong address in a May 12 filing.

Zhang owns four other luxury units in the Convention Plaza Apartments residential tower with panoramic harbor views adjoining the Grand Hyatt hotel.

Since its 1997 return by Britain to Chinese rule, Hong Kong has been governed autonomously, with its

own legal and banking systems. About a third of all purchases of new luxury homes in the territory are by mainland Chinese buyers, according to Centaline Property Agency Ltd.

In mainland China, Qi and Deng's marquee project is a luxury housing complex called Guanyuan near Beijing's financial district, boasting manicured gardens and a gray-brick exterior reminiscent of the city's historic courtyard homes. Financial details on the developer aren't available because of restrictions on company searches in Beijing.

Beijing Complex

To finance the development, the couple borrowed from friends and banks, and aimed to attract officials and executives at state-owned companies, they told V Marketing China magazine in a 2006 interview. Property prices in the capital rose 79 percent in the following four years, government data show.

The site's developer -- 70 percent owned by Qi and Deng's Yuanwei Investment -- acquired more than 10,000 square meters of land for 95.6 million yuan in 2004 to build Guanyuan, according to the Beijing Municipal Bureau of Land and Resources.

A 189-square-meter (2,034-square-foot) three-bedroom apartment in Guanyuan listed online in June for 15 million yuan. One square meter sells for 79,365 yuan -- more than double China's annual per capita gross domestic product.

Public anger at soaring housing costs has made real estate an especially sensitive issue for leaders in China. Property prices were "far from a reasonable level," Premier Wen said in March.

'Playing Field'

The lack of a level playing field and unaffordable home prices mean "you can be cut out of the China dream," said Joseph Fewsmith, director of the Center for the Study of Asia at Boston University, who focuses on Chinese politics. "Is the rise of China going to last if you build it around these sorts of unequal opportunities?"

Those with the right connections are able to gain access to assets that are controlled by the government, according to Bo Zhiyue, a senior research fellow at the National University of Singapore's East Asian Institute.

"All they need is to get into the game one small step ahead of the others and they can make a huge gain," he said. Bo wasn't discussing the specific investments of Xi's family members.

One of Deng's well-timed acquisitions was in a state-owned company with investments in rare-earth metals.

Rare Earths

Deng's Shanghai Wangchao Investment Co. bought a 30 percent stake in Jiangxi Rare Earth for 450 million yuan (\$71 million) in 2008, according to a bond prospectus.

Deng owned 60 percent of Shanghai Wangchao. A copy of Deng's Chinese identity card found in company registry documents matches one found in filings of a Yuanwei subsidiary. Yuanwei group-linked executives held the posts of vice chairman and chief financial officer in Jiangxi Rare Earth, the filings show.

The investment came as China, which has a near monopoly on production of the metals, was tightening control over production and exports, a policy that led to a more than fourfold surge in prices for some rare earths in 2011.

A woman who answered the phone at Jiangxi Rare Earth's head office in Nanchang said she was unable to provide financial information because the company wasn't listed on the stock exchange. She declined to discuss Shanghai Wangchao's investment, saying it was too sensitive.

Hiconics Drive

Qi Qiaoqiao's daughter Zhang made her 3.17 million-yuan investment in Hiconics in the three years before the Beijing-based manufacturer of electronic devices sold shares to the public in 2010. Hiconics founder Liu Jincheng was in the same executive MBA class as Qi Qiaoqiao, according to his profile on Tsinghua's website.

Wang Dong, the company's board secretary, didn't respond to faxed questions or phone calls seeking comment.

The business interests of Qi and Deng may be more extensive still: The names appear as the legal representative of at least 11 companies in Beijing and Shenzhen, cities where restrictions on access to filings make it difficult to determine ownership of companies or asset values.

Dalian Wanda

For example, Deng was the legal representative of a Beijing-based company that bought a 0.8 percent stake in one of China's biggest developers, Dalian Wanda Commercial Properties Co., for 30 million yuan in a 2009 private placement. Dalian Wanda Commercial had sales of 95.3 billion yuan (\$15 billion) last year.

Dalian Wanda Commercial "doesn't comment on private transactions," it said in an e-mailed statement.

Deng also served as legal representative of a company that won a government contract to help build a 1 billion-yuan (\$157 million) bridge in central China's Hubei province, according to an official website and corporate records.

Complex ownership structures are common in China, according to Victor Shih, a professor at Northwestern University in Evanston, Illinois, who studies the link between finance and politics in the country. Princelings engage people they trust, often members of their extended families, to open companies on their behalf that bid for contracts from state-owned enterprises, said Shih, who wasn't referring specifically to Xi's family.

New Postcom

In the case of Xi Jinping's brother-in-law, Wu Long, he's identified as chairman of New Postcom in two reports on the website of the Guangzhou Development District, one in 2009 and the other a year later.

New Postcom doesn't provide a list of management on its website. Searches in Chinese on Baidu Inc.'s search engine using the name "Wu Long" and "New Postcom" trigger a warning, also in Chinese: "The search results may not be in accordance with relevant laws, regulations and policies, and cannot display."

New Postcom is owned by two people named Geng Minhua and Hua Feng, filings show. Their address in the company documents leads to the ninth floor of a decades-old concrete tower in Beijing where Geng's elderly mother lives. Tacked to the wall of her living room was the mobile-phone number of her daughter.

When contacted by phone June 6, Geng confirmed she owned New Postcom with her son Hua Feng -- and that her daughter was married to Wu Ming, Wu Long's younger brother. Geng said Wu Long headed the company and she wasn't involved in the management.

Different Owners

New Postcom identified two different people -- Hong Ying and Ma Wenbiao -- as its owners in a six-

page, June 27 statement and said the head of the company was a person named Liu Ran. The company didn't respond to repeated requests to explain the discrepancies. Wu Long and his wife, Qi An'an, couldn't be reached for comment.

New Postcom was an upstart company that benefited from state contracts. It specialized in the government-mandated home-grown 3G mobile-phone standard deployed by China Mobile. In 2007, it won a share of a tender to supply handsets, beating out more established competitors such as Motorola Inc., according to BDA China.

"They were an unknown that suddenly appeared," said Duncan Clark, chairman of BDA. "People were expecting Motorola to get a big part of that device contract, and then a no-name company just appeared at the top of the list."

In 2007, the domestic mobile standard was still being developed, and many of the bigger players were sitting on the sidelines, allowing New Postcom a bigger share of the market, the company said in the statement.

Xi Yuanping

William Moss, the Beijing-based spokesman of the Motorola Mobility unit that was split off from Motorola last year and purchased by Google Inc. (GOOG), declined to comment on details of any individual bids. China Mobile "has always insisted on the principle of open, fair, just and credible bidding" to select vendors, company spokesman Zhang Xuan said by e-mail.

Xi Jinping's younger brother, Xi Yuanping, is the founding chairman of an energy advisory body called the International Energy Conservation Environmental Protection Association. He doesn't play an active role in the organization, according to an employee who declined to be identified.

One of Xi's nieces has a higher profile. Hiu Ng, the daughter of Qi An'an and Wu Long, and her husband Daniel Foa, 35, last year were listed as speakers at a networking symposium in the Maldives on sustainable tourism with the likes of the U.K. billionaire Richard Branson and the actress Daryl Hannah.

Hudson Clean Energy

Ng recently began working with Hudson Clean Energy Partners LP, which manages a fund of more than \$1 billion in the U.S., to help identify investments in China.

Details about the couple were removed from Internet profiles after Bloomberg reporters contacted them. Foa said by phone he couldn't comment about FairKlima Capital, a clean-energy fund they set up in 2007. Ng didn't respond to e-mails asking for an interview.

The two are no longer mentioned on the FairKlima website. A June 3 cache of the "Contact Us" webpage includes short biographies of Ng and Foa under the headline "Senior Management Team."

A reference on Ng's LinkedIn profile that said on June 8 that she worked at New Postcom has since been removed, along with her designation as "Vice Chair Hudson Clean Energy Partners China."

Neil Auerbach, the Teaneck, New Jersey-based private-equity firm's founder, said he was working with Ng because of her longstanding passion for sustainability.

"We are aware of her political connections, but her focus is on sustainable investing, and that's the purpose," he said in a June 13 interview. "We're delighted to be working with her."



*Mr. Thomas FULLER,
Southeast Asia Correspondent,
The New York Times*

*Excellence in Reporting
Breaking News (2011)
Excellence in Investigative
Reporting (2011)*



Thomas FULLER

Southeast Asia Correspondent, The New York Times

Thomas Fuller is currently The New York Times Southeast Asia correspondent. He is a native New Yorker who has been posted in Bangkok, Brussels, Kuala Lumpur and Paris for the International Herald Tribune and The New York Times. He has covered the Asian financial crisis of the late 1990s, the 2003 Iraq war, the expansion of the European Union to 25 countries and the Arab Spring.

Fuller won the SOPA Award for Excellence in Reporting Breaking News 2011 for his article "Crisis in Bangkok" and the SOPA Award for Excellence in Investigative Reporting 2011 for his article "Behind Myanmar Inc."

In Bangkok, Gunfire Outside a Reporter's Window

By Thomas Fuller - May 15, 2010

I'm lying as flat as I can on the 15th-floor sun deck of my fancy apartment building wearing a set of ill-fitting body armor and a ballistic helmet. Below me, over the ledge, is Bangkok, a twinkling city that I've always thought looked better in the dark.

But not tonight. The darkness on this Friday is terrifying. Explosions boom across Lumpini Park and bursts of gunfire carry through the small alleys across the street. There is some unexplained shouting and the tinny, amplified voice of a woman who seems to be warning people to stay indoors. Bangkok is a battlefield.

My first impression of Bangkok, when I lived here for a stint in the 1990s, was that it looked poor but did not act poor, a colossal failure in urban planning yet a place that managed to remain seductive, remarkably friendly — and safe.

Much has happened since then to bring Bangkok to a totally different state, one of political chaos and spiraling violence. The country has been in a long, slow burn. In recent years, there has been a military coup, anxiety over the declining health of the country's king and the rise of protest movements that push their agendas in the streets rather than in Parliament. But if any one idea can sum up the troubles, it is that Thailand's politics have failed to develop as fast as its rising wealth.

Over the past two months, as a debilitating protest in Bangkok took hold and shadowy groups have operated with impunity, I have crouched behind furniture in hotels when grenades exploded on the street outside. I stood on a wide avenue as dozens of dead and wounded protesters were carried from the carnage of a failed military crackdown. I hid behind a telephone pole during an hourlong crackling barrage of gunfire. And on Thursday, a man I was interviewing was struck in the head by an assassin's bullet and collapsed at my feet.

Bangkok today has many more high-rise condominiums and much more luxury than the city I knew 15 years ago, but is plagued by its dysfunctional politics. Is there any other city in the world today that has so many cloth-napkin restaurants, spas — and periodic grenade attacks? How many other world capitals have streets filled with fleets of luxury cars and armies of protesters apparently willing to die for their convictions? On Friday alone, 16 civilians were killed in clashes with the military that took place a few hundred yards from my apartment. Patrons were stuck in restaurants for hours because they were terrified to walk into the streets.

When I sat down to write this article in my apartment, I slipped on my ballistic helmet, a piece of equipment left over from a spell covering the Iraq war that is probably more useful to me in the streets of Bangkok.

I donned the helmet because my desk faces floor-to-ceiling windows with no curtains or shutters and outside is the neighborhood where protesters are battling with troops. (Gunfire erupted when I typed the word "protesters.") I have come to view my windows as an emblem of the turmoil. The architects of this city's gleaming apartment blocks and office towers did not anticipate gunfire. They thought about prestige and the liberating feeling of floating above a sprawling metropolis, separated only by glass.

A city with floor-to-ceiling windows is a confident city. Sheets of glass, unlike the thick walls and tiny windows of centuries past, send a message: We are not worried about what lurks outside.

But from my desk, it seems as if Bangkok's architecture has outpaced its political maturity. Who in Bangkok today would feel confident behind a wall of glass when explosions rip through the night?

The protesters battling security forces this week are known as red shirts and draw their strength from the urban and rural poor. Their arch-rivals are the yellow shirts, a group whose core support comes from the elite and middle class. The Reds and Yellows are hardly the only factions in Thailand's highly fissured society. But they share a legacy of radicalizing Thailand's democracy by bringing politics into the streets.

The red shirts, who have demanded new elections, have built barricades around one of Bangkok's glitziest neighborhoods and have forced the closure of shopping malls with combined floor space several times the size of the Mall of America in Minneapolis. This is not quite the Paris Commune, but it is the closest Bangkok has come to a lawless zone patrolled and managed exclusively by protesters.

The Thai government is trying to take back this area — the commercial heart of Bangkok — in an ongoing military operation, block by block.

Over the past two months, about 50 people have been killed and more than a thousand injured in acts of violence like the failed crackdown and a grenade attack on an elevated train station.

And then there was the attempted assassination on Thursday of Maj. Gen. Khattiya Sawatdiphol, a radical red-shirt leader and renegade officer in Thailand's fractured military.

The shooting was a measure of the depth of the country's divisions and the treacherous effect they have on Bangkok as a city, the hub of mainland Southeast Asia.

I spotted General Khattiya as he was greeting supporters on Thursday inside the encampment that protesters have built in central Bangkok.

He lingered for at least half an hour at a spot near a makeshift barricade of tires and bamboo spikes, answering questions from a group of reporters.

By 6:50 p.m., the other reporters had drifted away, allowing me and my interpreter to fire away with questions. What turned out to be my last was about the likely outcome of a military crackdown. Would the army be able to penetrate the protesters' fortifications?

"The military cannot get in here," answered General Khattiya.

Then there was a loud bang and he fell backward to the ground. There was no scream, no sign of agony, just his crumpled body on a slab of sidewalk with his eyes wide open.

From what I could see, the bullet struck General Khattiya somewhere on the top of his head, near the intersection of the temple and the forehead. The general was facing me, so my best guess is that the shot came from behind me, possibly from a sniper located somewhere in the business district across a busy road.

When calm returns to Bangkok's streets, ballistic experts will presumably lead a more precise investigation.

But the thought occurs to me: How many more bullets will fly through the Bangkok sky before Thailand's democracy reaches a level of maturity equal to the modernity and grandeur of its capital city?

An Industrial Project That Could Change Myanmar

By *The International Herald Tribune* - November 26, 2010

DAWEI, MYANMAR — The vast, pristine stretch of coastline here is almost deserted, save for fishermen hauling their bountiful catches onto white-sand beaches. But a deal signed this month would transform these placid waters into a seaport for giant cargo ships. Cashew nut groves and rice fields would be plowed under and replaced with a warren of factories, refineries and an expansive coal-burning power plant.

