



ELECTION OBSERVATION REPORT

**Hainan Province
People's Republic of China**

November 2001

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MISSION STATEMENT

From November 29-30, 2001, a delegation from the International Republican Institute (IRI) traveled to the island of Hainan, China's southernmost province, to observe village committee elections in Toupu and Cangdong Villages near the provincial capital of Haikou in Chengxi County. The delegation observed a primary election in Toupu and a general election in Cangdong.

The delegation was led by IRI Vice President for Strategic Planning *Georges Fauriol* and consisted of Asia Division Director *Elizabeth Dugan*, China Program Officer *Christine Beasley* and Assistant China Program Officer *Jennifer Eikren*.

This election observation mission marked the first time IRI representatives witnessed village committee elections in Hainan Province. IRI intends for the findings of the mission to serve as a basis for comparison from which progress on future elections in Hainan can be measured. Beyond recording general observations, this report includes specific recommendations, which the delegation members believe might improve the administration and conduct of village committee elections in Hainan.

Suggestions and recommendations contained in this report are based upon IRI's previous election observations in China and take into account those election practices and procedures utilized successfully elsewhere in China. In 1994, IRI became the first international organization to observe village committee elections in Fujian Province, China.¹ Since then, IRI has observed elections in Anhui, Gansu, Hebei, Jilin, Shanxi², Sichuan,³ and Yunnan provinces.

¹ See "People's Republic of China: Election Observation Report, May 15-31, 1994," "Village Committee Election in the People's Republic of China, January 1997," and "Election Observation Report, Fujian Province, People's Republic of China, October 2000," International Republican Institute.

² See "Election Observation Report: Shanxi, People's Republic of China," International Republican Institute, October 2000, for a detailed account of elections in Shanxi Province.

³ See "Election Observation Report: Sichuan, People's Republic of China", International Republican Institute, November 1998, for a detailed account of elections in Sichuan Province.

INTRODUCTION

Known as the “Hawaii of China,” the tropical island of Hainan has 1,580 miles of coastline, is located 18 miles off Guangdong’s Leizhou Peninsula and is separated from the mainland by the Qiongzhou Strait. Hainan has two provincial administrative prefectures, Haikou, the capital, and Sanya, the province’s second largest city. Formerly part of Guangdong Province, Hainan was granted provincial status and designated a special economic zone in 1988.

Hainan has a total population on 7.9 million, of which the majority (84.1 percent) are of Han Chinese ethnicity. Li, Miao, Hui and other minority nationalities comprise the remainder of the island’s population. Though two thirds of the island’s terrain is mountainous, agriculture has been and remains one of the primary economic activities. Approximately three fourths of Hainan’s residents live in rural areas and make their living from agricultural pursuits such as natural rubber gathering, fishing, the cultivation of coffee, rice, sugar, tobacco, tropical fruits and flowers and marine aquiculture.

Despite the island’s rich resources, Hainan has met with economic adversity and decline in recent years as the central government’s investment policies and the lasting effects of the Asian Financial Crisis of the late 1990s have taken their toll. After a flurry of real estate speculation in the mid-1990s, parts of the capital city of Haikou are now marked by abandoned and half-finished buildings and have an almost ghost town-like feel that visitors quickly notice. As interest from foreign and domestic investors in the free trade zone has failed to live up to early expectations, there has been a gradual economic reorientation towards commercial agriculture and tourism.

When IRI representatives arrived in Hainan the province was nearing the end of its third round of village committee⁴ elections, which were set for completion by the end of December. At the time of IRI’s visit, 95 percent of villages had finished voter registration and had convened village assemblies⁵ to review voting procedures. Out of a total of 16 counties in the province, three had completed elections. In those three counties citizen participation was around 90 percent. Of the villages that had concluded elections, 67 percent of village committee members were reelected, while 33 percent were new.

Hainan election officials noted the changing composition of the province’s village committees, with the average age of individuals elected now 11 years younger than in the two previous

⁴ The village committee is the executive branch of government at the local level. However, it is not a formal level of the Chinese government hierarchy. There are three to seven members on most committees, usually presided over by a chairman, vice chairman(men), and member(s). According to Chinese law, members of the village committee must be chosen by direct elections.

⁵ The village assembly consists of the entire voting-age population of a village. Under the law, it is the highest decision-making body in the village and must be convened by the village committee to debate and decide upon major issues of village policy.

rounds of elections and with a greater number of university graduates and farmers assuming village leadership positions. Women reportedly held at least one seat on 94.6 percent of village committees.

In Hainan, individuals elected to the village committee serve terms of three years, with no term limits. The village committee is generally charged with making broad economic decisions, handling public affairs and public welfare, ensuring village security, acting as a liaison between villagers and official government organs, enhancing the level of cultural and technical knowledge within the village, promoting good relations between villages, enforcing family planning regulations, determining land use issues and publicizing village business.

The IRI delegation witnessed two village elections in Hainan. The first was a primary election in the village of Toupu. Located about 20 miles from Haikou among expansive barley and soybean fields, Toupu is a village of just under 600 residents and 145 households. Thirteen of Toupu's residents are members of the Communist Party, and the village Party committee consists of three people. Toupu had recently constructed a new central village square, which contrasted sharply with the older part of the village and gave the whole village the appearance of prosperity and well-being. Agriculture appeared to be the primary source of income in Toupu. Villagers reported that their standard of living was average to high when compared to the rest of the province, as the average per capita income was 4,190 *yuan* (about US\$510) in 2000, and almost every home had running water and electricity. Generally speaking, the villagers' perception of their relatively comfortable standard of living was accurate, as the average per capita income for rural Hainan in 1999 was around 2,300 *yuan* and for rural China, around 2,200 *yuan*. The village did not have any ethnic minority residents. Villagers also indicated that many of the village's young people had left the village in search of more lucrative urban jobs, a demographic shift that was reflected in the large proportion of elderly individuals voting in the primary.

Toupu held an open primary, known as a *hai xuan* or "sea choice" election. Toupu's incumbent Village Committee Chairman Mr. Su Xiangji, also head of the village's Party committee, had served in the position since the village's first election in 1995. Based on his success in the primary election, the IRI delegation was not surprised to find that he won the general election a week later. In Toupu, 306 of the 348 eligible voters participated in the primary, a voter turnout rate of 88 percent. Election officials told IRI that eligible voters who did not vote were absent for a number of reasons -- some were working or attending school elsewhere in the country, some were serving in the military and one was serving time in prison.

Cangdong Village served as the site for the IRI delegation's second election observation, a general election to select a three-person village committee. In terms of demographics, Cangdong shares a great deal in common with Toupu. Cangdong's village committee had also overseen the construction of a new village square, which helped to make the village look quite affluent. Plans were under way to demolish older sections of the village, where the traditional-style buildings, no longer inhabited, lacked all modern conveniences and appeared to be on the verge of collapse.

Cangdong has a population of only 373 residents, with 90 households, and is about 30 miles from Haikou. Although it is a significantly smaller village than Toupu, there are five people on the village Party committee and a total of nine Party members resident in the village. The village economy is still based heavily on agriculture, and hog raising, sapling and sugar cane cultivation are the primary economic activities. Cangdong's standard of living is comparable to that of Toupu, with the average per capita income at 3,862 *yuan* (about US\$470) in 2000. The village did not have any notable ethnic minority presence.

Cangdong held its general election for the positions of village committee chairperson, vice chair and member on November 30, 2001. The village had held its primary sea choice election a week prior to the general election to determine two candidates for each position. All of the candidates nominated were male, and the incumbent chairman and the vice chairman were nominated for a third term. Only the incumbent chairman, Mr. Zhou Dingzhong, also head of the village Party branch, was elected to a third term, but he won with only with 57 percent of the vote. The new vice chairman, however, a locally successful businessman named Huang Yunda, defeated the incumbent by earning 88.8 percent of the vote. For the position of member, 25-year-old Zhou Haifeng earned the post with just 53 percent of the vote. Cangdong posted an even higher turnout rate than Toupu at 97 percent, with 250 of 257 registered voters taking part in the general election.

The IRI delegation found the elections in the two village elections it observed to be among the best organized it has witnessed over the past decade of observation missions.

BACKGROUND

Regulations and Guidelines

The laws and regulations governing the third round of elections in Hainan province include:

- *PRC Village Committee Organization Law* passed by the National People's Congress in November 1998 [Attachment 1];
- *Hainan Province Village Committee Election Measures*, adopted at the Twentieth Session of the Standing Committee of the Second Hainan Provincial People's Congress on May 31, 2001 [Attachment 2]; and
- *Hainan Province Method for Implementation of "People's Republic of China Village Committee Organic Law,"* adopted January 11, 2001 at the Eighteenth Session of the Standing Committee of the Second Hainan Provincial People's Congress [Attachment 3].

Hainan's Village Committee Election Measures require that village committee elections be decided according to the regulations found in the "People's Republic of China Village Committee Organic Law" and the "Hainan Province Measures to Implement the 'People's Republic of China Village Committee Organic Law.'" The provincial village election regulations also delegate authority to conduct and guide election work to several lower levels of government including cities, counties, autonomous counties, municipal districts, townships, nationality townships and town governments. Each of these levels of government separately establishes small groups for election work guidance, encompassing duties like publicizing election laws, election worker training, determining the election day, designing ballots, distributing proxy voting certificates, producing election reports and handling appeals.

Provincial regulations in Hainan address the ways in which a number of potentially contentious election issues are to be resolved, including the recall of incompetent leaders, violations of election laws and election fraud, although the regulations could be more specific on all of these matters. Also left unresolved by the Hainan provincial regulations and by all other Chinese provincial election regulations is the exact division of responsibilities and authority among a number of different political bodies at the village level, including the popularly elected village committee, the indirectly chosen village representative assembly⁶ and the appointed village Communist Party branch. Multiple levels of overlapping bureaucracy may undermine elected leadership at the village level, and the lack of clarity over the division of powers has led to many problems and conflicts elsewhere in China, although it's not clear that this has occurred in Hainan.

⁶ The village representative assembly, not to be confused with the village assembly, provides policy guidance to the village committee on issues such as infrastructure and agriculture development. It usually consists of 20 to 60 village elders who meet several times a year to establish village priorities and to hear reports from the chairperson of the village committee.

At the village level, election commissions in both Toupu and Cangdong published their own election implementation guidelines that allow for some flexibility in implementing provincial regulations by adding that elections should be carried out with an eye to the actual conditions and realities of the village. Judging from translations performed by IRI staff, it is clear that both villages devoted considerable effort to clarifying and publicizing election regulations and procedures and to ensuring that voters knew what to expect on election day. Toupu and Cangdong both started the election process about two months prior to the primary election and published detailed schedules to guide their election work [Attachment 4].

The Village Election Commission⁷

The Hainan Province Village Committee Election Measures stipulate that village election commissions should have between five and nine members. Toupu's was composed of nine members and Cangdong's included seven. Regulations in Toupu and Cangdong state that there should be at least one woman on the Village Election Commission. As stipulated under Hainan provincial regulations and both villages' guidelines, the village representative assembly must select the village election commission. Toupu's was composed of one chairperson, two vice chairpersons and six members, and Cangdong's had one chairperson, two vice-chairpersons and four members.

A village election commission member in Hainan is required to forfeit his or her seat on the commission upon becoming a candidate in the village committee election. In Toupu, three candidates who competed in the general election were also initial members of the election commission. Mr. Su Xiangji who was eventually victorious as chairman of the village committee was also the original chairman of the election commission. Ms. Chen Zhuannan and Mr. Chen Fuming both served as vice chairman of the election commission, and both were formal candidates in the final election. According to provincial election regulations, after success in the *hai xuan* primary election, all three of these formal candidates should have been compelled to resign from the election commission.

Election commission materials printed after the primary race reveal that Cangdong did follow this regulation. Only one member of the election commission was selected as a formal candidate in the primary election – Mr. Wu Kunbao, who as vice chair of the election commission, gave up his seat upon becoming a nominee for the position of village committee member. In a November 23, 2001 announcement to villagers, the election commission publicized Mr. Wu Kunbao's resignation from the vice chair post.

⁷ The village election commission, which is appointed by the village assembly under the supervision of the incumbent village committee, usually has three to seven members, including a chairman and vice chairman(men). The commission is responsible for overseeing the planning for and execution of village committee elections, and is disbanded as soon as election work is completed. In Hainan, an individual cannot be a member of the election commission and a candidate for office.

Election commissions in both villages were given the following responsibilities: 1.) publicizing the election; 2.) selecting and training election workers; 3.) determining and announcing the day of the election, the voting time and place; 4.) carrying out voter registration and proxy voting procedure; convening the mass election meeting; 5.) publicizing and introducing candidates; 6.) acting as liaison with higher authorities and transmitting interim and final election results; 7.) summarizing and organizing election materials. Both village election commissions were also tasked with convening meetings to determine ballot design and selecting various categories of election workers such as ballot scrutinizers, ballot counters, scribes, and supervisory personnel for the secret voting booths and mobile ballot boxes.

Publicity work was one of the primary responsibilities of the village election commission in both villages. In Candong during the two months prior to the general election, the village election commission published and posted seven election announcements. Other forms of publicity work in Toupu and Cangdong included signs, banners, broadcasts, announcements at cultural events and an open letter to villagers [Attachment 5].

Voter Registration

The village election commissions in Toupu and Cangdong authorized voter registration as stipulated under the Hainan Provincial Election Measures. If an individual is a member of a household in the village where an election is taking place, he or she has the right to vote in that village. If an individual is not a native of the village, but has resided there for more than a year, has fulfilled resident obligations and is deemed to be in good standing with the government, then he or she can make a request to the village election commission to vote in the village election.

