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Opportunities, Goals and Strategies of Chinese NGOs Working on HIV/AIDS

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ABSTRACT

Chinese NGOs have in recent years become increasingly involved in the country's effort to combat HIV/AIDS, yet we still have limited information about how these NGOs work and what constitutes their relations to different stakeholders in the field. This thesis studies the opportunities Chinese NGOs have found to organize around issues related to HIV/AIDS, and it explores the goals organizations have set for their work and what strategies they use to reach them. The main focus is on seven organizations based in Beijing, with main data stemming from long term field work including personal observation and extensive interviews. My intention is to describe how these NGOs operate, what they are able to do and ultimately answer the question: how do the NGOs negotiate for working space and influence given the restrictive setting they operate in? The seven NGOs demonstrate considerable opportunity for Chinese NGOs despite the many restrictions that still apply to civil society activities in China. Furthermore, the NGOs demonstrate that choosing goals and strategies matters, and they display both significant ability to promote interests as well as ability to steer the course of their own organizational development.

ACKNOWLEDGEMENTS

Many years ago I walked the halls of my university in Trondheim (Norway) and found a notice for scholarships for students wanting to write about human rights in China. A few years later, my political science professor suggested for me to start focusing on development of civil society in China. Soon after that, I was studying in China, and I remember reading Chinese newspaper articles about increasing efforts to combat the spread of HIV.

Returning to Norway, however, my impression was still that human rights was too abstract a topic to study in regard to a development as complex as the Chinese transition, that Chinese society was so controlled that it had little to offer in terms of civil society activities, and that the number of HIV-positive in China was, relatively speaking, so low that it hardly be considered a serious problem.

Researching this thesis has been a process, and I believe I have become a bit wiser. Somehow I ended up getting that scholarship from the Norwegian Center for Human Rights, with a plan to write about Chinese NGOs working on HIV/AIDS. Today I cannot think of a more interesting topic to study.

I owe a special thank-you to the staff of the China Program of the Norwegian Center for Human Rights, to the Norwegian Research Council and their Chinese counterpart for granting me state scholarships to study at Tsinghua, and to my teachers, colleagues, friends and family for their help, interest and curious enthusiasm.

This paper would not have been written without the personal contributions from a vast number of individuals involved in HIV/AIDS work in China. I want to thank you for trusting me, and for sharing your time and experiences with me. I hope to be seeing you all again.

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LIST OF ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
ARV	Antiretroviral (Drugs)
CBO	Community Based Organization
GF	The Global Fund (To Fight AIDS, Tuberculosis and Malaria)
GIPA	Greater Involvement of People Infected with or Living with HIV/AIDS
GONGO	Government-Organized Non-Governmental Organization
HIV	Human Immunodeficiency Virus
IDU	Injecting Drug User
MOH	Ministry of Health
MSM	Men Who Have Sex with Men
NGO	Non-Governmental Organization
PLWHA	People Living with HIV/AIDS
PSB	Public Security Bureau
RMB	Renminbi or Chinese Yuan (CNY), the Chinese Currency (July 2 nd 2008: 1USD=6.86 CNY (www.bloomberg.com))
SARS	Severe Acute Respiratory Syndrome
SC	State Council
SCAWCO	State Council AIDS Working Committee Office
STD	Sexually Transmitted Disease
TB	Tuberculosis
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNGASS	United Nations General Assembly Special Session on HIV/AIDS
UNICEF	United Nations Children's Fund
USD	United States Dollar
UNTG(A)	United Nations Theme Group (on AIDS)
WHO	World Health Organization

NOTE ON NAMES AND TRANSCRIPTION OF CHINESE TERMS

Chinese names in this thesis are consistently written in the order normal in the People's Republic; that is family name coming first followed by the given, personal name. For citations of authors with Chinese names, full name is sometimes used to distinguish them from other authors with the same family name.

For transcriptions of Chinese characters I use the pinyin system. However, I have not changed transcription if names or expressions are taken out from a non-Chinese text.

Translated Chinese names and expressions are followed by a note if the translation is my own.

Chapter 1

INTRODUCTION

China has emerged as an international power. The last 20 years of reforms have not only produced economic growth rates that have lifted hundreds of millions of Chinese out of poverty; they have also equipped China with economic and political muscles with which the world now has to deal. But as much as reforms and economic policies have paved the way for a China entering the World Trade Organization and playing host to Olympic Games, reforms have done less to solve a whole range of problems that have followed alongside development. In response to environmental degradation, escalating welfare needs, rural poverty, disease and a range of other issues that are standing in way of development and are threatening social harmony, the Communist leadership has allowed for an increasing range of non-governmental initiatives and organizations to come into play that many see as an emerging civil society in China (Saich 2004, p. 190-192, Yang 2005, p. 46, Howell 2004, p. 143 and 146, and Morton 2005, p. 519).

The environmental field has attracted much attention in particular, and scholars have described a vibrant and growing community of non-governmental organizations (NGOs) that, despite obvious restrictions, does manage to operate in relative independence from state and government. Other fields in which NGO activity has expanded are poverty relief, women's rights, children with special needs, and HIV/AIDS (Morton 2005, p. 522, Saich 2004, p. 189-191, and CIVICUS Report 2006, p. 47). A considerable amount of research underscores that civic activities are increasing and that a number of NGOs have developed skills and capacities to negotiate the state and are now, in several domains, paving the way for more non-governmental participation. It is not surprising that many see NGOs becoming a potent force in future development in China (Ho 2001, p. 918, Economy 2004, p. 145, and Cooper 2006, p. 136). What most observers readily agree on, however, is that we still know rather little about Chinese NGOs. There are no comprehensive directories or statistics available, and we still lack knowledge about how these organizations work, their strategies for dealing with government and other stakeholders as well as the depth of their activities (Ma 2006, p. 3, Deng 2007, unpagged, p. 3, Ho 2001, p. 907, and Morton 2005, p. 521). My goal with this study is to work on some of those

shortages.

This is a case study focusing on the opportunities, goals and strategies of a selection of Chinese NGOs involved in HIV/AIDS. The selected NGOs are studied and discussed in the context of overall development of NGO and civil society activity in China, and one major aim of this thesis is to provide new and expanded knowledge about the stretches and limitations to these activities in China today. There are several reasons why HIV/AIDS makes an interesting field to study in regard to NGO development in China. The most obvious is that HIV/AIDS constitutes one of the fields in which NGOs have become increasingly active in recent years (Morton 2005, p. 522, Saich 2006a, p. 37, and Gill 2006, p. 27). Yet there seems to be very few comprehensive studies made about NGO development in this particular field.

Many things have changed in regard to HIV/AIDS and Chinese NGOs in recent years. Several observers point to China's experience with SARS (severe acute respiratory syndrome) in 2003 as having been a trigger for fundamental changes in the country's HIV/AIDS response, and the Chinese government has since SARS come around implementing international norms and allowed for more participation from civil society actors (Hsu 2006, p. 110-111, and 130-137, and Huang 2006, p. 116). In terms of numbers, HIV infection rates in China do not seem alarming compared to the situation in many other countries. The most recent estimates are that 700,000 Chinese are infected with HIV, with around 50,000 new infections in 2007. But only 220,000 HIV-positive individuals have been identified, which means the majority of HIV carriers are not being treated or counseled and pose great risks for new transmissions. The main transmission route is now sexual, followed by intravenous drug use, and it is very clear that many of the groups regarded as high risk are marginalized and difficult to reach for the state apparatus (SCAWCO and UNTGA 2007, summary, p. 1 and 6). The government has thus become increasingly aware that civil society, NGOs and people living with HIV and AIDS (PLWHA) need to be involved if prevention policies are to be effective (Gill 2006, p. 24, and Gill and Okie 2007, p. 1804).

The level of attention and funding invested in HIV/AIDS internationally makes it a special case in relation to civil society development. I believe the situation is particularly interesting in regard to NGO and civil society development in China. International contributions to China have been strong in this field, encompassing

international NGOs, development agencies, the many UN organizations that operate in China as well as the Global Fund To Fight AIDS, Tuberculosis and Malaria, which has become a major financing organ for Chinese AIDS projects. For many Chinese NGOs, international actors have not only provided access to funding, but have also provided platforms for building skills and for socializing with government and other stakeholders. The Global Fund and the UN (in particular its AIDS program UNAIDS) as well as many other international actors advocate and often require involvement of civil society in their operations (UNAIDS 2007, summary, and GF 2007, summary). There is little doubt that this works as a strong incentive for Chinese state officials to allow for more NGO activity.

Over the last few years, Chinese NGOs have entered the HIV/AIDS field in increasing numbers and with increasing scope of activities. In 2007, the State Council and the UN Theme Group on AIDS reported that the number of community-based groups involved in HIV/AIDS have reached more than 400 (2007, p. 14), and the Ministry of Health stated that there now are 117 grassroots organizations for gay men alone (China Daily 2007.04.16). A simple analysis of the latest China HIV/AIDS Directory 2006/2007, a comprehensive list of all types of actors involved in the AIDS response, indicates that about 100 listed Chinese NGOs are active in providing care, prevention and interest representation among PLWHA, hemophiliacs, gay men, sex workers, injecting drug users and other affected groups (China AIDS Info 2007).

However, reported numbers, listings and directories say little about the dynamics that lie behind the emergence of NGOs, and say no more about the opportunities, goals and strategies that characterize the growing number of NGOs in this field. I believe there is much to gain from a better understanding of the development of NGOs working on HIV/AIDS, both in regard to sociopolitical development in this particular field as well as in regard to overall NGO and civil society development in China. The Chinese government and the UN's joint assessments of HIV/AIDS in China for 2004, 2005 and 2007 all maintain that despite considerable progress made in recent years, legal and bureaucratic restrictions still hamper NGO growth and involvement¹. Generally speaking, Chinese NGOs working

¹ The 2004 and 2007 reports were written by the State Council AIDS Working Committee Office and the UN Theme Group on AIDS (reference 2004, p. 25-28, and 2007, p. 36). The 2005 report (published in 2006) was written by the Ministry of Health, UNAIDS and WHO (reference 2006, p. 13).

on HIV/AIDS naturally reflect the authoritarian system they operate in, and by and large the government and China's Communist Party strive to uphold control over the expanding non-governmental sector (Saich 2004, p. 117, and Saich 2006c, p. 37). The system works in favor of organizations which remain close to government and its interests, with laws restricting the freedom, independence and status of NGOs, and the regulations anyhow allow for security authorities to intervene whenever they see fit (CIVICUS Report 2006, p. 44, and Saich 2000, p. 132). While NGOs have become quite active in some fields, their presence is lacking in areas where state control is less negotiable. Freedom of assembly and association is still restricted, independent trade unions illegal, and press freedom weak. Chinese NGOs explicitly devoted to human rights and anti-corruption barely exist (CIVICUS Report 2006, with reference to World Bank 2005 and the Freedom House 2005, p. 40, 41 and 47, and Jia Xijin 2007, p. 141).

What seems evident is that China's authoritarian system does work to limit NGO and civil society activity, but also that an indefinite number of Chinese organizations have managed to carve out a considerable amount of space for non-governmental activity in several policy fields or issue areas. Chinese NGOs involved in HIV/AIDS seem to be in a particularly interesting position. The Chinese government has increasingly come around adopting international norms in its HIV/AIDS response, and there is evidence of increased NGO activity. However, at the same time authorities are wary of the expanding NGO sector (Saich 2006a, p. 37), and HIV/AIDS touches upon sexual taboos and illegal activities which pose special challenges for organizations that work on these issues. Internationally, HIV/AIDS has moved center stage among global health issues and development goals, and civil society and NGOs are appraised for their central roles in combating the virus and the disease (Barnett and Whiteside 2006, p. 362, and GF 2007, p. 3). Nevertheless, the strong link between HIV/AIDS, human rights and realization of broader development goals so often highlighted internationally, may represent a challenging association for Chinese organizations which are known for shying away from sensitive issues and human rights work in particular. I believe these are all reasons why HIV/AIDS makes a fruitful field for studies aimed at increasing our knowledge about NGO and civil society activity in China.