Myanmar, which is run by a repressive military regime that controls both economic and political life, recently captured the world's attention with its first elections in two decades and the release of Daw Aung San Suu Kyi, the country's leading dissident, from house arrest.

But the Dawei Development Project, as it is known, could have as much of an impact on Myanmar's future as the decades-old political chess games between the military and its opponents — and perhaps more.

The deal, signed Nov. 2, calls for what would be by far the largest industrial area in Myanmar, which is also known as Burma. In an impoverished, relatively cloistered country where malnourishment is widespread, the factories and refineries could provide jobs on an unprecedented scale, not unlike the special economic zones that China and Vietnam set up in recent decades.

"We need tons of workers," said Premchai Karnasuta, the president of Italian-Thai Development, a conglomerate based in Bangkok that was awarded the contract after years of negotiations and surveys of the area. "We will mobilize millions of Burmese."

A work force on that scale seems years away; engineers at the company speak of hiring tens of thousands of people over the first five years of construction. But analysts see the project as a landmark development for the region in many other ways.

Foreign companies building plants here would be freed from the restraints of increasingly strict antipollution laws elsewhere in the region. For Thailand, the project would be a cheap and convenient way to export its dirty refineries across the border.

"Some industries are not suitable to be located in Thailand," Abhisit Vejjajiva, the Thai prime minister, said in explaining the project to viewers of his weekly television address recently. "This is why they decided to set up there," he said, referring to Dawei.

The project is also crucial for geo-strategic reasons: Construction of a deep-sea port would create a shortcut between Europe and Indochina. Companies in Thailand and the fast-growing economies of Vietnam and Cambodia could save fuel and time by bypassing the long journey through the Strait of Malacca, a detour of several thousand kilometers.

The project has backing at the highest levels of both the Thai and Myanmar governments, including Myanmar's dictator, Senior Gen. Than Shwe, who appears to be treating it as an experiment in opening the largely state-controlled economy.

"Than Shwe said he wanted this project to be like the Shenzhen economic zone," Mr. Premchai said at a news conference this month, referring to the city where southern China's industrial transformation began three decades ago.

Virgin territory

Italian-Thai has been awarded a huge chunk of territory for the project — 250 square kilometers, or about 97 square miles, more than four times the size of Manhattan. There are also plans to develop hotels and resorts further down Myanmar's wild and sparsely populated southern coast, which extends 500 kilometers, or about 300 miles, south.

The coastline here is a rare blank slate in an otherwise crowded part of the world. In addition to the power plant, the company is planning a steel mill, an oil refinery, a petrochemical complex, a shipbuilding yard, a fertilizer factory and many other facilities.

Workers have already broken ground — construction on the road to Thailand is under way — but there remains the possibility that the project will founder. Ethnic rebels inhabit the hills around the site, though they have been relatively quiet in recent years.

Sean Turnell, an expert on the Burmese economy at Macquarie University in Sydney, said he was optimistic about the project's prospects, provided that Italian-Thai can follow through with financing and that the Myanmar government does not interfere.

"Will the government really leave this alone? In the past they haven't been able to resist the temptation," Mr. Turnell said

Italian-Thai — which gets its name from a partnership formed five decades ago between an Italian engineer and a Thai medical doctor — has been given exemptions from import duties and a 75-year concession to build and operate the heavy-industrial part of the project, as well as a 40-year concession for light industry, like garment factories. After that, according to the deal, the concession can be extended, or control can revert to the Myanmar government.

The company estimates that infrastructure for the project will cost \$8 billion; it says it has secured the financing, from a private bank that it would not name. Other companies, including the Thai petrochemical giant PTT, have expressed interest but have been ultimately noncommittal.

One of the largest Thai banks, Kasikorn, said it would not offer financing for projects in Myanmar because of "political risk."

Anan Amarapala, vice president of the marine division of Italian-Thai, said Chinese companies had no such fears. "Japanese, Korean and Chinese companies have been flying in nonstop to meet us," he said in an interview.

The Thai government, for its part, is highly supportive of the project. It has been under consideration since the late 1990s, and all Thai governments, before and after the 2006 military coup, have supported it — a rare example of unanimity across Thailand's fractured political landscape.

In that sense, the Dawei project highlights the ineffectiveness of economic sanctions imposed by the United States and European Union on Myanmar's junta. Myanmar's neighbors, especially Thailand, China and India, have been rushing to do business with the country.

Mr. Premchai, the president of Italian-Thai, said there was so much interest from other nations that when the military government asked him for a decision, he could not hesitate. "They asked me, 'Are you interested in doing this project?' I thought if we didn't take it, the foreigners would definitely get it. So I said, 'I'll take it,'" Mr. Premchai said.

Chinese businesses are already dominant in many parts of Myanmar. A state-owned Chinese firm has

begun construction of a pipeline that will carry gas and oil from another port in Myanmar, near the city of Sittwe, to southern China. The purpose of that project is much the same as Dawei's: bypassing the transportation chokehold of the Strait of Malacca and speeding up oil shipments from the Middle East for China's energy-hungry economy.

A free hand

For Thai companies, the business environment in Myanmar could hardly be more different from that at home — or more convenient for them. In Thailand, new private development requires environmental impact reports and hearings with local residents, obstacles that have snarled a number of high-profile projects.

In Dawei, the government simply told local residents to leave.

A group of farmers interviewed in their fields said they had not been consulted about the project but were told by a local leader that they would have to move. They were offered land elsewhere, they said, but it was not suitable for grazing cattle or cultivating rice. The idea of working on the project itself did not seem to entice them, and no representatives from Italian-Thai had made any offers yet, they said.

"Maybe there will be opportunities," said one farmer. "But right now, we are in trouble."

Local residents said the residents of 19 villages, each home to about 5,000 people, would be forced to leave. That number could not be confirmed. Italian-Thai said it calculated that 3,800 households would have to move.

"We are still in the process of negotiating with the villagers," said Mr. Anan of Italian-Thai. As in most parts of Myanmar, which underwent a massive nationalization of assets in the 1960s, the land belongs to the state.

"It is totally different from Thailand," Mr. Anan said in an interview. "Thais would argue about compensation and go to court. That's not the case with this project."

For foreign companies, the project also means less environmental oversight. In the case of Thailand, new laws that require more environmental safeguards have slowed the expansion of the industrial complex at Map Ta Phut, the country's largest petrochemical facility.

Local residents at Map Ta Phut have pointed to data indicating higher cancer rates and polluted air and groundwater — and government studies have backed them up. A group of residents filed a lawsuit that last year led to a court injunction on future development; the injunction was later lifted, after protracted negotiations.

By contrast, Italian-Thai officials said that there were no laws in Myanmar covering environmental protection but that they had conducted their own assessment of the likely impact in Dawei.

"You have to think of Myanmar as Thailand 50 years ago," said Surin Vichian, the project manager in charge of engineering. "There's nothing in the country but wilderness and cheap labor."

The Dawei project would help Thailand meet its energy needs while avoiding the brunt of the pollution from the power's generation. A massive 6,000-megawatt, coal-fired power plant planned for Dawei would transmit power to Thailand.

Thailand already relies heavily on Myanmar for energy; the Dawei project is only a few dozen kilometers south of a pipeline to Thailand built more than a decade ago by the U.S. oil company

Chevron and the French oil company Total, and which supplies electricity for greater Bangkok. The sale of gas to Thailand, worth \$4 billion last year alone, has been crucial in helping buttress the power of the military leadership in Myanmar.

The Dawei project includes a profit-sharing agreement with the Myanmar government, but executives from Italian-Thai said they could not divulge details.

A PowerPoint presentation prepared by Italian-Thai and obtained by the International Herald Tribune described the site, known as northern Maungmagan, as ideal. The water is deep enough to accommodate ships and oil-carrying supertankers with loads of up to 300,000 tons, it said. A number of islands help form a barrier for the port. The adjacent area is largely flat and has plentiful water supplies, making it suitable for factories and refineries that will manufacture plastics and other petrochemical products.

The city of Dawei does not seem entirely prepared for what is coming. It has four traffic lights, dilapidated British colonial villas and horse-drawn carts that clip-clop along potholed streets. The region's poverty and its decrepit infrastructure have left it isolated from central Myanmar, let alone the rest of the world.

The mountainous jungle along the Thai border to the east is so thick that smugglers bring in motorcycles from Thailand on bamboo poles, because there are no paths on which to ride them. But once the planned highway is completed, it is conceivable that Bangkok will be just a few hours' drive away.

The company said the first phase of construction — the road to Thailand, a water reservoir, and the coal-fired power plant, among other projects — would be completed within five years, while finishing the whole project would take a decade.

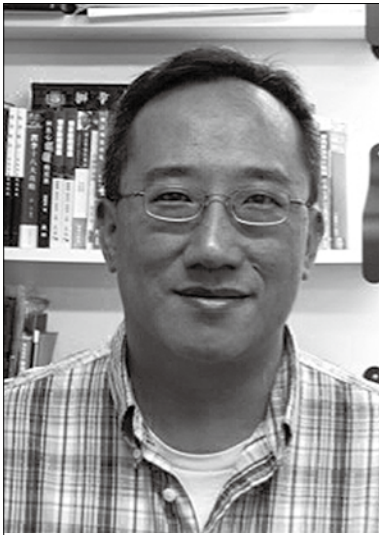
The Thais are drawing on their experience in building Map Ta Phut, the massive petrochemical complex linked to pollution and higher cancer rates. Somchet Thinaphong, who helped devise the master plan for Map Ta Phut, is the managing director of Dawei Development, which is to oversee the project.

"This will be exactly 10 times bigger than Map Ta Phut," Mr. Somchet said.

U.N. official to visit

A senior U.N. official was to visit Myanmar over the weekend to meet the country's military rulers and the recently released democracy activist Daw Aung San Suu Kyi, diplomats said Friday, The Associated Press reported from Yangon.

Vijay Nambiar, chief of staff for the U.N. secretary general, Ban Ki-moon, was probably coming to "feel the temperature" in the country following the first election in 20 years and the democracy leader's release from house arrest, one diplomat said on condition of anonymity, citing protocol.



*Mr. Ernest CHI,
Deputy Editor-in-Chief and
Investigative Team Leader,
Ming Pao*

*Excellence in Investigative
Reporting (2013)*



Ernest CHI

Deputy Editor-in-Chief and Investigative Team Leader, Ming Pao

Graduating with a BA from the University of Winnipeg, Canada, Chi started his journalism career at 28 when he joined the Hong Kong Economic Journal in 1995 as a financial reporter. In 1999, he switched to Ming Pao, where he was promoted to finance news editor in 2003 before joining its general news desk in 2007.

In April 2011, Chi formed an investigative team soon after breaking a story on rigged purchases of Henderson Land's luxurious residential 39 Conduct Road, which prompted new legislation on governing new-property sales. The story won both Best Scoop and Best Business News Reporting in the 2010 Newspaper Society of Hong Kong Awards.

That November, Ming Pao reported some 23 voters with seven surnames had the same address in a Mei Foo flat, pointing to vote rigging in the district council election. The report triggered more than 10,000 complaints to the Electoral Affairs Commission, which passed 2,000 suspected cases to the police and Independent Commission Against Corruption. This story won first runner up for Best Scoop in the 2011 Newspaper Society of Hong Kong Awards.

In the Chief Executive election 2012, Ming Pao unveiled a series on the then leading candidate Henry Tang Ying-yen, who built a huge illegal basement in his Kowloon Tong home. The scandal dealt a big blow to Tang, who eventually lost out in the election to Leung Chun-ying. Four months later, the paper reported Leung, then Chief Executive-in-waiting, also had illegal structures in his Peak house, raising questions on his political creditability. These two stories won the SOPA Award for Excellence in Investigative Reporting 2013 and Best Scoop and Best News Reporting in the 2010 Newspaper Society of Hong Kong awards.

In Oct 2012, Ming Pao investigated the death of Li Wangyang, a Chinese dissident and labor rights activist in Hunan who was found dead on June 6. Our reporters interviewed Li's only sister who denounced the official claim of suicide. The story won the Merit Certificate in General News in Hong Kong's Human Rights Press Awards 2012.

This year, Ming Pao ran a series of exclusive reports on Timothy Tong, the ex-chief of ICAC, who abused entertainment funds during his term of office. The report shocked and shook the confidence of the anti-graft organisation, as his investigation is now an ongoing public matter.

Chi likes to read history, particularly books on military. His team's major investigative efforts were best summarized in "Investigation in the light and dark," published by Ming Pao this fall.