A voter who resides outside his or her home village for more than a year and does not either make special arrangements to return home to vote or establish a proxy voter is not eligible to vote. The legal age for voting is 18, which is established according to the resident identification card. In the event that this document is not available, age is determined by the village record of household registration. Toupu and Cangdong's rules governing voter registration closely follow the provincial guidelines.

In Hainan, as in many other Chinese provinces, the regulations governing voter registration can play a crucial role in the outcome of an election. Population mobility has increased dramatically in China in recent years, and many villages like Cangdong and Toupu that are located near major cities are attracting migrants from more remote villages. Drawn by the pull of employment in cities and the availability of inexpensive housing in suburban villages, these migrants frequently change the social structure of their new villages but remain excluded from political participation in village affairs because they are not official village residents. Even more common are young village residents from places like Cangdong and Toupu who move to major cities elsewhere in China and risk losing the right to vote. This migration of the young to cities also changes the age

demographics of village voting populations, which could also have an impact on election results. In Toupu, several villagers reported that young people had left the village to find work in urban centers, and this seemed to be reflected in the numerous elderly, often illiterate or disabled voters who made their way up to the election podium with some difficulty and required the assistance of scribes and other election workers.

Voter registration must be completed and a list of all voters posted at least 20 days prior to the election. Any objections to the list may be voiced up to five days before the election. Toupu, began voter registration on November 11, about three weeks before its general election on December 5, 2001, and Cangdong's voter registration began on October 29, a month prior to the general election. Cangdong's and Toupu's regulations required the election commission to post the list of registrants on three separate days during the registration period, giving citizens an opportunity to comment on and voice objections to the list.

Candidate Nomination

The Hainan Province Village Committee Election Measures state that, "In general candidates should be nominated for election to the Village Committee. If the majority of villagers agree, candidates will not be nominated." A *hai xuan*, or "sea choice" election was employed by each village as a means for nominating candidates. This is a voting method whereby voters receive blank ballots and are allowed to write in one name for each position to be elected. The top vote getters for each position become formal candidates in the general election.

As outlined in the Hainan regulations, the number of candidates for the Village Committee Chairman and Vice Chairman should each be one more than the number to be elected, and the number of candidates for Village Committee Chairman and Vice Chairman should be one-third to two-fifths more than the number of people to be elected. One noteworthy characteristic of the nomination process in Hainan and many other Chinese provinces is drop-down voting; a process in which a candidate who is nominated for a higher position and does not receive enough votes to secure a nomination for that position can add those votes to any he may have received for a lower position on the Village Committee.

The nomination regulations also require that an "appropriate" number of women and minority nationality groups be nominated, although they do not stipulate a specific number that is deemed appropriate. Neither Toupu nor Cangdong had any residents who were members of a minority nationality, and only one woman, Ms. Chen Zhuannan of Toupu, was able to earn enough votes to win a nomination in the primary and move on to the general election as a candidate for the position of member. (Ms. Chen was an incumbent member of Toupu's Village Committee, but she did not retain her seat in the general election.)

Article 17 states that the village election commission must post the nominated candidate list in order of the number of votes received along with each candidate's biographical information at least five days before the election. If a candidate decides not to run for a particular post, he or she must withdraw from the race at least three days before the election, and the individual who was next in line with the greatest number of votes becomes a candidate on the general election ballot.

Observations of Toupu's direct nomination process provided insight into Hainan's nominations procedures. The primary preparation period comprised the village's third stage of election work, and took place from November 24 - 29, 2001. The Toupu election work guidelines set forth basic qualities that a desirable candidate should have, including compliance with the law, honesty, impartiality, a democratic work style, ties with the masses, and a willingness to warmly serve villagers, work responsibly and capably in handling affairs and be enterprising towards economic and general village development.

The IRI delegation observed Toupu's primary election to nominate candidates to a three-person village committee on November 29, 2001. The incumbent, Su Xiangji, received the greatest number of votes, totaling 150, and the second place nominee, Feng Xiaosi, only garnered 32 votes (see page 67). A third nominee, Chen Longqing, earned 30 votes, which was not enough to allow him to secure a spot as a formal candidate. Altogether, there were 20 nominees for the chair position. There were a total of 39 candidates nominated for the vice chair position, for which the race was more even, with the top candidate Chen Shihong, earning 53 votes and the second place candidate, Chen Fuming, receiving 48 votes. The race for member yielded 45 nominees, a race which also had closer results. Female candidate Chen Zhuannan obtained 51 votes, and Chen Fuming, who was also nominated to the position of vice chairperson, earned 50 votes to become a formal nominee for the position of member.

The village election commission in Toupu uses the drop-down method for counting votes. Through using this method, if a candidate for the chairman's position does not receive enough votes to win that position, his votes for chairman can be added to any votes he may receive for the position of vice chair. Should he also fail to win that race, his total votes would be added to any votes he may have received for the member position. In Toupu, both of the eventual winners of the general election for the positions of vice chairperson and member, Mr. Chen Shihong and Mr. Chen Fuming, respectively, benefited from the drop-down method of counting. Both candidates were able to add the extra votes needed, which they received by earning votes in the chairperson or vice chairperson races, to secure the nomination in their respective lower positions. Specifically, Chen Shihong received seven votes from the race for chairperson to add to the 46 he gained in the vice chair race for a total of 53 votes; Chen Fuming was able to add 19 votes in the race for chairperson to the 29 he earned in the vice chair race for a total of 48 votes. He was then able to add enough votes to also secure a nomination in the race for member, with a reported total of 50, gaining the second most votes in that primary. Toupu was to publicly announce the list of candidates and post their brief resumes the day after the primary, on November 30, 2001.

Election Day

Toupu's primary and Cangdong's general election followed the same basic sequence of events. The atmosphere in both villages on election day was formal yet festive and both elections were structured as "election mass meetings" in which the entire voting population gathers in the central village square for the duration of the election. Election commission officials were seated on an elevated stage decorated with colored streamers, flags and banners in front of the assembled voters. Just below the stage, election workers were seated at tables to check voter registration certificates and proxy voter cards. The ballot box was about four and a half by two feet in size, painted a brilliant red and was placed directly in front of the registration table. Two more tables on either side of the registration table were reserved for election workers charged with helping illiterate and handicapped villagers to record their votes. To the right and left of these tables sat a set of four secret voting booths on each side, constructed of plywood with open fronts, each supplied with a pencil. A large blackboard describing the step-by-step process of voting stood near the platform in both villages.

Both elections began around 9:00 am with a welcoming speech by the chairman of the village's election commission. Just after the call to assemble, the village chair introduced the other primary members of the election commission. Following introductions, the head of the commission reviewed the election procedure and asked if there were any questions. If voters had questions in either village, they did not ask them. The chair of the election commission then introduced election workers and asked for a show of hands to assess if voters had any objections to any of them. Nobody raised grievances in either village. Next, candidates were given the opportunity to make campaign speeches prior to the vote in Cangdong, but all candidates declined the chance to promote their platforms.

After clarifying the rules and procedures, election workers were called forward to open the ballot box, demonstrating that it was empty prior to the start of the vote. Once this was done, voting began. Election workers voted first, followed by the rest of the villagers. In both villages, the procedure for voting represented a first for IRI election observations – voters were called in small groups to participate in the voting process. Based on the information relayed to IRI representatives, there was no particular order to the way in which voters were called to the podium. Voters did not know when their names would be called by the announcing election worker, and therefore had to be present and alert throughout the two hours of the election process. IRI representatives recognized that the process, though promoting organization and possibly voter attendance, unnecessarily placed restrictions on the time voters could approach the election platform, which ultimately may have impeded their ability and willingness to vote. During the primary election in Toupu, voters were free to write in the names of the candidates of their choice for each position on the committee. In the general election in Cangdong, voters were asked to choose between two candidates for each position who had been nominated in a sea election the week before. Voters were asked to mark an "O" next to the name of the candidates of their choice. In other villages in which IRI has observed elections, voters are frequently asked

not only to place an “O” next to the name of the candidate they wish to vote for, but also to place an “X” next to the name of the candidate they wish to vote against. This overly complicated and sometimes confusing system of negative voting frequently results in ballots that are marked incorrectly and either must be wholly or partially discarded or fail to reflect the true wishes of the voter. IRI was encouraged to see that Cangdong did not utilize this method in its general election.

Illiterate or handicapped voters could rely on the help of a writing aide at one of two tables on either side of the balloting station. In both Toupu and Cangdong, many elderly voters used the service of these vote recorders. Based on the conduct observed by IRI delegates, these stations did not appear to compromise the voters’ wishes or the integrity of the election. The writing aides listened attentively and respectfully and accurately recorded the directions of the voters. With the exception of those requiring assistance in recording their votes, everyone used the secret voting booths.

Hainan election measures allow villages to use a roving ballot box to obtain the votes of those who are ill, elderly or handicapped and thus unable to travel to the voting area. No fewer than three election workers must accompany each roving box. Elsewhere in China, the use of roving ballot boxes has been poorly regulated and there have been a number of instances of abuse of this system, including cases where the seals were removed from boxes and ballots were altered by election workers. To combat this, the Ministry of Civil Affairs has strongly encouraged that villages publicly post the criteria to qualify for receiving a roving ballot box, and that the criteria be extremely strict to accommodate the needs of those genuinely unable to come to the voting grounds while minimizing the opportunity for fraud and abuse. Neither Toupu nor Cangdong used the roving ballot box in the November elections. Instead, both villages instituted a comprehensive system for proxy voting outlined in the Hainan election measures and further clarified in each village’s own voting regulations. Twenty-nine proxy votes were recorded in Cangdong Village, and proxy voters were required to produce certificates from their friends or relatives who for various reasons were not present for the election. No proxy votes were recorded in the Toupu primary election.

When the names of all registered voters had been called, an extra half hour was given in each village to allow voters who were absent when their name was called a last chance to cast their ballots. After this extra time had elapsed, election workers opened and emptied the ballots onto a table in Toupu and onto the ground in Cangdong. Election workers established that the number of ballots in the ballot boxes was equal to the number of ballots distributed to voters. In Toupu, six ballots were deemed invalid because they were left blank. In Cangdong, two ballots were discarded because they had been left blank, and four were determined to be partially invalid.

Tallying the vote followed the counting of the ballots. On two blackboards, divided into the three categories of chairperson, vice chairperson and member, placed on the right and left sides at the base of the election podium, one election worker recorded votes as another called out the

results in a process known as *chang piao* or “singing out the ballots” and yet another worker wrote down the ballot information on a separate sheet of paper. It appeared that almost no one left the village square before the counting of the ballots and the announcement of the results was complete.

DELEGATION OBSERVATIONS

Civic Education

Two days prior to the election in Candong, the village election commission organized an evening activity in the village square, which much of the village attended. Movies were shown and a karaoke contest was held. During intermissions at the event, the election commission quizzed villagers about the approaching election, asking questions about election procedure and candidates. Modest prizes were awarded to those voters who were well informed about the coming election. During the period between the primary and general election, candidates' resumes were posted on the village announcement board for the whole village to evaluate.

In Toupu, the village election commission sponsored a variety show the night before the primary election. Song and dance acts were interspersed with election-oriented questions to the audience and exhortations about the importance of political participation. Documents given to IRI which detailed election preparation discussed election publicity work at length and called for the use of posters, flyers, broadcasts and town meetings as methods to disseminate information about candidates, educate villagers and inspire them to vote.

More focus appeared to have been placed on civic education in Hainan than in past provinces observed by IRI. However, this attention to civic education may be due to the fact that Hainan was undergoing its third round of elections and its civic education plan and the proactive publicity actions may have evolved over the last two rounds of elections.

Campaigning

An opportunity for candidates to make campaign speeches was provided at the beginning of the day of the general election in Cangdong, but the candidates declined to do so, citing their nervousness at having to speak in front of an assembly that included an uncommon group of government officials and foreign observers. This adverse and unintended consequence of their presence is an issue that IRI and other international observers will have to consider in future missions, and it suggests that greater attention to training and using local election monitors may have significant advantages.

When asked about if and how each candidate campaigned in the lead-up to elections, a group of villagers in Cangdong reported that they had not seen any effort on any candidate's part to promote him or herself or a particular platform for a position. In Toupu, the situation was similar: Of all the villagers questioned, not one of them had seen or heard of any formal attempts made by potential candidates to garner nominations. The village election commission did post

each candidate's CV on the village announcement board. The lack of campaign activities may be attributable to a number of factors, including cultural prohibitions against behavior deemed to be self-aggrandizing or the perception that in very small villages where everyone knows each other, campaigning is unnecessary and serves no useful purpose. However, conversations with Hainan election officials revealed another possible reason, which is that while national and provincial election regulations do not prohibit campaigning, they do not sanction it either, and there is a good deal of confusion as to what kinds of activities would constitute legitimate election campaigning and which are indicative of efforts to buy votes or otherwise corrupt the election process.

The Vote

The voting process was organized and efficient in both villages. Election workers and voters were well prepared to carry out and participate in the election. While the elections in Toupu and Cangdong were among some of the most well organized elections IRI observers have seen, the calling of villagers by name to the balloting table to receive their ballots may have unnecessarily restricted the voting process for villagers.