This is a case study of seven NGOs in Beijing, all having HIV/AIDS as their main type of activity. The study explores and describes how these NGOs make use of available opportunities, what goals they set for their work and what types of strategies they develop to sustain organizational development and to reach some of their set objectives. My intention is to provide a solid understanding of how these NGOs operate, what they are able to do and, ultimately, to answer the question: how do the NGOs negotiate for working space and influence given the restrictive setting they operate in? In answering that, I hope to increase the knowledge of how Chinese NGOs work, as well as increase our understanding of the stretches and limitations to NGO and civil society activity in this country. I hope my study may provide new and valuable information, but the limited focus on some NGOs in one city and one field naturally limits possible generalization.

Many scholars have described possibilities to organize and work around shared interests in China. My study builds on generalizations drawn from these studies and tests and challenges some of their assumptions. Although recognizing many restrictions which come with the authoritarian setting, Tony Saich (2000) has found considerable opportunity for Chinese NGOs to negotiate their own terms for spaces to operate in with the state, and to influence the state in different policy domains (p. 139). Yang Guobin (2005, p. 52 and 55) has described how many environmental NGOs have been able to negotiate and widen operational spaces by resorting to acts of “boundary-spanning contention”. Jude Howell (2004) has demonstrated how many groups are able to organize around several marginalized issues, and has shown that by providing services and doing practical work, many groups are not only able to benefit the communities they work with, but are sometimes also able to influence government thinking (p. 150, 160 and 162). What all these scholars have found, are ample indications of Chinese NGOs able to work and effectively promote interests, but also that strategies and approaches are largely careful, modest and un-confrontational. Peter Ho (2001) refers to this carefulness as a “female mildness” and a general avoidance of conflict, which he has found to be characteristic of environmental NGOs he has studied (p. 916).

In regard to the HIV/AIDS field, there is little doubt that ample opportunities are available for groups to organize, but we seem to know little about how Chinese

NGOs respond to this situation. Internationally, HIV/AIDS responses have often been associated with struggle for rights and better treatment, as well as protests against injustices and discrimination. Much international response to HIV/AIDS has also focused on realizing human rights and protesting lack of medicine and unmet prevention needs (Foller and Thörn 2005, p.34-35, and Macklin 2004, p. 206). Given the strong involvement of international actors in China's HIV/AIDS response and their vital support for Chinese NGOs, it therefore seems only more relevant to ask whether the "female mildness" and avoidance of conflict are as characteristic for NGOs working on HIV/AIDS as they are for Chinese organizations operating in other fields. This study finds this to be a highly relevant question.

I have selected seven NGOs as cases for this study. Selection is based on mainly three criteria. One, they meet the definition for NGO as applied in this study; two, they all have HIV/AIDS work as their main activity; and three, they are all active in what I have come to know as a vigorous HIV/AIDS community in Beijing. The seven NGOs are working on prevention, legal rights, antidiscrimination, treatment and medication, as well as various forms of service provision and care. They mainly represent the interests of PLWHA, homosexuals and other sexual minorities, drug users, sex workers, children and other vulnerable groups affected by AIDS. Together these NGOs represent a relatively comprehensive picture of the issues and groups that constitute the non-governmental community working on HIV/AIDS in Beijing. All NGOs do work to make an impact and to benefit their communities, but they demonstrate great variation in how they advocate or promote the interests they represent.

Many of the NGOs studied for this thesis largely reflect the carefulness and modesty previous research has found characteristic of Chinese organizational life, but some case NGOs go a long way in refuting the "mildness" and avoidance of conflict that Chinese organizations are known for. This variation indicates that several strategies may work for Chinese NGOs, and I believe this variation casts light on several aspects that are important for better understanding the stretches and limitations to NGO and civil society activity in this complex country today.

The final writing of this thesis was done in August 2008, when Beijing was hosting the Summer Olympic Games. It was an interesting time in the Chinese capital.

The presence of the Olympic Flame literally brought to light China's increasingly visible role as a world player, but also highlighted the priority the state continues to place on retaining control over activities, groups and individuals perceived critical or problematic. Many of the NGO activities discussed throughout this paper were scaled down or put on hold in the time leading up to the Olympic Games, and many NGO staff literally left town to evade increased surveillance and possible intervention. This might serve as a good illustration of the ambivalent status of Chinese NGOs, and, at any rate, underlines the relevance of learning more about their operations and possible functions in a transitional China.

Thesis outline

This chapter has introduced the theme of the thesis and provided some background information. The next Chapter 2 will give a more detailed presentation of previous research and some theoretical contributions that are most relevant for this study. It will also provide general assessment of the situation for civil society, NGOs and HIV/AIDS in China. In Chapter 3 I discuss research method, data and ethical considerations. Chapter 4 starts with introducing the seven case NGOs, and continues with general remarks on the opportunities these NGOs have found and what goals they have set despite facing many problems and restrictions. Chapter 5 is fully devoted to the strategies of the NGOs, and discusses in more detail how the NGOs maneuver between opportunities and restrictions. The last chapter sums up the main findings and finalizes the discussion of these in relation to theoretical contributions and assessments made about civil society development in China.

Chapter 2

BACKGROUND, THEORY AND PRESENTATION OF THE STUDY

This chapter first defines the concepts of “NGO” and “civil society” as applied in this thesis and provides a brief introduction of NGO and civil society development in China. The next section introduces some previous studies of Chinese NGOs which provide some generalizations and assumptions for this study to both build on and challenge. I then explain why it is relevant to study Chinese NGOs working on HIV/AIDS in the context of both Chinese politics and international norms. There is no doubt that the considerable financial and normative interests that are attached to HIV/AIDS internationally influence Chinese NGOs in this field, in terms of providing access to funding and opening for increased NGO participation. The following section describes China’s experience with HIV/AIDS and how policies, particularly the involvement of non-governmental actors, have changed in recent years. Together this information provides a background for a closer study of the selected NGOs, and underlines why a study such as this will increase our knowledge of how NGOs and civil society function in China. The last section introduces the scope of the project, describes Beijing as the study field, and ends with a brief summary of the study’s main findings – namely, the opportunities, goals and strategies that will be discussed in the following chapters.

2.1 NGOs and Civil Society with Chinese Characteristics

This first section starts with a general assessment of the Chinese state which is described as an authoritarian political system. This description implies limited space available for NGO and civil society activities, but does not make a discussion of these activities any less relevant (Alagappa 2004, p. 37).

“It is an indisputable fact that there are NGOs in China”, writes Wang Ming (2007a, p. 79), but he is quick to add there are no statistics or information available that can state how many there are. The statement is important as it recognizes, like many studies of Chinese NGOs have done before, that NGOs exist in China but that we still know rather little about them (Morton 2005, p. 521, Ma 2006, p. 3, and Deng 2007, unpagged). The goal of this thesis is to fill some of the knowledge gap.

China is an authoritarian state, ruled by China's Communist Party in a one-party-system. The Freedom House Report in 2005 stated that "freedom of assembly and association is severely restricted" and gave China overall scores of 6 and 7 for civil liberties and political rights respectively, indicating what is a "not free" state (CIVICUS Report 2006, p. 37 and 40). On the other hand, it has been widely noted that during the immense transition China has been going through for the last 20 years, emergence of social organizations and civil associations has been one of the notable developments (Ma 2006, p. 208, and Saich 2000, p. 124). In the fields of environmental protection, poverty alleviation, strengthening of women's rights, service for disabled children, HIV/AIDS, and in providing social services more broadly defined, Chinese organizations operating at various distances from state and government have been accepted, recognized and sometimes supported by China's communist leadership (Kang and Feng 2006, p. 132, Ma 2006, p. 96, Saich 2004, p. 190-191, and CIVICUS Report 2006, p. 47 and 67).

All organizations are working under a political and legal system restricting their development, and NGOs lack rights and laws protecting their existence (Kang and Feng 2006, p. 132, and Ma 2006, p. 202). Many keep asking whether true NGOs or a real civil society can really exist in a political system like China's (Ho 2001, p. 904, with reference to Wang Ming 2000, p. 20). Chinese scholar Li Dun consistently argues that due to China's past, the country simply does not have much of a functional civil society, and that Chinese NGOs therefore often mean little more than government officials "playing 'NGO-games' with foreigners money" (my translation) (2004, p. 123-124 and 128, and 2005, p. 35, and 2008, p. 29). Other scholars point in the opposite direction, reportedly having found ample evidence of Chinese NGOs and civil society growing into a real and noticeable community which, at times at least, demonstrates having real influence over real politics. Many studies of NGOs working on environmental protection belong in this category (Ma 2006, p. 116-121, and Saich 2004, p. 191).

By any account, when talking about NGOs and civil society, it is important to be clear about the terms we are talking about, especially since these have never been clear-cut or universally defined concepts. Some scholars have questioned the relevance of applying these terms to studies of the Chinese situation (Howell 2004, p.

164-165). Below I therefore clarify definitions as applied in this study, and explain why they have relevance to this and other studies focusing on NGO- and civil society development in China.

2.1.1 Defining “NGO” and “Civil Society”

“NGO” is widely used to describe a whole range of different organizations and movements (Willets 2002, online version). In the UN system, the term covers all organizations that are not governments or were not created by intergovernmental decision (UN 2004, p. 13). More precise definitions are of course available, and Lester M. Salamon defines civil society organizations to be formally organized (but not necessarily registered), private and not belonging to state or government (but possibly receiving government support), not-for-profit in character (but may be generating profits for organizational development), and are self-governed and based on voluntary participation (Salamon 2006, p. 12-13). This is largely the definition of NGO applied in this study, but with some modifications that are discussed below.

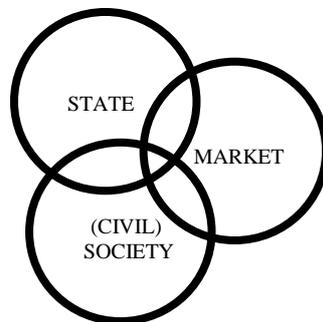
NGOs are inarguably part of civil society, a concept which in the 1990s moved center stage in the international political discourse (Edwards 2005, p. 2 and 13) but which is still imbued with contradictory and contested meanings (Willets 2002, online version). Historically, the notion of a civil society is often traced back to the rise of a capitalist economy, separation of state and church, and the establishment of bureaucratic systems in the forming of modern Europe (Brook and Frolic 1997, p. 8-9, and Frolic 1997, p. 53). Central to the idea of a civil society has often been the opportunity for individuals and groups to socialize around shared interests, not primarily as part of state or government, or as part of family or private business. Civil society is thus often understood as something separate from- and often in opposition to the state (Brook and Frolic 1997, p 9).

In China, as in other authoritarian states, most scholars agree that NGOs and the civil society they are part of, will always reflect the state system set up to limit their independence and autonomy (Alagappa 2004, p. 37). Chinese scholar Jia Xijin suggests that it might be useful to conceptualize Chinese NGOs and relations between the state, the society and the marketplace in less rigid terms than the classical models and definitions of “NGO” and “civil society” open for. The point is not to make questions about independence and autonomy from state and government less relevant,

but rather to acknowledge that the political space open to non-governmental activities is restricted, but not non-existent. Jia Xijin suggests that we take the definition of Lester M. Salamon described above and use it to study Chinese organizations that are largely non-governmental, formally organized, not for profit, public value oriented, self-governed and based on voluntary participation²(Jia Xijin 2004, p. 7-13). As discussion throughout this thesis will show, these criteria are not irrelevant to Chinese organizations; many organizations meet these criteria and can be regarded as largely non-governmental. This is the definition of NGO applied in this thesis.

Conceptualization of society and civil society as operating fully separable and independent from the state or the economy makes little practical sense in China. The State and Party apparatus still reaches far into most societal spheres, and as in many other Asian economies, the political and economic realms are largely intertwined. Again, Jia Xijin presents a model illustrating how society and more or less civil spaces in China exist in relation to the dominant state and the market economy (2004, p. 13 and 22).