唐英年涉隱瞞僭建

去年書面否認 昨稱「已委專家視察」

2012年2月13日

【明報專訊】本報接獲不同消息渠道指出，以熱愛紅酒聞名的特首參選人唐英年，於任職財政司長期間，在其九龍塘大宅涉嫌僭建地下酒窖，但唐英年數月前透過公關向本報書面否認有此事，聲稱「無任何地下構築物」。及後有參與唐宅工程的人員，向本報大爆懷疑僭建內幕，同時，本報近日拍得唐宅的高空俯瞰圖，發現唐宅泳池有兩個「玻璃洞」，有測量師及工程師均指出，僅兩個地底「玻璃洞」已涉嫌違例僭建，並質疑洞下別有洞天。

除了泳池底兩個「玻璃洞」外，7號大宅的天台也開鑿了一個玻璃天窗，但這天窗同樣並沒有顯示於圖則上，換言之，單憑外觀，唐家大宅相信最少已有3個懷疑僭建物。

豪宅泳池現「玻璃洞」 專家疑違例建地庫

本報過去3日先後多次向唐英年公關查詢，要求回應涉嫌僭建及隱瞞的指控，直至昨晚11時，唐營公關終於口述回覆以下內容：「對於約道5A及7號兩物業是否有僭建物的查詢，唐英年競選辦現回覆兩物業均由唐的家族持有，有關人士已委任合資格專業人士全面視察物業有否違規，如有，會盡快採取行動，進行修正。」（詳細查詢過程刊A2）

0.6倍地積比率用盡 沒空間加建

根據屋宇署最新紀錄，唐英年2006年就任財政司長期間，曾透過建築公司呈交一份約道7號大宅的圖則，顯示泳池底是平整的，在地底沒有任何地庫空間。本報翻查政府規劃圖，也顯示約道7號的0.6倍地積比率已經用盡，因此按已批地積比率，是不可能申請再建地庫的。

曾訪唐宅者 證有僭建地下酒窖

不過，本報早前接獲來自建築界，以及曾經拜訪唐宅的消息人士指出，約道唐宅確有僭建地下酒窖。一名建築界人士坦承，年前參與約道7號唐宅工程，當年曾有人要求他於大宅僭建地庫。

去年10月中，本報去函唐英年求證此事，唐透過公關公司書面明確否認有「地庫（cellar）」或「任何地下構築物（any underground structure）」。

但近日再有聲稱曾參與約道7號大宅重建的工程界人士向本報指出，曾進入過大宅的僭建地庫，他們並詳細描述了建築佈局，包括隱蔽的入口、千呎面積等，並指出地庫唯一外露的部分是直通泳池池底的「玻璃洞」（見圖）。本報記者兩度前往約道從高角度拍攝唐宅的最新圖片，為求客觀公正，本報並不透露該業主身分情況下，向兩名測量界及工程界專家查詢專業意見。

專家：倘無地庫 加建玻璃無意思

測量師學會建築測量組主席何鉅業表示，根據照片，該大宅泳池底部結構被鑿穿成兩個洞，洞的頂部是一塊玻璃。他表示，單憑照片不能百分百確定「玻璃洞」底下是否存在地庫或酒窖，但他補充，「若根據經驗，池底加建玻璃，作用猶如天窗，下方一般會存有空隙，否則加建玻璃便無意思了」。

何表示，僅此兩個玻璃洞的深度，已足夠貫穿泳池的底部結構，直達地底泥土，按法例必須向屋宇署入則，否則便屬違法。至於7號大宅的天台，也開了一個疑似天窗，何認為，因為鑿穿了天台的結構，同樣必須向屋宇署入則。然而，根據屋宇署最新的網上資料，以上兩個改動均無任何入則紀錄。

香港專業教育學院建造工程系系主任陳子明看過泳池相片後，也認為池底的兩個框是「玻璃洞」，若沒有向屋宇署申請便挖建，必屬違規。他相信，該兩塊池底玻璃的作用是採入自然光，因此確實有合理懷疑，玻璃之下是有地庫存在，「若玻璃下方是泥土，採自然光便沒有意思」，而天台的天窗，也同樣有違規僭建之嫌。

施工者：樓梯藏暗道 連接千呎酒窖

2012年2月13日

【明報專訊】唐英年家族的約道7號大宅，由購入、施工到入伙，耗時長達4年多，涉及多間工程公司，當中個別參與工程的人員向本報爆料，直認曾進入唐家的神秘酒窖施工，酒窖是建於泳池底部，唯一外露是用作天窗的「玻璃洞」，單憑外觀，外人根本無法想像泳池底下會別有洞天，懷疑僭建了一個逾千呎的大酒窖。

有份參與唐宅工程，但不願透露身分的兩名工程人員向本報聲稱，曾進入約道7號屋地庫大酒窖，並指出其入口處於室內有蓋位置。他們形容，廚房附近有一條樓梯，其中最低的數級梯級可以掀起，就可發現暗道。他們描述，該條暗道樓梯甚狹窄，若兩人同時通過，會顯得頗為勉強，直落到底，便可到達懷疑僭建的酒窖，酒窖裏空間甚寬敞，面積約1000方呎，不過，絕大部分在前線施工的工人都沒有意會到他們參與違規工程，有一些施工者甚至會到酒窖工地吸煙偷懶。

採單面大玻璃 地面看不到酒窖

這些工程人員形容，地下酒窖其中一端的天花，被鑿出約1米乘1.5米闊天窗，直通向泳池池底，並以加厚的單面大玻璃阻隔池水，酒窖中人可一邊品酒，一邊抬頭觀察泳池中活動，但在地面及使用泳池的人，卻無法看到酒窖。

本報搜尋屋宇署及其他施工紀錄，發現除了包括建築師行外，還有顧問公司、承建商，以及專門負責設計泳池、接駁泵水系統的公司等，都曾參與約道7號的冗長工程，多批隊伍先後進駐唐家大宅。

測量師學會建築測量組主席何鉅業指出，約道7號的泳池底開鑿了兩個大洞，猶如地下室的兩道天窗，根據其經驗，「玻璃洞」底下有可能存在其他空間。由於水壓巨大，池底天窗必須採用至少4厘米厚的特製玻璃。

測量師：玻璃洞如地下室天窗

除了酒窖，工程者又描述了宅內還有其他玻璃結構，比如屋內部分天花也有採取玻璃結構；地下車房內則裝設了電動大轉盤，方便唐英年的座駕掉頭；至於7號屋與5A號屋兩者之間，僅以一扇矮牆分隔。本報記者從高角度拍攝了唐宅的圖片，翻看屋宇署圖則後，發現與爆料者的描述大致相符，顯示爆料人所言是有根據的。

唐宅地庫酒窖 傳媒曾報道

2012年2月13日

【明報專訊】唐英年出名嗜紅酒，過往曾邀請傳媒到其九龍塘大宅訪問，亦毫不吝嗇展示其珍藏佳釀。其實，早年已有傳媒不經意報道，唐英年家中設有大型地下恆溫酒窖，保存他的收藏品。

唐英年在九龍塘約道5A號和7號的兩幢大宅，分別於1996年和2006年入伙。《文匯報》於03年的報道中稱，唐英年位於九龍塘的豪宅，「家中『地庫』就有一個大型的酒庫」；《經濟日報》在05年刊登的一篇記者採訪手記中寫道：「記得早年訪問唐英年豪宅，他就曾展示家中一排排珍藏紅酒，大宅『地庫』則設有恆溫酒窖存酒。」不過，有關報道沒有明確指出「酒庫」是在約道5A或是7號屋。

唐英年的藏酒量在本港名列前茅，甚至連家中的酒庫亦無法完全容納唐的佳釀。他在09年接受本報專訪時，曾表示政務司長官邸的酒窖規模很小，「只能儲存一兩千支酒」，可見在他眼中，一兩千瓶紅酒只是小數目。據報道，唐英年為了為愛酒尋找安身之所，除了在荃灣設有一個私人酒庫外，亦租用了壽臣山Crown Wine Cellars的地下酒窖。

唐宅終極秘圖曝光

2012年2月16日

【明報專訊】特首參選人唐英年在九龍塘約道7號大宅的裝修圖則曝光，根據本報獨家取得7號屋的2007年裝修圖則，顯示僭建並非早前唐英年所說的「工人掘深」，而是一個經過精心設計、面積約2250平方呎的隱密豪華大型地庫。圖則顯示，原來唐英年聲稱自住的5A號屋，有一條秘密通道直達毗鄰的7號屋大地庫。唐英年昨晚公開稱，今日將容許屋宇署入屋檢查。

不願披露身分的唐宅工程人員表示，有人預先建成大地庫後，再遮掩兩條通往大地庫的通道，然後瞞過屋宇署檢查，2007年2月取得入伙紙後打開通道，裝修大地庫。

香港專業教育學院建造工程系主任陳子明指出，若有專業人士蓄意遮掩秘道，隱藏僭建物並瞞過檢查，等於欺騙屋宇署，屬違反《建築物條例》，若業主曾指示專業人士這樣做，一樣屬違法。大律師陸偉雄表示，若施工期間興建沒有獲得批准的結構，然後呈交「假圖則」給屋宇署，或違反虛假文書罪；若業主知情，則觸犯串謀詐騙罪。

面積2250呎 兩屋秘道通地庫

本報日前獲得一份2007年裝修大地庫的施工圖則，此圖則昨天終獲工程人員確認，顯示唐宅非法地庫面積約為2250方呎。圖則顯示，除了5A屋有一條秘道通往地庫之外，7號屋也有一條通往地庫的秘道，而且十分隱蔽，只能經停車場進入；而該入口長期停泊一部汽車，入口因而被遮掩。

唐英年昨日表示，他委託的專業人士已與屋宇署聯絡，讓屋宇署今日進入約道大宅視察僭建物，若發現與原圖則有出入，會立即清拆。但他聲稱，不記得僭建物何時興建，又拒絕回應工程監工者是否他的太太，只承認當日是由「家人」監工。對於《爽報》昨日引述一幅2003年建築草圖，指7號地底僭建地庫有戲院及日式浴室，唐英年公開指該圖則與事實不符。

唐：不記得僭建物何時興建

不過，根據本報取得的2007年圖則，唐英年的回答似有取巧之嫌，因7號地庫雖無私人戲院及日式浴室，但私人戲院變成多用途房，日式浴室則改為髮廊，大地庫還有酒窖、品酒室、健身室，間隔之多，不似唐英年說的「工人掘深」。

屋宇署昨日強調，2007年1月24日，曾派員到上址視察，確認剛建成的房屋並無違法建築圖則後，於2007年2月發出入伙紙。根據圖則，上址應是一幢三層高的洋房，並無儲物用地庫；地面層的建築圖，亦不見任何樓梯通往地底。

不過，本報取得的2007年圖則清楚顯示，泳池底預留兩個方洞，作為日後地庫「品酒室」的天窗。偌大的僭建地庫，樓底高達12呎，同時，單是酒窖面積約400多方呎，是港人一個小家庭居所面積。品酒室面積亦達400方呎，多用途室及健身室分別約300方呎。

地政總署：諮詢法律意見

由於約道7號屋已用盡0.6倍的地積比率，不可能再建地庫，是次有人僭建大地庫2250方呎，按約道目前每呎最新成交價3萬元計算，有人變相免費取得一個價值近7000萬元的大地庫。

對於有人涉嫌僭建地庫後，超過法定地積比率及沒有補地價，地政總署發言人表示，屬下的九龍東地政處會研究，包括諮詢法律意見。

立法會議員涂謹申日前表示，若有證人挺身指證有人故意欺騙屋宇署，以騙取入伙紙，則串謀詐騙罪可能成立。

梁振英山頂豪宅僭建

認「無心之失」即拆 議員轟存心欺騙

2012年6月21日

【明報專訊】尚有10天便正式就任行政長官的梁振英，被本報揭發其山頂豪宅僭建了一個面積約110平方呎的三邊密封玻璃棚。候任特首辦昨晚回覆本報稱，梁振英承認將原來的木花棚「改建為金屬加玻璃結構」，並沒有入則申請，並歸咎這屬「無心之失」，無意違例，並已於昨午清拆僭建玻璃棚。

去年5月，梁振英曾向傳媒公開表示，諮詢過兩名專業人士，「確認」山頂大宅沒有僭建物。有立法會議員炮轟，身為測量師的梁振英，無可能不知悉大宅有僭建物，指他是存心欺騙公眾。

曾宣稱「確認」無僭建

本報翻查1999年底地政總署的高空圖片，即梁振英簽約購買山頂貝璐道4號裕熙園兩間洋房前一個月，發現洋房並沒有僭建玻璃棚或木花棚，到了2011年的高空圖片，則顯示僭建玻璃棚已存在（見圖），反映僭建物是在梁購入大宅後才加建。事實上，候任特首辦昨晚的回覆也承認是梁改建的，原因是玻璃棚前身為一個木花棚，梁買入該物業時已經存在，終因白蟻蛀蝕嚴重，幾年前被改建為一金屬加玻璃的結構。

本報昨日向屋宇署查詢有否巡視過梁宅，以及有否發現任何僭建物，直至截稿前仍未獲回覆。

「通風非密封 不計地積比」

候任特首辦指上述玻璃棚並非密封，故不用計算入地積比率，換言之，即毋須補地價；不過，香港大學房地產及建設系助理教授姚松炎指出，舉凡任何有上蓋的建築物，必須計入地積比率中，不能因建築物並非密封，而毋須計算地積比率。

本報翻查屋宇署紀錄，梁宅的地積比率幾近用盡，最多只剩大約1.5方呎，僭建110方呎面積，即變相有欺瞞補地價之嫌，以山頂豪宅呎價動輒數萬元計算，涉款可能高達數百萬元。

香港專業教育學院建造工程系主任陳子明說，由於屋苑已經用盡地積比率，而這類建築物面積，必須計入地積比率內，所以就算向屋宇署申請興建，也無法獲批，業主須先向城規會申請放寬地積比率，否則，這個僭建物除違反《建築物條例》外，也違反《城市規劃條例》。

香港大學土木工程系副教授蘇啟亮說，玻璃棚從客廳延伸，增加了樓面面積，「業主肯定 數」。

學者：無關通風 有蓋即僭建

候任特首辦的回覆，稱梁只曾在通道上加建「玻璃蓋」，「並非密封」，又稱這只是一個「簡單結構」，梁「相信家中並無僭建物」，否則不會在該玻璃篷前多次接受媒體採訪（全文見右圖），接近候任辦人士又形容該篷多處通風；不過，姚松炎稱，從未聽過「通風就不是僭建」這種說法，只是業主自行演繹法例。姚解釋，該玻璃棚屬於「建築物以外的建築工程」，倘若沒有向屋宇署入則申請興建，則無論玻璃棚通風與否，均屬僭建。蘇啟亮也指出，判斷搭建物是否僭建，跟通風與否無關。

另外，根據政府現行的執法政策，由於該搭建物位於獲批建築物外，故不論風險多少，抑或是否新建，都屬於政府「須優先取締」的僭建物。屋宇署會要求業主拆除，否則會將物業「釘契」。

梁振英2000年以6600萬元購入上址兩座洋房，與家人居住至今，市值約達5億元。兩洋房合共樓面面積約4000方呎，並附連約近1萬方呎的花園空地，還有一個面積約1000方呎的泳池，於山頂豪宅而言，屬於極為罕有。

競選特首期間，梁振英的對手唐英年被揭發僭建「地下行宮」，聲望大跌，最終落敗。

邊說安排記者檢視 邊火速清拆

2012年6月21日

【明報專訊】本報記者近日就「梁宅僭建」的偵查報道取得突破進展後，梁振英一方的反應出奇迅速，火快於昨午清拆掉僭建玻璃棚。

明報半年前追查 攝得俯瞰圖突破

候任特首梁振英去年5月曾公開宣稱，諮詢過專業人士後，發現其山頂大宅並無違規建築物。《明報》半年前已開始調查大宅是否一如梁振英所言，並無僭建物，且特別針對通道的玻璃簷篷，以及平台的一個水池。記者及後發現，玻璃簷篷已向屋宇署入則興建，並無違規。另有專家則認為，水池也無僭建嫌疑。

