

## GLOBAL FAMILY

PHOTO BY STEFAN ROUSSEAU/REUTERS

President Hu Jintao (left in first row) stands with other leaders during the family photo session at the G20 Summit in Seoul on Friday. The G20 agreed to set "indicative guidelines" for measuring global imbalances and hammer out the details next year.



## Duo trapped in a web of deceit

By AI YANG  
CHINA DAILY

BEIJING — On Thursday, Xian Hongwei was allowed to see his wife for the third time in the past three months, while his fellow inmate Li Li could only look at the photos of his three-month-old baby girl, sent to their Hungarian jail from his wife in China.

"I can't imagine what my family has to go through. As Chinese citizens we didn't break any Chinese laws, but I know if we are extradited to the United States the case is going to last a very long time if we do not plead guilty," Xian told China Daily through his wife.

Xian and Li's wives talked to China Daily exclusively both in Beijing and Budapest, and told the paper how a business proposal nearly two years ago landed the two 32-year-olds in jail, awaiting extradition to the United States on charges of breaking defense-related US laws.

## Awaiting trial

The two Chinese men were employees of a Japanese and a Singaporean company, respectively, in the low-carbon and mobile phone industries.

Their names first became widely known when a story in the Beijing-based newspaper Legal Daily in October reported how they had been "set up" by an undercover US agent, who worked with them for 16 months posing as a business partner, and offered them "alternative methods" to export products from the US to China.

The men headed to Hungary on Sept 1 as instructed by the agent, but were seized by Hungarian police before clearing customs at Budapest Airport and were tried within 24 hours.

Their immediate requests to contact the Chinese embassy were reportedly turned down until the authorities in Hungary, which has an extradition treaty with the US, told the men they were to be sent to the latter for a further trial.

Xian and Li face the possibility of a maximum of 15 years in jail and a \$1 million fine once they are extradited to the US. The arrest warrant issued by the US government in June as the men started applying for Hungarian visas, claimed that they violated the International Traffic in Arms Regulation (ITAR) and Arms Export Control Acts — two domestic laws in the US.

With their further appeal denied, Xian and Li have now applied for political asylum in Hungary to prevent their deportation to the US. Their stay in Hungary will last until the asylum application process ends.

According to Xian's wife, Chinese Ambassador to Hungary Gao Jian met Hungarian Minister of Justice Tibor Navracsics to discuss the case, but Navracsics had already signed the extradition document for the men.

## Business proposal

In December 2008, Xian

learnt from his cousin who works in the integrated circuit industry, about the market demand for a type of programmable read-only memory (PROM), and found the specific microchip on the website of BAE Systems, a global defense, security and aerospace company.

According to e-mail records provided to China Daily, brief communications between the men and Timothy Scott, then national sales manager of BAE, stopped after they were told their desired product is ITAR controlled and requires an export license. Four months later however, in March 2009, Xian and Li were contacted again by Scott, who introduced them to BAE's "newest distributor" in Asia, Harbor Trade International (HTI).

In the e-mail Scott directed them to Malcolm Lee, the undercover US agent, as the men would later learn in the Hungarian court more than a year later. Scott could not be reached for comment as BAE told China Daily he stopped working for the company "recently". The company also said HTI is not its partner.

Once Lee was in touch with the men, the agent quickly told them their wish to have the microchips shipped to Beijing was not feasible and offered "alternative ways".

Xian and Li's doubts were cleared by Scott who told them all discussions must be conducted "directly" with HTI.

From then until August, the men fulfilled Lee's various business demands including a face-to-face meeting in Indonesia, with the venue handpicked by the agent.