Model 1: Society, State and Economy Intertwined



The model leaves room for social and civil activities taking place outside the state and economic realm, but indicates that this space will always be intertwined with the powers and interests of the other realms. Jia's definition of "Chinese" NGOs and this model of civil society are applied in this study, as I have found them most useful for discussing the opportunities, goals and strategies of the selected NGOs as well as for discussing more general assessments of civil society development in China. They

² Religious groups, family clan societies and political groups are generally banned from independently organizing in China. Chinese NGO literature therefore often regards these groups as irrelevant to debates over NGOs. However, NGOs based around religious ideology and communities do exist. For instance the relatively large and well known NGO Amity Foundation is organized by Chinese Christians.

underline the relevance of talking about NGOs and civil society in the Chinese setting where limitations and restrictions will always apply. A point of note is that many scholars generally dispute the possibility of drawing clear lines between the three realms in any country, and remind us that civil society is after all a model and not a reality (Brook 1997, p. 21, and He 2003, p. 129). What is important to understand is that civil society and NGOs will always be reflections of the state and regime they are part of (Alagappa 2004, p. 32 and 37), and while Chinese NGO and civil society activities are limited and restricted, many of these activities may still be largely non-governmental and civil.

2.1.2 NGO and Civil Society Development in China

Organizational life and civil society may never have been very notable characteristics of China's sociopolitical history. During the Mao regime, society was divided into controllable sectors and all forms of civil society were virtually circumscribed (He 2003, p. 116). Some also point to more deep-rooted influences of Confucianism, which stresses loyalty to the state and preeminence of family ties over other forms of social relationships, as being historical and cultural obstacles to organizational and civil society development in China (Edwards 2005, p. 31, Tao 2004, p. 46, and Nosco 2002, p. 339 and 354).

However, since opening-up policies were initiated in the late 1970s, associational growth and emergence of non-governmental actors have been noticeable. Considerable development was noted in the years leading up to the Tiananmen demonstrations in 1989. But following the crackdown, new restrictive regulations were issued and the number of organizations decreased (Wang Ming 2007b, p. 97-98, and He 2003, p. 121-122). Another upswing followed with the World Conference for Women that Beijing hosted in 1995. The conference introduced many Chinese leaders to the concept of NGO activities and made many aware of what possible contributions a non-governmental sector might bring. A number of academic institutions devoted to NGO and civil society research were established at major Chinese universities in the following years.

Organizational development in recent years has been far from straightforward. The Chinese leadership has once and again been alerted of potential dangers connected to NGOs and social activism. In particular the activities of the Falun Gong

movement in China, and the so called color revolutions in Georgia, Ukraine and Kyrgyzstan, have had reported effects with increased surveillance, sanctions and closing of several NGOs (Ma 2006, p. 87, Wang Ming 2007b, p. 98-99, and Saich 2006c, p. 40). In the year leading up to Beijing hosting the Olympic Games in summer 2008, restrictions and sanctions against NGOs and a whole range of civil society activities were widely reported (USA Today 2008.07.12, and BBC News 2008.04.02). This all add up to a picture of enduring limitations and restrictions to general freedom and human rights in China. While economic development and political liberalization have led to broad-ranging freedoms for millions of Chinese, the state has also sought to tighten control whenever possible (Saich 2004, p. 117). As is the case with other Asian states, China has insisted on its right to development, where interests of the social whole have normally taken predominance over individual rights (Saich 2004, p. 143-144). In practice, organizational development has often been top down, with organizational opportunities made available to groups doing work considered in line with state interests, while other groups have been severely restricted or effectively removed (Kang and Feng 2006, p. 132, Ma 2006, p. 202, and Saich 2000, p. 132). In fields considered politically difficult, like human rights advocacy and corruption, Chinese NGOs barely exist (Jia Xijin 2007, p. 141).

The situation has been similar for other groups operating in the sociopolitical space between state and society, like the media and academic institutions. Commercialization and political liberalization have led to rapid development of new media products, and reporting and research have in recent years covered a wide range of topics that would have been untouchable a few years back (Zhao 2004, p. 54), but neither journalists nor scholars are free to write or publish what they want³. While the Internet has opened unprecedented opportunities for publication and sharing of information, government control of the Internet is extensive, and restrictions and sanctions against media professionals and individual bloggers are common (Shambaugh 2007, p. 29, CIVICUS Report 2006, p. 42, Saich 2006c, p. 39, and Yang 2007, p. 140).

It is with this background that China-scholars have come up with a range of

³ A World Bank Report in 2005 gave China a weak 20% score for press freedom, and The Freedom House gave China score 82 of 100, indicating a not free press (CIVICUS Report 2006, p. 41).

mutually modifying labels to describe what constitutes civil society in China. “State-led”, “semi-civil”, “embedded”, “incorporated”, “contained”, “nascent” and “limited” are perhaps the most widely used terms (Frolic 1997, p. 48 and 56, Kang and Feng 2006, p. 132, Ma 2006, p. 202, Unger and Chan 1995, and Ho and Edmonds 2007, p. 334). What all these labels try to catch are the ample signs of non-governmental activity in a setting that still poses many restrictions. Many China-scholars have simply refrained from applying one definition or framework on civil society and state-society relations in China, arguing this is “a country where multiple models of state-society relations may be operating at the same time” (Saich 2000, p. 138). Although labels such as “state-led”, “semi-civil”, “embedded” and “corporatist” work well as descriptions of the authoritarian characteristics of civil society in China, they do less to describe the many sociopolitical activities taking place outside the immediate control of government or without interference from it (Saich 2000, p. 138 and 139, and Howell 2004, p 164).

As the following chapters will show, even the seven NGOs studied for this thesis display a range of different relationships to state and government that are difficult to label with a few, selected terms. Below follows an introduction to the different types of Chinese organizations that constitute the organizational landscape in China. The seven NGOs selected as cases for this study are discussed in relation to other Chinese organizations, of which many are not non-governmental as defined by this study, but many of which still play central roles in the operations of these and other Chinese NGOs.

2.1.3 Different Types of Chinese Organizations

Downsizing of the state bureaucracy, privatization and transformation of many former state and government organs into private or self-sufficient units have created a whole layer of organizations and associations that to various degrees operate independent of the state. Yet which organizations may be defined as non-governmental is not that clear. For this study, I divide Chinese organizations into four categories. The first two are comprised of what I consistently call official organizations. They are legal entities with official status as “social organizations” (*shehui tuanti*). None of the NGOs selected as cases for this study belong in these two categories, but the official organizations are important for the relationship many of them have to state and

government. The two last categories are comprised of organizations that are registered with business licenses or are not registered at all and are therefore not subject to the regulations for social organizations. This gives them a precarious standing, as they are accepted but not legally protected. All NGOs selected as cases belong in these last two categories.

For official organizations, first there are the 33 organizations often referred to as quasi-party organizations and that are exempt from registration requirements. They include the eight communist mass organizations (such as All-China Women's Federation, the Youth League and the All-China Federation of Trade Unions), and 25 other special status organizations (Jia Xijin 2004, p. 15). Many of these party- or government affiliated organizations are referred to as NGOs in settings where English terms are being used, and typically, the All-China Women's Federation calls itself "China's largest NGO" (Ma 2006, p. 99 and 101). Many of these organizations are huge and complex institutions stretching down to the smallest of villages, but although most have significant governance responsibilities, many also run more independent projects and often cooperate with- or support smaller organizations that may be regarded NGOs as defined by this study.

The second category is organizations that are legally registered as social organizations (*shehui tuanti*). To add confusion, many of the 33 organizations described above are widely referred to by the same term, although their status is very different. Legally registered organizations make three different groups with three corresponding sets of regulations⁴. The largest group is "social organizations" (*shehui tuanti*); this is again confusing as it is the general term applied to most legally registered or official organizations. By the end of 2005, there were 171,000 registered organizations in this group (Wang Ming 2007b, p. 99). The next group is the "people-run, non-enterprise units" (*minban feiqiye danwei*), which are typically not-for-profit establishments within the health, education and research sectors (Kang and Feng 2006, p. 130). In 2005 there were registered 148,000 such units (Wang Ming 2007b, p. 99). The last and much smaller group is foundations (*jijinhui*). By the end of 2005 there

⁴ The official regulations are the "Shehui tuanti dengji guanli tiaoli", document nr. 250 of the State Council 1998 (for social organizations), the "Minban feiqiye danwei dengji guanli zanxing tiaoli", document nr. 251 of the State Council 1998 (for the popular non-enterprise work units), and the "Jijinhui guanli tiaoli", document nr. 400 of the State Council 2004 (for foundations).

were 975 registered foundations (Wang Ming 2007b, p. 99). This is the only category with an opening, however very small, to foreign institutions. The Ford Foundation was able to register in 1988, and in recent years, the Bill and Melinda Gates Foundation and the Clinton Foundation have been able to register as foundations.

The regulations for all these groups are similar in the way they make registration extremely difficult, and open for extensive government control of those able to register. It is a binary system, in which organizations first have to find an official management unit (*yewu zhuguan danwei*) willing to sponsor their application before attempting to register with the relevant agency within the Ministry of Civil Affairs. There are also financial thresholds⁵ for the different groups, but most importantly, it is finding a management unit willing to serve as sponsor that is simply not possible for most independent groups (Kang and Feng 2006, p. 137). The regulations prohibit registration of more than one organization within each policy- or issue area at any administrative level or within any geographical area (Saich 2000, p. 131), which in practice creates a legal monopoly for organizations that are able to register. The system favors groups with already strong government connections and groups working for interests directly coinciding with government interests, particularly in the economic field (Saich 2000, p. 132, and Liu Peifeng 2007, p. 113).

Although registration ties organizations to the state and government institutions that overlook their operations, a number of social organizations have reportedly gained considerable independence, both in terms of allocating their own finances and by setting priorities for their own work (Ma 2006, p. 96-97, 202 and 205). Many organizations are also reportedly doing a lot to support smaller groups or organizations at the grassroots. It is this dubious nature of many Chinese social organizations that has prompted most observers to refer to them by the contradictory name “government-organized NGOs” (GONGOs). While many GONGOs are merely extensions of government, others operate more independently and may be regarded as NGOs (Wu 2002, p. 46 and 56-57). Several GONGOs are active in the HIV/AIDS field. The Chinese Association of STD and AIDS Prevention (the AIDS Association

⁵ For social organizations, a list of 50 individual members or 30 institutional members as well as 100,000 RMB in operational funding for national level organizations, and 30,000 RMB for local organizations, have to be submitted prior to application. For national foundations required funding endowment is 8,000,000 RMB, and for private foundations 2,000,000 RMB (Ma 2006, p. 66).

for short), and the Chinese Preventive Medicine Association are especially important since they operate as managing organs for many projects run by NGOs. For the NGOs studied in this thesis, the AIDS Association is by far the most significant. I refer to these GONGOs as official organizations throughout this thesis to underline that they are not regarded non-governmental as the term is defined here.

The third and fourth categories of Chinese organizations are the vast number of organizations that are registered as businesses with industrial and commercial bureaus, and organizations that simply operate without any type of registration or legal status. Most NGOs studied for this thesis, and all NGOs selected as cases, belong in these two categories. The state has allowed for this development, and many organizations with business status or no formal status at all, have grown into relatively large operations, often having developed good relations to government, state agencies and official organizations. Estimates of their number range from around one million to four million, but reliable statistics are not known to exist (CIVICUS Report 2006, p. 21). Organizations in both these categories are free and independent to the extent they do not experience sanctions, but they also lack protection and can easily be declared illegal (Ma 2006, p. 202, Liu Peifeng 2007, p. 112, and CIVICUS Report 2006, p. 44). Wang Ming typically states that the main problem of many Chinese NGOs is therefore not lack of freedom, as many NGOs are virtually unregulated, but rather lack of proper laws, regulations and norms (2007, p. 103). Additionally, tax benefits normally do not apply to NGOs registered as businesses (Kang and Feng 2006, p. 138).

2.1.4 Common Characteristics of Chinese NGOs

This study is focusing on NGOs involved with HIV/AIDS, one of the fields generally associated with a relatively high level of non-governmental activity (Morton 2005, p. 522). It is, however, environmental NGOs that seem to be most widely studied, and it is in the environmental field that scholars have found the most active, developed and influential NGO community in China (Ma 2006, p. 116, Saich 2004, p. 191-192, CIVICUS Report 2006, p. 56, Jia Xijin 2007, p. 141, and Cooper 2006, p. 136). Environmental NGOs have reportedly matured and begun to challenge, in modest ways, the decisions of central authorities. The community is also described as increasingly well connected, with a group identity taking form (Wu 2005, p. 143,

Economy 2004, p. 145 and 149-156, and 2005, p. 18-19). Networks, umbrella organizations and general interaction among Chinese NGOs are otherwise typically described as poorly developed (CIVICUS Report 2006, p. 31).