直至上周中，本報調查取得明顯進展，發現梁宅其中一個玻璃棚有違規僭建之嫌；及至本周一，本報拍攝到梁宅的俯瞰圖，經多名學者分析後，一致判斷玻璃棚屬違規僭建物，本報遂預定於昨日下午向梁振英發出提問。

本報昨日正式發出電郵提問前，中午已先致電候任特首辦公關主任，表明發現有僭建物，要求參觀梁宅及實地察看玻璃棚，公關表示，難於昨日安排察看，或許能安排今天或稍後察看。誰知記者尚在處理提交問題及冀盼實地察看之際，逾百呎的僭建物已經火速清拆掉。

晚上拍梁宅被阻 「梁太很緊張」

本報記者昨晚獲悉玻璃棚已經清拆，連忙趕往山頂察看梁宅的最新狀況，並嘗試進入毗鄰屋苑「龍庭」再拍攝梁宅俯瞰圖，卻被該屋苑保安員驅趕，對方又指「梁太很緊張」。

梁宅再揭僭建

梁公開道歉 B屋花棚又涉違規

2012年6月22日

【明報專訊】本報獨家偵查揭發候任特首梁振英山頂大宅僭建玻璃棚及火速清拆後，梁振英昨天就事件向公眾致歉，並表明家中若有其他懷疑僭建物，即使只屬灰色地帶，亦會盡快處理。不過，本報發現梁振英大宅內有另一個花棚，形狀與已清拆的玻璃棚相近，顯然是僭建物，但至昨晚仍未清拆。有工程師表示，這個花棚就算沒有密封頂部，但因面積超逾100方呎，且頂部和支架結構緊密，也會被視為僭建物。

本報昨晚就發現另一僭建花棚一事，以電郵向候任特首辦查詢，候任特首辦晚上10時半回覆：「梁先生會盡快請專業人士到住所，仔細檢查有沒有其他地方僭建，或者有被認為僭建的可能。梁先生會從嚴處理，即使有些地方是屬於『灰色地帶』，都會盡快處理或拆除。」

昨晚回應：盡快仔細檢查

梁振英位於山頂貝璐道4號裕熙園的住宅共有兩個洋房，分別名為A屋及B屋，A屋佔地110方呎的三邊密封玻璃棚已於前日拆去；不過，B屋有另一個只是頂部密封的花棚，面積比A屋玻璃棚略小，棚頂則種滿植物。根據去年5月攝得的圖片，B屋花棚頂上有玻璃覆蓋，形成一個有蓋建築物。根據該宅的核准圖則，並沒有顯示有任何花棚獲批興建，該花棚有僭建之嫌。

學者：B屋花棚是僭建物

香港專業教育學院建造工程系主任陳子明看過本報提供的B屋花棚圖片後表示，B屋花棚即使兩旁甚至頂部沒有玻璃，但都會被視為一個「構築物」，須向屋宇署入則申請；倘沒有入則申請而興建，便是僭建物。陳子明說，根據本報提供的圖片，認定B屋花棚已是僭建物。因為，屋宇署一般認為，只要是大型金屬簷篷都是僭建物，更何況這是有多支支架的花棚。

一名測量師表示，就算該棚架頂部沒有玻璃，只要棚架頂設有多條緊密的支架，一樣可被視僭建物，因為這棚架可被界定為一種「構築物」。

梁振英昨午在政府總部說，就住所僭建玻璃棚向公眾致歉，強調只是「無心之失」，興建玻璃棚時不知道要申請，從沒想過玻璃棚不合法。他又解釋，前日下午火速拆除玻璃棚，是希望盡快符合建築條例，並非隱瞞證據或毀屍滅跡。他說，會盡快聘請專業人士檢查他的住所有否其他僭建物，有需要的話會清拆，即使是屬於灰色地帶，亦會盡快處理。

梁否認毀屍滅跡：盡快符建築例

發展局長林鄭月娥說，屋宇署收到傳媒查詢後，昨早11時入屋視察，證實玻璃棚已拆除，但署方翻查核准圖則，並根據傳媒相片，證實玻璃棚並無獲屋宇署批准興建，初步確認是僭建物。她表示，今次僭建物已被清拆，一般情況下，屋宇署不會檢控業主，但仍會根據視察結果和其他資料，決定下一步行動。

梁振英僭建事件引來各黨猛轟，泛民指梁振英當日以僭建議題攻擊對手唐英年，但原來他卻同樣犯法，實有欺騙選民之嫌。民主黨立法會議員李永達認為，梁振英是候任特首，住所被揭發有僭建物，涉及公眾利益，「究竟梁振英有否隱瞞事實？屋宇署必須盡快查明真相」。他說，政府不能礙於梁是候任特首便放慢手腳，否則難免令人質疑政府「厚梁薄唐」。

吳靄儀促林鄭盡早調查

公民黨立法會議員吳靄儀認為，雖然僭建物已清拆，但希望林鄭月娥與處理唐英年僭建地牢時的態度一樣，盡快調查事件。

民主黨主席何俊仁對梁振英物業至今仍有僭建物表示感到震驚，「他在選舉時見盡唐英年因僭建受盡屈辱，他無反省，還以此攻擊人，是相當恐怖及無是非觀念。以此心態，怎有足夠誠信當特首？」

對於梁振英解釋僭建是「無心之失」，自由黨主席劉健儀表明對此「難以信服」，認為梁作為問責官員之首，應該反省及檢討，又相信市民對他的信任度已大打折扣。

劉江華：須解釋否則影響施政

民建聯劉江華亦稱公眾期望專業人士及高官熟悉法例，政治敏感度亦應較高，若梁不清楚解釋，將對他日後施政構成困難。

天眼揭梁辦失實 圖片證收樓時無花棚

2012年6月27日

【明報專訊】本報翻查政府高空拍攝圖片，揭發梁振英辦公室就僭建事件回覆傳媒查詢的內容失實。本報上周三揭露梁振英山頂大宅僭建玻璃棚，向候任特首辦查詢時，候任辦書面回覆表示，玻璃棚「前身為一木花棚，梁先生於2000年買入該物業時已經存在」；不過，政府拍攝的高空圖片顯示，梁振英買入大宅前1個月和收樓後3個月，大宅根本沒有「木花棚」。換言之，上手並無留下「僭建木花棚」給梁振英。立法會議員李永達表示，根據此一發現，若梁振英沒有合理解釋，「便是講大話，誠信破產」（見另稿）。

另一張政府高空圖片顯示，梁振英在收樓15個月後、即2001年9月，該僭建木花棚才出現，反映梁振英或家人可能在買入大宅後，自行僭建木花棚；及後，當木花棚被白蟻蛀蝕而拆掉，再僭建另一玻璃棚。根據現行條例，沒有向屋宇署入則審批的大型構建物如大花棚等，均屬違規僭建物。

連日稱只涉疏忽

連日來，候任特首辦主管羅范椒芬、梁振英競選辦主席張震遠，以及立法會主席曾鈺成均認為梁是次僭建頂多只涉疏忽，並無涉及誠信。行政會議成員鄭耀棠昨天也表示，不感到梁振英有誠信問題，梁只是犯了非常嚴重的疏忽，希望他能夠汲取教訓。

然而，本報是次發現帶出一個嚴重指控，就是候任特首辦的書面回覆與事實不符，令人關注梁振英是否說謊，試圖把僭建責任推給上手住客（把大宅留作自住的發展商）

在北京出席回歸紀念活動的梁振英今日中午會從北京返港，本報昨天電郵候任特首辦，查詢其上周三的回覆為何不符事實，但直至本報昨晚截稿前，候任辦尚未回覆。

被問為何不符事實 梁辦截稿前未覆

根據土地註冊處紀錄，梁振英的山頂裕熙園相連洋房（4號屋和5號屋），是梁振英與妻子以公司名義於1999年12月14日簽署合約購入，當時梁付了訂金，合約訂明大宅是以簽約時「現狀」買賣，即賣方（發展商）不應於簽約後再對大宅作任何改動。梁並於2000年6月14日付清尾數並收樓。

本報昨天取得數張由地政總署拍攝的高空照片，第一張攝於1999年11月3日，即梁振英簽約買入大宅前約1個月，大宅5號屋前沒有任何木花棚，顯示上手住客在該位置並沒有僭建。第二張攝於2000年9月中，即梁收樓後3個月，顯示5號屋前仍是一個灰色平台，沒有任何僭建物。這兩張圖片證明，上手住客根本沒有留下什麼木花棚。

第三張政府高空圖片攝於2001年9月，即梁振英收樓15個月後，圖片顯示5號屋前的灰色平台不見了，取而代之的是一個形似木花棚的白色構造物，顯示在介乎2000年9月至2001年9月的一年期間，梁宅僭建了木花棚，由於這段時期物業屬梁振英所有，梁要承擔僭建責任。

當本報上周三查詢候任辦梁宅是否僭建玻璃棚時，候任辦書面回覆本報，白紙黑字寫明：「有關結構（玻璃棚）的前身為一木花棚，梁先生於2000年買入該物業時已經存在。因為白蟻蛀蝕嚴重，幾年前改建為一金屬加玻璃的簡單結構，本質為一建在花園的玻璃篷，並非密封……」

候任辦上述說法，暗示梁振英僭建玻璃棚，似乎是「歷史遺留下來問題的延續」，有試圖減輕本身僭建責任之嫌，誰知政府的高空圖片有如天眼，映照出僭建的真相。



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National News Editor,
The Phnom Penh Post*

*Journalist of the Year; (2013)
Excellence in Reporting
Breaking News (2013)
Excellence in Human Rights
Reporting (2009)*



Titthara MAY

National News Editor, The Phnom Penh Post

Titthara May is the current National News Editor of The Phnom Penh Post. He has covered deforestation, land grabbing, economic land concessions and violent eviction in Cambodia.

May has won numerous awards for his coverage of breaking news and human rights issues, including the SOPA Award for Excellence in Reporting Breaking News 2013 for his article on the Kaoway factory shootings, the SOPA Award for Excellence in Human Rights Reporting 2009 for his article "Escape from hell on the high sea: nine trafficked men return home" and the Cambodian Club of Journalists' Child Friendship Award for this article "Prison through the eyes of a child."

Bloody day in Svay Rieng

By May Tithara and David Boyle - February 21, 2012

A young woman is fighting for her life after she was shot in the chest during a protest of about 6,000 workers yesterday at a factory that supplies sportswear giant PUMA by an assailant that witnesses have said was dressed in police uniform.

The victim, Buot Chinda, was one of three people shot in front of police during the rowdy protest at the Kaoway Sports Ltd factory, in Svay Rieng province, in an incident PUMA has said it is taking "very seriously".

She remains in a critical condition from the bullet wound that narrowly missed her heart and punctured her lung and has been rushed to Phnom Penh's Calmette Hospital.

The shootings began when two truckloads of police confronted protesters after they began hurling rocks through the factory's windows, ignited tyres and invaded the premises, demanding increased benefits.

From her hospital bed, Bout Chinda said yesterday she could not identify the person who shot her as she walked through the crowd, because she was in severe pain and shock.

"When I was walking to the toilet, I was shot. When the bullet entered my body, I didn't think I would survive," she said.

Her sister, Som Sina, who also works at the factory, said a man wearing a short-sleeved police uniform stepped out of a car and began firing randomly into the crowd, hitting her sister and two others.

"It didn't make a sound because he used a silencer. Some of the workers recognised him as a Bavet town police officer," she said.

A Kaoway Sports Ltd employee, who works for the management but wished to remain anonymous, also identified the perpetrator as a man dressed in a police uniform, adding that he was flanked by a police officer and a bodyguard.

"After he shot the workers, some of the protesters tried to follow and capture him, but he got into a black Camry that was waiting for him and drove away," the employee said.

This account, which was confirmed by several other protesters who witnessed the scene, was disputed by Bavet police chief Keo Kong, who denied a police officer was responsible, adding that six officers had also been injured.

"We just know that one man wearing a white shirt fired on the workers. Police and workers tried to arrest him, but failed because he ran into the forest," he said.

Keo Kong said the 6,000 protesters at the Taiwanese-owned Kaoway Sports factory, in Bavet town's Manhattan Special Economic Zone, included employees from other factories in the zone including Kingmaker, Sheico Group and Ankor Supreme.

He identified the other workers who had been shot as Keo Neth, 18, Nuth Sakhorn, 23, both of whom were in a stable condition.

National Police spokesman Kirt Chantharith said a special team had been sent to investigate and arrest the gunman.

“The gunman is not in our police forces, and we did not hurt anyone,” he said.

Kaoway Sports Ltd could not be reached by the Post for comment yesterday.

But PUMA was quick to respond to the incident, releasing a press statement before telling the Post it already had people on the ground investigating the situation.

“PUMA takes this incident very seriously and will take all measures to ensure that the safety of its supplier factory workers is paramount,” the statement read.

“According to the information PUMA has been able to obtain, factory management has evacuated all personnel from the compound to ensure the employees’ safety and workers have been sent home.”

The shooting, the latest in a series of incidents over the past two months in which protesters have been fired upon, has drawn outrage from civil-society groups and the opposition Sam Rainsy Party.

SRP lawmaker Mu Sochua, who visited Buot Chinda in hospital yesterday, said it was extraordinary such action had been taken against workers seeking about \$US25 in monthly benefits on top of the \$61 minimum wage they receive.

“Does PUMA want its name to be tainted by the blood of workers in Cambodia? These are young women who want nothing more than \$10 for transportation and an extra 50 cents for their food,” she said.

Jill Tucker, chief technical adviser at the International Labour Organisation’s Better Factories Cambodia, said that although details of the incident remained sketchy, it was worrying for the country’s international reputation as a supplier of footwear and clothing.

“It doesn’t look good for Cambodia when this type of violence is concerned,” she said.

Ek Tha, a spokesman for the Council of Ministers, said no one should draw conclusions about what had happened until a full investigation was completed.

Ken Loo, secretary-general of the Garment Manufacturers Association in Cambodia, of which Kaoway Sports Ltd is a member, downplayed the severity of the situation.

“We all know that one worker was injured and it was originally rumoured that worker was killed, but that’s not the case,” he said.

He suggested protesters were just looking for “an excuse to make trouble” rather than seeking genuine benefits due to external, non-union agitation and claimed the factory had accepted the workers’ requests before they amended their demands and began vandalising the factory.

The protest reportedly erupted into violence when Kaoway Sports Ltd agreed to only two or three demands made by workers, including monthly allowances of \$10 for transport, \$10 as an attendance bonus and US 50 cents a day for lunch.

Svay Rieng provincial governor Chieng Am said that after the shootings, the company had agreed to all the workers’ demands and vowed to give 500,000 riel compensation to each victim.

