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Sent: Wednesday, May 09, 2012 04:23 AM
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Subject: CHINA - Press of Interest: Behind Twists of Diplomacy in the Case of a Chinese Dissident

Behind Twists of Diplomacy in the Case of a Chinese Dissident

By STEVEN LEE MYERS and MARK LANDLER
 New York Times

WASHINGTON — Over two days of meetings with China's leaders in Beijing last week, Secretary of State Hillary Rodham Clinton had not uttered a word about Chen Guangcheng as her aides arranged to transfer the blind Chinese dissident from the United States Embassy to a hospital, only to have the plan unexpectedly blow up. Then, last Friday, she finally broached the subject with China's senior foreign policy official, Dai Bingguo.

Officials said the diplomacy in the case reflected a maturing of the ties between the United States and China. Mr. Chen, she said, should go to the United States after all.

The Chinese were furious. They considered Mrs. Clinton's request a betrayal of American assurances made during 30 hours of talks. China had insisted on absolute secrecy, demanding no public confirmation that Mr. Chen was in the embassy by any Americans, even members of Congress, whom the Obama administration kept in the dark.

"I don't want to talk to him anymore," Cui Tiankai, the vice foreign minister, erupted after Mrs. Clinton intervened, gesturing toward Kurt M. Campbell, an assistant secretary of state and a crucial negotiator.

The confrontation was a pivotal moment in a diplomatic drama replete with unanticipated twists, threats and counterthreats, and at times comical intrigue. Mr. Campbell, for example, took to sneaking out of his hotel in Beijing through an entrance by the garbage bins to avoid public attention.

The Chinese security apparatus, meanwhile, aggressively tapped and blocked phone calls by embassy officials, with an agent at one point brazenly dialing into a conversation between Mr. Chen and his wife on the cellphone of the deputy chief of mission, Robert S. Wang. The Americans, fearing that the Chinese would restrict access to Mr. Chen's hospital, even considered disguising an employee as a nurse to gain entry.

Mrs. Clinton's intervention ultimately resulted in a second arrangement to allow Mr. Chen to study at New York University but not to seek asylum, which the Chinese considered an affront. Under terms that have not been disclosed, Mr. Chen is expected to leave in days. The outcome, said several officials who recounted the story, reflected a maturing relationship now able to weather a fraught diplomatic entanglement. The officials would discuss diplomatic talks only on the condition of anonymity.

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"At a strategic level I think the two sides will quietly take some confidence from this," a senior administration official said.

The agreement came at the cost of what the officials said was considerable strain on both sides, and it could still fall apart, though Mr. Chen said Tuesday that the authorities had accepted his application to travel abroad. Yet the frenzied days and sleepless nights seem to have averted a major embarrassment for the administration and defused a crisis that threatened to upend relations between the two countries.

Mr. Chen's case highlighted what the Americans view as an intensifying struggle within the Chinese leadership between hard-liners and reformers. At one point during the talks, the State Department's legal adviser, Harold H. Koh, encountered officials from China's powerful Ministry of State Security arguing in the hallway with their counterparts from the Ministry of Foreign Affairs, saying Mr. Chen should be punished, not coddled by the Americans.

At the center of it was Mr. Chen, who after his harrowing escape from Chinese security officials and arrival at the embassy experienced wild mood swings — crying at times — even as he bargained with the cunning of the lawyer he had taught himself to be.

Once released to the hospital, he used three preprogrammed cellphones provided by the Americans to press his demands in public. He did not want asylum, he said, but rather an investigation by Chinese central government authorities into his mistreatment.

The use of technology — posts on Twitter, a dramatic call to a Congressional hearing — boxed in the Chinese but also left Americans scrambling. After speaking to his lawyer and his wife, Mr. Chen abruptly changed his mind and decided he could not stay in China. At that point the American officials were in the dark about his shift.

"It took us a little while — we were already unbelievably exhausted — to find our bearings," the senior administration official said of Mr. Chen's change of heart. What complicated the diplomacy was the fact that the Chinese considered the very notion of negotiations over a Chinese citizen unacceptable. They refused to make any binding commitments to the Americans, exposing the administration to criticism once Mr. Chen left the embassy. Even now, there is no official agreement, but simply a series of "understandings."

One of the senior American officials likened it to the Shanghai Communiqué, the 1972 agreement that opened the door to relations between the United States and China but artfully left ambiguous the status of Taiwan.

President Obama, who was first notified when Mr. Chen was already in the embassy, refused to comment on his fate, even when asked directly. That and Mrs. Clinton's avoidance of his case in her meetings with China's leaders gave the Chinese space to resolve the matter quietly.

"Even if we had negotiated a text, which would have taken six months, the Chinese could have nullified it," this official said. "Face is more important in Asian society than any contract."

The Americans knew Mr. Chen's plight well. He was jailed in 2006 after helping villagers in Shandong Province sue the local authorities for subjecting women to forced abortions and sterilizations. After his release in 2010, the authorities kept him under a form of extralegal house arrest.

Even so, the officials said they knew nothing of his preparations to escape from his farmhouse on the night of April 22.

They learned of it only when He Peirong, a rights advocate, called the embassy three days later and told officials there that he was in hiding on the outskirts of Beijing, his foot broken from a fall during the escape.