One characteristic of Chinese NGOs often identified by observers is their reliance on a charismatic and resourceful leader. NGO leaders are known for possessing considerable social capital in the form of political prestige and connections in China and abroad. Many NGO leaders are also known for having a background in the media (Kang and Feng 2006, p. 139, Ma 2006, p. 121-125, Saich 2000, p. 137-138, CIVICUS Report 2006, p. 29 and 69, Ho 2001, p. 914, and Yang 2005, p. 60). International experience and networks are especially important as most NGOs heavily depend on support from foreign donors (Ma 2006, p. 195 and 199, and CIVICUS Report 2006, p. 32). Charismatic and strong leaders, however, do not change the fact that the overall majority of Chinese NGOs in any field are typically known for being rather weak and small, and for lacking financial and human resources, as well as standards for management, decision-making, reporting and auditing (Kang and Feng 2006, p. 129 and 136, and Ma 2006, p. 198). Furthermore, NGO development in China is noted to be quite uneven, with a high concentration of organizations in a few active provinces (CIVICUS Report 2006, p. 27 and 32). General knowledge of NGOs in mainstream society is considered to be very limited.

Another widely identified characteristic of Chinese NGOs is their carefulness and general modesty in choices of strategy and approach. Advocacy oriented NGOs are few (Wexler, Xu and Young 2006, p.124, and CIVIVUS Report 2006, p. 45). Most NGOs are typically known for going to great lengths to maintain good relations with government and are generally seen shying away from issues regarded as political or otherwise difficult to deal with (Ma 2006, p. 10, Ho 2007, p.193-195, and Yang 2005, p. 52). International NGOs operating in China are also known for keeping relations with the Chinese government as good as they can possibly be, and therefore take very careful steps not to provoke and to stay within politically safe limits (Li Wenwen 2004, p. 302, and CIVICUS Report 2006, p. 52).

The next section follows up the description of NGO development in China, and discusses the main theoretical contributions on which this study is based. All contributions describe how Chinese NGOs have found ways to maneuver around the

political and bureaucratic hurdles that come with the political system they operate in. In addition, I introduce some norms associated with HIV/AIDS and NGO responses internationally and discuss why international norms may have relevance for the operations of Chinese NGOs.

2.2 Main Theoretical Contributions and Implications of International Norms

China is a big and complex country undergoing continuous transition, and studies of NGO and civil society development in this country point in sometimes contradicting directions. For this study, I have touched theoretical ground with a number of studies that have explored the space available for organizational work within China's restrictive political climate. This first section is followed by a brief discussion of international norms related to HIV/AIDS and NGO work internationally. Both the Chinese government and Chinese organizations are very much linked to the world in their response to HIV/AIDS, and the possible impact of international norms is therefore relevant to consider in a study of NGO and civil society activities in this field.

2.2.1 How Chinese NGOs Negotiate Working Space and Influence

Many previous studies have described how NGOs have found ways to operate and expand civil society activity in China. A few studies have focused on the strategies NGOs make use of in particular, and in my study of the seven selected NGOs, I both build on and challenge some of the generalizations drawn from these previous studies.

Tony Saich (2000) has elaborated on the capacities many organizations (including NGOs as defined by this study) have developed to negotiate the state, both for space to work in and to influence policy (p. 138 and 139). The organizations' capacity largely depends on social or political legitimacy and position within, or outside, the party-state, as well as ability to combine different forms of mobilization strategies to "negotiate with the state a relationship that maximizes their members' interests or that circumvents or deflects state intrusion" (p. 125). It is not more or less autonomy from the state that is the crucial variable for success. On the contrary, many organizations state that opting for more independence is not a goal, as this would take away some of their most valuable assets, and "even for the more autonomous

organizations, it would be foolish not to have strong party-state links” (p. 139). The trick is for organizations to utilize whatever resources they have at hand.

Yang Guobin (2005) applies much of the same reasoning in his more recent study of Chinese environmental NGOs. He develops Kevin O’Brien’s use of the term “boundary-spanning contention” (O’Brien 2003), and shows how NGOs can actively test and span state boundaries by drawing on resources in communication, technology and personal skills to negotiate for operational space. Methods are largely non-confrontational and most goals modest, but NGO activities nevertheless contribute to a dynamic and testing relationship that may push back political boundaries and foster change. He refers to environmental NGOs as “‘laboratories’ of political action”, stating that “environmental action without explicit political aims may still be political”, and that the best qualified “organizational entrepreneurs” are able to produce the best results (Yang 2005, p. 55, 65 and 66). Again, it is strategic use of resources and general ability to maneuver through the political and bureaucratic terrain that determine which organizations are successful.

Peter Ho is another scholar who has followed the emergence of environmental NGOs in China. Like other researchers in the field, he pays much attention to the NGOs’ general avoidance of conflict and difficult issues. Ho also sees many NGOs actively choosing to stay close to government rather than opting for more independence, believing that remaining close to the nexus of power will produce the most results (Ho 2001, p. 917). Ho describes much environmental activism as professing a “‘female mildness’ – a greening without conflict, an environmentalism with a safe distance from direct political action” (2001, p. 916). The question most relevant to this study is of course how these characteristics, which are largely based on environmental NGOs, translate to organizations in the HIV/AIDS field. I return to this question in the last section of this chapter and throughout the rest of this thesis.

Jude Howell has included some NGOs working on HIV/AIDS in her 2004 article about Chinese groups and organizations “organizing around marginalized interests”. HIV/AIDS is perceived as a marginalized issue since it touches on social taboos that make organizing difficult (2004, p. 152). In addition to groups involved with HIV/AIDS, she discusses women’s groups, disabled persons’ groups, legal counseling centers for women, children and workers, and rural development centers

(2004, p. 146). Her point is that these groups are all organizing around “marginalized interests” which pose both opportunities and special challenges to NGOs. By providing services and developing models that offer care for affected communities, NGOs can position themselves as useful contributors working in line with government’s interests. If successful, NGOs may increase government’s tolerance for their work and sometimes influence government thinking by demonstrating the usefulness of alternative models and practices (Howell 2004, p. 160 and 162).

What all these studies have in common is that they map out a range of opportunities available to NGOs despite the restricting political system they operate in. Most NGOs set modest goals and are very careful in their approaches, and most strategies underpin a cooperative and non-confrontational line. One object of this study is to see how these characterizations translate to the selected NGOs working in the HIV/AIDS field, where activity has been increasing in recent years. Both the last part of this chapter and following chapters will address this question. A notable aspect of the HIV/AIDS field is the significant amount of international interest and resources bestowed on Chinese civil society actors. International norms associated with HIV/AIDS responses and NGO work are therefore relevant to the operations of Chinese organizations, and below follows a brief introduction to the main international norms.

2.2.2 International Norms Associated with HIV/AIDS and NGO Work

International actors provide Chinese NGOs with resources and opportunities, but they also, indirectly at least, link Chinese organizations to a very active international community which is steered by many more or less institutionalized norms. How Chinese organizations respond to these norms casts light on the opportunities, goals and strategies of these organizations, which will again provide insight into the stretches and limitations to civil society activities in China.

The HIV/AIDS effort has grown into an extensive movement with states, international organizations and NGOs working together (Foller and Thörn 2005, p. 35). At the formal level at least, the international community has agreed on a number of norms and conditions which guide responses to HIV/AIDS. Realization of human rights and broader development goals, as well as greater involvement of PLWHA and civil society actors are regarded as key objectives for combating HIV/AIDS (Barnett

and Whiteside 2006 p. 362, and GF 2007, p. 3). Starting with the Paris Declaration on Greater Involvement of People with AIDS in 1994, PLWHA groups, community-based organizations, and NGOs were recognized as particularly important partners in the effort to combat HIV/AIDS. Followed by the Millennium Declaration in 2000, the UN Declaration of Commitment on HIV/AIDS in 2001 and the Political Declaration on HIV/AIDS in 2006, the international AIDS discourse has further strengthened the link between HIV/AIDS, human rights and realization of broader development goals.

Human rights advocacy was central to much NGO activism on HIV/AIDS right from the time HIV/AIDS was found to be spreading (Foller 2005, p. 202). After HIV was first found spreading among gay men in the US in the early 1980s, it led to the forming of a wide network of grassroots organizations and activists that fought for attention from the Reagan administration. The civil society networks advocated rights to care and medical treatment, and NGOs organized services and prevention work for their own communities. What started out as a largely gay movement soon mobilized other parts of society as HIV was seen spreading (Epstein 2005, p. 172). A similar pattern of mobilization was seen in Brazil and other countries known for having an active NGO community involved in HIV/AIDS (Foller and Thörn 2005, p. 29, and Foller 2005, p. 199). Internationally, access to affordable medicine in developing countries remains a central cause to many NGOs, which is often associated with human rights advocacy and advocacy of the more explicit right to health.

Civil society activities related to HIV/AIDS have to be understood in the context of increasing attention and resources invested by the UN system, from UNAIDS, the World Health Organization (WHO), the World Bank in particular, and more recently the Global Fund To Fight AIDS, Tuberculosis and Malaria, which was established in 2001. Many of these agencies have been extremely influential in spreading knowledge and information, and for creating new partnerships in the effort to fight HIV/AIDS (Foller and Thörn 2005, p. 36). UNAIDS and the Global Fund both emphasize realization of human rights and greater involvement of civil society. Since its creation in 2001, the Global Fund has become an especially important source of funding for HIV/AIDS activities in the developing world.

The Chinese government is known for having come a long way in adopting many of the international norms in its HIV/AIDS response. The country is party to all

the UN declarations mentioned above, and China is a recipient of significant Global Fund grants. However, the strong link between HIV/AIDS and human rights may be difficult to embrace or promote for Chinese actors operating in any field. Rights and human rights are generally perceived in collective terms in China, and Chinese NGOs are widely known for not explicitly working on human rights (Saich 2004, p. 143-44, and Jia Xijin 2007, p. 141). Nevertheless, as Chapters 4 and 5 will show, international norms also in relation to realization of human rights, are far from irrelevant to all NGOs studied in this thesis.

2.3 China's Response to HIV/AIDS and the Actors Involved

This section describes China's experience with HIV/AIDS, the development of relevant policies and the different Chinese and international actors that are involved in HIV/AIDS work in China. Space has been pried open to NGOs which the Chinese government has found tolerable, useful and even necessary for addressing issues and reaching communities the government apparatus is not equipped to deal with alone. International actors are believed to have influenced the Chinese government in coming to terms with these realities, and in cultivating Chinese NGOs to become increasingly involved.

2.3.1 Different Phases of HIV Spread and Policy Making

There is no doubt that things have changed since China encountered its first experiences with HIV/AIDS in the early 1980s. Spread of HIV and corresponding policies can be divided into different phases. HIV was first diagnosed in China in 1985, and in the four following years a few cases were reported, mainly among foreigners staying in China (Hsu 2006, p. 40, and Wang Yanguang 2006, p. 23). In this first phase, China responded by banning HIV-positive foreigners from entering the country, and by banning import of foreign blood products and isolating infected persons for treatment⁶ (Shao 2006, p. 547, and Huang 2006, p. 110). In the second phase, from 1989-1993, HIV was found spreading to at least 21 provinces (Wang

⁶ With new amendments made to the Law of Prevention and Treatment of Infectious Diseases in 2006, HIV/AIDS was no longer in the category requiring treatment in isolation (Li Dun 2005, p. 132).

Yanguang 2006, p. 23, and Huang 2006, p. 100). Yet HIV/AIDS was still being defined a “foreigners’ disease” caused by capitalism and illegal and immoral sexual and drug-related behavior that it was argued China’s socialism and tradition were capable of overcoming (Jing 2006b, p. 12, and Hsu 2006, p. 72).

In the third phase (1994-2003), figures rose sharply, with especially high rates reported among injecting drug users in minority populations in Sichuan, Xinjiang and Guangxi, and with additional reports of increasing sexual transmission. In 1998, HIV cases had been reported in every Chinese province (Hsu 2006, p. 40-42, and Wang Yanguang 2006, p. 23). By the end of the 1990s, news of a devastating epidemic among farmers in concentrated localities in central China were spreading despite local governments’ attempt to put lock on the situation. Later this came to be known as the “blood scandals”, the darkest and likely most politically difficult feature of AIDS in China.