Meanwhile, Buot Chinda’s doctor, Svay Rieng provincial hospital deputy Kouch Sipha, is just hoping his patient will stay alive.

“We are trying our best to save her life,” he said before Buot Chinda was sent to Phnom Penh because her condition had deteriorated.

A Tuol Sleng interrogator speaks out

By May Titthara - 10 May 10,2012

Seated under a wooden house in a remote part of Takeo province's Bati district, a grey-haired man in a blue and grey shirt takes a cigarette from his pack and lights it.

Exhaling a cloud of white smoke, the thin man, named Prak Khan, begins to speak.

"I never told my bitter background to anybody in my village, even my wife," he says. "They only know me as a banana seller."

What his neighbours don't know is that from 1976 to 1979, Prak Khan, 60, was an interrogator at the infamous S-21 detention centre.

Records from the Documentation Centre of Cambodia (DC-CAM) confirm that Prak Khan interrogated 51 prisoners, rewriting two of their confessions.

Some were high-level members of the Khmer Rouge purged from party ranks. Some were culled from the military, both Pol Pot's and Lon Nol's. Some were secretaries of districts and regions, and the rest were simply people accused of espionage by an increasingly paranoid Khmer Rouge leadership.

"My wife just found out when the ECCC invited me to testify on Case 001, so from now on, I have to speak out to let the young generation know about their history," he says, his sadness plainly visible.

Prak Khan was born into a farming family in Takeo province, the oldest son out of five brothers and sisters. He worked on the farm feeding animals until 1971, when he joined the Khmer Rouge.

"Angkar [the Khmer Rouge's shadowy leadership] said that if a man from the village did not serve as soldier for two or three years, women would not marry that man," he says. "So, all the men joined Angkar."

Prak Kahn was 17 years old, lured in, like many others, by the promise that he was fighting for his king and country.

"I was fighting bravely to protect the nation, but I never knew who my leader really was," he says. "I only knew that I was fighting to get the country back for King Norodom Sihanouk. I only found out the names Khieu Samphan, Nuon Chea and Ieng Sary when the Khmer Rouge controlled Phnom Penh."

Prak Khan started working in Tuol Sleng in 1976, first as a guard, then as an interrogator when his superiors discovered he had an eighth-grade education.

He was one of 30 in his interrogator group; he received no training.

"Duch only allowed me to go along with the older interrogator and see what he did, and I followed him for a long time," he says. "Then Duch let me start my job: one person questioning one person in a quiet place, trying to make the prisoner confess everything."

With the prisoners' confessions already in hand, Prak Khan says he didn't ask specific questions. If the prisoners did not begin to confess, he would start to threaten them, then beat them with whip.

If the prisoner still didn't confess, the torture escalated.

"For the prisoners who did not confess, we would put a plastic covering over their head and face, and

stab a pin under their fingernail, so that they'd answer all the questions," he explains.

The techniques, says Prak Khan, were up the interrogators.

"We used our own methods for getting answers, but for all the prisoners we tortured, we did not kill them, because we were afraid that we would lose their answers," he says. "If the prisoner died, we were punished."

Interrogations for one prisoner took two or three months, and were done in secret at all hours of the day and night, in a building separate from the main holding cells.

All the prisoners' confessions were taken to Duch and Mam Nai, another interrogator, says Prak Khan, lighting another cigarette. Sometimes they were given back, along with orders to re-interrogate the prisoner because their answers were unsatisfactory.

"When I heard Duch was sentenced to spend his whole life in prison, it was justice, because victims' families can accept that," he says. "If it wasn't a whole life sentence, it would not be justice, because he ordered the killings of a lot of people in his regime."

However, Prak Khan endorses Duch's accusations against Nuon Chea.

"I know that what Duch said at the ECCC about Nuon Chea is true, because I saw Nuon Chea three or four times," he says, calling Nuon Chea's rebuttal a lie.

Nuon Chea, currently on trial before the ECCC, has vehemently denied he is responsible for the reign of terror that caused the deaths of a quarter of the population.

"He doesn't want to be responsible for what he has done."

After the Khmer Rouge fell in 1979, Prak Khan fled to Omlaing in Kampong Speu, not Thailand, as some records suggest.

He returned to his home province a year later, married, and raised four sons and one daughter. Of the 30 interrogators from S-21, he is the only one left.

Prak Khan says a sense of responsibility for his own actions compelled him to cooperate fully with the ECCC when they asked for his testimony.

"I was a low-level officer, so I said what I knew from my job. There is nothing to be afraid of," he says. "But if all the Khmer Rouge leaders try to keep silent, the young generation will not know anything about their history in the country."

Security forces strip, handcuff women in Kratie amid eviction

By May Tithara - May 22, 2012

Villagers detained during a bloody crackdown in Kratie province last week in which a 14-year-old was shot dead have accused security forces of brutal acts of cruelty, including forcing pregnant women to stand naked in the sun for hours.

The villagers from Pro Ma village in Chhlong district's Kampong Damrei commune have alleged that military police and police forced men and women to strip naked, handcuffed them and left the females in broad daylight for hours while the males were not freed until the end of the day.

Almost 1,000 police and military police officers stormed the village, where residents have a longstanding land dispute with the company Casotim, at about 8:30am last Wednesday in an operation they said was to arrest the ringleaders of a group attempting to create a mini autonomous state.

Sotheavy, a 19-year-old who requested her real name be concealed, said she had "never seen such brutality" as the violence the forces employed while storming the village of about 1,000 families – which led to the death of 14-year-old Heng Chantha.

"It is so difficult to forget the event. They pointed their guns at me and ordered many women to take their shirt and underwear off, then seized our money and tied our hands behind us and ordered us to stand in broad daylight for two or three hours," she said.

Sopheap, 63, who also requested her real identity be concealed, said the villagers would file a complaint against the perpetrators.

"I experienced Pol Pot's regime, but it was not as cruel as this. Now that I've tasted being handcuffed and bound in the hot daylight, if I had land in another place, I would not live in the area," she said.

Kratie provincial governor Sar Chamrong – who took the post on Friday, replacing recently deceased governor Kham Phem – said the forces had only been authorised to search for weapons.

"If the forces hit, harassed and forced people to undress, it is not a policy," he said.

The operation, ordered by a joint committee of the Ministry of Interior, the national police and the provincial governor, was launched under the pretext that a group called the Democratic Association, led by Bun Ratha, was provoking a separatist movement.

But villagers have repeatedly said Bun Ratha, who evaded arrest along with the four other alleged ringleaders of the group, was merely helping them stand up to the company Casotim.

Eight people have been arrested as a result of the crackdown.

Touch Sok, 52, alleged that during the operation, forces had also confiscated rice and gasoline as well as slaughtered their poultry.

"I seem defeated, but if I am not allowed to live in the area, where can I live to farm and feed myself? I have to return to the area when the situation becomes normal," he said.

Sar Chamrong said forces had begun pulling out of the area but that some would remain to protect the safety of some 200 families that had lived in the area since 2006.

Others who had migrated to the area from Kampong Cham and other provinces after being tricked by Bun Ratha had been sent home, he said.

But a 2010 Phd thesis suggests their migration there had been economically motivated.

Titled *The Geographies of Evasion: The Development Industry and Property Rights Interventions in Early 21st Century Cambodia*, the thesis found that significant numbers of migrants, most from Kampong Cham, had moved to Chhlong district after Casotim was awarded a logging concession there and in Snuol district.

Part of the thesis, by Robin Biddulph of Sweden's University of Gothenburg, examines the impact that Casotim's 124,000-hectare logging concession, granted in the 1990s, had on the local population.

The thesis found the concession had led to industrial-scale logging in Chhlong and Snuol districts where officials responsible for the forest became "far more ambivalent".

"Anyone with a tractor or truck that could carry felled trees from the forest to the Mekong was able to pay a fee to Casotim to go into the forests, cut wood, and then sell it to the company. As many as 50 locally owned tractors and trucks participated in this business," the thesis reads.

Villagers had developed the perception that the military and the Forestry Administration, which had become the equivalent of informal regulators and tax collectors, worked for the concessionaires, the thesis found.

"For the villagers, these soldiers were known simply as the 'Casotim soldiers'," it says, referring specifically to the military.

Ly Hout, a representative of Casotim declined to comment yesterday.

Sonando gets 20 years for insurrection

By May Tithara and Stuart White – October 2, 2012

Beehive Radio director Mam Sonando (C) is hustled into a van to be taken to Prey Sar prison after being sentenced to a 20-year jail term, Monday, Oct.1, 2012. Photograph: Heng Chivoan/Phnom Penh Post

In a move that stunned his supporters and drew ire from rights groups and foreign embassies alike, independent radio station owner Mam Sonando was sentenced to 20 years in prison yesterday on charges of insurrection.

Sonando, owner of broadcaster Beehive Radio and president of the rights group the Association of Democrats, was convicted of masterminding a so-called secessionist plot in Kratie province's Pro Ma village in May – an accusation that has been roundly dismissed by rights groups and opposition figures as baseless and politically motivated.

"Even for a long-time activist like myself, a 20-year activist, it's still shocking to see them convict someone like Mam Sonando with no shred of evidence," Cambodian Center for Human Rights President Ou Virak said outside the courtroom after the verdict was announced. "I'm very, very upset that we've been pushing this government, but nothing has changed. The court is still a political tool, and the verdict read like a political essay."

In addition to his 20-year sentence, Sonando was ordered by the court to pay a 10 million riel (\$2,500) fine. The court also convicted in absentia alleged co-conspirator Bun Ratha – who had once volunteered for the Association of Democrats – sentencing him to 30 years' imprisonment and a fine of 10 million riel.

Bun Chhorn and Sok Tong, also convicted in absentia, were each sentenced to 15 years and fined eight million riel, and three other co-defendants were given sentences ranging from 10 months to three years in jail.

However, the five defendants who had previously cut immunity deals with the government and promised to testify against their alleged ringleaders were all given suspended sentences.

Inside the courtroom, the gallery burst into shouts of disbelief as the guilty verdict was read, prompting presiding Judge Chang Sinath to call the room to order.

Din Phannara, Sonando's wife, called the court "unjust", and the verdict "unacceptable" before worrying aloud about the ramifications of her husband's imprisonment.

"His absence is like the absence of the Beehive Radio station, and Cambodia will not have democracy anymore," she said.

Sok Sam Oeun, head of the Cambodian Defenders Project and Sonando's attorney, declined to comment on the verdict, noting that if a court could convict Sonando over so little, they could convict him too.

"I cannot say whether the court's verdict is just or unjust, because only a few words of conversation are considered to be incitement, so me giving a comment would be incitement as well," he said.

Outside, a collective cry of outrage arose as word of the verdict worked its way through the throng of Sonando supporters. Protesters who had previously been slipping through laxly enforced checkpoints in ones and twos swelled en masse past the barriers and clashed with a hurriedly formed police line a few metres away.

The demonstrators soon broke through the line, halting their advance after police regrouped, but continuing to shout – in many cases, tearfully – at police and onlookers.

Sonando supporter Som Sim, 84, angrily denounced the court, which he characterised as being a tool of the powerful.

“What is he guilty of? Why was he jailed? He always helped the poor people, and did only good things,” Sim said. “I will seek justice for him under any circumstances, until the end of my life.”

The charges against Sonando stemmed from the forced eviction of hundreds of families in Kratie province’s Pro Ma village last May, an eviction in which an unarmed 14-year-old girl was shot and killed by government forces.

The government never investigated the killing, nor was anyone arrested, but officials later described the operation as a necessary anti-secessionist raid, meant to quell a group that was attempting to withdraw from Cambodia and form an “autonomous zone”.

Villagers repeatedly insisted that they had no intention of seceding, and maintained that they had simply been applying for land titles.

Prime Minister Hun Sen first implicated Sonando in the alleged plot in a speech in June, just one day after Sonando broadcasted a report from The Hague, where the US-based group Khmer People Power Movement had filed a complaint to the International Criminal Court accusing the ruling party of crimes against humanity in its treatment of land disputes.

The KPPM figured heavily into the prosecution’s case against Sonando, with prosecutors arguing that Sonando shared the group’s view of the government.

The prosecution presented what appeared to be KPPM mission statements they said they had found on the internet, and noted that Sonando had met with the movement’s leader, but offered no further evidence that Sonando was sympathetic to their cause.

Sonando, for his part, said that he had indeed met with the group, but only as a reporter.

Huon Pannary, under-secretary of Sonando’s Association of Democrats, also maintained that Sonando’s meetings with the KPPM had been totally innocuous.

“He’s a journalist; he just interviewed the KPPM,” she said.

The rest of the prosecution’s case relied almost entirely on witness testimony, testimony that often conflicted with previous statements to police and that of other witnesses, and testimony that several witnesses freely admitted was based solely on hearsay.

Evidence of armed insurrection was limited to a handful of seized farming implements and traditional bows and arrows that villagers maintained were used for nothing more than hunting.

Civil society, the opposition and foreign governments were quick to slam the verdict.

Amnesty International researcher Rupert Abbott said after the trial that Sonando was targeted for prosecution because “he was seen as a threat to the government”.

“There was no evidence whatsoever that Mam Sonando was involved,” he told reporters.

“We can see that this verdict marks a year that has seen a decline in the human rights situation [in

Cambodia] ... The space for free speech is shrinking.”

However, Abbott said, Cambodian courts have learned to present at least a façade of credibility. “I think on the face of things, the process was quite good on this trial, especially when you compare it to the Boeung Kak trial,” he said, before adding that observers “have not been fooled by the appearance of justice”.

Sam Rainsy Party lawmaker Mu Sochua called the sentence a “travesty and an injustice”, and a “huge step backward for democracy in Cambodia.”

Sochua also said that she had received calls from villagers in Kampong Cham, Prey Veng and Kandal provinces who said they had been threatened by authorities when it came to light that they planned to attend yesterday’s demonstration.

A dozen NGOs and rights groups – including Licadho, the Cambodian Human Rights Action Committee and the Community Legal Education Center – blasted the court’s decision in a joint statement, calling the conviction “shocking” and the sentence “draconian”.

The office of the EU’s high representative for foreign affairs, Catherine Ashton, issued its own statement, saying the verdict “raises severe doubts about the impartiality and independence of the court”.

Villagers continue to fight for their land

By May Titthara – October 9, 2012

Four years after they began fighting the well-connected concessionaire DM Group, members of the ethnic Tampuan who remain in Svay Sor village are exhausted.

