

Demolition case ruling could set milestone

If verdict favors property owner, it will limit government power

By ZHAO YINAN
zhaoyinan@chinadaily.com.cn

A Beijing court on Thursday heard a forced demolition case that, depending on the final verdict, could lead to a rare ruling in which government power is limited.

If the court decides to side with the property owners, it would be among the few cases nationwide in which authorities lost a lawsuit for pulling down a house without going through legal procedures.

Cui Ruhui, with his niece Cui Fengling, claim that Dasungezhuang township demolished the family's newly built house in March, despite the fact that the family was still waiting for the results of a review, conducted by the capital's Shunyi district government, of the demolition order.

Cui Fengling said it was against the Administrative Coercion Law, which took effect on Jan 1 and requires governments to suspend forcible measures, including demolition, if the measure is under administrative review. The only exception, the law states, is in cases involving public emergencies.

"We applied for administrative review by Shunyi on March 22, but the township government came in anyway at 6 the next morning," she said. "My uncle and I were in the house and were forced off the property."

The plaintiffs' lawyer, Liu Changsong, has asked the township to compensate the family's costs, including 430,000 yuan (\$67,520) for land leveling and construction, and 10,000 yuan for emotional damage.

The authority, in response, said it did not know the family had applied to the district for an administrative review, since Cui "only submitted the required materials on the last day of the period open for such applications".

The township further argued that the house, a five-room bungalow, was built on a portion of arable land where construction is strictly prohibited.

To support the claim, the government handed in a cer-

tificate issued by Shunyi's land resources authority, which confirms that the disputed land is part of a national plan to protect farmland from being converted to construction use.

Liu, however, said the land was traditionally allocated to the family but was unattended and gradually grew into a dumping ground.

The panel of three judges, after hearing more than three hours of cross-examination on Thursday, did not specify a date to continue the trial or deliver a verdict.

However, legal professionals said that if the court rules in support of the plaintiffs, the case will become a milestone.

The coercion law is expected to limit and standardize government initiatives in the future.

The law, the country's principal regulation to curb government power and prevent abuse of power, was passed June 2011 after undertaking five readings by the National People's Congress Standing Committee, the top legislature. It was among the most long-awaited laws in China, having taken more than 20 years to complete.

The law establishes a set of procedures for governments when it is about to carry out forcible measures and outlaws activities such as the use of violence, intimidation or carrying out coercive measures at night or during holidays.

But lawmakers have admitted it takes time for authorities to adapt to the new regulation, which runs against some existing stipulations and government practice.

Xin Chunying, deputy director of the Legislative Affairs Commission of the NPC Standing Committee, said in an earlier interview the top legislature has been cleaning up and modifying regulations that run contradictory to the law.

Han Dayuan, a law professor at Renmin University of China, said the cleaning up could be difficult because governments will be reluctant to give up the use of force, often an "easier way to solve problems".



The annual event to swim across the Pearl River was held in Guangzhou on Thursday afternoon.

PROVIDED BY YANGCHENG EVENING NEWS

Pearl River swim a Chinese baptism for expats

By XU JINGXI in Guangzhou
xujingxi@chinadaily.com.cn

Two foreign faces stood out among the group of swimmers who had just crossed the Pearl River on a hot Thursday afternoon in Guangzhou, Guangdong province.

Jorge Sanchez and Brian Timm-Brock from the US Consulate General in Guangzhou were the only two foreigners among the 2,100 participants in the annual swim across the Pearl River this year.

The event, founded in 2006, aims to strengthen local people's awareness about protecting the river, demonstrate the government's determination in improving the pollution and showcase its achievements in this area.

"The water was clear enough for me. I swallowed some water during the swim. It tasted better than salty seawater," said Sanchez, the agricultural trade officer at the consulate.

Sanchez said he found the water quality of the Pearl River better than that of some rivers in Mexico and North China where he has swum. "There are not dirty things such as moss in the Pearl River but I could find it in Mexican rivers," said Sanchez.