China experts occasionally note the resurgence of clan dominance in villages as a possible unintended negative consequence of rural elections. In both Cangdong and Toupu, certain surnames occurred with frequency. In Toupu the most common surnames were Su and Chen and 80 percent of Toupu's residents had one of these two surnames. The incumbent village committee chairman, who was also the party committee chairman, was Su Xiangji, and the two other incumbents were members Chen Fuming and Chen Zhuannan. Of those receiving the greatest number of nominations for all three positions in the primary, the names Su and Chen appeared frequently.

In Cangdong the dominance of certain surnames was not as pronounced. Predominant surnames were Zhuang and Huang, and 40 percent of villagers had one of these two names. The race for chairperson was won by the incumbent, Mr. Zhou Dingzhong, who defeated his challenger, Mr. Zhuang Wenzhong. Mr. Zhang Yunkai and Mr. Huang Yunda faced off for the vice chair position, with Mr. Huang Yunda winning by a wide margin. The names of Zhuang and Huang did not appear in the race for member.

In the absence of more detailed information, and especially given the overwhelming dominance of two surnames in Toupu, it is difficult to say with any degree of certainty whether clan allegiances had a decisive impact on election results in either village.

With respect to protecting the secrecy of marking the ballot itself, both Toupu and Cangdong provided eight well built, private voting booths supplied with writing utensils according to provincial regulations. As far as IRI witnesses could observe, there was no vote tampering, nor

were attempts made by anyone to influence any voter to vote a particular way. All registered voters were able to receive a ballot, take it to a private voting booth and then place it in a sealed ballot box.

Counting Process

The IRI delegation did not find any major problems with the conduct of the counting process. In both the primary and general elections observed, ballots appeared to have been handled according to a strict and clear set of procedures. In Toupu, six ballots were determined to be completely invalid because they were left blank, decreasing the total number of countable votes from 306 to 300. Cangdong officials found four ballots to be partially invalid (meaning that the voter had marked the ballot incorrectly in one category, but not in all) and two ballots to be completely invalid because they were left blank.

Though the counting process was generally effective, it was not as ordered as it could have been. Election workers split the number of total ballots into two piles and then recorded votes on two separate blackboards, which were divided into three separate sections for the three different positions. Once all of the tallying was completed on the two different blackboards, these results were compiled onto a master sheet of paper in order for the complete set of votes to be clear.

This process, where one ballot consisted of a place to vote for all three positions, and which required the separation of the tally for each position to be separated into two different areas, was unnecessarily time-consuming and cumbersome. Instead, IRI suggests that voters use three blackboards and three separate ballots for each position. Votes can then be separated based on each position and tallied at the appropriate blackboard.

Results

Toupu held its general election on December 5, 2001. A total of 342 of 348 registered voters participated in the vote. Interestingly, only the position of chairperson was determined. The incumbent Mr. Su Xiangji, a 45-year-old high school graduate and head of the village Party committee won the election, receiving a total of 198 votes, approximately 58 percent. The other two positions, those of vice chairperson and member, required a follow-up election, as the election did not yield a majority in either race. Toupu held the follow-up election two days later on December 7. Of the 348 registered voters, 346 voted in the race, but only 335 votes were valid, as there were two abstentions and seven invalid ballots. The victorious vice chair and member were Chen Shihong and Chen Fuming, respectively.

In Cangdong's general election, the incumbent, Mr. Zhou Dingzhong, a man in his mid-forties, won with 57 percent of the vote. Of the 257 registered voters, 227 people were present to vote,

and 29 individuals voted through a proxy, totaling 256 votes cast. Among the ballots collected, four were deemed partially valid, and two were completely invalid. The winner of the race for vice chair, the challenger Mr. Huang Yunda, a successful entrepreneur, beat the incumbent by a wide margin of 199 to 19 votes. In the race for member, there were no incumbents, and the race was close as the victor, a man of only 25 years of age named Zhou Haifeng, won with only 53 percent of the vote.

In interviews with villagers, many mentioned satisfaction with the incumbents, as each had successfully brought new economic initiatives to the village. In Cangdong, these new economic opportunities included hog farming, improved fishing techniques, the cultivation of saplings, sugar cane and rubber and other new products. Both villages exhibited a fairly high degree of economic development. Since the last round of elections, Toupu and Cangdong had both built new town centers, and both elections took place in the newer, modern part of the village. Toupu's per capita income was 4,190 *yuan* per year and Cangdong's was 3,862 *yuan*, both of which are about 1,500 *yuan* higher than the average for Hainan at around 2,300 *yuan* and for China as a whole, around 2,200 *yuan* in 1999. With this perceived and real prosperity it seemed that there was an incumbent advantage for the village chair position.

Party membership could have influenced the vote as well. In both villages incumbent chairmen had served as the chair of the village Party committee for several years. Voters may have seen this as a valuable asset to the village in securing Party benefits. However, it is not known when the incumbents first became members of the Party, and it is possible that this occurred after they were elected to the position of village committee chairman. The Party may be making an effort to legitimize its role in village affairs by actively recruiting for membership those villagers perceived to have leadership abilities who have been popularly elected to village committee positions by their peers.

Villagers in Toupu and Cangdong may have been seeking stability and proven leadership in choosing a chairperson in the third round of village elections. Yet, with respect to lower levels of the village committee, villagers appeared more willing to seek out new leaders. In Cangdong, the vice chair and member had not held office on past village committees. The new vice chair-elect defeated the incumbent by a substantial margin. In the race for the member seat, an incumbent was not even nominated. Of the two candidates running for the post of member, a 28-year-old entrepreneur defeated his 45-year-old opponent by a considerable margin.

In assessing the official report of Toupu's primary elections, a post-election document indicates that 306 individuals cast ballots, six of which were invalid. The IRI delegation observed that the number of total votes cast in each race fell far short of the 300 votes, or 294 votes discounting the number of partially valid ballots, that each race should have totaled. A count of the number of votes cast for all of the nominees, both formal and informal yielded 283 votes for chairperson, 289 votes for vice chair and 277 votes for member. Similarly, in Cangdong, the number of votes received by each challenger was not reported, nor was the number of votes cast for write-in

candidates. The official summary of election results only reported the winner's vote totals. For individuals interested in learning about the specific results of the race in Cangdong, information was limited.

RECOMMENDATIONS

Issue 1: Maintain and Utilize Voter Registration Lists

In its primary election, the Toupu election commission did not maintain a formal voter registration list. Voters were called to vote, but their names were not checked against a master registration list when they received their ballots. In future elections, Toupu's election commission should establish a comprehensive list of registered voters against which voter identification documents can be checked when ballots are distributed.

While Toupu maintained an attendance list at the primary election, there was not evidence of a master registration list. When voters presented their registration certificates at the balloting table, election workers did not have a clear way to check these certificates against a formal list. A lack of such a list undermines the integrity of the election, as it makes it difficult to officially track the villagers who have and have not voted. In addition, in the eyes of the villagers, an omission of a master list could undermine their perception of the importance of voter registration certificates.

Issue 2: Abolish “Drop Down” Elections

Villagers should be afforded an opportunity to both nominate and vote for all candidates who stand in the final election. The “drop down” method of voting should be prohibited, and candidates should only appear on the ballot for positions for which they have been directly nominated.

The delegation recommends that the “drop down” method of voting, as carried out in both villages' primary elections, be abolished to ensure that all candidates are treated equally. “Drop down” elections give candidates who fail to be elected chairman or vice-chairman an unfair advantage in the race for vice-chairman and committee member, respectively. Contrary to the argument that drop-down voting ensures that the best people will eventually end up with a position on the committee even if they lose a race for a top leadership position, such a system also deprives talented candidates for membership of the positions they deserve in order to accommodate less capable candidates who have failed to be elected to higher offices.

Issue 3: Allow voters to vote freely within an allotted time frame, and put an end to calling out voters' names to approach the election area.

Both villages in Hainan utilized a system whereby voters were called up to vote in small groups. Instead of relying on such a structured and public system for voting, voters should be able to freely place their ballots within a specified amount of time.

Hainan villagers were expected to remain engaged throughout the entire election process to listen for their names to be called. The 1998 Organic Election Law does not require this innovation in procedure, and the IRI delegation sees it as potentially detracting from anonymity and putting undue limitations on voters' ability to cast their ballots.

Issue 4: Ensure that the sum of the total number of votes received by all candidates matches the total number of valid or partially valid ballots counted. If these totals do not match, provide an explanation.

In reviewing official summary documents provided for each village election, the total number of votes cast does not match the total number of votes counted for each race. Hainan election officials should in future determine why these totals do not correspond and give a thorough explanation.

In the Toupu primary elections, election officials reported that 306 individuals cast ballots, six of which were invalid. In theory, the number of votes cast in each of Toupu's primary races should have been within six votes of 300. However, the number of total votes cast in each race fell far short of this number, even when counting the number of votes cast for all of the nominees, both formal and informal; the total number of votes in the chairperson race was 283, for vice chair race it was 289 and for member it was 277. In Cangdong, only an official summary of the winner's vote totals was provided. For greater transparency, the number of votes received by the challengers should also be reported, as well as the number of votes cast for write-in candidates.

Issue 5: Increase Campaign Activities

Candidates should be given more opportunities to campaign and should be given public venues for announcing their platforms before primary and final elections. Photographs of candidates, platforms, and biographical information should be publicly displayed on or near election grounds on election day.

IRI recommends that provincial laws and regulations be amended to sanction and encourage campaign activities during both the primary and general election periods. The use of campaign materials including posters, pamphlets, and fliers should be permitted, as well as door-to-door campaigning and candidate debates. Campaign expenses should be the responsibility of individual candidates. Vote-buying should be expressly prohibited.

Candidates in primaries should be given forums in which to announce their intention to run for office, give indications of what they would accomplish as village committee members, and answer questions from the villagers. This not only provides voters with valuable information about candidates, but also informs candidates about villagers' concerns. Campaigning may also provide the additional benefit of reducing the number of candidates produced in the primary elections. Informed voters will be able to make better choices. This can be accomplished by convening well-regulated "open floor" meetings to which all villagers are invited, and at which any qualified candidate may make a brief presentation to voters.

On election day, village election officials should display photographs of each candidate, along with a brief biography or platform summary, outside the election meeting grounds. Each candidate should be responsible for preparing his or her own biographical and platform summary. At the election meeting, all candidates should be allowed to address the voters, in an order chosen at random, and time should be allotted for voters to ask questions of the candidates. IRI believes that favoritism toward incumbents or other early front-runners in the sequence of speakers places other candidates at a disadvantage.

The period between the primary and final election should be long enough to permit adequate opportunities for campaigning. Election officials should provide a public forum for candidates, and certain campaign activities on election day should be considered as long as they do not interfere with the voting process.

Even though all of the nominees were too reluctant to present their platforms in Cangdong, IRI was encouraged to observe that candidates were given the opportunity to make campaign speeches on the day of the general election. However, IRI recommends that Hainan province ensure that each village provides more opportunities for candidates to campaign in the periods before and on the day of both the primary and general elections.

Issue 6: Encourage Transparency and Accountability

Demonstration villages and counties should be selected to serve as models of efficient and effective elections. Newly elected candidates should receive specialized training on good governance practices and procedures, including financial management and accountability.

IRI encourages Hainan officials to identify demonstration villages and counties that conduct sound village committee elections and recommends that provincial, county and local election officials meet regularly to discuss the experience of elections in the province and to exchange information on voting procedures and civic education activities.

IRI recommends that newly elected candidates receive specialized training on good governance practices and procedures to ensure social and economic development at the village level. Special emphasis should be given to financial accountability and transparency.

Issue 7: Unify Vote Counting

At present vote counting takes place at two different stations, which include tabulation areas for all three positions. This makes the counting and consolidation of the vote totals unnecessarily cumbersome.

Vote counting could be made easier if three counting stations are used and one position is counted at each station. Each ballot could be passed along in a line of stations to be tabulated, beginning with the chairperson, vice chairperson and member. Hainan election officials can also consider separating the vote for the three different positions onto three different ballots, printed on different colored paper, with three separate ballot boxes. This will not only allow for more efficient vote tabulation since each race can be recorded at different counting stations, it will also help vote counters avoid the need to rule a ballot partially invalid due to an unrelated race.

Issue 8: Eliminate proxy voting.

Toupu and Cangdong both employed proxy voting as a means to represent voters who were not able to travel to the election grounds. Instead of using proxy voting, election officials in Hainan Province should implement a method for absentee balloting to ensure the principle of one person, one vote.

IRI recommends that the use of proxy voting be replaced by a system of absentee balloting. Proxy voting may be convenient to some villagers, but it opens the process to fraud and potential misrepresentation. The principle of one person, one vote should be strictly enforced. IRI was encouraged that neither Toupu nor Cangdong used a roving ballot box to collect the votes of those unable to reach the election grounds. However, further effort should be made to move to a system of absentee balloting. Fujian and Jilin Provinces have been experimenting with absentee balloting in lieu of mobile ballot boxes and proxy voting, and the work of these provinces can be studied as a potential model.

Issue 9: Make more of an effort to encourage women and minorities to be involved in Village Committees to comply with the spirit of national and provincial guidelines.

There were no female candidates in the Toupu or Cangdong general elections, which is counter to national, provincial and municipal implementation guidelines.

China's "Organic Law on Village Committees" and related implementation guidelines, as well as provincial and municipal implementation regulations call for the appropriate representation of women and minorities on Village Committees. While it is important that the most qualified candidate win an election, it is also important to give groups that may be underrepresented in any governing body a voice in the process. Therefore, it is advisable that a greater effort be made in Hainan to identify possible barriers to active political participation by members of these groups as well as effective strategies to help overcome these obstacles and encourage interested and qualified female and minority candidates to run for office.