While the DM Group has seen its complaints against villagers and activists routinely heard at court, those filed by the affected families remain stalled or are ignored.

“If I’d given \$10,000 to the court, my case would’ve been processed to trial,” Seoung Yarat, 50, said with disgust.

Yarat, a village representative, has been fighting two battles against the DM Group – one on behalf of 60 families who allege the rubber company has illegally encroached upon 260 hectares of their farmland, the other to seek justice after being shot in the leg by a police officer moonlighting as a security guard, who fired on him during a 2009 protest.

As he spoke, Yarat, whose leg had to be amputated following the injury, pointed a walking stick at the land in front of him. Spread before are hectares of blighted land, freshly planted with rubber saplings.

At the very edge of the plantation stand five spare homes.

“We now work for the company to get some money to buy milled rice, since we don’t have the farmland anymore,” Yarat said.

DM Group, which first moved into the district in 2005, has been steadily acquiring land in three communes occupied by indigenous Tampuan villagers.

Over the years the company has amassed at least 1,500 hectares by under-compensating and intimidating residents, rights monitors maintain, forcing scores of villagers to flee from their ancestral homeland. In Svay Sor, 40-year-old Plenh Thaem has seen her neighbours leave one by one.

“We ethnic minorities depend solely on our farmland. Losing the land means killing us,” she says. Residents have lodged complaints with all relevant institutions “but none of them have resolved it”

“I heard the local authorities dare not to resolve the problem because the land is owned by an excellency, a tycoon. Where is the independence and neutrality of the court?”

Sitting nearby, Voeun Phor echoes the complaints of his neighbour.

“If the courts and authorities weren’t corrupt, they would take procedural measures on our complaints. [Because they haven’t], it means they’re committing corruption,” he says, pausing to take a drag of his cigarette. “We can only now wait for the company to bulldoze our land and even the lives of the rest of the residents.”

Deputy prosecutor Ros Sarom said the case was first thrown out because all villagers have been adequately compensated by the company and that villagers are simply requesting anew the same investigation.

While villagers’ complaints hang in limbo or are ignored, those filed by DM Group and local authorities have gone through with ease. At least 12 Tampuan activists have had criminal complaints filed against them, according to the Cambodian Center for Human Rights. Most recently, three rights workers and

a journalist have been called in for questioning over allegations filed by a commune chief who accused the men of incitement.

CCHR President Ou Virak was questioned at Ratanakiri Provincial Court yesterday in relation to charges of inciting villagers to rebel against authorities, criminal damage and defamation. On Wednesday and Thursday, Sok Ratha, a journalist for Radio Free Asia, and Adhoc activists Pen Bonnar and Chhay Thy face questioning over similar allegations.

The villagers remaining in the midst of the dispute, meanwhile, complain of seeing no legal recourse for their own allegations.

Clad in black, Norn Chhai has just returned from scavenging for byproducts in the woodlands near her home. Without access to farmland, he and the remaining Svay Sor villagers are increasingly seeking sustenance from the forest.

“Ethnic minorities like us can’t be compared even to beasts,” he says. “They shot at us and grabbed the land from us. And they live in happiness while we, the owners of the land, live in grief.”

DM Group, for its part, has little sympathy for such complaints – local representatives have told the Post that villagers in Svay Sor agreed to the compensation terms. (Villagers dispute the claim, saying they have received no compensation.)

Say Chamroeun, a representative for DM Group defended the company’s actions, says that villagers were paid years ago.

He also said the land has since been resold to another company, owned by a tycoon he knew only as Nang, though he declined to share ownership documents and NGOs following the case said they have heard of no such transfer.

“Furthermore, I bought the land from the villagers legally without taking advantage, as accused. If we did not resolve for them, we will not live in good happiness,” said Chamroeun.

The local government, meanwhile, denied villager claims that no action had been taken on their complaints.

“There is no land dispute raised by civil society ... this case is years old,” said Pav Hormphan, provincial governor. “If there is such a case, we would work it out.”

He also insisted villagers had exaggerated their claim to the land. “Those people are tricky, because they sold the land out but then shouted that they are the victims of a land grab.”

But those investigating the dispute have a markedly different take. Adhoc’s Bonnar said there’s no doubt the villagers lost their farmland due to encroachment and that authorities won’t take their complaints seriously “because there are a number of powerful people involved”.

“Now, they have no farmland for cultivation of their own. [Instead], they work as labourers [for the company] to stay alive.”

Escape from hell on the high sea: nine trafficked men return home

By Christopher Shay and May Tithara – December 19, 2008

NINE Cambodians were repatriated from Malaysia Thursday, with eight more arriving on Monday. Duped by unscrupulous human traffickers, they were beaten and forced to suffer months, sometimes years, of bonded labour on a Thai fishing vessel before a chance to jump ship presented itself. But the plight of trafficked men like these hardly ever gets a media mention. Why?

“Men don’t make as good TV,” said John McGeoghan of the International Organisation for Migration.

The repatriated men from nine provinces represent only a fraction of the Cambodians who have been lured onto Thai ships illegally, but their horrendous stories - out of sight from the general population - have not received the same limelight as Cambodia’s female flesh trade.

“They are the tip of the iceberg. People are not being told about trafficking onto Thai fishing fleets,” said Manfred Hornung, a monitoring consultant at Licadho.

Chhorn Khaov, 29, a former victim of male trafficking, has a story similar to the men who returned Thursday.

“My family was very poor. A broker told me I could earn a lot of money to support my family [working in Thailand],” he said.

McGeoghan said stories like these are common, and often Cambodian men are able to send money home. But he warned: “Without a contract, the employer has the power, so there is always a risk element.”

Once on the fishing boat, Chhorn Khaov was only given one or two hours of rest a day. The crew drugged him and the rest of the trafficked men to keep them awake and dependent of the boat’s drug supply.

“They forced us to use drugs so we would have the power to work,” he said.

But like the men who returned this week, Chhorn Khaov jumped ship in Malaysia, escaping the harsh conditions on the boat.

The common pattern, according to Hornung, is that men cross over the Thai border on foot at night with the help of a local broker. Once across, a Cambodian on the Thai side picks up the men and drives them to Pak Nam in Samat Prakarn province.

In Pak Nam, they are “locked up in guesthouses - from one day to one week - until they are handed over to a boat captain. Most people, once they’re locked up, they know they’re in trouble,” Hornung said.

Typically, the Thai fishing vessels trawl the South China Sea, according to Hornung, and the boats appear to avoid docking as much as possible.

“We’ve heard that the vessels are approached by bigger ships that take the catch and bring it to port. We’ve had cases of people who never saw land for almost three years,” Hornung said.

But few ships can remain at sea indefinitely. The 17 returning men escaped when their boats docked in Sarawak, Malaysia, at different times from different Thai boats, but all of them - afraid to contact local authorities - ended up on plantations, being exploited as illegal migrants.

A few of the men were able to contact their families in Cambodia, who then contacted Licadho. Working together with the Malaysian NGO Tenaganita, the International Organisation for Migration, the Ministry of Foreign Affairs and the Cambodian embassy in Malaysia, they were able to secure their return to Cambodia.

The complex repatriation process took months, but Hornung was pleased with the process and cooperation between the Cambodian and Malaysian governments.

Bith Kimhong, director of the Anti-human Trafficking Department at the Ministry of Interior, said: "Whenever we hear news of trafficking, we always help as quickly as we can. The two countries are cooperating in terms of anti-human trafficking."

Though reliable statistics on the trafficking of men onto Thai fishing vessels do not exist, anecdotal evidence suggests the problem is serious and growing.

Vichuta Ly, at the Legal Support for Children and Women, said her organisation interviewed 193 migrant returnees from Thailand from 2007 to 2008, and of these people, nearly 40 percent had been trafficked onto Thai fishing vessels.

The National Project Coordinator at the United Nations Inter-Agency Project on Human Trafficking (UNIAP), Lim Tith, said he believes the global financial crisis could make Cambodian men more vulnerable to trafficking, as more may be forced to seek employment in Thailand as economic conditions worsen at home.

Terri Ly, executive director at the Healthcare Centre for Children (HCC), which runs one of the few male transit shelters in Cambodia, said the HCC had seven male clients from Thai fishing vessels in the last 10 months of 2007, but in the first 11 months of 2008, that number had jumped to 22 clients.

"Information from the Cambodian border police to HCC is that ... the numbers of male Cambodians working in the Thai fishing industry is increasing," Ly said.

There is no panacea for this situation, according to Hornung, but more information and attention will help.

"Migration is about seeking opportunities. It's about information. Cambodians need to know about Pak Nam and the Thai fishing fleet. You're less vulnerable the more information you have," he said.



*Mr. Jamil ANDERLINI,
Beijing Bureau Chief,
Financial Times*

*Excellence in Feature Writing
(2013)*

*Excellence in Human Rights
Reporting (2012)*

Journalist of the Year (2010)



Jamil ANDERLINI

Beijing Bureau Chief, Financial Times

Jamil Anderlini was named Beijing bureau chief for the Financial Times in February 2011, having already worked for four years as the Beijing correspondent for the paper.

In 2010 Anderlini was named SOPA Journalist of the Year and won the Best Digital Award at the Amnesty International Media Awards for his coverage of Chinese petitioners seeking justice in Beijing.

He has won numerous other awards, including a UK Foreign Press Association Award in 2008, several individual SOPA awards and the inaugural Jones-Mauthner Award in 2012, which recognizes outstanding reporting of international affairs by a young reporter at the Financial Times.

In 2013 Anderlini was named a Young Global Leader by the World Economic Forum and short-listed for Foreign Reporter of the Year at the Press Awards in the UK and also the Orwell Prize, the UK's most prestigious prize for political writing.

He is the author of a recent ebook, published by the FT and Penguin and entitled "The Bo Xilai Scandal" (2012).

Anderlini was born in Kuwait and grew up in New Zealand, where he received a BA from Victoria University and a post-graduate diploma in journalism from Auckland University of Technology. He speaks and reads Mandarin Chinese and has lived mostly in Shanghai and Beijing since 2000.

Prior to joining the FT he was Beijing business correspondent for the South China Morning Post for two years. Before that, he was chief editor of the China Economic Review.

Bo Xilai: power, death and politics

By Jamil Anderlini - July 20, 2012

The alleged murder of Neil Heywood has brought down one of China's most powerful politicians – and exposed a power struggle that has rocked the Communist party

As the cyanide took effect, Neil Percival Heywood must have looked around at the tacky photos of trees and waterfalls on the mustard-coloured wallpaper and wondered how he ever got involved in the vicious world of Chinese politics.

The dingy room at the Lucky Holiday Hotel – a three-star hilltop resort in the Chinese metropolis of Chongqing where Heywood was found dead on November 15 last year – was a long way from his childhood in a middle-class London suburb and his education at Harrow, the elite private school attended by Winston Churchill and Lord Byron. Although he had become increasingly worried about his involvement with one of China's most powerful political families, and had seen enough to know how they dealt with those who crossed them, he thought it very unlikely they would kill a foreigner.

Heywood could not have imagined that his murder would spark the biggest Chinese political scandal in at least two decades and expose an elite power struggle that has shaken the ruling Communist party to its core. After spending nearly half his 41 years living in China, mostly working as a small-time business consultant and fixer, his death in the secluded, run-down guest house was blamed on “excessive alcohol consumption” by the Chongqing police.

His remains were quickly cremated, without an autopsy, on the authorisation of his family. According to people familiar with the matter, Heywood's Chinese wife Wang Lulu was pressured by the Chongqing authorities to agree to the quick cremation and was so distraught when she arrived in the city that she sent her brother with a British consular official to identify the body. Almost every single staff member at the Lucky Holiday Hotel was replaced over the following month and all current employees have been warned not to discuss the incident with anyone.

Back in the UK, Heywood's sister, elderly mother and friends were told he died of a heart attack, as his father Peter had in 2004 at the age of 63. At a memorial on December 19, in St Mary's Church in Battersea, London, the Heywood family was joined by many of Neil's old Harrovian schoolmates. “At least some of us were puzzled and concerned by the circumstances of Neil's death and the story that he'd died of a heart attack,” says one person who attended. “Those of us that knew who he was connected to in China felt something more sinister had happened.”

The Lucky Holiday Hotel was a favourite spot for Gu Kailai, wife of Bo Xilai, a member of the elite 25-member politburo of the Communist party and the man who ruled like a king over Chongqing, a city-province with a population of 33 million and a land area the size of Austria. For Heywood, virtually all of his modest success as a business consultant for British companies in China stemmed from his 15-year relationship with the Bo-Gu family and it was Gu Kailai who arranged for him to come to Chongqing and stay at the forlorn, mist-shrouded compound last November. It is here that she is alleged to have murdered him using potassium cyanide, reportedly administered in a drink with the help of a household orderly and bodyguard named Zhang Xiaojun. The government announcement on April 10 of her detention on suspicion of “intentional homicide”, and her husband Bo Xilai's suspension from all his posts because of “serious discipline violations”, sent shockwaves through Chinese politics.

The death of an obscure British consultant had brought down one of China's most powerful politicians, a man who had been favoured to ascend to the ruling nine-member Communist party politburo standing committee at a once-in-a-decade power transition later this autumn. While Gu and Bo remain in detention awaiting an official verdict, their downfall has also revealed a deep rift among the top

echelons of the Communist party and debunked the idea that authoritarian China has managed to institutionalise an orderly succession process in the absence of democracy. But Heywood's suspicious death would have almost definitely remained a mystery and Bo would still be a rising political star if it wasn't for the actions of one man – Bo's once-loyal and fanatical chief of police in Chongqing, Wang Lijun.

Wang's flight from house arrest in Chongqing to a US consulate 300km away on February 6 made him the most senior asylum-seeking official in the history of communist China and will probably go down as an event that changed the course of Chinese history. While machine-gun-toting security agents sent by Bo Xilai surrounded the consulate on February 7, Wang provided US officials with detailed evidence of Heywood's murder and Gu's culpability, as well as lurid tales of corruption and political intrigue involving his former boss. He insisted Bo was trying to have him killed and requested political asylum, but when that was refused, he negotiated an exit with Beijing, left the consulate in the middle of the night and was taken to the capital by a vice-minister of state security. He has since disappeared from public view, but people familiar with the case say he has provided detailed and extensive proof of Bo and Gu's alleged crimes to Chinese investigators and is himself awaiting trial, possibly on charges of treason, a capital crime.

Most Chinese political insiders believe he will receive a relatively light sentence because of his role in helping Bo's many political enemies to bring down a man they believe could have tried to seize ultimate power and rule as a modern dictator.