"Abating water pollution requires efforts from cities in both upper and lower reaches and cooperation among different governmental departments," Sanchez said.

People from six cities in Guangdong province, Guangzhou, Foshan, Zhaoqing, Dongguan, Zhongshan and Qingyuan, took part in the event in Guangzhou on Thursday. The five cities share with Guangzhou the duty of keeping the tributaries of the Pearl River Delta clean.

Sanchez came to work in Guangzhou three years ago and his dream of participating in the swimming event finally came true this year.

"I'm 'tattooed' as a real Guangzhou resident now," said Sanchez.

"It's like one should climb up the Great Wall if he visits Beijing. Pearl River is an important part of culture here," he said.

The swimming fan could not think of similar swimming events in the US. "Americans



Two foreign participants, Jorge Sanchez (left) and Brian Timm-Brock, pose for shutterbugs at Thursday's crossing of the Pearl River in Guangzhou.

just jump in a river individually to enjoy swimming when we want to, while Chinese tend to do things in groups," Sanchez said.

"But it's great that I could share the fun of swimming with so many local people. It makes me feel that I'm part of the city and its people."

"It's also a great honor for me to swim together with the mayor," Sanchez added.

Sanchez's colleague, consul Brian Timm-Brock, also felt closer to the city after the swim.

"I have walked along the Pearl River, and then took boat trips on it and now swam in it. I feel that I'm getting to know Guangzhou better," Timm-Brock said.

He was excited and moved when recalling the cheers from local supporters on the riverbank.

"I heard people shouting 'Come on, foreign friends' in Cantonese when I was swimming in the river. It was encouraging," said Timm-Brock, who said he was a little worried at the start of the race as the distance was longer than he had expected.

"I've got a great sense of accomplishment to have swum across the Pearl River. I'm looking forward to participating in the event again next year," he said.

Zhou Yongqiang, a local resident among the swimmers crossing the Pearl River on Thursday, said he welcomed foreigners to take part in the event.

"Long ago Guangzhou was known the world over as a trading port. Now the swimming event can promote the

city's water culture to foreigners and display the improve-

“

The water was clear enough for me. I swallowed some water during the swim. It tasted better than salty seawater.”

JORGE SANCHEZ
AGRICULTURAL TRADE OFFICER AT
THE US CONSULATE GENERAL IN
GUANGZHOU

ment in the river's water quality to them," the 49-year-old said.

Zhou recalled his childhood memories of swimming together with fish and shrimps in the clear water of Pearl River's creeks.

"The water today is not as clear as what it was when I was 7 years old. But it's much better than what it was 10 years ago," said Zhou, who has been living in a riverside apartment by the Pearl River for the past decade.

"I often saw a lot of duckweed and rubbish in the river 10 years ago. I even once saw a wrecking crew pull out a sofa from the river," Zhou recalled.

"But now, the water is clear. I am able to see things about three meters below when I am in the water."



Canadian International School of Beijing

北京加拿大国际学校

Now accepting applications for our Shunyi Campus!

Montessori Nursery
18 months and up

Middle School
IB Middle Years (MYP) Candidate School

Kindergarten & Primary School
IB Primary (PYP) Candidate School

High School
IBDP High School

38 Liangmaqiao Lu, Chaoyang District, Beijing 100125, P. R. China +86 10 6465 7788

7 Yuyang Road, Houshayu, Shunyi District, Beijing 101300, P.R. China +86 10 8046 6191

www.cisb.com.cn

Exclusive CBD offices from Regus

- Prestigious locations in Beijing and Shanghai CBD
- From 1 to 200 persons, tailored to various business needs
- Ready to use, available now
- Flexible terms from 1 day to 1 year

SHANGHAI | BEIJING | HONG KONG | TAPEI | CHENGDU | CHONGQING | DALIAN
GUANGZHOU | HANGZHOU | MACAU | SHENZHEN | TIANJIN | WUHAN | XIAMEN

400 120 1205

www.regus.cn

Regus
Work your way

Lunchtime lottery at primary school angers unlucky parents

By ZHENG CAIXIONG
in Dongguan, Guangdong
zhengcaixiong@chinadaily.com.cn

A school in South China has sparked criticism after introducing a lottery to choose which children can stay on campus at lunchtime, with the losing students being forced to go home in the middle of the day in a move designed to ease overcrowding.