CONCLUSION

Hainan's third round of village elections was completed at the end of December 2001. The election was the first round that was based on the 1998 Organic Village Election Law. Since the 2001 election was the first observed by the IRI delegation, there is little basis for comparison to the elections of 1995 and 1998, which did not utilize provincial regulations and which were conducted as experimental elections. Generally, Hainan is quite advanced in interpreting and clarifying regulations under the 1998 Organic Law. Provincial regulations closely followed provisions set forth in the national law and village implementation plans and reiterated those provisions to clarify original regulations and bring them into accord with local needs and conditions.

Chengxi County and Haikou Municipality officials appeared to have played a significant and positive role in the conduct and uniformity of the two villages election regulations. IRI is grateful to officials from China's Ministry of Civil Affairs, Hainan Province's Bureau of Civil Affairs, Chengxi County election officials, Haikou City officials and to the citizens of Toupu and Cangdong villages for their help in coordinating the observation mission and allowing the IRI delegation to assess and learn more about elections in Hainan Province.

IRI hopes to maintain a lasting commitment to aid Hainan in its development of sound elections. Based on this first election observation, IRI will strive to conduct further electoral reform activities in Hainan to help ensure the continued strengthening and improvement of elections. IRI recognizes village committee elections as a crucial component of transparent and accountable local governance and will continue to sponsor programs that train and support both election officials and newly elected village committee leaders on election administration and good governance practices.

ATTACHMENT 1:**The People's Republic of China Organic Law on Village Committees**

Passed at the 5th session of the 9th National People's Congress Standing Committee

November 4, 1998

(Translated by IRI staff)

Article 1. In order to guarantee the implementation of self-governance by the rural village people, pursuant to the concept of village masses governing themselves according to the law, and to develop village grassroots democracy and advance the construction of rural socialist material and spiritual civilization upon the basis of the Constitution, we formulate this law.

Article 2. The village committee is a grassroots, mass self-governing organization for self-management, self-education, and self-service by villagers. It implements democratic elections, democratic decision-making, democratic management, and democratic supervision.

The village committee handles the public affairs and public welfare of the village, mediates conflicts among the people, helps to protect public security, and relays to the people's government villagers' opinions, requests, and suggestions.

Article 3. The Chinese Communist Party's village-level grassroots organizations perform their work according to the Party Charter, serving their role as the core of leadership. Relying on the Constitution and the laws, they support and guarantee the rights of villagers to develop self-governing activities and to directly exercise their democratic rights.

Article 4. The duty of the people's government at the township, minority township, and town levels is to provide guidance, support, and assistance to the village committee, but not to intervene in matters within the legal limits of village self-governance.

The village committee assists the people's government at the township, minority township, and town levels in developing its work.

Article 5. The village committee should support and organize according to the law the development of various forms of cooperative economy and other economy, assume the service and coordination of village production, and work toward the construction of village industry and the development of the socialist market economy.

The village committee should respect the sovereignty of collective economic organizations in independently carrying out economic activities according to the law, defend the household responsibility system and the dual operating framework, and guarantee the legal property rights and other legal rights and interests of collective economic organizations, contract managed enterprises, joint ventures, or other partnerships.

The village committee shall manage according to the laws and regulations all land and other property belonging collectively to the villagers, and shall educate the villagers to use natural resources reasonably, in order to protect and improve the natural environment.

Article 6. The village committee should publicize the Constitution, laws, regulations, and national policies, educate the villagers and mobilize them to carry out their obligations under the laws and regulations, protect public property, preserve the legal rights and interests of the villagers, develop cultural education, spread technological expertise, promote solidarity and mutual assistance between villages, and develop various activities to build socialist spiritual civilization.

Article 7. In villages with residents of diverse ethnic nationalities, the village committee should educate and guide the villagers to strengthen solidarity, mutual respect, and mutual assistance between nationalities.

Article 8. Village committees should be established based upon the residence conditions and population size of the village, in such a way that facilitates the principle of mass self-governance.

The establishment, dismissal, and limited adjustment of the village committee should be conducted upon the proposal of the people's government at the township, minority township, or town level, with the discussion and consent of the village assembly, and the approval of the county-level people's government.

Article 9. Village committees are made up of chairmen, vice chairmen, and committee members, totaling three to seven members. Among the committee membership, there should be an appropriate number of women. In villages having residents of diverse ethnic nationalities, minority nationalities should be represented on the committee.

Village committee members should not refrain from production activities, but in accordance with local conditions, should receive suitable compensation.

Article 10. The village committee may, in accordance with village residence conditions, establish a certain number of village small groups, whose leaders shall be chosen by a meeting of each small group.

Article 11. Chairmen, vice chairmen, and members of the village committee shall be directly elected by the villagers. No organization or individual may appoint, designate, or dismiss village committee members.

Each village committee member shall serve for a term of three years. When a term of office is completed, elections for a new village committee should be held in a timely manner. Village committee members may run for and serve consecutive terms of office.

Article 12. All villagers above the age of eighteen have the right to vote and stand for election, regardless of nationality, ethnicity, gender, occupation, family background, religion, education level, financial situation, or length of residence. However, this does not include those who have been deprived of their political rights according to the law.

A list of villagers with the right to vote and stand for election should be posted at least twenty days before the election.

Article 13. Village committee elections are managed by the village election commission. The village election commission is chosen and established by the village assembly or by the village small groups.

Article 14. When electing a village committee, all eligible voters of the village may directly nominate candidates. The number of candidates should be greater than the number of positions to be filled.

A village committee election is considered valid if more than half of the village's eligible voters participate. A candidate receiving more than half of the votes cast shall be elected.

Village elections should put into practice the methods of secret ballot and public ballot counting. Election results should be announced immediately. At the time of election, secret voting booths should be set up.

Specific election methods shall be regulated by the standing committees of the provincial, autonomous regional, and municipal people's congresses.

Article 15. When threats, bribery, forged ballots, or other illegitimate means are employed to impair the exercise by villagers of their rights to vote and stand for election, undermining the village committee election process, the villagers have the right to report to the township, minority township, and town people's congresses and people's government or the county-level people's congress standing committee and people's government, as well as the appropriate responsible departments. The appropriate mechanisms should be employed to responsibly investigate and handle the situation according to the law. Those using threats, bribes, forged ballots, or other illegitimate means to be elected shall have their elections invalidated.

Article 16. A request for the recall of a village committee member may be submitted by petition of more than one-fifth of a village's eligible voters. Recall requests should supply grounds for the proposed recall. A village committee member subjected to a recall request has the right to

defend himself. The village committee should convene the village assembly to make a decision by vote regarding the recall request. The recall of a village committee member requires the approval of more than half of the village's eligible voters.

Article 17. The village assembly is made up of all members of the village over the age of eighteen. To convene the village assembly, more than half of village residents over the age of eighteen should participate, or representatives of more than two-thirds of the village's households, and all decisions made by the village assembly should receive the support of more than half of those attending. When necessary, business and enterprise work units and mass organizations located in the village may be invited to send delegates to the assembly.

Article 18. The village committee shall be responsible to the village assembly and shall report their work to the village assembly. Each year, the village assembly shall discuss the work report of the village committee, and appraise through discussion the work of the village committee members.

The village assembly shall be convened by the village committee. The village assembly should be convened whenever a proposal is raised by one-tenth of all villagers.

Article 19. The village committee must offer the following matters related to the villagers' interests to the village assembly for deliberation and decision:

1. Methods for the collection of planning fees levied by the township, and the collection and use of village funds;
2. Quotas and standards for village unemployment subsidies;
3. The use of income from collective village economy;
4. Plans for raising funds to be used in village public welfare projects such as the administration of schools and the construction of roads;
5. Plans for the establishment and contracting of village collective economic projects and the contracting of village public welfare construction projects;
6. Plans for contract-operated projects;
7. Plans for residential land use; and,
8. Additional matters involving village interests that the village assembly deems within its own mandate to debate and decide.

Article 20. The village assembly may formulate and revise village self-governance regulations and charters, and report them for township, ethnic township, and town records.

Village self-governance regulations and charters, as well as matters debated and decided upon by the village assembly or the village representative assembly, may not contradict the Constitution, laws, regulations, or national policies, nor may they infringe upon villagers' individual rights, democratic rights, or legal property rights.

Article 21. Villages with large or broadly dispersed populations may select and constitute village representative assemblies. It is the responsibility of the village committee to convene a meeting of the village representative assembly, to debate and decide upon matters authorized by the village assembly. One village representative shall be selected by every five to fifteen households within the village, or a number of village representatives may be selected by the various village small groups.

Article 22. The village committee shall implement open and transparent systems of village service. The village committee should publicize the following items in a timely manner. Financial matters must be publicized at least once every six months, so that they may be subject to villagers' supervision:

1. The matters debated and decided upon by the village assembly that are discussed in Article Nineteen of this law, and their implementation;
2. The implementation of national family planning policies;
3. The dispensation of funds for disaster and emergency relief; and,
4. The collection of water and electricity fees, as well as other public interest matters that are the subject of particular concern of the villagers.

The village committee should guarantee the accuracy of public information, and should welcome villagers' inquiries.

If the village committee fails to publicize the appropriate information in a timely matter, or if the information that it publicizes is inaccurate, the villagers have the right to report this to the township, minority township, and town people's government or the county-level people's government and other related administrative departments. The appropriate government organs should responsibly investigate, verify, and publicize the matter. If an investigation verifies that the law has been broken, the individuals involved should be held responsible according to the law.

Article 23. The village committee and its members should abide by the Constitution, laws, regulations, and national policies, impartially manage their affairs, carry out their duties with honesty, and enthusiastically serve the people.

Article 24. Decisions made by the village committee shall follow the principle of majority rule.

In performing its work, the village committee should follow the mass line, maintain full democracy, conscientiously listen to dissenting opinions, insist upon persuasion and education, and not employ force or orders, or seek retaliation.

Article 25. The village committee shall, when needed, establish subcommittees to handle issues including public mediation, public security, and public hygiene. Village committee members

may concurrently serve on these subcommittees. Village committees in villages with small populations may decide not to establish subcommittees, and instead to distribute public mediation, public security, and public hygiene tasks among individual village committee members.

Article 26. The village committee should assist the appropriate departments in implementing the education, assistance, and supervision of villagers who have been deprived of their political rights according to the law.

Article 27. Organizations, groups, military units, state-owned enterprises, and enterprise work unit personnel located in the village shall not participate in village committee organizations. Those who do not work for village-administered collectively owned work units may choose not to participate in village committee organizations. However, they should all observe pertinent village regulations. These groups should be consulted when the local village committee, village assembly, or village representatives discuss or handle matters pertaining to them.

Article 28. Various levels of local people's congresses and various levels, county or higher, of people's congress standing committees shall guarantee the implementation of this law within their jurisdiction, in order to safeguard the exercise by villagers of their legal democratic rights.

Article 29. People's congress standing committees at the provincial, autonomous regional, and municipal levels may, according to this law combined with the realities of their own jurisdictions, formulate implementation methods.

Article 30. This law shall go into effect on the day it is publicized. On the same day, the "People's Republic of China Village Committee Organization Law (Experimental)" shall be nullified.

ATTACHMENT 2:**Hainan Province Method for Implementation of “People’s Republic of China Village Committee Organic Law”**

Passed by the 18th Meeting of the Standing Committee, Hainan Provincial People’s Congress,
 Second Session
 January 11, 2001
 (Translated by IRI Staff)

Article One – This Method is based on the “PRC Village Committee Organic Law” (below called “Village Committee Organic Law”) and related laws and regulations together with the actual conditions in this Province.

Article Two – The Village Committee is a self-managed, self-educated, self-served basic level mass self-governing organization. Its membership numbers are determined according to the following method:

1. Village population under 1000, generally 3 people.
2. Village population over 1001 and under 2500, generally 5 people.
3. Village population over 2500, generally 7 people.

The specific number of Village Committee members are determined by ideas put forward by the township, nationality township, and town people’s governments based on the population of the village, its economic and other actual conditions and the principle of decreasing the burden of the farmers.

The Village Assembly discusses and decides and reports to the township, nationality township, and town governments for the record.

Article Three – The election, recall, resignation and by-election of the Village Committee Chairman, Vice Chairman and Committee members is carried out in accordance with the regulations of the Village Committee Organic Law and the Hainan Province Village Committee Election Method.

Village Committee members do not leave production to fulfill duties of their terms of office – and are subsidized. The method of subsidy is determined through discussion of the Village Assembly.

Funds are determined by the income of the village economy. The two financial levels, county and township, provide appropriate subsidies.

Article Four – The Village Committee may, based on actual need, decide to establish people’s investigative and public security, health and family planning committees and so forth.

Members of all committees established by the Village Committee may serve concurrently as members of the Village Committee. Members of all committees (established by the Village Committee) may have overlapping terms of office.