"If Wang Lijun hadn't run to the US consulate and revealed Heywood's death, then Bo would almost certainly have been elevated into the standing committee and then he would have been untouchable," a senior party member in the Chongqing government told the FT. "That was a very frightening prospect for his rivals, who thought of him as a Hitler-like figure."

Even many of his supporters believe Bo would not have been satisfied as a junior member of the collective leadership and would have tried to manoeuvre himself into a more central role, possibly even by replacing Xi Jinping, the man anointed to take over as Chinese president this autumn.

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The red aristocrat

If any family in post-revolutionary China can be considered aristocratic, it is that of Bo Xilai. His father was the revolutionary Red Army commander Bo Yibo, one of the all-powerful party elders, known as the "eight immortals", who controlled Chinese politics from behind the scenes throughout the 1980s and early 1990s. Born on July 3 1949, the year the Communists won the civil war, Bo Xilai had an early life of ultimate privilege. Surrounded by the children of other top officials, he attended the elite Number 4 High School in Beijing, along with his older and younger brothers. "He was much more quiet and civilised than his two brothers, who were really very arrogant and aggressive rascals," one former classmate says. "On the surface he seemed kinder and gentler than them." Others described him as a shy boy who would blush when he spoke.

But when Mao unleashed the madness of the Cultural Revolution and students organised themselves into "Red Guard" groups to brutalise their teachers and elders, Bo Xilai and his brothers all joined a radical faction called Liandong, or "United Action". This group of teenage children of high-ranking cadres believed in the "bloodline theory" that said their destiny was to rule over China as the sons of "red nobility". They were regarded as particularly vicious as they attacked government officials and other Red Guard groups, even as many of their parents, including Bo's father, were purged and sent to jail or labour camps. In a possibly apocryphal story that is today used as shorthand in Chinese political circles to sum up his character, Bo Xilai actively participated in a public "struggle session" directed against his father, whom he beat until he broke two of his ribs. "He is someone who 'liu qin bu ren' – 'doesn't recognise the six relations' – which means he has no loyalty to anyone, not even his own father," said one person who knew him well at that time and later at university.

Bo Yibo was sent to prison, where he endured torture at the hands of his fanatical captors, while Bo Xilai's mother, Hu Ming, killed herself or was murdered while a captive of Red Guards, according to differing accounts. The chaotic tide soon turned against their children and Bo Xilai was thrown into prison at the age of 17. He spent nearly five years in jail and in Camp 789, a labour camp for children of disgraced senior officials. On his release in 1972, he went to work in a machine repair factory.

People who know Bo Xilai say his experiences left him bitter, but his belief that he was special and destined to rule never wavered and was probably only strengthened by his awful experiences. With Mao's death in 1976, the Cultural Revolution ended and Bo Xilai was married and then admitted to the elite Peking University in late 1977 to study history. It was while still in his first year at university that friends and acquaintances say an adulterous romance blossomed between Bo and Gu Kailai, nine years his junior and the youngest of five daughters of Gu Jinsheng, a prominent revolutionary general. After two years of studying history, Bo decided to change to journalism, laying the foundation for his future expert manipulation of the news media.

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Making of a politician

After graduating, Bo moved to Liaoning province, in the distant north-east of the country, to work as a low-level cadre. He officially left his first wife and married Gu Kailai. The couple had a son, Bo Guagua, in 1987, and in 1993 Bo Xilai was named mayor of Dalian, thanks in part to lobbying by his father, who by this stage had taken a keen interest in promoting his son's political career. It was here in this seaside city of six million, in the country's rustbelt, that Bo began to formulate his trademark political style. His charming public persona and telegenic good looks set him apart from the majority of grey, faceless party bureaucrats and he earned a reputation for getting things done and improving lives. Even today, most ordinary people remember him fondly as someone who made them proud to be from Dalian. "Perhaps us ordinary folk didn't understand the full picture of what he was up to, but we all thought he was great and he really did a lot for this city," one resident says.

While the overwhelming public impression of him was positive, some complained he focused too much on grand monuments and cosmetic changes, especially his obsession with planting expensive imported grass. And in contrast to his mass public appeal, Bo was widely hated and feared among his subordinates. "He had a very mean character and would punish officials for the tiniest things," said one person who worked for him in Dalian. "To foreigners and in front of the cameras he was always smiling, but he would turn to us and his face would change to that of a tyrant."

Bo's enormous power as the top Communist official in Dalian manifested in other more sinister incidents. After Dalian-based journalist Jiang Weiping wrote three anonymous articles in a Hong Kong publication that criticised Bo for his role in a corruption scandal, he was sentenced to eight years in prison on charges of subversion and stealing state secrets. He served nearly six years before he was freed and fled to Canada.

Meanwhile, Gu Kailai, whose given name means "embrace the future", was also burnishing her public image as a high-flying lawyer with the 1998 publication of a book entitled *Uphold Justice in America* that later became a TV serial. The story followed Gu as she helped several Dalian companies win a case in a US court in 1997. Calling herself Horus Kai in English (after the ancient Egyptian god of war) she was much sought after by Chinese and foreign businesses for legal advice related to investment in Bo's fiefdom of Dalian.

It was in Dalian in the mid-1990s that Neil Heywood first met the rising political star and his glamorous wife. While still in his twenties and hoping to establish himself as a business consultant, Heywood sent introductory letters to government officials in an attempt to connect with the Chinese elite. Bo, the city's mayor, responded, and Heywood, with his upper-class British charm, became a friend of the family, eventually joining a group of foreigners who advised Gu on her overseas business ventures.

This small coterie included a French architect called Patrick Henri Devillers who friends of Heywood and acquaintances of Gu say was her main business agent in Europe, and probably her lover. Devillers, 52, was arrested last month in Cambodia, where he has lived for at least five years, at the request of the Chinese authorities. He was freed last week and flew to China to help with the investigation into Bo and Gu after he was promised legal immunity.

Around 1999, Gu moved to Bournemouth in the UK with her son, Guagua, so he could attend a language school there before moving to Papplewick, an exclusive private boys prep school, and then Harrow. Neil Heywood told friends he helped Guagua gain admittance to the exclusive schools, and in the succeeding years, he acted as a mentor and friend to the young man, often meeting up with him and his mother in the UK.

As his wife and son settled into their new lives in Britain, back in China, Bo Xilai found his career accelerating and he was promoted to governor of Liaoning province in early 2001. Political analysts say his promotion was partly thanks to a concerted campaign of flattery directed towards China's then-President Jiang Zemin, as well as continued heavy lobbying by Bo's father. In 2004, Bo's media savvy and ambition were launched on to the global stage with his appointment as China's minister of commerce. Although his salary was no more than Rmb120,000 (£12,000) a year, Bo lived in a palatial mansion in central Beijing and drove a late-model Jaguar, in addition to his chauffeured government car. His wife had ostensibly given up her legal career, but his son was attending private schools in the UK that charge fees of about £30,000 a year.

Since Bo was removed from all his positions in April, investigations into publicly disclosed company reports have exposed hundreds of millions of dollars worth of property and assets owned by members of Bo's extended family. These documents reveal that between them, Bo's brothers and sisters and Gu's sisters control assets worth at least \$120m. People close to the family say their actual holdings are far greater, but there is no evidence of any wrongdoing on the part of these siblings.

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Banished to the west

By most accounts, Bo was one of the people considered at the 17th Communist party congress in 2007 for advancement to the nine-member politburo standing committee, which in effect rules China, and he had his sights set on being named at least a vice-premier at that time. But his father's death in January that year reduced his political clout, and staunch opposition from many serving and retired officials, including Premier Wen Jiabao, ultimately ruined his chances. Bo was sent out to the provinces – to the steamy south-western metropolis of Chongqing on the banks of the Yangtze River. “There are three main things that stopped him being promoted – his notoriety from being a member of the Liandong [the violent Red Guard group] in the Cultural Revolution, his father's bad reputation and overly aggressive campaigning on his behalf and thirdly, the fact he treated colleagues and junior officials so badly,” says Cheng Li, an expert in elite Chinese politics at Brookings Institution. There was also a fear among party leaders and elders that Bo's overwhelming ambition would lead him to try to seize power as, in stark contrast to other senior cadres, he didn't try very hard to conceal his desire to one day take the top job of premier or president.

Although he was angry and frustrated at being shoved off to the edge of the empire, Bo would soon find a way to use his new position to raise his profile further. When he arrived to take over as Communist party secretary in November 2007, Chongqing was seething with problems – terrible pollution, unemployment, uncoordinated growth, organised crime, corruption and a nascent real-estate bubble. He quickly began a figurative and literal clean-up of the city with a series of policies that would come to be known collectively as the “Chongqing Model” and were seen by some as presenting an alternative to the policies espoused in Beijing. Just as he had in Dalian, Bo launched a massive planting campaign to “green” and tidy up the city. His agenda included tearing down and rebuilding large swathes of urban areas, an enormous new subsidised housing programme for low-income families, construction of a giant new highway, bridge and tunnel network and a new airport.

Foreign investors were besotted with Bo, with his English banter and all the charm of a western politician that set him apart from all the other dour Communist officials they encountered in China. But just as in Dalian and at the commerce ministry, Bo's underlings soon learned to fear him.

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'Smashing black' and 'singing red'

In order to solidify his control over Chongqing's police and security services, Bo plucked a man he had known well in north-east China and promoted him several ranks to the head of public security in the city. This man was Wang Lijun, an ethnic Mongolian and decorated police officer with a reputation for battling mafia gangs in China's lawless north-east. With his smart glasses and penchant for finely tailored suits, most people's first impression was that Wang looked like a professor. Although he did not have much education beyond his time at police college, Wang was obsessed with learning and culture and accepted numerous "visiting professorships" from universities at home and abroad.

In the late 1990s, Wang had drawn the attention of party propagandists who created a television drama based on his exploits called *Iron-blooded Police Spirits* and, later, he personally commissioned a number of books and films that glorified his actions. A braggart and fantasist who claimed to have spent two years being trained by the FBI and to have once talked kidnappers from the Italian mafia into letting him go, Wang often wore leather jackets he said were the same brand as those worn by former US president Bill Clinton. He also conducted autopsies and, as police chief of the north-eastern city of Jinzhou, he established an "on-site psychological research centre" to analyse the psychology of prisoners as they were executed and had their organs harvested for transplant, according to documents posted on Chinese government websites. Wang's notoriety and loyalty to Bo made him just the man to help with what would become the centrepiece of Bo's bid for higher office – a well-publicised war on organised crime known as the "dahei" or "smash black" campaign.

Wang arrived in Chongqing in June 2008, and a year later, the pair launched their televised typhoon against the mafia. In a series of hasty trials, more than a dozen accused gang bosses were convicted and executed, while thousands of others were given lengthy prison terms and assets worth billions of renminbi were confiscated. The public applauded, but disturbing accounts soon emerged of persecution, disregard for legal procedures and confessions extracted through torture.

The other main plank of Bo's bid for higher office was a nostalgic campaign to revive traditional communist morality. Government departments, companies and community groups were encouraged to spend large sums of money organising singalongs of Cultural Revolution-era "red" songs and to glorify the country's communist traditions. The government sent Mao Zedong quotations out to citizens via text message, patriotic historical dramas replaced game shows on television and advertising was banned from primetime airwaves. The local government even commissioned a new 37-metre statue of Mao. This fixation on communist "morality" elicited scorn from people who pointed out that Bo's own son Guagua was now studying at Oxford, where he had a reputation as a spoilt and wealthy "huahua gongzi" – literally "flower prince". The hypocrisy was further exposed when he was rusticated (suspended) for a year for not studying and when pictures spread over the internet of him at parties wearing women's make-up, kissing western girls and urinating in his undergraduate gown on the gates of an Oxford college.

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The empress unravels

While her husband was "smashing black and singing red" and her son was living his champagne-fuelled life at Oxford, Gu Kailai's behaviour was becoming more erratic.

In 2005 or 2006, after Gu had fallen out with Patrick Devillers, Neil Heywood stepped in to take his place as her main business agent abroad. Friends of Heywood and acquaintances of Gu say she had a sexual relationship with Devillers and possibly also with Heywood, but he gave the impression his

role was limited to helping her with overseas business interests. In 2008, he began negotiating on her behalf with the British Museum about the possibility of her becoming its “godmother” and patron in China. “He was an interlocutor, the quintessential western go-between of the kind that is very common representing powerful people in the Middle East,” according to someone familiar with the discussions. But talks were broken off in late 2010, when Heywood quietly informed the museum that Gu had suffered a nervous breakdown and could not continue with the proposed deal.

At about this time, Heywood began telling friends that Gu was “mentally unstable” and he described an extraordinary feudal world within the Bo household in which servants and hangers-on would swear celibacy in order to serve them. Her marriage to Bo had become increasingly distant since she moved to the UK and that added to her depression. In a conversation with a friend on November 13, just two days before he was found dead, Heywood seemed nervous about having been summoned to Chongqing to see Gu, but he did not mention any fears for his safety. The official public announcement of Gu Kailai’s arrest in connection with Heywood’s murder said the two had a “conflict over economic interests, which had intensified”.

Police believe Gu plotted to murder Heywood after he demanded a bigger commission for helping her to transfer funds abroad illegally and threatened to expose her offshore financial dealings if she refused, according to people briefed on the investigation. According to other people familiar with Gu, she had become ever more paranoid and depressed since she discovered she was the subject of a corruption investigation, instigated by her husband’s numerous political enemies. Four high-ranking party members who claim to have knowledge of the matter say that powerful retired and serving members of the party elite, who opposed Bo Xilai’s bid for promotion to the nine-member politburo standing committee, had launched a secret party investigation to gather evidence on him and his family and associates. These people say the plan was to confront Bo with this evidence in order to block his advancement to the pinnacle of Chinese political power, forcing him to retire quietly to a less prominent position. These efforts included a prolonged investigation into police chief Wang Lijun and especially into his previous role as police chief in the medium-sized north-eastern city of Tieling, where he served until 2003.

Wang’s successor as chief of police and vice-mayor in Tieling, Gu Fengjie, was detained by Communist party anti-corruption investigators in May last year, following the detention of at least two other senior police officials. In a macabre development, the body of another vice-mayor from Tieling, Yuan Weiliang, was found floating in a canal in the Liaoning provincial capital of Shenyang in September 2011. Police ruled his death a suicide and said he had been depressed.