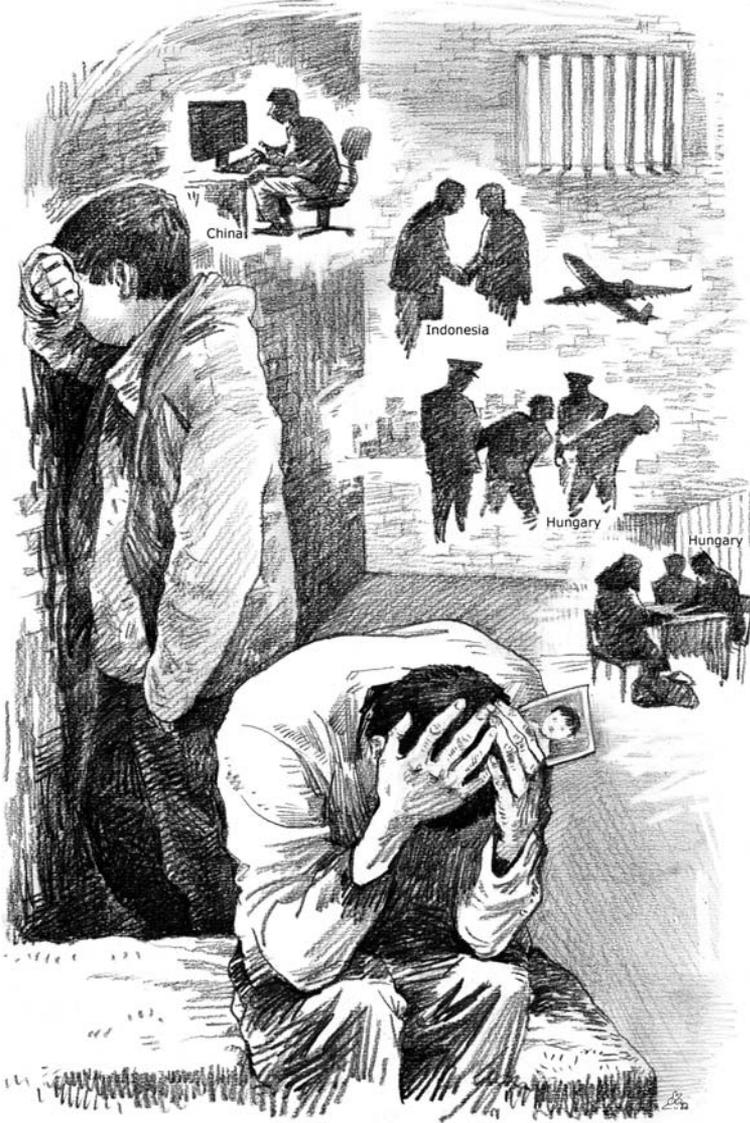
Having no actual company, Xian and Li called themselves "president" and "vice-president" on their business cards and in March, met Lee for the first and only time in Indonesia, where they were told the items in demand had been manufactured and asked for further payment.

Soon after Xian and Li's arrest and trial, their families sent a letter to Hungarian Minister of Justice Navracsics. Attached to the letter was the case analysis from Huang Feng, a leading international criminal law professor at Beijing Normal University.

The minute of the court hearing showed that the judge refused to let the men contact the Chinese embassy when they were asked whether to give consent to extradition. The minute recorded Li as saying "I do not yet know the opinion of the embassy so I do not know where to go." Translations of key legal terms were made from Hungarian into English rather than their native Chinese, causing serious misunderstandings.

The minute showed "significant legal defects," and "seriously violated the procedure," Huang said. Furthermore, Huang said Xian and Li's activities with the undercover agent all happened in China and Indonesia.

"Without checking whether



## FAMILIES BEAR HUGE BURDEN

BEIJING — Assuming they would return home in two days, Xian Hongwei and Li Li, waved goodbye to their wives on Sept 1 before boarding a plane for Budapest. This Saturday marks their 71st day in a Hungarian jail.

Li's wife, also mother of their three-month-old daughter, told China Daily her husband keeps apologizing over and over again to her for putting the family into trouble.

"I've sent him a few photos of the baby, and he's put them on the wall near his bed. He told me he kisses them every morning."

er the activity of the accused is punishable in accordance with the law of the place of perpetration, there are no grounds for the court to declare that their activity is an extraditable offense," Huang wrote in the letter.

"In fact the US has also violated Chinese law," Huang said. According to article 263 of China's Civil Procedure Law, without the consent of Chinese authorities, no foreign organization or individual is allowed to make investigations and col-

lect evidence in China. "But by making frequent phone calls to and e-mailing the accused, the agent's activities have already extended to Chinese territory," Huang said.

But Mo Shijian, dean of School of International Law at China University of Political Science and Law, told China Daily it is very likely the extradition will be carried out.

"Xian and Li should have refused to speak at all until consular aid was provided. However in their dealings

our families can still go through this," Xian told China Daily through his wife.

Xian's wife said now she avoids phone calls home, and prefers to send text messages. "I dare not call my family. I'm afraid I'll break down," she said.