For years, poor Chinese farmers had been adding to their livelihood by selling blood which was used for production of blood plasma products. Because tradition has it that parting with one’s blood is bad, and also in order to allow for more frequent donations, the typical method used was first to sample blood, and then to spin it to release the plasma from the whole blood, before the blood was re-injected into the body of the donor. During this process, blood from different people (usually 10-12) was mixed together and blood from a single infected person could thus effectively infect a whole number of donors with HIV and other blood related diseases (Wu 2005, p. 207). The real number of infected victims remains unknown as the Chinese government has never allowed for a comprehensive investigation (Mangrove (ed.) 2007, unpagged), but given the extent of the blood industry that was organized through official, semi-official as well as mobile and underground blood sampling stations, the numbers could be high (Shao 2006, p. 547, and Saich 2006a, p. 27).

The “blood scandals” remain a thorny issue, and although treatment, care and sometimes also compensation have become increasingly available, questions related to substantial compensation and general justice for victims, remain largely unanswered and continue to trigger considerable protest (Li Dun 2005, p. 131, and 2004, p. 121). In addition to farmers who got infected selling their blood, many have been infected through blood transfusions during hospitalization, and from using

contaminated blood products. Hemophiliacs have been a particularly vulnerable group in this respect.

In 2002, the Chinese government was harshly criticized in a UN report, known as the “Titanic report”, which blamed the Communist leadership for lack of commitment, insufficient openness and poor governance in relation to HIV/AIDS. The report argued that “China is on the verge of a catastrophe that could result in unimaginable human suffering, economic loss and social devastation” (UNTGA 2002, p. 5 and 7). In plain words, the report said the Chinese leadership had done rather little to put action behind its policies and signed declarations. The Chinese government responded with largely denying the criticism, but came around to admitting many of the report’s assessments when shortly afterwards applying for Global Fund money in proposal round 3 (China CCM 2003, p. 2, and Hsu 2006, p. 110). At the same time the Chinese government was shaken by the mounting crisis of SARS (Severe Acute Respiratory Syndrome) which unfolded in spring 2003. SARS introduced what I see as the fourth phase of development in China’s response to HIV/AIDS.

It has been widely noted that it took a sociopolitical crisis like SARS to bring China’s AIDS policies more into line with international norms (Hsu 2006, p. 110-115 and 122). SARS became a test with serious implications for the Chinese leadership. It revealed the weaknesses of the public health system, and it displayed potential dangers of neglecting, hiding and misreporting facts about a medical situation that could not be controlled by force alone (Saich 2006b, p. 97). The crisis coincided with recent changes in the top leadership in China, which may further have contributed to opening a window of change for policies related to HIV/AIDS (Huang 2006, p. 115-117). One of the most public signs of change was when premier Wen Jiabao on AIDS Day December 1 in 2003, appeared on central television shaking hands with AIDS patients and HIV-positive. This has since become a tradition for both him and president Hu Jintao (Huang 2006, p. 117, and People’s Daily 2007.12.02 and 2007.12.01).

In the aftermath of SARS, China increased investment, admitted the graveness of the HIV situation, adopted several new policies and allowed for increased involvement by civil society actors. On the governance level, China in 2004

established the new State Council Working Committee on HIV/AIDS to strengthen central coordination and increase effectiveness of policy making and implementation (Hsu 2006, p. 117). Most practical work and administration of policies are still carried out by the Chinese Center for Disease Control (China CDC) which functions as a large governmental health agency under the Ministry of Health. Following SARS and China's first successful bid for HIV/AIDS funding from the Global Fund (proposal round 3), the Chinese government introduced and greatly expanded its AIDS treatment program, China Comprehensive AIDS Response (CARES), also called the "four frees and one care" (Hsu 2006, p. 108). The program offers free antiretroviral drugs to impoverished citizens, free voluntary HIV testing and counseling, free prevention of mother-to-child transmission and free schooling to children who have lost parents because of AIDS ("the four frees"). The program also offers modest support and care for AIDS patients and their families ("the one care") (Huang 2006, p. 120).

This was a big step, and the CARES program had in late 2007 provided medicines and services to almost 40,000 people (aged 15 and above). However, implementation of the program has been uneven, and the range and quality of medical services available to patients vary greatly (SCAWCO and UNTGA 2007, p. 24 and 35). A central cause of much protest is that the free medicines offered do not meet the standard recommended by the WHO. Many patients have been experiencing severe side effects, and second line antiretroviral drugs are generally unavailable despite an increasing number of patients becoming resistant to the first line drugs (WHO 2008⁷, and Hu Yuanqiong 2007, p. 44-45). Access to more and better quality medicine and care remains key objective for many PLWHA support groups and NGOs. So far the Chinese government has been unwilling to start domestic production of many of the most needed drugs, stressing its priorities of respecting international property rights (Dechamp and Couzin 2006, p. 127-130, and 136).

An estimated 700,000 people are now living with HIV/AIDS in China, but only 231,501 of these were identified by the end of 2007. A look at the numbers reveals that the provinces of Yunnan, Henan, Guangxi, Xinjiang, Guangdong and

⁷ In May 2008, WHO staff in Beijing reported the number of patients receiving second line treatment as part of test pilot projects in three provinces to be significant, but unknown (personal correspondence with WHO staff in Beijing, May 2008).

Sichuan are especially hard hit, accounting for 80.5 percent of all reported HIV cases⁸ (SCAWCO and UNTGA 2007, summary and p. 2). Henan is still home to the largest number of farmers who got infected from selling blood, and in Yunnan, Guangxi and Xinjiang, infection is particularly high among some minority populations⁹ (Jing 2006a, p. 127).

Among the 50,000 estimated new infections in 2007, the most common transmission route was sexual, with heterosexual transmission counting for 44.7 and homosexual transmission 12.2 percent. Transmission through injecting drug use was 42 percent, and mother-to-child transmission at 1.1 percent (SCAWCO and UNTGA 2007, p. 5-6). This means China is facing challenges similar to those of most other Asian countries, with the bulk of the HIV epidemic being driven by widespread commercial sex and intravenous drug use (Ruxrungtham, Brown and Phanuphak 2004, p. 69). Worrying characteristics of China's challenges in the fight against HIV/AIDS are often noted to be the huge size of its young and sexually active population with changing behaviors, massive internal migration, low knowledge of transmission risks, poor standards of sexual health education in schools, as well as indications of a growing epidemic among men who have sex with men (MSM) (Kaufman, Kleinman and Saich 2006, p. 3-4, SCAWCO and UNTGA 2007, p. 34, Wang 2006, p. 47, 205, 208 and 218, Beyrer, Kumarasamy and Pizer 2005, p. 386, and Health Times 2007.11.16). The Chinese surveillance system for HIV/AIDS has been expanded rapidly, but remains weak both for the general population and among special groups (Kaufman and Meyers 2006, p. 56).

While the estimated 700,000 infected make a relatively small number in light of China's huge 1.3 billion population, the possible effects of not being able to contain the epidemic makes Hu Angang list HIV/AIDS as one of the seven greatest risk factors for disrupting social stability in China (2007, p. 162). The groups most at risk - namely the estimated six million female sex workers and their multifold number of clients, the estimated 2.9 million injecting drug users, as well as the estimated 10 to

⁸ The number of reported AIDS cases (compared to HIV cases) is a bit different, likely reflecting the high infection rate of farmers infected from selling blood in some provinces. The provinces of Henan, Yunnan, Guangxi, Anhui, Guangdong and Hubei account for 83 percent of reported AIDS cases, while Henan, Yunnan, Guangxi, Hubei, Anhui, Guangdong and Sichuan account for 80.5 percent of all reported AIDS-related deaths.

⁹ In the national estimate from 2004, minority populations accounted for 20 percent of all HIV positive, while their share of the total population is less than nine percent (Jing 2006a, p. 127).

20 million MSM and male sex workers among them (numbers¹⁰ from China CCM 2006, p. 42) - are obviously hard to reach. While drug use is still highly concentrated in some areas, prostitution is widespread with ample access in hotels, dance halls, saunas, barbershops and other locales found in virtually every corner of the country (Parish and Pan 2006, p. 195). Since drug use and prostitution are strictly forbidden by law, affected groups evade government staff out of fear of sanctions (China CCM 2004, p.62). While homosexuality has never have been explicitly forbidden by law, men practicing gay sex have been prosecuted, and homosexuality remains taboo in many respects (Wang Yanguang 2006, p. 49). Traditional Chinese family values still pressure most gay men into heterosexual marriages, and many Chinese gays consequently take on “double identities”, seeking sexual exchanges with other men in private saunas and bathhouses and in the dark corners of public parks at night (Sun, Farrer and Choi 2006, p. 1-2, and Wang Yanguang 2006, p. 242). This does not only make them hard-to-reach targets for prevention campaigns, but also puts their wives and other heterosexual partners at risk. Additionally, the general stigma and discrimination facing HIV-positive and AIDS patients are preventing people at risk from coming forward for voluntary testing, counseling and treatment (Wang Yanguang 2006, p. 181).

It is in the process of accepting these conditions that Chinese leaders have come around allowing for multi-sector responses and greater NGO involvement. The Chinese government has in recent years changed policies and scaled up its national HIV/AIDS budget from approximately 12.5 million USD in 2002 to about 944 million RMB¹¹ in 2007 (UNDP 2007, and SCAWCO and UNTGA 2007, summary and p. 11). It remains a characteristic of the HIV/AIDS response, however, that it is being led by the Ministry of Health, which is generally seen as an administratively and financially weak organ within the governmental body (Gill 2006, summary, and Saich 2006b, p. 73). This means that although HIV/AIDS has moved up on the policy agenda, there are other interests that often take priority, and there is little doubt that in

¹⁰ Reliable data is still very limited and the numbers appearing in the Chinese media vary greatly. These numbers are all reported to the Global Fund, and are thus officially acknowledged by the Chinese government.

¹¹ RMB (Renminbi) or Chinese Yuan (CNY), the Chinese Currency, July 2nd 2008: 1USD=6.86 CNY (www.bloomberg.com).

regard to many NGO activities, the decisions of the Public Security Bureau weigh heavier than the priorities of health officials.

2.3.2 NGOs in China's HIV/AIDS Field

This section takes a closer look at the development of NGO activities in relation to HIV/AIDS. This thesis primarily focuses on seven NGOs based in Beijing, most of them established just a few years back. But to better understand the development of these organizations as well as the background of the whole NGO community involved in China's HIV/AIDS effort, this section introduces the major trends in organizational development in this field.

Chinese NGOs and other civil society actors involved in HIV/AIDS were not totally absent before SARS. Several activists were throughout the 1990s working on many of the issues that later have been openly addressed by the government. In the mid 1990s, a few hotlines and support groups for homosexuals were set up in Beijing. In 1994, Wan Yanhai, China's most well-known NGO AIDS activist to this day, established his Aizhi organization to work on prevention and support for gay men after being fired from his government job for initiating similar projects (Young 2003, unpagged). The same year, a group of medical professionals formed the China AIDS Network to coordinate research and spread health awareness in areas where knowledge was scarce (Howell 2004, p. 152, and Young 2003, p. 15). In 1998, Zhang Beichuan of Qingdao University started publishing the journal *Friends (Pengyou)*, which covers health topics and stories about gay culture and history. What was likely the first PLWHA support group, the Aixin home, was set up at a Beijing hospital in 1998, and a few other PLWHA groups were established in 2001 and 2002 (Young 2003, p. 16).

In the late 1990s, a limited number of highly devoted activists became famous for fighting local oppression and breaking the government's silence on the "blood scandals". Retired pediatrician Gao Yaojie and the above mentioned Wan Yanhai are likely the most known representatives in this group. Other key individuals involved in spreading news of the scandal were Gui Xien, Wang Shuping and Zhang Jicheng (Young 2003, p. 20, and Wu 2005, p. 221, and 230).