Article Five – The Village Committee should carry out the following duties:

- (1) Convene meetings of the Village Assembly and the Village Representative Assembly; carry out decisions of Village Assembly meetings and meetings of Village Representative Assembly; organize and implement regulations for self-government and village regulations and agreements.
- (2) Establish and amplify all types of systems to develop self-government activities.
- (3) Draw up and organize programs and annual plans to implement the village’s economy and social development. According to law, manage all land and other property belonging to the village farmers collective. Educate villagers in the proper use of natural resources. Protect and improve the ecological environment.
- (4) According to capabilities, and the principle of democratic voluntary participation, draw up the village’s construction plan. Based on already approved regulations, manage the village’s repair of bridges and building of roads. Set up schools; renovate the village’s appearance and other such public works and public welfare undertakings.
- (5) Publicize the constitution, laws, regulations, and national policies; educate and guide villagers to fulfill obligations established by law; uphold societal security, prohibit drugs, prohibit prostitution, prohibit gambling; carry out family planning policy; protect villagers’ legal rights and interests.
- (6) Develop socialist spiritual civilization construction activities, and spread cultural scientific knowledge; wipe out illiteracy, get rid of feudal superstitions, change prevailing habits and customs, establish new habits of a socialist rural village.
- (7) According to law, investigate disputes related to villagers’ marriages, family, property, land, neighbor relations and other such areas. Promote unity and mutual aid among villagers.
- (8) Assist the township, nationality township, and town people’s governments to develop work. According to the resolutions and decisions of township, nationality township and town people’s representative assemblies, and the government’s mandate, take care of related matters. Reflect the villagers’ ideas and requests to the people’s government, and make suggestions.

Article Six – The Village Committee is responsible to the Village Assembly and reports on work to the Assembly and receives its appraisal. The Village Committee should manage the following after requesting the Assembly’s discussion and decision:

- (1) Village economy and social development plans and annual plans, village construction program plans.
- (2) Matters related to stipulations of Article 19 of the “Village Committee Organic Law”.

- (3) Cases pertaining to sale, transfer and contract of the right to use of all land of the village collective.
- (4) Cases pertaining to the take over and compensation for use of land of the village collective.
- (5) Cases pertaining to implementation of family planning policy.
- (6) Cases pertaining to protection of the village's basic fields.
- (1) Cases related to giving special care to disabled servicemen, and to family members of revolutionary martyrs and servicemen; disaster relief; the provision of relief funds and goods.
- (7) Other matters which should be discussed and decided by the Village Assembly.

Article Seven - The Village Assembly has the authority to decide village business, including the authority to change or dismiss inappropriate decisions of the Village Committee, the Village Representative Assembly, or village small group meetings.

The Village Assembly is convened at least once each year, taking into consideration the scattered nature of villagers' dwellings. In villages where there is inconvenient transportation or villages where there are too many people, making it difficult to assemble, the Village Assembly may convene in sections in view of the circumstances.

With regard to matters proposed for discussion by over one tenth of the villagers, the Village Committee should convene the Village Assembly to discuss and decide.

Article Eight – The Chairman of the Village Committee chairs the Village Assembly. If there is reason why the Village Committee chairman cannot chair, the Vice-Chairman will chair at his/her (the former's) request.

The Village Committee should, five days before the convening of the Village Assembly, publicly announce the Assembly agenda (topics to be discussed), post or print and distribute materials related to the meeting.

Article Nine – The Village Assembly's drafting and revision of village self-government rules and village regulations progress in the following order:

- (1) Draft village self-government regulations and village regulations.
- (2) Print and distribute the draft to the villagers or post as a public announcement requesting villagers' opinions.
- (3) Submit the draft to the Village Representative Assembly for discussion.
- (4) Submit the draft to the Village Assembly for discussion and decision.
- (5) Announce the self-government regulations and village regulations passed by the Village Assembly.
- (6) Report to the township, nationality township, and town people's governments for the record.

The Village Committee is responsible for the specific work of drafting and revising the village self-government regulations and the village regulations and agreements, and is responsible to explain these to the Village Assembly and the Village Representative Assembly.

The village self-government regulations and village regulations and agreements must not conflict with the constitution, laws, regulations and national policies; villagers must comply with and implement legal and valid village self-government regulations and village regulations and agreements.

Article Ten – Establishing and Dismissing the Village Representative Assembly should be decided through discussions of the Village Assembly and should be reported to township, nationality township, and town governments for the record.

The Village Representative Assembly discusses and decides matters on which the Village Assembly has given written authority, but the Village Assembly may not delegate authority for the following matters:

- (1) The specific number of Village Committee members, their election and recall.
- (2) The deciding and revision of village self-government regulations and village regulations and agreements.
- (3) The establishment and dissolution of the Village Representative Assembly, the number of village representatives and their method of election.
- (4) The establishment, dissolution and adjustment of village small groups.
- (5) Change of dissolution of inappropriate decisions of the Village Representative Assembly.

The Village Representative Assembly may not further transfer authority received from the Village Assembly to any other organization.

Article Eleven – There may not be fewer than 20 village representatives. Among these, female representation should be no less than 20% of the total number of representatives. In the case of villages in which different nationalities live, each nationality should have its own village representative. Village Committee members can be village representatives if elected by villagers.

Village representatives are elected (on the basis of) 1 for every 5 to 15 households, or each village small group elects a certain number of people. Villages whose representatives are chosen on the basis of households may voluntarily combine households for election. They also may choose on the basis of planned households in residential areas. The Village Assembly determines the number and method of election of village representatives. The Village Committee should announce the list of village representatives' names resulting from the election, and report to the township, nationality township and town governments for the record.

The terms of office of village representatives and Village Committee members are the same, and they may be re-elected and serve successively. No organization or individual may assign, appoint or dismiss and replace them. The recall, resignation and by-election of village representatives are carried out according to the original selection method.

Article Twelve – The Village Representative Assembly in general convenes once each season.

The Village Representative Assembly convenes through Village Committee decision or upon the suggestion of over one third of village representatives to convene the Village Representative Assembly, the Village Committee should convene (it).

On matters that over one third of village representatives suggest discussion, the Village Committee should submit to the Village Representative Assembly for discussion.

Article Thirteen - Members of the Village Committee and all levels of People’s Congress deputies who live in the village, and responsible people in rural villages’ basic organizations who are not village representatives, may attend Village Representative Assembly meetings and express opinions.

Three days before the convening of the Village Representative Assembly, the Village Committee should notify the village representatives of the items to be discussed at the assembly meeting and depending on the circumstances make a public announcement.

Before the meeting, the village representatives should seek the opinions of the villagers they represent regarding the items to be discussed, and should accurately reflect these opinions during the meeting.

Article Fourteen – There should be more than one half of village representatives in attendance when the Village Representative Assembly is convened. Over one half of the village representatives should pass all decisions reached. Matters on which there are laws and administrative regulations that determine otherwise should be decided according to those (laws and regulations).

Article Fifteen – With regard to those matters submitted for discussion by the Village Committee which over half of the village representatives consider should be decided by the Village Assembly, the Village Representative Assembly should request the Village Assembly to decide.

Article Sixteen – The Village Committee may, according to the living conditions of villagers and principles that facilitate self governance and are advantageous to production, put forth proposals to establish, dissolve and adjust village small groups, and upon discussion and

agreement by the Village Assembly report these to the township, nationality township and town people's governments for approval.

Article Seventeen - A village small group will establish a group leader – one person. Depending on work requirements one to two deputy leaders may be established to assist the group leader work. The group leader or deputy group leaders are elected directly by the village small group meeting convened by the Village Committee. The meeting should have over half the members of the small group with voting rights in attendance. A candidate must receive over half the votes of votes cast to be elected.

The terms of office of the small group leader and deputy leader and the terms of office of the members of the Village Committee are the same, and they may be re-elected and serve successively. No organization or individual may assign, appoint, or dismiss and replace them.

If over one third of the small group members eligible to vote jointly propose the removal and replacement of the small group leader and deputy leader or if the group leader or deputy propose to resign, the village small group meeting will decide the matter according to the original method of election.

Article Eighteen – The village small group leader and deputy should fulfill the following duties:

- (1) Organize the villagers in the small group to develop all types of production and welfare services; organize the management of the village small group's public works and public welfare undertakings; assist the Village Committee in the management of the village's related matters.
- (2) Organize the implementation of the relevant decisions of the Village Assembly, the Village Representative Assembly, the Village Committee and the village small group meeting.
- (3) Convene the village small group meeting to discuss and decide matters relevant to the small group.
- (4) Collect and reflect the opinions and suggestions of members of the small group.

Article Nineteen – The village small group meeting is composed of villager members of the small group who are 18 years of age and older; According to law, the small group has management authority for all land and other property belonging to the farmers collective.

For the village small group meeting's rules of procedure, rules in Article Twelve, Article Thirteen- paragraph 2, and Article 14 of this Method are in effect.

Article Twenty – If over half the members of the Village Assembly or the Village Representative Assembly consider that the Chairman and the contents of discussion are in conflict and possibly will have a negative influence on the decisions of the meeting, the Village Committee should determine another Chairman. If over half the members of the Village Committee or the Village Representative Assembly consider that neither the Village Committee

Chairman nor Vice Chairman is an appropriate chairperson, the township, nationality township and town governments may send someone to temporarily chair the relevant meeting.

If there is conflict of interest between the contents of discussion of the small group meeting and the group leader or deputy, that possibly will have a negative influence on the decisions of the meeting, the Village Committee may send someone to temporarily chair the relevant meeting.

Article Twenty-one – The decisions of the Village Assembly, Village Representative Assembly, Village Committee and village small group meetings must not violate laws, regulations or national policy stipulations; (Proposed) Laws, rules and regulations should be submitted with a request for examination and approval to the people’s government and related organs, and should be handled by relevant regulations.

Village self-government regulations, village regulations and agreements or decisions that violate laws, regulations or national policy are invalid. Township, nationality township, and town governments should instruct the relevant Village Committee according to the rules of Article Nine of this Method to organize revision or annulment. If the Village Committee, the village small group leader and deputy put into effect village self-government regulations, village regulations and agreements or decisions in violation of laws, and infringe upon villagers or other citizens, and work unit legal rights and interests, the injured party may request the township, nationality township and town governments to take care of the matter.

Article Twenty-two – The matters decided by the Village Committee must not conflict with the decisions of the Village Assembly and the Village Representative Assembly. The matters decided by the village small group must not conflict with the decisions of the Village Assembly and the Village Representative Assembly.

The legal and valid decisions of the Village Committee, Village Assembly, Village Representative Assembly, and village small group must be implemented by all villagers and small group members.

Article Twenty-three – The Village Committee should publicize the following village matters, and accept the villagers’ supervision:

- (1) Matters decided by the Village Assembly or the Village Representative Assembly and their conditions of implementation.
- (2) Village financial revenue and expenses, including receipts for water and electricity, all categories of expenses, the distribution of income, creditor rights and debt liabilities and so forth.
- (3) Progress reports on the Village Committee’s annual work objectives.
- (4) Major public security cases and the situation with regard to settlement of civil disputes.
- (5) The situation with regard to villagers’ implementation of family planning.

(6) Matters that over one tenth of villagers or over one third of village representatives request be publicized.

Village matters should be publicized at least once each season.

For the publicizing of village small group business refer to the regulations in the first and second paragraphs of this Article.

Article Twenty-four – In general, publicizing of village business will take the form of posting announcements. Matters that are difficult to publicize by posting may use methods such as reports to the Village Assembly or Village Representative Assembly, public announcements via wired broadcasts, and so forth.

Matters that involve financial affairs and expenditures must be publicized using posted public announcements. When necessary other methods should be used concurrently.

The Village Committee must establish a stationary village bulletin board in a conspicuous outdoor location.

Article Twenty-five – The village should establish a village affairs public supervisory small group to supervise and inspect the situation concerning the publicizing of village affairs.

The village affairs public supervisory small group is composed of 3 or 5 persons. Its members should have a definite cultural (educational) level and financial knowledge, be selected by the Village Representative Assembly and responsible to the Village Representative Assembly. Close relatives of members of the Village Committee may not be members of the village affairs public supervisory small group.

The Village Representative Assembly may, based on actual need, according to the original method of selection dismiss and replace members of the village affairs public supervisory small group.

The legal close relatives indicated in paragraph two of this Article refer to spouse, parents, children, brothers and sisters, paternal grandparents, maternal grandparents, and grandchildren (children of both sons and daughters).

Article Twenty-six – Upon decision of the Village Representative Assembly, the village affairs public supervisory small group may ask the Village Committee for a detailed explanation and to provide relevant materials concerning the publicly related contents (of village affairs), and may pass audit and other such measures to carry out investigation and verification.

The village affairs public supervisory small group should promptly report the results of investigations to the Village Representative Assembly, and depending on need report to the Village Assembly, proposing ideas for handling (the issue).

Article Twenty-seven – The Village Committee, Village Assembly, Village Representative Assembly, and village small group meeting should establish a filing system for village affairs public meeting minutes, decision documents, law documents, and other such areas, and properly protect file materials.

Article Twenty-eight – If the Village Committee has one of the following situations, the villagers have the right to ask the township, nationalities township and town people’s governments or governments and other relevant organs at the county level and higher to thoroughly probe into the responsibilities of the persons concerned. The relevant organs should investigate and resolve the matter within 15 days:

- (1) Violations of the regulations of Article Six of this Method, unauthorized decisions, which should be handled through discussion and decision of the Village Assembly or the Village Representative Assembly;
- (2) Unlawfully convening and chairing of the Village Assembly or the Village Representative Assembly.
- (3) Convening the village small group meeting in ways not in accordance with the regulations of Article Seventeen, Paragraph 1 of this Method.
- (4) Failure to announce the village self-government regulations, the village regulations and agreements and failure to make public the village business designated by Article Twenty-three of this Method, or the contents of the announcement are untrue.
- (5) The absence of a legitimate reason for not implementing decisions of the Village Assembly and Village Representative Assembly.