Friends say Neil Heywood was almost certainly unaware of the ongoing investigations into Wang and Gu and the pressure Gu was under as a result, and he could not have known that his threats would prompt her to take drastic action. Few details have been released about the circumstances of Heywood’s death, but salacious reports circulating in political and diplomatic circles claim Heywood spat out a cyanide-laced drink given to him by Gu and her accomplices, who then held him down on the floor of his hotel room and poured the poison into his mouth. His body was found in the hotel room on November 15, which happened to be Gu Kailai’s 53rd birthday.

In his later account to US diplomats and Chinese investigators, Wang Lijun said he was informed about the case by police officers who did not want to sign off on Heywood’s cremation because no autopsy had been performed. Wang then took samples of hair, skin and blood from Heywood’s body before it was cremated on November 18. People familiar with the case say they believe Wang already knew at this point that Gu was responsible for Heywood’s death, but had agreed to help cover it up.

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“Tu si gou peng” – when the rabbits are all dead the hunting dog is boiled for food

The events leading up to Wang’s flight to the US consulate in Chengdu, a 300km drive from Chongqing,

are shrouded in mystery. According to those familiar with the account, Wang told US diplomats in Chengdu that the police chief went to see his patron Bo Xilai on or around January 18 and informed him that he had evidence Gu had murdered Heywood. In a rage, Bo Xilai struck him in the face, shouted at him and told him to leave his sight.

There are a number of theories as to why Wang went to Bo with his evidence, the most credible of which seems to be Wang's realisation that a party anti-corruption investigation into him and his past was closing in. In an attempt to secure Bo's protection, he presented him with the bombshell of Heywood's murder, implicitly suggesting he could make it all go away if Bo guaranteed his safety. Another theory is that Wang did not know or care about the investigation in Tieling and it was his blind loyalty to Bo that caused him to miscalculate by presenting what he knew and asking for advice on how to handle it. Regardless of Wang's motivation, it was at this point that Bo's arrogance and sense of invulnerability got the better of him.

Almost all of the dozens of people interviewed for this article believe that if Bo had agreed to protect Wang in exchange for making the case go away, Heywood's death would never have emerged, and Bo would still be a leading contender for a top party post this autumn. "If Bo was modest and down to earth, he could have looked after Wang Lijun, but he saw him just as a tool or a dog and dismissed him, that was his fatal mistake," said one party theorist with close ties to the leadership. "He was just too arrogant and his sense that he was untouchable was too great."

Not long after, on February 2, Wang was fired as police chief and appointed the city's vice-mayor in charge of sports, sanitation and education instead. On February 6, Wang Lijun slipped out of his house past officers who had been sent by Bo to watch him and drove the 300km to the US consulate in Chengdu. Once inside the US consulate he requested political asylum on the grounds that Bo Xilai was trying to have him killed and he handed over evidence of Heywood's murder and Gu's involvement.

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The king falls

Instead of travelling to Beijing to explain his decision to send his own security officers from Chongqing to retrieve Wang from the US consulate in the separate jurisdiction of Chengdu, Bo Xilai did something that further alarmed senior party leaders. He flew to the south-western city of Kunming, 650km away from Chongqing, and visited a military complex that is home to the 14th Group Army, the same unit commanded by his father during the communist revolution. As he toured the base where a waxwork model of Bo Yibo is on prominent display, state media noted Bo Xilai was there to "cherish the memory of revolutionary ancestors". The symbolic visit highlighted his deep ties to the military, as well as his powerful pedigree as the son of a revolutionary leader and indicated he was not worried by Wang's allegations.

At the opening of the annual Chinese People's Political Consultative Conference on March 2, Bo showed up and put on a brave face for the 3,000 assembled delegates and journalists. But in internal government meetings, Bo was livid, haranguing Chongqing officials and telling them that Wang's flight and the rumours swirling around him were all part of a "plot instigated by foreign reactionary forces". Over the next two weeks, Bo appeared in public nearly a dozen times. In a typical final bout of showmanship, he even held a two-hour press conference on the sidelines of the National People's Congress.

Appearing relaxed, Bo said that unspecified enemies had "formed criminal blocs with wide social ties and the ability to shape opinion" and were "pouring filth" on him and his family. He also dismissed suggestions he was being investigated or in any political trouble. Four days later, on March 14, Bo attended the closing ceremony of the National People's Congress and sat alongside his politburo colleagues on the stage in the Great Hall of the People. Looking tired and distracted, at one point he stared up at the cavernous ceiling of the Great Hall as if saying a silent prayer. As the ceremony ended

and China's most senior leaders got up to leave, Bo rose quickly and strode off the stage. Waiting in the wings were officers of the elite Central Guard Unit charged with protecting China's top leaders, who led him away, according to two people with knowledge of the matter. Gu and more than a dozen of Bo's close associates were detained at the same time and are currently being held in undisclosed locations around China.

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Awaiting trial

As Beijing slips into its scorching summer months, there is still no word on how the government plans to deal with Gu Kailai, Wang Lijun and Bo Xilai. Going by past experience, most people expect some kind of carefully staged show trials that will be held in secret and announced after the fact. But here the party faces a dilemma that could further destabilise the political situation.

Given Bo's enormous popularity among ordinary people, an unconvincing official account backed by threadbare evidence could lead many Chinese to assume the entire affair was a stitch-up and Bo was the victim of political infighting. On the other hand, if the case against him is presented too fully, with gory details of corruption, murder and plots, then the public may question how someone so craven and deranged could rise to the top of the political system, and scrutiny may turn to other senior leaders. For now, the once-in-a-decade leadership transition scheduled for October or November appears to be back on track. Some analysts are even saying that without Bo's destabilising presence, a more harmonious and effective leadership will emerge.

"Bo and his ambition were seen as the most dangerous force in Chinese politics and people inside the party always compared him to Hitler," said one senior Chongqing official who worked closely with Bo. "He was a Marxist-Leninist who opposed western liberal democracy, but the irony is that if the Chinese people were allowed to vote, he probably would have been elected president."

Pleas can hurt

By Jamil Anderlini - March 6, 2009

As dawn breaks over Beijing's ancient Gate of Eternal Stability, a large crowd gathers in its shadow, in an alleyway just inside the old city walls.

The scene, however, is anything but stable. Those gathered there are from the country's downtrodden, people with grievances against the government who have made their way to the capital to petition China's modern-day mandarins.

When the crowd spots a foreign journalist, many rush forward waving their petition documents and shouting their grievances: "My daughter was murdered and the police did nothing," says Yan Zizhan, a petitioner from Henan province. "I was beaten up by officials from the family planning department because I wouldn't have sex with one of them," says Liu Zhongwei, from Shandong province.

China has seen an explosion of popular protests in recent years and, as the economy slows, the nation's leaders have repeatedly made clear their concern that social unrest is on the rise. But in the absence of democracy or an independent legal system, the Communist party relies on a 3,000-year-old pressure release valve known as the "petitioning system" to deal with dissatisfaction among the masses.

On paper, the system allows the lowliest subjects to take complaints directly to the highest authority in the land. In reality, this relic has itself become a tool of repression and a symbol of how incomplete China's political transformation has been in comparison with its economic development over the last three decades.

"There is no substantial difference between today's petitioning system and the system in place 1,000 years ago," according to Xu Zhiyong, a Beijing-based lawyer and human rights activist who, like many in China today, say the petitioning system is broken and needs to be abolished. "The three essential elements - the emperor, the officials and the injured citizens - have the same relationship. The emperor wants to resolve a portion of the people's grievances so as to maintain the stability of his regime but the officials have their own interests to think about."

In olden times, if an aggrieved subject could make it to the capital, he was entitled to beat the imperial drum to attract the attention of the emperor or his staff. Today, modern transport and a host of grievances thrown up by wrenching social change mean the system is overwhelmed and the government spends more energy trying to dissuade people from petitioning than it does trying to resolve their problems.

The Offices of Letters and Calls that are attached to every layer of the government in every part of China to accept petitions provide the only legitimate channel for citizens to complain about alleged crimes or misconduct perpetrated by officials. The one in the shadow of the Gate of Stability is the highest such office in the land.

Visitors to this office soon notice the heavy-set men in civilian clothes watching the crowds of disgruntled petitioners. Known as *jiefangren*, or petition interceptors, they are government officials, police officers or sometimes just hired thugs sent by regional and provincial governments to repatriate petitioners before they cause a fuss in the capital. "Sometimes they will resort to violence to stop them," says Mr Xu, the lawyer. "This place is like an alleyway in hell; with so much naked savagery and violence, it gives us a concentrated glimpse of all the sicknesses in Chinese society."

Many petitioners bring relatively minor business disputes that local officials are unable or unwilling to resolve. At the other end of the spectrum are accusations of murder, torture and rape inflicted at the hands of government and police officials. Many profess their devotion to the leaders of the Communist party and say that if only they can get their story heard, the benevolent modern-day emperor will punish their oppressors.

"I trust in the party and the central government to bring justice to us ordinary people, otherwise I wouldn't be here," says Zhao Guang-jun, 43, a villager from Hebei province who is there to complain about local officials whom he claims took peasant farmers' land and divided it among themselves, then hired gangsters to beat up the farmers when they complained.

But very few will find any kind of resolution at the petition offices and most will have their lives made much worse. As many as 12.7m petitions were filed in 2005, according to latest government figures, but "some official surveys show that less than 1 per cent of petitioners achieve satisfaction", says Jerome Cohen, a professor at New York University and expert in Chinese law. "It increases the grievance and frustration because people go from pillar to post without a remedy; everybody tries to transfer responsibility, if they are a government official, from their agency to another."

The formal evaluation criteria and bonus schemes of Chinese government officials depend partly on the number of petitioners from their jurisdiction, creating a powerful incentive for them to stop complaints reaching the central government. Beijing itself has an ambivalent view of the system, hailing it as an essential element of China's "mass democracy" but fearful of outright rebellion by the multitude of petitioners who descend on the capital. In fact, the activities of the jiefangren are at the very least tolerated and usually facilitated by all levels of China's government and police.

In preparation for the Olympic Games last year, an order went out from Beijing to local governments to stop petitioners from coming to the capital, in order to "create a healthy social environment for the successful hosting of the Beijing Olympics". Although the order from the Ministry of Public Security did say the system should be more responsive to people's needs and officials must act in a "civilised" way, the emphasis was on stopping petitioners from ruining the show. This put pressure on local officials to step up their interception efforts. According to human rights groups, repression and illegal detentions increased during the Olympic period.

Over months of interviews, the Financial Times heard numerous accounts and witnessed several examples of officials from the Offices of Letters and Calls or Beijing police working in collusion with interceptors to help detain and abduct petitioners. When interceptors identify people from their region outside the petition office, they approach them and try to get them to return home quietly, ostensibly so their grievances can be "resolved" locally.

Some petitioners are promised quick fixes to their problems; others go willingly in the hope of a free trip home or a place to stay while in Beijing. Those who refuse to accompany these men are usually taken by force. Often they are taken to detention centres operating like private prisons and known as "black jails". Mr Xu says: "Black jails are places used by provincial governments to illegally imprison petitioners; we call them black jails because, first, they are just like prisons - established by the government to restrict people's freedom - and, second, they are 'black' because they have no basis in any laws or regulations and are totally illegal."

Such facilities exist all over China but especially in Beijing, where they are often no more than a few rooms in a hostel or an unused warehouse. Once detained, petitioners can be subjected to "thought reform" and "re-education" techniques that range from cajoling and threats to extortion, beatings and outright torture. In its submission last month to the United Nations quadrennial review of China's human rights record, the government explicitly denied the existence of black jails or arbitrary detention, in what Amnesty International and other human rights groups describe as a whitewash.

"Our law clearly prohibits private detention facilities and there are no such thing as black jails in the country . . . The law on detention further prohibits any abuse, physical or oral, of detainees," Song Hansong, a senior official from the Supreme People's Procuratorate, the state prosecutor, told the UN review in Geneva.

But in researching this article, the FT visited a number of black jails in Beijing, talked to dozens of petitioners who had been detained in them and interviewed several “petition interceptors” who talked openly about their activities. Petitioners picked up by Beijing police are often taken to one of the city’s large “relief and service centres”, which are supposed to be homeless shelters but operate as clearing houses for interceptors, who arrive in cars with provincial licence plates and leave with petitioners from their region.

One such detention centre, known as Majialou and conveniently located near the Gate of Stability petition office, holds thousands of people at a time, most of them petitioners, according to guards interviewed by the FT.

China’s annual meeting of its rubber-stamp parliament, which convened yesterday, is a peak time for petitioners in Beijing and the entrance to the Majialou facility has been crowded this week with hundreds of interceptors waiting to retrieve petitioners. “Sometimes there are so many petitioners the [Beijing police] have to bring them in buses,” says one of the security guards outside Majialou while indicating an empty city bus leaving the facility. “The interceptors are informed about people from their region and they come to collect them; if the petitioners aren’t willing to go, they’re beaten and sometimes they have their bones broken.”

These “relief centres” operate in a legal grey zone, somewhere between formal detention facilities and black jails. They are the remnants of a system abolished four years ago, under which urban police could detain anyone without a residence permit and repatriate them to their home town.

Petitioners who have been intercepted are usually kept only a few days in Beijing before they are sent home - where they are confronted by the very people they have accused of crimes and misconduct. If they refuse to give up their petitions, they will often be illegally detained for months, beaten, tortured or sent to extra-judicial “reeducation through labour” camps for up to three years for daring to tarnish the names of officials.

Even the state-controlled media have recently reported cases of local officials illegally committing healthy petitioners to mental health facilities to stop them from taking their protests to the capital. “One of the biggest headaches in Chinese justice today is that the police take many measures that are not authorised - and to assist them they use non-police people who are just ad hoc recruited,” Prof Cohen says.

Many petitioners give up after a few attempts, once they get a glimpse of the horrors that await them. But others continue for decades, their initial complaint often forgotten as they seek justice for beatings and torture inflicted after they entered the petition system.

Activists such as Mr Xu who dare to discuss politics say China’s top-down political structure is the main reason why the petition system has become so distorted. “Every level of the government is responsible to those above it, not to the people. So they really don’t care what befalls the people, they only care about the orders given to them by their leaders,” he says.

Given the improbability of imminent political reform, the pressure on this system is likely only to increase in the coming months as China’s economy slows and many more lose their jobs. “Even during the fat years of the last decade China has witnessed an astounding number of public protests; now China is confronting lean years, this means there is going to be more public protest, not less,” says Prof Cohen. “There is no doubt China’s legal and petitioning systems are entering a period of considerable crisis.”



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