

RELEASE IN PART B6

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U.S. Saw Top Cop as Risky Asylum Candidate
Wall Street Journal
April 23, 2012, 8:37 p.m. EDT
By JAY SOLOMON And DEVLIN BARRETT

WASHINGTON—The former police chief in the Chinese city of Chongqing would appear, on the face of it, a good candidate to receive diplomatic protection or political asylum from the U.S., due to his access to senior Communist Party officials and intelligence.

But to the Obama administration, which needed to decide Wang Lijun's fate in early February due to his role in a widening political scandal inside China, the decision was murkier.

U.S. officials have risked confrontation with Beijing before over how to handle Chinese citizens. During the 1989 Tiananmen political uprising, Chinese dissident and democracy advocate Fang Lizhi was granted sanctuary in the American embassy in Beijing for more than a year.

Getting Shelter | U.S. asylum guidelines

Asylum may be requested by those who have suffered, or fear they will suffer, persecution due to their race, religion or nationality, membership in a social group or political opinion.

Asylum can be granted only to those in the U.S. or at a point of entry.

Applicants can be barred for assisting in the persecution of others, committing nonpolitical crimes or being convicted of serious crimes in the U.S.

Temporary refuge at a U.S. post or embassy abroad may be granted if an applicant is in imminent danger of persecution or physical harm.

Temporary refuge may be denied if applicants simply wish to immigrate to the U.S. or are seeking to evade local law; if granting refuge would endanger the embassy's security; or if the State Department instructs the post not to do so.

With Mr. Wang, however, asylum or some sort of refugee status was never seriously an option, said administration officials briefed on the case.

Chinese officials detained Mr. Wang after he left the embassy, and according to Chinese media, he hasn't been seen since. In the past, some foreign nationals, such as Mr. Fang, were granted safe haven in U.S. missions in part due to concerns they would face persecution if returned to local authorities. The same case could appear to have been made for Mr. Wang, though the U.S. officials have maintained that they were guarding Mr. Wang's safety by turning him over to central authorities.

Current and former U.S. officials say Mr. Wang's case was far different from Mr. Fang's, and say they see little reason on human rights grounds for sheltering a local police chief who was allegedly offering details of local corruption.

Candidates for asylum must not be suspected of committing criminal acts or being involved in politically motivated violence, according to U.S. officials and government regulations. American diplomats are prevented from offering political asylum to a foreign national until the person is physically inside the U.S. or at a port of entry.

The State Department came to believe that as Chongqing police chief, Mr. Wang had played an "enforcer" role in carrying out some of the more controversial policies promoted by his then-boss, Bo Xilai, the megacity's top Communist Party official, according to U.S. officials. During a 30-hour stay at the American consulate in Chengdu, Mr. Wang gave U.S. diplomats information about the death of a British businessman, Neil Heywood, last year in China, according to U.S. and British officials.

"This was a policy enforcer for a governor, not some freedom fighter," said a senior U.S. official briefed on the case.

Had the U.S. considered providing refuge to Mr. Wang, it could have led to an international controversy just days before Chinese Vice President Xi Jinping, who is expected to become the country's next leader, was scheduled to visit the U.S.

The Obama administration's handling of Wang Lijun has become politically sensitive for the White House in other respects, however. Republican lawmakers are demanding that the State Department hand over documents concerning Mr. Wang's case, arguing that if offered formal asylum, the police chief could have provided invaluable intelligence on China and the Communist Party.

Congressional panels are seeking clarity. A spokesman for Ileana Ros-Lehtinen (R.-Fla.), chairwoman of the House Foreign Affairs Committee, said Monday that her committee has yet to receive any of the information requested from the State Department in February.

Mr. Wang's case has roiled China. Mr. Bo was a rising political star and a potential political leader in Beijing. Now, the Chinese government has stripped Mr. Bo of his titles and detained his wife, Gu Kailai, and is formally investigating her for murder. Mr. Wang was handed over to central Chinese authorities, say U.S. officials, who add they are unsure of his current status.

The White House hasn't provided a definitive account of the depth and timing of its involvement in the Wang affair. Administration officials said that members of the National Security Council staff were told of the case while Mr. Wang

was staying at the American consulate in Chengdu this February, but they say President Barack Obama wasn't briefed until Mr. Wang had left the consulate. They have declined to say exactly when the president was first briefed.

The Obama administration could face another fateful decision in the coming months concerning Mr. Bo's son, Bo Guagua, who has been studying at Harvard. State Department officials wouldn't discuss the son's prospects on Monday but said: "He is a student in good standing at Harvard ... You can draw your own conclusions from that."

The U.S. has a long list of guidelines for dealing with so-called "walk-ins"—people who show up at U.S. embassies, consulates or other buildings overseas seeking the protection of the United States. According to a 2009 State Department cable obtained by Wikileaks, the U.S. has two main priorities for such cases: keeping its diplomatic outposts secure and obtaining intelligence.

The 10-page document advises diplomats to tell walk-ins seeking refuge that the post can't ensure their safe conduct out of the host country, their safety within their own country or their entry into the U.S.

Perhaps most tellingly for Mr. Wang, the cable emphasizes that temporary status "may never be granted to foreign nationals who simply wish to immigrate to the United States or evade local criminal law; if granting refuge would put post security in jeopardy; or if the Department instructs post not to do so."

In Mr. Wang's case, the government appears to have decided early on that he wasn't an intelligence asset like, for example, a Soviet KGB defector may have been in an earlier era. The cable also instructs that temporary refugee status "should be terminated as soon as circumstances permit."

It is rare but possible for the Department of Homeland Security to "parole" a foreign national into the United States in extraordinary cases, for individuals of special interest to the United States, when a walk-in is in immediate danger, or when the case is "politically sensitive," the cable states.

U.S. administrations have taken diplomatic risks in handling Chinese walk-ins in the past.

In 1989, after Mr. Fang was housed in the American embassy, there were then negotiations between the George H.W. Bush administration and Chinese leader Deng Xiaoping. Ultimately, the dissident and his wife were allowed to travel on medical grounds to the U.S., where he settled in New York before his death last year.

U.S. officials on Monday stressed that Wang Lijun was no Fang Lizhi.

Jim Tom Haynes, a Washington-based immigration lawyer, said Mr. Wang's attempt to get asylum or refugee status struck him as "far-fetched," particularly because the case appears to center around domestic Chinese matters. U.S. diplomats, for their part, "probably don't want to encourage this sort of thing either, because it would get very messy diplomatically. The last thing you would want is a flood of people seeking refuge in your embassy," he said.

—Carol E. Lee contributed to this article.

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B6