In early years, government departments, agencies and official organizations and associations (GONGOs) were mobilized as part of the national response. Mass

organizations such as the All China Women's Federation, the Communist Youth League, as well as the official AIDS Association and the Chinese Preventive Medicine Association became especially active (Young 2003, p. 15-16). The AIDS Association (established in 1993) and the Preventive Medicine Association have later become important collaborators for many NGOs since they have managing responsibilities over many Global Fund projects and assist smaller organizations with bank accounts and financial administration. For many of the NGOs studied in this thesis, the AIDS Association in particular plays a central role. It operates under administrative control of the Ministry of Health, and is in Beijing and elsewhere located in the same building complexes as the health agency China CDC. For many NGOs, the AIDS Association provides the most evident link to state and government.

Most NGOs involved with HIV/AIDS have a short history. It was after SARS that NGO activity really started expanding, likely reflecting both increasing acceptance among government officials as well as willingness within the international donor community to invest in projects run by Chinese organizations. There is little doubt that opportunities for funding have triggered much of the NGO growth (Mangrove (ed.) 2007, unpagued). Some NGO activists have reportedly been shifting from other fields, like environmental protection, over to AIDS because of easier access to funding (China Daily 2007.03.13). NGOs are now active doing prevention and intervention work among gay men and MSM, drug users, sex workers and their clients, migrant workers, and among students and youth not working or enrolled in school. Many organizations also offer care and support to PLWHA, affected children and orphans, women and other affected groups (China CCM 2006, p. 39).

NGO growth has perhaps been most noticeable in gay communities, where organizations, in the words of an NGO development report, have "popped up like bamboo sprouts after a rain storm" (*yu hou chun sun*) (Mangrove (ed.) 2007, unpagued). The 2006/2007 China AIDS Directory lists 53 organizations for homosexuals, while the Ministry of Health in 2007 reported on 117 organizations for gay men (China AIDS Info 2007, and China Daily 2007.04.16). The second type of NGOs which has emerged in significant numbers is support groups for PLWHA. The 2006/2007 China AIDS Directory includes 35 such groups (China AIDS Info 2007), while the China Network of People Living with HIV/AIDS reports having around 60

stable groups as members¹². The 2007 joint assessment report by the Chinese government and the UN Theme Group on AIDS states that “community-based groups” widely defined now comprise over 400 groups (SCAWCO and UNTGA 2007 p. 14). However, while most observers have reported significant development of NGOs in some fields, NGOs representing sex workers and drug users hardly exist, and organizations for women and migrants are few and unnoticeable (China CCM 2004, p. 62). Geographical variations are also considerable, with clusters of NGOs found in some cities, and few and none in other places (Gill, Morrison and Lu 2007, p.15, Mangrove (ed.) 2007, unpagged, and GF Round 6 China AIDS Management Office 2008). Most NGOs remain small and many are largely inactive, and overall civil society involvement is still limited (SCAWCO and UNTGA 2004, p. 25-28, and SCAWCO and UNTGA 2007, p. 36).

Many NGOs and groups have formed networks and loose unions. The China Network of People Living with HIV/AIDS, formed in 2006, now reportedly comprises about 60 groups and organizations. That same year, the China HIV/AIDS CBO (Community Based Organization) Network was formed, and in May 2008 the Network comprised 108 member organizations¹³. In 2000, Chinese hemophiliacs formed their own network, Hemophilia Home of China, which now comprises 19 organizations¹⁴. A network of homosexual groups has been formed as part of the Friends Project associated with Zhang Beichuan at Qingdao University (Barry & Martin’s Trust 2006, p. 5, and Wu 2005, p. 277). At least one more significant network of NGOs was under formation as data for this thesis were being compiled. It remains to be seen what role these networks will have, and whether NGOs working on HIV/AIDS will come to strengthen interconnection within the community which Wu Fengshi in 2005 found to be weak (p. 232-233). As the following chapters will show, however, this study also finds the relationship between many NGOs to be challenged and laden with much controversy.

¹² Interview, May 2008.

¹³ Correspondence with the secretary of the Network, May 2008.

¹⁴ Correspondence with one member organization, April 2008.

Chinese leaders, like top officials from the Ministry of Health, have from time to time been quoted in the Chinese media offering vocal recognition to the role of NGOs (Xinhua 2006.03.23 and Xinhua 2006.12.04). Yet NGOs that work on HIV/AIDS lack opportunity to register as proper, legal organizations, putting them in the same volatile position most Chinese NGOs are in. Interestingly, Chinese laws, regulations and policy plans for HIV/AIDS all have various types of references to non-governmental actors, but none offer clear recognition to the role of NGOs. Again, this indicates the precarious state of NGOs and civil society in China. Chinese terms typically used in official documents are “whole society” (*quan shehui*), “people’s organizations” (*minjian zuzhi*) and “social organizations” (*shehui tuanti*)¹⁵. These terms may all be interpreted to exclude most organizations regarded as NGOs in this thesis. Illustratively, the 2006 Regulation on AIDS Prevention and Treatment, speaks of involving “whole society” (*quan shehui*) and specifically mentions trade unions, the Communist Youth League, the All China Women’s Federation and the Red Cross, but has no explicit mentioning of “real NGOs” (Li Xiang 2006, p. 4, and Li Shaozhang 2007, p. 34).

Some AIDS activists and NGOs infrequently run into trouble with security authorities, which was also evident in the year leading up to the Beijing Olympics (2008). People with various connections to HIV/AIDS work have over the last few years been arrested, interrogated and put under house arrest and surveillance, web pages have been closed, and meetings cancelled. International media and human rights watch organizations have reported frequent violations. Most recently known is likely the case of Hu Jia¹⁶, who was in April 2008 sentenced to three and a half years in jail for subversion (Reuters 2007.08.15, and BBC News 2008.04.02, and 2008.04.04). Hu has been involved in HIV/AIDS, among many other sociopolitical issues. Other NGO leaders have also had several encounters with security officials and some have been arrested several times, but most have though been able to carry

¹⁵ These terms can typically be found in “Regulation on AIDS Prevention and Treatment 2006”, “China Action Plan 2006-2010”, “Medium- and Long-Term Strategic Plan (1998-2010)” (SC 2006a, SC 2006b and SC 1998).

¹⁶ Hu Jia has frequently appeared in international media, featured as a human rights activist and an AIDS worker (BBC News 2008.04.04, and 2006.09.08). Hu Jia has however been active advocating for many other issues, and there is little indicating that his trouble with security authorities are directly linked to his involvement on HIV/AIDS. The AIDS organization that Hu Jia and his wife started in 2004 is still operating, but now operates with new staff and management.

on with their work. Many NGOs are thus walking a line between what is accepted and what is not, and continuous reports of government sanctioning against meetings, publications and other activities clearly indicate that several NGOs from time to time do cross into prohibited territory. The “female mildness” and avoidance of conflict that have been professed by many environmental NGOs can therefore hardly apply to all NGOs in the HIV/AIDS field, as repeated crossing of prohibited lines shows that NGOs at times are willing to confront conflicted issues and deal with the consequences of their contested actions.

The following chapters will address this and many other questions in much more detail. Before summing up this chapter, I will briefly describe the role of international actors in China’s HIV/AIDS field. There is no doubt that many of them have significant impact on the operations of many Chinese organizations, including NGOs studied in this thesis.

2.3.3 The Presence of International Actors and Implications for Chinese NGOs

Many international NGOs, foundations and governmental organizations are working in China, which has both direct and indirect effects on the opportunities and overall operations of Chinese NGOs. Most obvious, perhaps, is the access to funding that many international organizations provide for Chinese NGOs, but the many forums involving networking and interaction arranged by international actors, may be equally important. Many of these forums provide the NGOs with opportunities to participate and voice opinions, interests and sometimes protest to government representatives and other stakeholders they otherwise have very few chances to meet.

The Ford Foundation has been a significant financial contributor to Chinese NGOs, as well as to academic institutions and governmental organs. Barry & Martin’s Trust has been working closely with Zhang Beichuan and the Friends project, and has provided funding to gay groups in 16 cities across China (Barry & Martin’s Fund 2006, p. 5). The AIDS Relief Fund for China has given many small grants to Chinese NGOs (Wu 2005, p. 279). Several American foundations and organizations, like The Open Society Foundation, Levi Strauss Foundation, National Endowment for Democracy and the International Republican Institute have donated significant amounts to Chinese organizations. Some of these initiatives have triggered controversy and skepticism within the Chinese government (Huanqiu 2007.12.26, and

CDB 2005, p. 2), but donations from these American organizations continue to benefit Chinese NGOs. The Merck Company Foundation and the Bill and Melinda Gates Foundation have both donated large amounts, 30 and 50 million USD. While they both have partnered with the Ministry of Health, a considerable proportion of the Gates' funding is to be allocated to projects implemented by NGOs.

Some international NGOs started activities in China early in the 1990s. Save the Children UK, different divisions of the Medecins Sans Frontieres, Australia Red Cross, Futures Group Europe, Marie Stopes, Program for Appropriate Technology in Health (PATH), Health Unlimited, Medecins du Monde, Chi Heng Foundation, Salvation Army Hong Kong and Oxfam Hong Kong are among the many international NGOs that have been working in China for several years (Wu 2005, p. 257-279, and Hsu 2006, p. 78). Some of these have developed projects which have later been followed up by the Chinese government and NGOs.

UN organizations have broad representation in Beijing and work on projects throughout the country. The HIV/AIDS Program, UNAIDS, has been present since its founding in 1996, and it leads the UN Theme Group on AIDS which coordinates the different UN initiatives. Most important for NGOs, is likely the Extended Theme Group where the government, NGOs and other national and international actors meet. Meetings are held every other month, and many NGOs are reportedly steady participants, while government representatives tend to limit attendance to whenever they have information to share¹⁷. Some NGOs have received UN support to attend meetings abroad, particularly the high level meetings on AIDS in 2006 and 2008.

The Global Fund has in recent years emerged as a central actor in China's response to HIV/AIDS (Hsu 2006, p. 104). The Global Fund has, as of July 2008, approved 180 million USD to HIV/AIDS work in China¹⁸. Many in the NGO community still argue too little of this money reaches down to NGOs, and the Global Fund has also raised concerns that too much is spent by the government affiliated organs managing the Global Fund projects (Gill, Morrison and Lu 2007, p.16). Yet the percentage marked for NGOs has been increasing every round, particularly in the last two proposal rounds (5 and 6). In particular, funds from round 5 have been

¹⁷ Interview with UN staff in Beijing April 2008.

¹⁸ Summary of portfolio of grants from proposal round 3, 4, 5 and 6, available at www.theglobalfund.org.

allocated to many grassroots organizations doing outreach work among MSM and other high risk groups, and most project funds for round 6 are earmarked civil society initiatives (China CCM 2005, and China CCM 2006).

The Global Fund works according to a principle of public-private partnerships, where a “Country Coordinating Mechanism” (CCM) in each country is to lead and take ownership of national projects. In China, the CCM consists of representatives from the Ministry of Health, the China CDC, official organizations, academic institutions, the private business sector, development agencies and staff of foreign embassies, UN organizations, international NGOs, Chinese NGOs¹⁹ and a person living with HIV/AIDS, malaria or tuberculosis (the three diseases covered by the Fund). As with other functions of the Global Fund, the CCM is guided by a number of norms and requirements (GF 2007, p. 29-34). One requirement is that members representing NGOs (one member) and people living with one of the diseases (one member) are to be selected through fair and transparent elections. This has not been popular with all parts of the Chinese government (Rivers and Qiu 2006, p. 8). Elections were organized in 2006 and 2007, the first time with a serious level of protest and controversy attached (Li Dun 2008, p. 27-31, and Rivers and Qiu 2006, p. 12). The next chapters will describe in more detail how elections have been implemented and what this has meant for Chinese NGOs.

Besides granting NGOs voting and speaking rights in the decision making body (the CCM), the Global Fund has provided opportunities to participate in several other forums where NGOs can voice interests and protest decisions. Though the power and influence of NGOs remain limited, these have been new and innovative moves (Rivers and Qiu 2006, p. 8). Both the Chinese government and NGOs have expressed strong interest in managing Global Fund projects and activities, and at times debate has been heated. In particular, management of projects for round 6 has been subject to much protest and controversy. For round 6, China applied with a proposal especially designed to strengthen civil society responses, but in the process of implementing the plans for this round, many NGOs feel they have been cut short of initial promises (Global Fund Observer 2007.09.30). A key problem has been agreeing on main management organ (principal recipient), a responsibility many had

¹⁹ NGOs fall under the term community based organizations in the Global Fund statutes.

hoped would be given to an NGO or an official organization. But in fall 2006, after long rounds of debate, it was decided the China CDC would be principal managing organ, as it has been for all previous rounds, and that the AIDS Association²⁰ and the Preventive Medicine Association would serve as secondary management organs (sub-recipients) for all NGO projects.