After a late-night meeting at the State Department on April 25, Mrs. Clinton approved a plan to spirit him into the embassy, an operation that involved hustling him from one car to another twice. "Everyone understood the magnitude of the decision, how unpredictable it was, and that there would be consequences," the senior official said.

With Mr. Chen inside the embassy, the administration held a series of meetings in Washington to decide how to manage the crisis — with the State Department leading the effort and the White House overseeing it through frequent secure videoconference calls. On April 27, Mr. Campbell informed the Chinese ambassador in Washington, Zhang Yesui, of Mr. Chen's whereabouts. The diplomat appeared stunned.

Mr. Campbell then flew to Beijing, where he joined Ambassador Gary Locke, who cut short a vacation in Bali, and Mr. Koh, who happened to be in China for a conference, to form the American negotiating team. Mr. Koh had been waiting to board a Yangtze River cruise when Mrs. Clinton's chief of staff, Cheryl D. Mills, ordered him to find a secure phone. The closest one turned out to be four hours away in the United States Consulate in Chengdu.

An already complicated situation became grave when an embassy doctor examined Mr. Chen. In addition to the broken foot from his escape, he complained of severe abdominal pain. His stool contained so much blood that the doctor feared he might have colon cancer. That fueled the urgency to get him to a hospital.

The talks with the Chinese began on April 29, and did not start well. "We had to go through the process of him just ripping into us," the senior official said, referring to Mr. Cui, who complained that the United States had violated diplomatic practice.

China's negotiators suggested that they would cancel the Strategic and Economic Dialogue, which was scheduled to begin four days later with the arrival of Mrs. Clinton and Treasury Secretary Timothy F. Geithner. The Americans, in turn, hinted that they, too, were prepared to walk away, hoping to use the prospect of constructive talks as leverage.

Mr. Koh, who composed a memorandum that made the case for taking in Mr. Chen, proposed having him study at East China Normal University in Shanghai in a program sponsored by New York University. The Chinese objected, considering the program "too Western." The Americans were soon holding parallel sets of talks, with Mr. Campbell meeting with the Chinese and Mr. Locke and Mr. Koh effectively negotiating with a mercurial Mr. Chen.

All along, the officials said, Mr. Chen said that he did not want to leave China, but that he feared leaving the embassy. At one point, Mr. Koh asked him if he was prepared to spend 30 years there, evoking the experience of other famous dissidents, like Daw Aung San Suu Kyi of Myanmar, and telling him about the travails of his own father, a diplomat, who fled South Korea for the United States in 1961.

Despite initial resistance, the Chinese appeared willing to consider options for Mr. Chen. One official said they wanted to resolve the case in 36 hours. They did not object to the possibility of his studying at seven other universities in China, but bristled at the idea of an investigation and were offended when the Americans presented a list of 13 people, including Mr. Chen's brother and nephew, whom they wanted to protect from harassment. (Some have since been released.)

One Chinese official lashed out: "The whole thing could be resolved in 36 minutes, not 36 hours. Just turn him over."

Mr. Chen, though, wanted a gesture. The Chinese authorities arranged for Mr. Chen's wife, Yuan Weijing, and their two children to travel by train to Beijing. The American deputy chief of mission, Mr. Wang, met them and offered his phone to allow Mrs. Yuan to make the call that the Chinese agent monitored.

When Mr. Chen again hesitated, the Chinese indicated that they would send his family back, which critics have interpreted as a threat, saying it was conveyed to Mr. Chen by American officials effectively to coerce him to leave. Mr. Locke, Mr. Campbell and other officials have publicly denied that. Even so, one official acknowledged, "We told him very clearly that there was only so far we could go with assurances."

The arrangement, reached hours after Mrs. Clinton arrived in Beijing that Wednesday, fell apart immediately. In the car, Mr. Chen called a lawyer, Teng Biao, who told him it was a mistake to leave the embassy. "No, no, I want to do this," Mr. Chen replied, according to a person in the car. "It's a good deal."

The scene at the hospital quickly became confused. The Chinese did not object to allowing an American diplomat to stay overnight, contrary to reports that prompted the criticism. As with much of the story, the moment turned less on geopolitics than on human relations. The diplomat, in fact, left because he believed that Mr. Chen wanted privacy with his wife.

Thursday was chaotic, as reports that the agreement had fallen apart led Republican critics to castigate the administration. At the hospital, Mr. Chen underwent lengthy examinations, preventing the Americans from contacting him directly. Doctors found that he was suffering not from cancer, but from colitis.

In her meeting with Mr. Dai, the foreign policy official, on Friday, Mrs. Clinton never explicitly asked for anything. She made it clear, however, that she would have to speak about Mr. Chen when she appeared before the press. The subtlety worked: within hours, the Chinese released a statement that Mr. Chen could travel to study abroad like any citizen, and the State Department announced that it would expedite any request for a visa.

As one official put it, "The days of blowing up the relationship over a single guy are over."

http://www.nytimes.com/2012/05/09/world/asia/behind-twists-of-diplomacy-in-case-of-chen-guangcheng.html?_r=1&pagewanted=all

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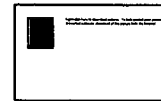
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