In the case of violation of Articles Eighteen and Nineteen of this Method by the small group leader and deputy leader, it is to be handled by the Village Committee or township, nationality township or town governments according to law.

Article Twenty-nine – Upon a change in Village Committee sessions or when members of the Village Committee leave their posts, within 7 days they should hand over to the new session of the Village Committee or the succeeding members of the Village Committee, documents, office facilities, financial records, management assets, files and other such relevant materials and goods. In the case of failure to carry out relevant transfer activities, the township, nationality township, and town governments or relevant organs of people’s government at the county level and above will take action depending on different situations according to law.

As for the small group leader and deputy leader leaving office, see the previous paragraph’s regulations on transfer (turnover).

Article Thirty – Should Village Committee members, village small group leader and deputy leader use their positions to seize the property of the collective, it constitutes a crime and judicial organizations will investigate and determine criminal responsibility.

Article Thirty-one – All levels of people’s government should bring rural village basic political power and the construction of self-government organization into line with their general plans for social development, and take responsibility to implement the “Village Committee Organic Law” and this Method.

The civil administration organs of government at the county level and above are responsible for organizing the daily work of implementing the “Village Committee Organic Law” and this Method.

Article Thirty-two – The civil administration organs of government at the county level and above and other such relevant departments, as well as township, nationality township and town people’s governments should strengthen their guidance of village self-government affairs, and categorically take responsibility for organizing training for relevant state workers and Village Committee members; according to law they should accept and hear cases involving behavior in violation of the “Village Committee Organic Law” and this Method. And, according to their respective duties divide responsibility to investigate and handle (the matter).

Each session, newly elected Village Committee members will receive training at least once during their terms of office.

Article Thirty-three – Every level of people’s congress in this province and congress standing committees at the county level and above supervise the implementation of the “Village Committee Organic Law” and this Method within this administrative district, and guarantee that the villagers exercise rights of self-government, according to law.

Article Thirty-four – Villages under the jurisdiction of city and town sub-district offices use this Method.

Sub-district offices and the next higher-level people’s government undertake the same responsibilities toward the “Village Committee Organic Law” as the township, nationality township and town governments designated by this Method.

Article Thirty-five – This Method is effective as of the date it is announced.

ATTACHMENT 3:**Hainan Province Village Committee Election Measures**

Adopted at the 20th Session of the Standing Committee of the 2nd Hainan Provincial People's Congress

May 31, 2001

(Translated by IRI Staff)

Chapter I. General Principles

Article 1. These Measures are formulated in order to ensure that villagers exercise their democratic rights in accordance with the law and to standardize the procedures for the election of Village Committees, based on the "People's Republic of China Village Committee Organic Law", and the realities of this province.

Article 2. Village Committee elections should uphold the principles of openness, fairness and justice.

The Village Committee Chairman and Vice-Chairman are directly elected by ballot by the villagers with voting rights. No organization or individual may assign, appoint or dismiss and replace members of the Village Committee.

Article 3. The list of members of the Village Committee is decided according to the relevant regulations of the "People's Republic of China Village Committee Organic Law" and the "Hainan Province Measures to Implement the 'People's Republic of China Village Committee Organic Law'". There should be an appropriate number of women among the Village Committee members, and there should be members from the relatively small nationality groups in villages where multiple nationalities reside.

The term of office for each session of the Village Committee is 3 years. A replacement election should be held immediately upon the completion of a session. Members may be re-elected and serve successively. A Village Committee's exercise of authority ceases when the successor Village Committee is elected.

Article 4. Without regard to nationality/ethnicity, gender, occupation, family background, religious belief, educational level, financial situation or length of residence, all villagers who reach 18 years of age in the year before the election have the right to vote and the right to be elected. The exceptions are those who, in accordance with the law, have been deprived of their political rights.

Article 5. Village Committee election work proceeds through the unified disposition of the provincial people's government, the guidance of every level of people's government classified organs, and the preparation and management of the Village Election Commission.

If it is necessary to elect a new Village Committee due to redistricting, the township, nationality township and town people's governments report same to the next higher level of people's government for approval.

If it is necessary to advance or delay the Village Committee election due to special reasons, upon the discussion and agreement of the Village Assembly, the township, nationality township and town governments report to the next higher level of people's government for approval. The time involved in the advance or delay may not exceed 3 months.

Article 6. As for the expenses required of all levels of people's government organs to guide the Village Committee's election work, each level makes disbursements out of its own finances.

The Village Committee's election expenses are paid from the village collective's economic earnings. If there is difficulty, governments above the township level provide subsidies.

Article 7. Township, nationality township and town people's congresses, and the standing committees of people's congresses above the county level implement supervision over the election of the Village Committee according to the law, and assure that villagers exercise their self-governance rights according to the law.

Article 8. Villagers have the right to report behavior that violates the "People's Republic of China Village Committee Organic Law" and these Measures, and to raise objections and appeals with regard to election procedures and election results. The relevant organs should take responsibility to investigate within 15 days and take care of the matter in accordance with the law.

Chapter II. Election Work Organizations

Article 9. The Provincial People's Government shall work out a province-wide plan for Village Committee election work. Departments of the Provincial People's Government are responsible for guidance, inspection and supervision of Village Committee election work, the training of city, county and autonomous county election workers, and the investigation and elimination of illegal behavior in election work.

At the time of Village Committee elections, cities, counties, autonomous counties, municipal districts, and townships, nationality townships and town governments separately establish small groups for election work guidance, and organize guidance of Village Committee term election work within the respective jurisdictional areas. Their important duties are:

1. Publicizing the laws and regulations related to Village Committee elections and training election workers.
2. Formulating plans for the respective jurisdictional area's Village Committee election work, determining election day for each village, unifying the design of ballots, voter certifications, proxy voter certifications, and other such forms, and guiding and supervising the Village Election Commission's work.
3. Accept and handle relevant election reports, appeals, and receive letters and visitors.
4. Take care of other election matters.

The specific allocation of duties of all levels of election work guidance small groups is determined by city, county and autonomous county people's governments.

At the time of Village Committee elections, the Village Election Commission established by the village shall be composed of an odd number of between 5 to 9 people. Among them, women should constitute an appropriate number and there should be members from the relatively small nationality groups in villages where multiple nationalities reside.

The Village Election Commission is directly elected by ballot of the Village Representative Assembly, the Village Assembly or the village small group meeting, establishing 1 Chairman and 2 Vice-Chairmen. The elected Village Election Commission should be publicly announced to the villagers and reported to the township, nationality township and town governments for the record.

Article 11. Village Election Commission members who are determined to be candidates for the Village Committee voluntarily terminate their duties. If for some reason there is a vacancy on the Village Election Commission, the person who had the most votes according to the vote count at the original election time fills the vacancy.

The Village Election Commission publicly announces changes in the membership of the Village Election Committee.

Article 12. The important duties of the Village Election Commission are to:

- (1) Develop the publicity mobilization work of the election and determine and train election workers.
- (2) Draft the implementation plan for the village election and request decision by the Village Assembly; publicly announce to the villagers (including villagers who are away) the date of the village election, the voting time and place; organize voter registration, take care of matters related to proxy ballots; print ballots, voter certifications, proxy voter certifications, and make ballot boxes; organize the election by ballot.

(3) Answer and accept and handle villagers' requests for advice and appeals concerning matters relating to elections.

(4) Handle other election matters.

The Village Election Commission fulfills its duties until the day the new term Village Committee is formed.

Chapter III. Voter Registration

Article 13. Villagers with the right to vote in general register to vote in the village of their household registration.

If the current residence and place of household registration is not the same, the villager has resided in the village over 1 year and fulfilled villager obligations, and he/she requests to participate in the election in his/her place of residence, producing specific certification from his/her place of household registration, with the acknowledgement of the Village Election Commission in the place of residence, he/she may proceed with voter registration.

Villagers who have been away over 1 year, who are unable to return to the village to participate in the election on election day and have not entrusted another voter to represent them in exercising their right to vote, with the acknowledgement of the Village Election Commission will not be counted in the total number of voters in the election.

When voter registration is taking place, the resident identification card is the basis for calculating age. If no resident identification card has been obtained, the household registration will be the basis.

Article 14. The Village Election Commission should complete voter registration 20 days before election day, post and announce the voter list, and hand out voter certifications.

If villagers have objections concerning the voter list, they may raise them with the Village Election Commission five days before Election Day. The Village Election Commission should make explanations or corrections according to law 3 days before Election Day.

If the Village Committee election is postponed, the voter list should be verified and re-announced before the election.

Chapter IV. Candidate Nomination

Article 15. In general candidates should be nominated for election to the Village Committee. If the majority of villagers agree, candidates will not be nominated. If candidates are not nominated, the rules of this chapter are not used.

Article 16. The Village Committee election puts into practice differential election. The numbers of candidates for Village Committee Chairman and Vice Chairman should each be 1 more than the number to be elected. The number of candidates for committee member should be 1/3 to 2/5 more than the number of people to be elected. There should be an appropriate number of women candidates among candidates for Village Committee membership, and there should be numbers from the relatively small nationality groups in villages where multiple nationalities reside.

The Village Election Commission should convene a voters mass meeting, during which voters directly vote to nominate and decide on candidates according to the number of votes received. In the case of villages in which there are relatively large numbers of people or residences are dispersed, and transportation/communication is inconvenient, the voters mass meeting may be convened in separate sessions.

The number of candidates nominated by a voter may not exceed the number of people to be elected.

Article 17. After the candidates for Village Committee membership are determined, the Village Election Commission should, 5 days before the election, post and announce the candidates - listed in order of the number of votes received - and present the candidates' biographical information. No organization or individual may alter the list of legally decided candidates.

In the case of candidates who voluntarily give up their right to be elected, they should, three days after candidates are determined, do so in writing to the Village Election Commission. Vacancies created by this are filled in order of precedence by number of votes received by the originally nominated candidates.

Chapter V. Official Election

Article 18. The election of the Village Committee shall take place by ballot at a general election mass meeting convened by the Village Election Commission. When necessary, voting stations or mobile ballot boxes may be set up in addition to the general election mass meeting place to facilitate voters casting ballots. Over 3 election workers must accompany each voting station and mobile ballot box.

Before the election mass meeting votes, the Village Election Committee should nominate ballot checkers and ballot counters, and after a vote by show of hands of voters at the election mass meeting vote it through.

Places to write ballots in secret and public places to wait to write ballots should be established at the election hall and at voting stations. Those voters who are illiterate or because of handicap

cannot fill out their ballots themselves may have someone they trust fill out their ballots for them in accordance with their wishes.

Article 19. In the Village Committee election the voters may vote once to elect the Chairman, Vice-Chairman and members, or they may vote separately to elect the Chairman, Vice Chairman and members. The Chairman and Vice-Chairman may not be elected from among the elected members.

Article 20. Villagers use the secret ballot method. They may vote for or against the candidate, or abstain. They may also vote for someone else.

Voters who cannot participate in the election in person may entrust another voter to cast a vote for them. The entrusted person should, after obtaining the Village Election Commission's acknowledgement, obtain a proxy voter certification. A voter may not accept proxies from more than 3 people. Candidates for Village Committee membership may not accept proxies from voters other than legal close relatives. Those who accept another voter's proxy to vote for them should, at the times they get the ballot and cast the ballot, hand over the proxy voter certification for examination.

Article 21. The casting of votes at polling stations and mobile ballot boxes should be completed in the regulation election time.

When voting is completed, all ballot boxes should be sealed and collected at the vote counting place at the election mass meeting hall. The boxes are opened publicly under the Village Election Commission Chairman's direction, and ballot monitors and vote counters openly check and count the number of ballots, record and sign. It is forbidden to open ballot boxes outside the election mass meeting hall.

Article 22. If the number of ballots cast exceeds half the village's voters and the number is equal to or less than the number of ballots distributed, the election is valid. If the number of ballots cast does not exceed half the village's voters or is more than the number of ballots distributed, the election is invalid.

Counterfeit ballots that are certified as such by the Village Election Commission should be separately sealed and are not included in the count of ballots cast. If the Village Election Commission certifies that the election is invalid, after the record is made and the ballots are publicly sealed the time of the next (additional) election should be announced on-site.

Article 23. If the number of people elected for each position on a ballot is equal to or less than the number of people to be elected, the ballot is valid. If more than the number to be elected, the ballot is invalid. Upon the determination of the Village Election Commission, those portions of ballots that are indecipherable are invalid.

Article 24. If in a one-time election a person receives votes for 2 or more positions, the votes should be counted separately. If the number of votes received for the higher position is insufficient to be elected, those votes may be added to the number of votes received for the lower position. But, the number of votes received for the lower position may not be added to the number of votes received for the higher position.

Article 25. A person who receives more votes than half the number of votes of participating voters is elected.

If the number of people who receive more votes than half the number of voters exceeds the number of people to be elected, the person with the most votes is elected. If who is elected cannot be determined because the number of votes received is the same, an additional on-site election should be conducted between those receiving an equal number of votes and the person who receives the most votes is elected.

Article 26. If fewer than 3 people are elected Village Committee members, an additional election to fill vacant positions should be held within 15 days. The Village Election Commission determines the specific time. The additional election should be according to the differential number stipulated by Article 16 of these Measures. From among the candidates for the position that were not elected in the previous election, the proper order of candidates is determined based on the number of votes received. The candidate who receives the greatest number of votes is elected. But, the number of votes received may not be less than 1/3 of the participating voters.