Despite all the controversy, a large number of Chinese NGOs are still lined up to implement projects for the Global Fund round 6, and 70 percent of the 14 million USD allocated through this round remains earmarked civil society organizations (GF 2008, and SCAWCO and UNTGA 2007, p. 14). Nevertheless, activities and decision-making related to the Fund's operations in China will likely continue to steer much debate and protest, once again highlighted in July 2008 when China's proposal for round 8 was being completed and the government State Council Working Committee for AIDS was selected principal recipient, again a decision many NGOs strongly protested. In regard to NGO development, protests may, however, not be a bad sign. What activities surrounding the Global Fund in China may demonstrate, is that international actors have an impact on Chinese NGOs, both in terms of access to funding and in providing forums where NGOs can participate, network, voice interests and sometimes protest.

The following chapters will discuss these matters in more detail. Below follows an outline of the scope of this project and a brief discussion of what are the main findings in terms of opportunities, goals and strategies found among the seven case NGOs, and what this may imply for our understanding of civil society activities in China.

2.4 Focus of the Project and Main Findings

This thesis focuses on seven NGOs based in Beijing. The NGOs represent different issues and communities, and are characterized by considerable differences in regard to organizational resources, size, connections, experience, scope of activities, and level of advocacy. However, they all have issues related to HIV/AIDS as their main focus

²⁰ There is an opening for the AIDS Association to step up and take over main management responsibilities if management capacities are sufficiently developed within two years. Most informants interviewed for this study doubted this will happen.

of work, and they all fit the definition for NGO as outlined in this chapter. All of them are either registered as businesses or operate without registration. Thematically, the NGOs can be divided into three main groups: two NGOs focus on PLWHA, three NGOs work on gay and other sexual minority issues, and two NGOs work with a broader scope in terms of groups and issues. All NGOs are based in Beijing, but several have experience with activities elsewhere in China. More details about the case selection are provided in the next chapter.

The field for this study is the HIV/AIDS community in Beijing. There is little indication that NGOs are especially free or controlled in Beijing compared to the situation in many other cities. However, being the capital, Beijing is also witness to many events with considerable national interests attached, such as major governmental meetings, state visits and most recently the Summer Olympic Games. Being located in Beijing may therefore provide both special opportunities and challenges for NGOs. The Chinese capital is a bustling, self-governed municipality with a population of more than 17 million, of whom five million are so-called non-permanent residents, many of them migrant workers with families²¹ (Xinhua 2007.12.04, and China Daily 2007.12.05). Beijing is the political center in China, with all major government organs, foreign embassies, UN organizations and many other international organizations located there. It is also an educational center, with many major universities and important academic institutions found within the municipality. In regard to HIV/AIDS, Beijing is the center for policy-making and is the location of some of the leading medical facilities for PLWHA-related services and research. In terms of HIV transmission and risks, however, the city is not among the most seriously affected. Beijing is in the midst of development, as the rest of China, but preparations for the Summer Olympics in 2008 have intensified the process.

This thesis reflects on several issues that may be special to Beijing as the country's capital, but this is not a main focus. All NGOs most carefully studied in this thesis are based in Beijing, typically because of convenient access to government and other national and international stakeholders. Even so, most NGOs are engaged in

²¹ Migrant workers or "farm laborers" (*nongmingong*) make up a large portion of the population in many Chinese cities. They are workers who emigrate from the countryside to work in the cities, but without being able to obtain permanent residency status or enjoy regular social security benefits. An estimated 150 million Chinese make up this "mobile" or "floating" population (*liudong renkou*), with an estimated 10 million new rural residents leaving the countryside every year (China Daily 2007.12.05, and Sun 2003, p. 80).

activities reaching far beyond the city and are to a high degree focused on issues with relevance for the country as a whole. Organizational life in Beijing is more active than in many other cities, but there are active NGO communities elsewhere in China as well. One of the most active and vibrant NGO scenes is often said to be found in Yunnan, a relatively poor province in Southwest China (CIVICUS Report 2006, p. 32). As the capital and political center, Beijing will likely enable NGOs to develop other types of relations to government than what might be found in other cities. This thesis will to only a limited degree discuss these differences as the main focus is on the seven selected NGOs in Beijing. This naturally limits possibilities of making generalizations.

This is a case study that seeks to increase the knowledge of how NGOs involved in HIV/AIDS operate and work. I want to explore and describe the opportunities these NGOs have found to organize around HIV/AIDS issues, the main goals they have set for their work and the strategies they use to sustain organizational development and to work towards their set objectives. Chinese NGOs in any field will never be able to evade the constraints caused by an authoritarian political system. NGOs in the HIV/AIDS field will naturally reflect much of the same carefulness and modesty in approaches that are known to be general characteristics of Chinese NGOs. Additionally, social taboos, discrimination and stigma, as well as the marginalized nature of many of the groups affected by HIV/AIDS in China likely steer many NGOs working with these issues and communities into taking on largely careful strategies and approaches.

Nevertheless, HIV/AIDS constitutes a special issue that also steer NGOs in another direction. One of the things which seems to make this field stand out is the high degree of interest and financial contributions invested by international actors. There is little doubt that international attention surrounding HIV/AIDS is working to the benefit of Chinese NGOs. By funding Chinese organizations, and by often advocating and working for greater involvement of PLWHA and civil society, international organizations, the UN system and the Global Fund are both directly and indirectly expanding opportunities for Chinese NGOs in this field. Internationally, however, HIV/AIDS and NGO responses are often linked to international norms that stress importance of rights, human rights and broader development goals. Chinese

NGOs are generally known for not taking on explicit human rights work, and many NGOs involved in HIV/AIDS demonstrate a similar reluctance. This is however not true for all NGOs studied in this thesis, and as the following chapters will show, far from all NGOs in the HIV/AIDS field match the “female mildness” and general avoidance of conflict that many, if not most, Chinese NGOs are widely known for.

To explore and describe how Chinese NGOs operate, how they make use of opportunities, what goals they set for their work and what kind of strategies they develop in response to the national and international situation that surround them is the main purpose of this thesis. The seven case NGOs represent great variation, but my overall findings indicate considerable opportunities available to Chinese NGOs despite the many restrictions that still apply to their activities. The NGOs demonstrate that choosing goals and strategies matters, and they display significant ability to promote interests as well as ability to steer the course of their own organizational development. The operations of the seven case NGOs are discussed in relation to theoretical contributions and general assessments of civil society development in China. The questions being answered throughout these chapters will thus hopefully not only provide a solid understanding of how the seven selected NGOs work, but also increase our understanding of the stretches and limitations to civil society activities in China today.

The next chapter will discuss in more detail the methods I have used to compile data, how the case NGOs were selected, and the ethical considerations I have made along the way.

Chapter 3

RESEARCH METHOD AND COLLECTION OF DATA

Data for this thesis were compiled through interviews, observation and from a wide range of secondary sources that together present comprehensive information about opportunities, goals and strategies of a selection of NGOs. The idea is that this data will provide a solid understanding of how these organizations work, and ultimately show what they are able to do given the authoritarian setting in which they operate. This chapter goes through the methods I have applied and discusses case selection, different implications for data validity and reliability as well as ethical considerations.

3.1 Choosing the Field and Selecting Cases

This is a case study with a field approach. My ambition is to provide for an understanding of how NGOs operate in the sociopolitical world that surrounds them: more specifically, how they find opportunities to organize around HIV/AIDS issues, what kind of goals they set for their work and what strategies they use for sustaining organizational development and for reaching some of their set goals. I have selected seven NGOs as cases for this study, believing that these organizations will provide the relevant data necessary to answer the questions that are being studied. Two of the organizations work with and for PLWHA, three are focused on gay communities with one organization also working with other sexual minorities, and two of the selected case NGOs are working on a broader range of issues related to several communities.

The selection thus covers a broad range of issues and communities relevant to HIV/AIDS in China, and the NGOs are responsible for a notable amount of projects and practical work aimed at influencing both affected communities and Chinese policy makers and other stakeholders. In addition, the case NGOs represent different degrees of closeness to- or cooperation with state organs, and the data compiled for this thesis can verify, supplement and challenge generalizations drawn from previous studies of Chinese NGOs. Although most of the selected NGOs are working on additional issues not directly associated with HIV/AIDS, this is their main focus. This thesis thus provides insight into a field that seems to be less studied than other fields in regard to NGO activity in China, particularly the environmental field, which has

been the basis for many studies of Chinese NGOs.

These seven cases are selected based on primarily three criteria. One, they all fit the definition for “NGO” as applied in this study; two, they all have HIV/AIDS as their main activity; and three, they represent what I have found to be among the most active NGOs working in the HIV/AIDS field in Beijing. Since the main focus is on these seven NGOs, this limits the possibility of making generalizations. My predominant goal is to explore and describe how these seven NGOs work and operate, and although much of the compiled data is likely relevant for the operations of many other NGOs, I have limited opportunity to verify this claim. In my compilation of data I have studied more than 10 other Chinese NGOs based in Beijing and elsewhere. The seven case NGOs are therefore selected out of a sample of more organizations, primarily based on which organizations met the selection criteria. The discussion is sometimes supplemented by data from organizations not selected as cases. Most data related to the NGOs were compiled in the period from October 2007 to May 2008, with most intensive field work and interviewing taking place from February to May 2008.

The seven cases represent considerable variety in organizational structure, resources and connections. Their goals and strategies also represent great variety in terms of willingness to openly criticize the government and other stakeholders, which is a reflection of their differences in regard to opportunities, goals and strategies. Nevertheless, all organizations operate with a set of objectives that steer their operations, and although many of these objectives indicate rather modest goals, they are all opting to make an impact and benefit the communities they represent. In describing how these NGOs operate and work, as well as in discussing what these NGOs demonstrate in terms of possibilities and limitations, I hope to increase the understanding of state-society relations and civil society in China today.

All seven organizations are NGOs as defined by this study. That means they are largely non-governmental, formally organized, not-for-profit, public-value-oriented, self-governed and based on voluntary participation (Jia Xijin 2004, p. 7-13). Four of the organizations are registered with a business license but operate as not-for profits, and three organizations are not registered at all. Some of the NGOs work closely together with representatives of state and government, but are self-governed in

line with the definition. Each case represents an NGO working on HIV/AIDS issues in Beijing, and together they provide a comprehensive set of data describing opportunities, goals and strategies for Chinese NGOs in this field.

3.2 Case Study with a Field Approach

I have defined the community of NGOs and other actors working on HIV/AIDS in Beijing as the field of this study. By limiting case selection to one city, I have been able to invest greater attention to the operations of the NGOs and spend fewer resources describing variations in the environment surrounding them. The field approach has also enabled me to understand inter-field relations (Yang 2005, p. 48), more specifically, how these seven NGOs have found different opportunities, set different goals and developed different strategies as active members of the same field. However, the point is not to give a full description of the field, and the focus is on describing the aspects that are most important for the seven selected NGOs. Other actors in the field that are seen as relevant for the operations of these seven NGOs are naturally described in some detail.

Case studies may be useful for providing rather comprehensive information about a limited number of units or cases (Thagaard 2003, p. 47). Seven cases are, however, relatively many in regard to this being a case study. I recognize the compromise between making a more detailed study covering fewer cases and one discussing information about several. My hope is to have found a good balance, and to me it has been necessary to study more NGOs to be able to really understand the operations of each one of them. My approach is one that pays great attention to the context in which these NGOs operate, what types of relations they have with other NGOs as well as their relationships with other stakeholders. My goal is primarily to describe, explore and provide for a sound understanding of how the NGOs operate and work. By looking at the links that exist between the NGOs' opportunities and goals and the strategic choices they make, I do to some extent suggest causal relationships and discuss how "certain conditions are shown to lead to other conditions", which Robert K. Yin finds to be a characteristic of explanatory case studies (Yin 2003, p. 10 and 34). The main focus is nevertheless on describing and

exploring the case NGOs and the conditions that are most relevant to them.