Yangguang No 2 Primary School in Dongguan will allow only 150 first-grade students to use its facilities at midday when the new term starts in September.

Unlucky entrants will have

to go home for lunch between noon and 2:30 pm, leading to complaints from working parents and those who live far from the school.

"We enrolled more students this year and we lack enough resources to allow all the pupils to stay at school at lunchtime," said a female teacher who did not want to be identified. "It is fair to organize a lottery to decide who can stay in school for noon break."

The school, in the city's Nancheng district, enrolled about 400 new pupils this year, an increase of about 40 percent compared with 2011.

An official at the city's educa-

tional commission declined to comment on the case, saying it was not his authority's business to look after students at lunchtime or after school.

However, Luo Jianhua, a teacher at Donghu High School in Shenzhen, a city bordering Dongguan in Guangdong province, said a lottery is unfair for the students and is ridiculous.

"The school should not introduce such an approach to decide which students can stay in school at noon," he said, adding that priority should be given to those who need to remain on campus most.

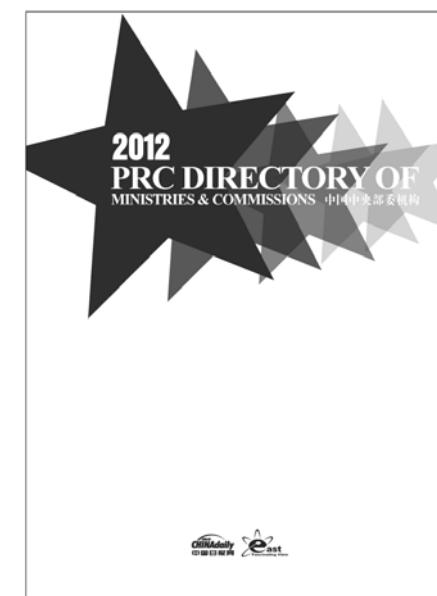
Many parents have also opposed the lottery. The mother

of a child at the school, who gave her name only as Ma, said the move is not fair to students. Her daughter failed to win a place.

"The school didn't tell us a lottery would be organized for the students for the noon break when we registered with the school in May," Ma said. "Now we have no time to find another school for my daughter."

"My home is situated far away from the school, and my husband and I have no time to take my daughter home and then send her back to school during the day."

Shu Meng contributed to this story.



Chinadaily.com.cn published the latest "2012 PRC Directory of Ministries and Commissions" in May, 2012.

"PRC Directory of Ministries and Commissions" is organized in clear lists of officials names, addresses, contact numbers and organizational functions for most ministries and commissions under the State Council of China. This is a bilingual directory of Chinese Central Ministries and Commissions and has gained stable long-term users from governmental organization, MNCs to embassies.

中国日报网于2012年5月推出《2012年中国中央部委机构》。

其中收录了2012年5月两会以后确定的最新国务院各部委重要官员的名单及机构职能介绍，版式清晰，便于查找。作为中英双语的《中国中央部委机构》，本书在各政府机关、跨国公司及各驻外使馆中有长期稳定的用户群。

Special Price: RMB 599(\$90)

CHINA Daily
中国日报网

To order or for further information, please contact:
Ms. Wang Fang Tel: +86(10)84883602 Fax: +86(10) 84883600 E-mail: wangfang@chinadaily.com.cn
更多信息请登录中国日报网商务平台: http://eshop.chinadaily.com.cn
View Chinadaily E-shop for more information: http://eshop.chinadaily.com.cn