If the number of elected Village Committee members are 3, but less than the number that should be elected, or no one is elected Chairman, an additional election should be conducted according to the rules of the previous paragraph. If someone has been elected to the Chairman position and there are Vice Chairman or member vacancies, the Village Election Commission will request the Village Assembly to decide whether or not to have an additional election.

Article 27. After the Village Election Commission confirms that the election is valid, the Commission announces the election results on-site, and on the same day the vote count is completed or the day after, posts an announcement, and reports to the township, nationality township and town governments for the record.

Article 28. The following election results will be certified and announced as invalid by the people's government above the township level:

- (1) The election procedures violate laws, regulations and the regulations in these Measures.
- (2) Election won by the use of improper methods such violence, threat, bribery and counterfeit ballots.

When all results of an election are invalid there should be a new election. In cases where the invalidation of a portion of the election results creates a situation in which the number of people elected members of the Village Committee is less than the number that should be elected, whether or not to hold an additional election is handled according to the rules of Article 26 of these Measures.

Chapter VI. Terminations, Recalls, Resignations and By-Elections

Article 29. If there is a legal close relative relationship between elected members of the Village Committee, only one person may remain in office. If the positions are different, the person in the higher position remains. If the positions are the same and the same number of votes was received in the election, the Village Committee decides who remains.

Article 30. If during their terms of office members of the Village Committee according to the law are found to be responsible for a crime or subjected to reeducation through labor, the Village Assembly decides to terminate their duties.

If during their terms of office members for a continuous period of over 6 months do not fulfill their responsibilities or move their households from the village and no longer fulfill the obligations of villager, their duties are automatically terminated.

Article 31. Over 1/5 of villagers with voting rights jointly may request the recall of members of the Village Committee. Requests for recall should be raised with the Village Assembly in written form, stating the reason for recall. When necessary, the township, nationality township and town governments may organize an investigation into the matters involved in the request for recall, and circulate the results of the investigation to the Village Assembly.

The Village Committee should, within 30 days upon receipt of villagers' requests for recall, convene the Village Assembly, and carry out a vote by ballot. If the request for recall is for the Village Committee Chairman, the Vice-Chairman chairs the Village Assembly's vote by ballot. If the Village Committee exceeds the time limit and does not convene the Village Assembly vote by ballot on requests for recall, or the member of the Village Committee who should chair the meeting declares that he/she will not chair, the township, nationality township or town government will send someone to call together the Village Assembly for a vote by ballot.

The Village Committee or the township, nationality or town government should announce the time and place of the vote by ballot on request for recall 10 days in advance.

Members of the Village Committee whose recall has been requested have the right to put on a defense before the Village Assembly.

The recall of members of the Village Committee requires over half the number of villagers with the right to vote to pass.

Article 32. With regard to the serious illegal behavior of members of the Village Committee, the township, nationality township and town governments may suggest recall to the Village Committee. The Village Committee should, within 30 days of receiving the recall suggestion, convene the Village Assembly for the villagers to decide whether or not to raise a request for recall. If villagers request a recall, the recall should be carried out according to the procedure stipulated by Article 31 of these Measures.

Article 33. If members of the Village Committee request resignation from their duties, they should do so in written form to the Village Assembly or the Village Representative Assembly. The Village Assembly or the Village Representative Assembly will vote by ballot or by show of hands to pass it.

Article 34. Whether or not to hold by-elections to fill vacancies in membership of the Village Committee created by reasons such as terminations, recall, resignations and death is handled by referring to the regulations of Article 26, paragraph 2 of these measures. The Village Committee manages by-elections, which according to the election procedures stipulated by these Measures should be completed within 3 months.

Terms of office of members of the Village Committee elected in by-elections terminate at the end of the term of the current session of the Village Committee.

Article 35. With regard to members of the Village Committee who terminate their duties of their own accord, the township, nationality township, and town governments certify and publicly announce. Those members of the Village Committee who resign, are recalled, are decided to terminate by the Village Assembly, or are elected through by-election, will be announced by the Village Committee and reported to the township, nationality township and town governments for the record.

Chapter VII. Legal Liability

Article 36. People's government above the township level will order correction of the following behaviors, and according to the seriousness of the case, provide criticism-education or administrative punishment.

- (1) Without authorization advancing or delaying Village Committee elections.
- (2) Illegally announcing the election date, voter list, candidate list, or voting place. Illegally distributing voter certifications, proxy voter certifications or unlawfully canceling the qualifications of voters.

(3) In violation of these Measures, assigning or changing candidates for Village Committee membership, or assigning, appointing or dismissing and replacing Village Committee members.

(4) Practicing fraud, intentionally covering up that there are members of the Village Committee who have illegal criminal behavior, seriously neglect duties, or for long periods of time fail to fulfill their duties during investigations related to members of the Village Committee.

Article 37. If there is one of the following behaviors, people's government above the township level will order correction and according to the seriousness of the case, provide criticism-education or administrative punishment. Behavior that violates the "People's Republic of China Public Security Penal Rules" will be handled according to law by public security organs. (Behavior that) constitutes a crime will be investigated and criminal responsibility established:

(1) Cases in which improper methods such as violence, threat, or bribery disrupt the election or obstruct villagers' right to vote and right to be elected.

(2) Falsifying election documents or ballots, falsely reporting election results and other election irregularities.

(3) Attacking and retaliating against villagers who report illegal behavior in the election or villagers who put forth recall requests.

(4) Other behavior that disrupts the Village Committee election, or obstructs villagers' carrying out of democratic elections and other self-governance rights.

Chapter VIII. Supplementary Provisions

Article 38. The election of representatives for a new term of the Village Representative Assembly and the leader and deputy leaders of small groups should take place within 30 days of the completion of term elections for the Village Committee.

Article 39. The Provincial People's Government is responsible for explanations in case of questions concerning the specific application of these Measures.

Article 40. These Measures take effect from the day they are announced.

ATTACHMENT 4: Election Activities Schedules from Toupu and Cangdong

**Haikou City, Xinhua District, Chengxi County, Toupu Village
Third Round of Elections Daily Working Schedule**

Day	Working Plans
October 17	Organize cadres to participate in the third term Village Committee term change election mobilization meeting of Chengxi County.
October 22	Convene the village party branch, the Village Committee and economic society to arrange election work.
October 23	Convene the Village Representative Assembly. Using the secret ballot method, select members of the Toupu village third term Village Committee term change election commission. Elect 1 Chairman, 2 Vice Chairmen, and 6 members. Draft the "Toupu Village Third Term Village Committee Term Change Election Work Implementation Plan" (draft) and according to the relevant procedures the Village Committee publicly announce the Village Election Commission membership list and duties to all the villagers.
November 9	The Village Election Commission convenes the Village Assembly, discusses and adopts the "Toupu Village Third Term Village Committee Term Change Election Work Implementation Plan". Decide the Election Day, select voter registration personnel, scribes, supervisory personnel and personnel to check ballots, announce ballots, count ballots and other election workers.
November 10	The Village Election Commission issues public announcement No. 1, announcing the starting time of election work, the voter registration date and the election date this time.

November 11	<p>Begin voter registration work. Launch propaganda mobilization work, hang banners, publish propaganda bulletin boards.</p> <p>The Village Election Commission issues an open letter to Toupu villagers.</p>
November 15	Upon completion of the registered voter list, the Election Commission issues public announcement No. 2, announcing the voter list.
November 17	Publicly announce the second voter list.
November 19	Publicly announce the third voter list.
November 20-23	Fill out voter identification cards. Issue voter identification cards.
November 25	The Village Election Commission issues the third public announcement, announcing the positions and number of positions for candidates for membership of this term's Village Committee.
November 27	The Village Election Commission issues the fourth public announcement, announcing the time, place and method for the opening of the Village Committee membership candidate nomination mass meeting.
November 28	Training of election workers. Printing of nomination ballots for the candidate nomination mass meeting.
November 29	Convene the mass meeting of all voters. Directly nominate for election of Village Committee Chairman, Vice Chairman, and member candidates.
November 30	The Village Election Commission issues the fifth public announcement, announcing the results of the nomination mass meeting, the list and introduction of elected candidates.

December 1	Convene the Village Election Commission meeting, to fill vacancies created by the election of some Village Election Commission members to be candidates and publicly announce the new list of Village Election Commission members.
December 2	The Village Election Commission issues the sixth public announcement, announcing the time, place and voting method of the election mass meeting.
December 3-4	Take care of proxy ballots, make ballot boxes, print ballots, establish secret voting locations, scribe locations, and set up the election mass meeting place. Show films in the evening and once again carry out propaganda mobilization.
December 5	Convene the mass meeting of all the voters, and elect the third term Toupu Village Committee.
December 8-30	Elect the village small group leader and elect the village representatives.

**Haikou City, Xinhua District, Chengxi County, Cangdong Village
Third Round of Elections Daily Working Schedule**

Day	Working Plans
October 17	Chengxi County organizations meet to discuss election activities.
October 22	Party members are called together for a village meeting on election work.
October 24	Call together village representatives to select Cangdong's third round election committee, based on the predetermined number of having one chairperson, two vice chairs, and four members.
October 26	Cangdong's Village Election Commission opens its first meeting, to discuss how to proceed, to set the election day, to determine registration officials, writing aids, election monitors, ballot "singers," and ballot counters. In the evening, conduct a meeting on election work.
October 28	The Village Election Commission makes an announcement stating the day for registration, the day of the election and that election work has begun.
October 29	Registration and propaganda work begins.
October 30	Village Election Commission workers meet to publish a letter to villagers.
October 31	Registration is finalized, the election committee sends out its second announcement, which makes the registration list public.
November 3	The second public announcement is posted.
November 5	A third public announcement of the name list is posted.
November 6 – 10	Fill out voter identification cards.
November 12 – 15	Issue voter identification cards.
November 17	The Village Election Commission makes its third election announcement, publicizing the open seats on the village committee and the number of candidates allowed for each position.

November 18	The Village Election Commission makes its fourth announcement, publicizing the primary nomination process, time, location and regulations.
November 21	An election worker training is held; the primary election regulations and ballot are reviewed during a mass meeting. In the evening a movie is shown for propaganda purposes.
November 22	A mass village meeting commences and the primary nomination process takes place for village chairperson, vice chair and member.
November 23	The Village Election Commission makes its fifth announcement, publicizing the results of the primary and a brief introduction of the candidates.
November 24	The Village Election Commission holds a meeting, to follow regulations in the proper order for filling vacancies, and they publicize a new list of voters.
November 25	The Village Election Commission makes its sixth announcement, publicizing the time, location and procedure of the general election.
November 26-29	Ballots are finalized and printed, secret voting booths are set up at the meeting ground. In the evening there is a movie, at which there is propaganda about the election.
November 30	Cangdong's third round general election meeting is held.
December 1	Cangdong's Village Election Commission makes its seventh announcement, publicizing the results of the general election.
December 1 – 20	Newly elected representatives assume their positions.

ATTACHMENT 5:

Open Letters to Villagers

A Letter to the Voters of Toupu Village

Voters:

Greetings! The term change election work for our Toupu Village third term Village Election Commission has already begun. The Village Committee term change election is a great thing in rural political life. We hope all the voters of our village will treasure this opportunity and completely carry out their right to vote, actively participate in the village's term change election activities, adhere to the principles of openness, fairness and justice, and elect Village Committee members who are able to represent everyone's wishes, abide by rules and laws, be just and honest, have a democratic work style, enthusiastically serve the villagers, and have the ability to lead villagers to be diligent and prosper.

Our village's term change election work begins on October 17, 2001 and concludes on December 30, 2001. On October 23 the village's second term Village Representative Assembly through the secret ballot method, elected the Toupu Village third term Village Committee term change election commission. The Chairman: Su Xiangji, Vice Chairmen: Chen Zhuannan and Chen Fuming, and members: Chen Fuli, Feng Haiqing, Su Jingu, Su Shengli, Su Guanzhong and Su Yunxin. According to relevant laws, regulations and rules, the Village Election Commission specifically organizes and directs the third term Village Committee term change election work. With the decision of the Village Election Commission meeting, voter registration day is November 11, 2001 and December 5 is the legally stipulated Election Day. Any villager of this village who is fully 18 years of age (born before December 5, 1983) may register to vote by presenting an identification certificate or household registration booklet at the Village Committee office.

According to the rules of the "Hainan Province Measures to Implement the 'People's Republic of China Village Organic Law'" our village's third term Village Committee will be composed of three people, among them 1 chairman, 1 vice chairman and 1 member. The candidates for Village Committee membership according to the rules of the "Hainan Province Village Committee Election Measures" concerning "the number of candidates for Village Committee Chairman and Vice Chairman should each exceed the number to be elected by 1; The number of candidates for member should be one third more than the number to be elected", will be decided by nomination vote of all the voters. The Village Election Commission decided that the voter mass meeting will convene on November 29, 2001 to carry out secret balloting to nominate candidates and we hope that voters will actively participate on schedule. December 5 is our legally stipulated Election Day. When the time comes we hope that numerous voters will, in the

interest of the entire village, develop the spirit of the protagonist, enthusiastically participate in the election mass meeting, and cast your sacred ballot. We believe that with the support and guidance of higher leadership and with the active cooperation of all the villagers, our Toupu Village term change election work will definitely achieve complete success.

Respectfully,

Haikou Municipality, Xinhua District, Chengxi County
Toupu Village Third Term Village Election Commission

October 30, 2001

A Letter to the Voters of Cangdong Village

Voters:

Greetings! We on the Village Election Commission of Cangdong Village have already started working. The change of the Village Committee is at the center of the life of village government and is very important. We hope villagers take advantage of this opportunity to exercise their right to vote, to participate in the election activities of the village, to support the principles of integrity, fairness, and impartiality, so that the election can represent everyone's wishes, adhere to the law, with honesty, to further democracy. Enthusiastically support your village and help to make your village government stronger.