The case has cost the two families 500,000 yuan (\$75,300) so far, and they fear they can no longer afford the battle if they are extradited to the US. In Hungary, Xian's wife has also sent dozens of letters to various institutions in Europe. None have offered any further assistance.

with the agent, not knowing what's illegal will not protect them from conviction," Mo added.

The Chinese embassies in Hungary and the US told China Daily they are watching the case "closely," and the former has already given assistance in the matter. The US embassies in Hungary and China acknowledged the case but did not make further comments.

Yu Yang and Wang Di contributed to this story.

## Experts mull green challenge

Forum hears calls for joint global action on environment

By LI XING  
CHINA DAILY

TANGIER, Morocco — Concrete action along with setting realistic goals and the rethinking of shared but differentiated responsibilities are ways to push forward progress in the coming climate change negotiations in Cancun, Mexico, experts said.

"The energy revolution is a key issue for the world's security as well as for employment," Rajendra Kumar Pachauri, chair of the Intergovernmental Panel on Climate Change, said on Thursday at the plenary session on climate challenges, energy revolution and sustainable development at 2010 MEDays in Morocco's northern coastal city.

Climate change is one of the focal issues of the three-day forum, which opened on Thursday, organized by Moroccan think tank Institute Amadeus.

The event, which was launched in 2008, has become a platform for government officials, scholars, journalists and development experts from around the world to engage in brainstorming sessions on development.

There are still 1.6 billion people with little access to energy in the world, Pachauri said, but the sheer number also provides opportunities for entrepreneurs to apply solar and other renewable energies.

However, multinationals dictated to developed countries when they were devising their policies, he said.

As a result, the proposed renewable technologies from developed countries are very costly for developing countries to adopt.

"I certainly commend China for what it has done in its actions to improve energy efficiency and fight greenhouse gas effects," Pachauri said in response to a question asking him to comment on China, one of the biggest greenhouse gas emitters in the world.

He also noted China's promise to cut the intensity of its greenhouse gas emissions during the Copenhagen Climate Summit.

In the past five years, China has dismantled polluting and energy-guzzling power plants whose capacity of 70 million kW equaled the total power generation capacity of the United Kingdom, Cheng Tao, vice-president of the Chinese People's Institute of Foreign Affairs and former China's ambassador to Morocco, said in his speech, citing a series of figures to highlight China's effort to promote green development.

China recognizes that miti-

gating climate change is a matter of survival for humanity, Cheng said, but China does not make empty promises.

It is imperative for the world to take concrete and concerted action and promote international cooperation, Cheng said, especially urging developed countries to contribute to such cooperation.

"Every man for himself and God will punish us all," Cheng said, adapting the French proverb "Every man for himself and God is for us all".

Etienne Massard, presidential advisor and director-general of the Environment and Climate Focal Point of the Ministry of Environment of Gabon, pointed out that Africa has been sidelined in the world's development drive.

Africa is always relegated to "survival with no disturbance" and African countries, especially Gabon and other central African countries, are also required to preserve their tropical forest to prevent climate change from intensifying, he said.

Now that the world is undergoing an energy revolution, "Africa must not remain on the sidelines of this change," Massard said.

"African countries must not stand still; they must prepare for green technology like China and India," he said. "We want to be living in dignity not survival."

"We must do it for ourselves, so our children can not blame us for doing nothing," Massard said.

## Cancun talks

As to the coming Cancun climate talks, Cheng from China said the world requires a strong political will with the setting of realistic goals through compromises to end the stalemate in climate negotiations.

One way is to re-evaluate common but differentiated responsibilities and calculate per capita greenhouse gas emissions, Bruno Rebelle, general-director of France-based Synergie and former director for development of Greenpeace International, said during the side panel From Copenhagen to Cancun: How to bring together various national initiatives to avoid a second missed opportunity.

Measuring greenhouse gas emissions by individual countries will not contribute to a strong enough framework for global action, Rebelle told China Daily on the sideline of the forum.

China and the United States are both big emitters, he said, but if we look at per capita emissions, "there is a huge difference between China and the US".

The eco footprint of the average Chinese is only one fourth of that of the Americans.

"I am not saying doesn't have responsibilities, but Why should we place all the burden on the Chinese," he said.



Participants on Thursday listen to Cheng Tao from China elaborate on China's actions in green development during the 2010 MEDays, a three-day forum for co-development, held in Tangier of Morocco.

LI XING / CHINA DAILY