We will carry out election work from October 17 – December 20. On October 22, the second village committee selected the third round village election commission, Chairperson: Zhuan Laifeng; Vice Chairs: Zhou Dinglian, Wu Kunbao; Members: Cai Huaian, Cun Lihua, Su Yulian, and Zhou Dingtai. According to village regulations, the election commission is a specific part of and has authority over the election process. Based on the decision of the election commission: Registration will take place on October 29, 2001, the general election will be on November 30. Villagers must be 18 years of age to vote (with a birthday before 1983), and they must live in the village in order to register.

According to Hainan Province regulations and China's Village Committee Organic Law, our village's third round of elections will decide 3 positions, among these are chairperson, vice chair and member. "Regarding the Chairperson, Vice Chair and Member, the number of votes for each candidate for each position must be at least 1/3 of the total." The Village Election Commission has set the primary nomination date to be on November 22, 2001 from 9:00 am to 11:30 am. Late voters will not be able to vote. We hope that each person plans to bring his or her registration to participate in voting. We have set the general election date for November 30, and hope that you benefit from voting and that you yourself will cast your own vote. We believe that the organizational leaders of Chengxi County have provided a very suitable election format, and we are certain that Cangdong's election will be successful.

Haikou City, Xinhua District, Chengxi County
Cangdong Village Third Round Election

October 30, 2001

ATTACHMENT 6:**Hainan Province Standard Voter Registration Card**

A County **B** Township **C** Village **n**th Round Village Committee Election Voter Identification

Name:_____ Sex:_____ Age:_____			
Voting time:_____			
Voting place:_____			
Important items: 1. This certificate must be presented to receive a ballot.			
2. Only one person may use this certificate.			
3. This certificate is invalid without an affixed seal.			
Date of issue:	Year	Month	Day
C Village Election Commission (Seal)			

ATTACHMENT 7:**Candidate Nominating Ballot, Toupu Village**

Position	Chairperson	Vice Chairperson	Member
Candidate Name			
Directions	<p>1.) Nominate 1 candidate for Chairperson, 1 for Vice Chairperson, and 1 for Member. If the number of candidates nominated for each position exceeds the allotted number, the ballot will be considered null and void;</p> <p>2.) If the candidate nomination is illegal or illegibly marked the ballot will be considered null and void;</p> <p>3.) If the candidate nomination is the same for two different positions, the ballot will be considered null and void;</p> <p>4.) If the ballot does not have an official seal, it will be considered null and void.</p> <p style="text-align: right;">November 29, 2001</p>		

**ATTACHMENT 8: General Election Ballot, Cangdong Village
Chairman, Vice Chair and Member Ballots**

Chairman Candidates

Selection Mark			
Candidate Names	Zhou Dingzhong	Zhuan Wenzhong	

Vice Chairman Candidates

Selection Mark			
Candidate Names	Huang Yunda	Zhang Yunkai	

Member Candidates

Selection Mark			
Candidate Names	Zhou Haifeng	Wu Kunbao	

Directions:

- 1.) On the ballot the candidates for the three positions are arranged according to the number of nominations received;
- 2.) Choose one person for Chairman, one for Vice Chairman, and one for Member;
- 3.) If you want to vote for a certain candidate, please place the mark of an "0" inside the box above his or her name, if you do not want to vote for the candidate, do not place a "0" by that name;
- 4.) The number of votes for each position must be less than or equal to the valid number of ballots. If there are more ballots than the number of valid voters for any position, the vote will be considered null and void. If a portion of the ballot is carelessly marked so that it is indistinguishable, it will also be considered null and void;
- 5.) For the three positions, if one is considered null and void on the ballot, this will not affect the validity of the vote for the other positions;
- 6.) If the ballot does not have an official seal, it is null and void.

ATTACHMENT 9:**Cangdong Village Third Round of Village Elections
General Assembly Rules**

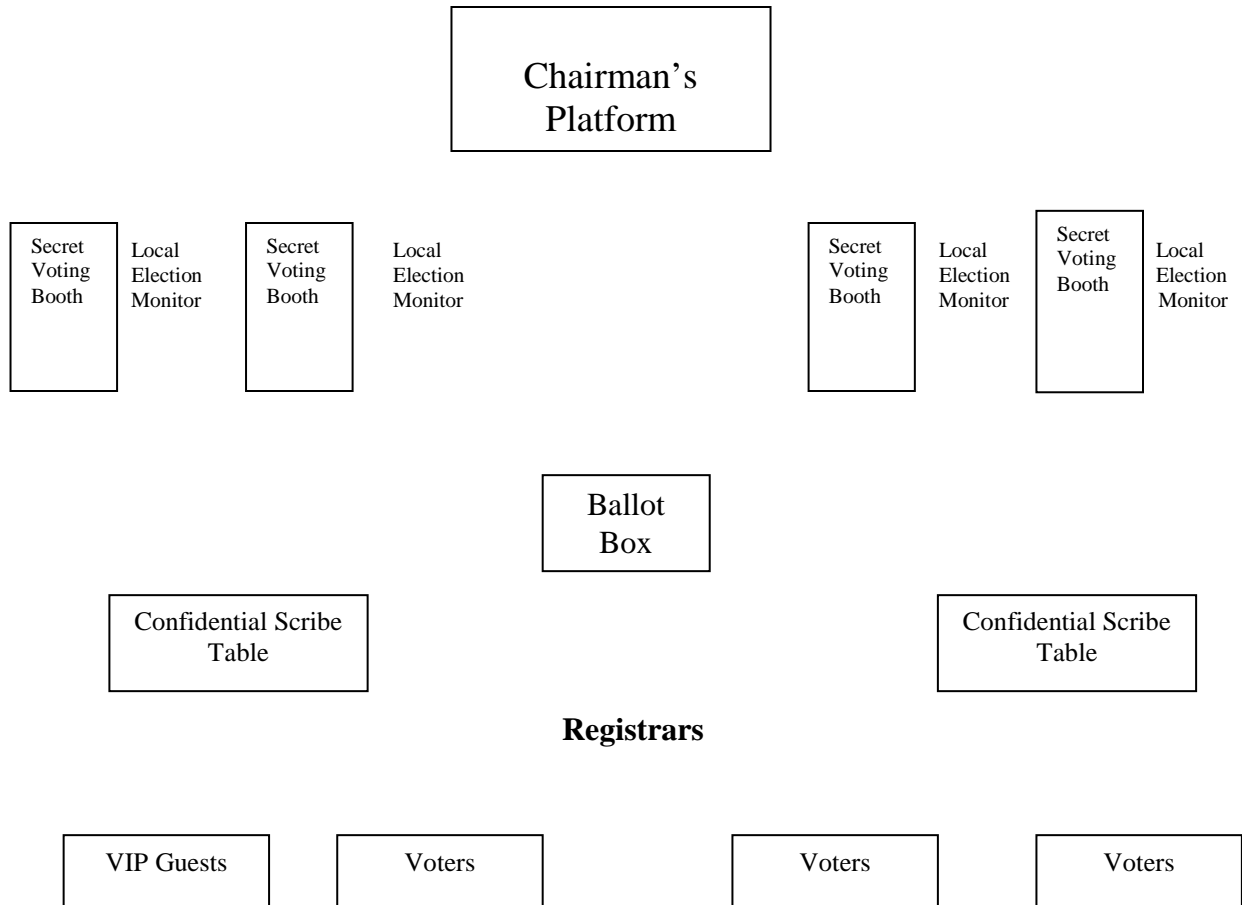
- 1.) Those attending the election meeting must listen to the commands of the election workers regarding seating.
- 2.) Participants should not casually go about activities, and there should not be any noisy disturbances
- 3.) Regarding beepers and mobile phones, do not make or take calls at the election grounds.
- 4.) Consciously safeguard the order of the election grounds. Do not by your own authority leave the grounds.
- 5.) At the time to fill out the ballots, it is necessary to fill them out in an orderly and simple way.
- 6.) Every obstruction to freedoms or sabotaging of the election will be handled under the *Hainan Province Method for Implementation of "People's Republic of China Village Committee Organic Law* within the 37 regulations for handling cases.

Cangdong Village Election Commission

November 30, 2001

ATTACHMENT 10:

General Election Layout of the Grounds



ATTACHMENT 11:**Toupu, Third Round Village Committee Election Results Report**

Located in Chengxi County, Toupu Village has altogether 348 registered voters. On November 29, 2001, a nominating meeting was held. In total, 306 voters attended, and 306 ballots were handed out and returned. Six ballots were invalidated because they were left blank.

Election Results:Nominees for Chairman:

Su Xiangji:	150 votes
Feng Xiaosi:	32 votes

Nominees for Vice Chair:

Chen Shihong:	53 votes
Chen Fuming:	48 votes

Nominees for Member:

Chen Zhuannan (female):	51 votes
Chen Fuming:	31 votes

Cangdong, Third Round Village Committee Election Results Report

Located in Chengxi County, Cangdong Village has altogether 257 registered voters. On November 30, 2001 the village held an election mass meeting. There were 256 voters present at the meeting, and 256 ballots were passed out. There were 250 ballots ruled valid, four were ruled partially invalid and two were completely invalid. Voters were supposed to vote for one chairman, one vice chairman and one committee member. There were two candidates for each position.

Election Results:

Chairman: Zhou Dingzhong-143 votes, male, age 43, high school graduate, party member.

Vice Chairman: Huang Yunda-199 votes, male, age 38, high school graduate, not a party member.

Member: Zhou Haifeng: 134 votes, male, age 25, high school graduate, party member.

Glossary of Terms

Clan

A clan is an extended family that usually shares the same last name. Some natural villages in China are inhabited primarily by members of the same clan.

Chairman, Village Committee

The chairman of the village committee essentially serves as the village mayor. He is the central leader of the village government and directs the work of the village committee.

“Drop-down” Method

The “drop-down” method of voting is an electoral system used in some Hainan villages. Under this system, the losing candidate for chairman drops down to become a candidate for vice chairman; the losing candidate for vice-chairman drops down to become a candidate for committee member.

People’s Congress

The legislative branch at all levels of the people’s government.

People’s Government

The term used officially to refer to the government of the People’s Republic of China.

Proxy Vote

Under Hainan election law, villagers unable to participate in elections are able to provide written authorization to another person to vote on their behalf. Permission from the village election commission is required, and the proxy voter must present an official form before receiving ballots.

Provincial Implementation Methods

The *PRC Village Committee Organic Law* provides for individual provinces to pass their own specific “methods” for its implementation. Such legislation, passed by provincial people’s congress standing committees, sets out specific guidelines for the practice of elections and the operations of the village committee.

Roving Ballot Box

The roving ballot box is a small ballot box that is carried to the homes of the aged, infirm and others who are unable to go in person to the polling station.

“Sea Choice” (hai xuan) Primary Election

When nominating formal candidates, voters are given a blank ballot and asked to write in a name for each position to be filled. The top vote getters are designated as formal candidates.

Township

The lowest official level of the people's government, and the level that directly oversees the village committee.

Vice chairman, Village Committee

The vice chairman is the second-ranking member of the village committee. When the chairmanship is vacant, or when the chairman is unable to perform his duties, the vice chairman serves as head of the village committee.

Village

Throughout this report, the term "village" refers to the political unit of local government at the grassroots level. A village may in fact consist of several geographically distinct natural villages that are organized under a common political structure.

Village Assembly

The village assembly consists of the entire voting-age population of a village, similar to a New England town meeting. Under the law, it is the highest decision-making body in the village and must be convened by the village committee to debate and decide upon major issues of village policy.

Village Committee

The village committee is the executive branch of government at the local level. However, it is not a formal level of the Chinese government hierarchy. There are three to seven members on most committees, usually presided over by a chairman, vice chairman(men), and member(s). According to Chinese law, members of the village committee must be chosen by direct elections.

Village Committee Organic Law

Law passed by the National People's Congress in Beijing on November 4, 1998, governing the election and functions of the village committee.

Village Election Commission

The village election commission, which is appointed by the village assembly under the supervision of the incumbent village committee, usually has three to seven members, including a chairman and vice chairman(men). The commission is responsible for overseeing the planning for and execution of village committee elections, and is disbanded as soon as election work is completed. In Hainan, an individual cannot be a member of the election commission and a candidate for office.

Village Party Branch/Committee

The village party branch or committee is the local arm of the Chinese Communist Party (CCP). It is headed by a chairman and vice chairman(men), who are allowed to concurrently serve on the

village committee. The formal relationship between the party committee and village committee remains poorly defined, but in most villages the party committee carries out party operations at the village level and counsels the village committee on party policies. The two committees often share offices.

Village Representative Assembly

The village representative assembly, not to be confused with the village assembly, provides policy guidance to the village committee on issues such as infrastructure and agriculture development. It usually consists of twenty to sixty village elders who meet several times a year to establish village priorities, and to hear reports from the chairman of the village committee.

Village Small Group

The village small group is a smaller organizational unit below the village. Just as the village committee and village representative assembly are successors to the commune structure, small village groups have replaced production brigades.

Write-In Candidates

A write-in candidate is a candidate whose name is not printed on the ballot, but has been written in by voters. In Hainan, printed ballots have a designated space to enable voters to write in the candidates of their choice.

Map of the People's Republic of China

Map of Hainan Province