Tove Thagaard states that case studies can often provide knowledge that has relevance beyond the limited number of cases studied (2003, p. 187), yet Robert K. Yin reminds us of limitations with respect to possible generalizing. “Case studies, like experiments”, writes Yin (2003), “are generalizable to theoretical propositions and not to populations or universes” (p. 10). Both points are relevant to this study. The seven NGOs studied in most detail here represent many characteristics that are very likely common for other NGOs, both in Beijing and elsewhere in China, as well as for NGOs in other fields and possibly even in other countries. My supplementary data strongly confirm parallel patterns. However, one should be cautious of making generalizations. My study is still mainly focusing on the HIV/AIDS field in Beijing, and although a solid understanding of the opportunities, goals and strategies of a selection of NGOs will increase the knowledge of how state-society relations and civil society generally work in China, it will not provide for a full picture. I discuss the operations of the seven case NGOs in relation to theoretical contributions and general assessments made about civil society in China, but I remain cautious in regard to making generalizations. I believe more studies like this one will pave the way for more generalizations and theorizing to be made in the future.

3.3. The Questions Asked and the Methods Applied

Case study designs can be helpful for understanding how a phenomenon has come into being over time by focusing on “why” and “how” questions (Yin 2003, p. 1 and 6). I have set out to explore and describe how Chinese NGOs have found opportunities to organize around- and work on HIV/AIDS issues, what they want to accomplish and what they do to reach some of their set goals. I have applied a broad understanding of goals. Although some organizations have displayed finely shaped mission statements and short- and long-term objectives, many organizations have set modest and largely practical goals for their work. For some organizations, socialization and organizing around shared interest is an important goal in itself. But all organizations do however work according to some defined objectives and they all work to benefit the communities they represent.

I have found my approach to be the all-encompassing method that Robert K. Yin says is typical for case study research (2003, p. 14). A substantial part of the data was collected by semi-structured, relatively extensive and open-ended interviews where informants have been asked to provide facts as well as their opinions about relevant issues. For key informants, I prepared interview-guides (see Appendix), but it depended on the situation as to how structured these interviews were. I did not record any interviews, but took extensive notes that I afterwards used to write out detailed resumes. When taking notes, key expressions and names were written down in Chinese so that informants were able to check and make corrections. Later in the process, I used the resumes to further analyze and sort the data. When translating to English, I have tried to balance between using the most accurate terms with finding expressions that are commonly used in English. Some statements may, though, appear a bit strange as I have prioritized keeping translation close to the original meaning. In general, I do not provide transcription of original, Chinese statements, but pinyin transcription is provided for names and some key terms.

Most interviews took place in Beijing, typically in the locales of the organizations. I have also traveled and met with organizations in some other places, and I have met with some NGO leaders while they have been visiting Beijing. The questions covered a broad range of topics, from stating facts about the organizations to personal opinions about broader issues. The goal of my questions has been to gather as much- and as accurate information as possible about opportunities, set goals and strategies of the NGOs studied. Many of the NGOs I have met with several times, and I have thus been able to follow up with more, and sometimes clarifying, questions. The most intensive fieldwork and interviewing were done from February to May 2008.

In addition to interviews, I have collected much material through various forms of observation and participation. In spring 2007, I worked once a week as a volunteer for the NGO Dongzhen, often referred to in English as China Orchid AIDS Project. I made contact with the leader through a Chinese friend working in the field, but there was no personal relation between the two. While volunteering for this NGO, I worked on preparing an arts project and helped with some international communication and translation. On some occasions, I attended meetings and seminars representing the NGO. Working for this NGO was a great learning experience, and it

proved to be a good way of making contact with many informants. The volunteer period ended in July 2007.

As a student in Beijing, I have followed several of the NGOs for more than a year. In the process I have attended many meetings, workshops and different kinds of project activities, often arranged by the NGOs studied here or with them as participants. This has been a good way of observing how the NGOs work and act in situations where there are other NGOs and other stakeholders present. Some data have thus been compiled and cross-checked in the many informal conversations I have had while attending these activities. The HIV/AIDS field in Beijing is very active and I have attended many of these activities; thus the material is quite extensive. The Internet is an important tool for communication among NGOs, and I have gained much valuable data through “attending” meetings arranged online in messenger-chat rooms as well as by receiving the e-mails from four different e-mail groups. More about different sources follows below.

3.4 Primary and Secondary Sources

Since interviews have been an important way of compiling information, I have depended on good informants whose experience and knowledge put them in a good position to provide information about the selected NGOs, their working conditions and the surrounding setting that influences their operations. I have interviewed the leaders of all the NGOs and have additionally met with other staff members of most organizations. In addition to the seven NGOs selected as cases, I have studied and conducted interviews with five other NGOs in Beijing and seven NGOs localized throughout China (see Appendix for listing). Three of these organizations are registered as social organizations, and may or may not be categorized as non-governmental. But since none of these are part of my case selection and are not explicitly discussed in this paper, I have not made further considerations about the status of these three. While the focus has always been on organizations in Beijing, NGOs localized elsewhere have contributed with valuable data that has cast light on the situation in the capital. I have also conducted interviews with two official organizations and health agencies, four international NGOs and five UN organizations.

A number of scholars and experts have also contributed with valuable information about NGO development and HIV/AIDS policies in China.

Contributions from personal informants in the Chinese government are limited but not excluded in this thesis. State- and government-sources are very well covered in terms of documents, both primary and secondary sources. I have collected much data from governmental and official organizations and agencies working on HIV/AIDS. Much of this data has been collected by attending meetings where government officials have been present, but also by means of a few interviews with staff of official organizations and health agencies. Still, I lack personal input from policy makers and higher level bureaucrats who would have been able to present different viewpoints and the official side to many of the questions studied. Higher level bureaucrats also likely would have been able to provide information about the different and contested interests found within different divisions of state and government in regard to HIV/AIDS and the role of NGOs. Getting access to these sources has, however, not been a priority. I have also had to consider possible effects of raising unfavorable attention from government and security officials that could possibly interfere with my work.

Most informants I came to know as part of the compilation process. For leaders and other NGO staff, making contact has been a natural part of getting in touch with the organizations. In regard to some informants, I arranged interviews more to learn about their own experiences than to obtain data about the organization they are currently working for. I often asked for advice on good informants, and I have many times followed up on the suggestions I got. Several of the informants I have learned to know quite well, and I have been able to confer with them for clarification on issues and general facts.

Data from documents are used extensively. Directories, reports, magazines, newsletters and other NGO publications have provided a wealth of information about organizational facts and ongoing projects of the NGOs. These sources have also been good for learning the views of a number of Chinese and international individuals, organizations and scholars that are active in the field. The Internet has provided access to valuable data, not so much the web pages of NGOs which are often outdated and poorly managed, but rather communication tools such as online meetings and e-

mail groups, which NGOs frequently use to spread information. These sources have provided much information about ongoing events and debates in the NGO community. For day-to-day information about events and relevant news, the web pages of the China HIV/AIDS Information Network (CHAIN) have been helpful. Chinese and international newspapers have also been important for the most up-to-date information. Official documents, Chinese laws, regulations and plans, as well as the joint reports made by the Chinese government and the UN Theme Group on AIDS have been valuable sources for information concerning NGO activities as well as the overall HIV/AIDS situation.

All together, the selection of informants, sources and my own observations have provided broad and mutually independent data about the organizations studied. In collection and analysis of the data, I have focused on the aspects most relevant for answering questions about the opportunities, goals and strategies of the NGOs, as well as the different aspects that influence the NGOs in this regard. When collecting data, I have actively sought answers to these questions, and I have encouraged informants to provide me with the information they felt was important in this respect. Robert K Yin (2003) states that “evidence from case studies may come from six sources: documents, archival records, interviews, direct observation, participant-observation and physical artifacts” (p. 83). I have utilized many of these for this project, particularly interviews, direct- and participant-observation and documents, and I have been able to return to many informants and other sources when new or adjusted questions have emerged. These sources have allowed for crosschecking of information, and I feel I have been able to establish “a chain of evidence or explicit links between the questions asked, the data collected, and the conclusions drawn” (Yin 2003, p. 83). I feel my data are of good quality, are reliable and are valid with respect to the questions I seek to answer.

3.5 Personal Assets and the Role of the Researcher

Time and language skills have been essential for the method, or combination of methods, chosen. Most intensive interviewing was done in spring 2008, but as a long-term student in Beijing, I was able to partially start field work in spring 2007. I have been able to combine compilation of data with my university classes since then. My

studies at Tsinghua University in Beijing have not only provided ample opportunity to take relevant classes and compile valuable background information on NGO and civil society development in China, but my studies have also likely helped in getting access to some informants. I have often had the feeling of being considered someone who could understand the informants and thus worthy to talk to, and being able to refer to my Chinese teachers and courses at this university has likely helped in this regard. With time, I felt trust and even respect grow between me and many informants as I kept reappearing in the field and to some extent became part of their networks. In my fieldwork, I have been able to draw on my knowledge and discuss specific issues with the informants. Sometimes I have downplayed my knowledge and encouraged informants to tell me “everything” they know to get their views on issues I was already aware of. In interviews, this has been a tactic (Solinger 2006, p. 161).

Language has not only been an asset, but a condition for my approach. Speaking, reading and writing Chinese, I have been able to utilize all sources available, and I have been able to socialize with informants without significant linguistic or cultural barriers. As time has passed, I have certainly developed relatively close relations to some of my informants. As much as this is an asset in providing access to information that would otherwise not have been shared, it does raise ethical questions. Wu Fengshi (2005) discusses how she has contested different views on a “Participatory Action Approach” in her fieldwork among Chinese and international NGOs (p. 36-39). She acknowledges the value of the insider-perspective that the participant approach may open for, but is also skeptical of the active role it gives the researcher as someone igniting action (p. 39). I agree. Throughout my field work I have on numerous occasions been asked by NGOs to contribute with help and advice. Sometimes I have accepted these invitations, offered my opinion and helped with small tasks. But even volunteering for the one NGO in spring 2007, I limited my contribution to carrying out tasks planned by others. Throughout this whole process, I have always been the student doing research. Generally, I feel most informants have readily understood this, but a few times I have found it necessary to restate my role and position. On some occasions that has meant actively declining invitations, or quietly leaving the scene when I felt my role required me to uphold some distance.

3.6 Safety for Informants and Questions of Identification

As far as NGOs working on HIV/AIDS goes, Beijing and even China make relatively small communities. People know one another, and while many NGOs cooperate, the level of controversy between many NGOs and especially their leaders is high. I have listened to many stories about corrupt practices and bad power plays, but although some of this makes for valuable information, a lot of this information I have had to treat as just being stories. In this thesis, I have remained focused on providing the information that is most relevant to my case NGOs, and to discussing data that I have been able to confirm with contributions from different sources and personal observation.

Considering problems with identification, none of the NGOs studied have expressed any concerns about participation. On the contrary, many have stated that sharing information is an important part of their work. Several of these NGOs have from time to time faced government or police sanctions, yet all of them operate very much in the open. I have consciously declined to take part in a few activities which I have considered potentially problematic, but that has been mostly to protect my own interests as a student in China. There is information NGOs have asked me not to reveal or link to them, and I have respected these wishes. On the whole, I have found myself being much more preoccupied about security and identification issues than most of my informants have. I have chosen a rather careful line in terms of level of identification. In order to protect the source of some data, I have had to make some data less identifiable than what informants have requested. As a general rule, leaders and directors of NGOs often appear by name, while other staff and members with less experience are not referred to by their personal names. A point of note is that some interviewees already operate with made up names which they use in their NGO work for personal reasons.

The main norm for qualitative research is for the participants not to be affected by undesirable consequences (Thagaard 2003, p. 82). In many cases, this means doing and reporting less than you perhaps could, possibly making the study less interesting and insightful. I have tried to include most relevant information, sometimes in ways that do not reveal the identity of the source. A few things, however, I have found necessary to leave untold.

Chapter 4

FINDING OPPORTUNITIES AND SETTING GOALS

This thesis is based on the idea that studying the opportunities, goals and strategies of NGOs will provide for a solid understanding of how the organizations work and what they are able to do given the authoritarian setting they operate in. Description in this Chapter 4 is centered on opportunities and goals, and describes what the NGOs do and what they want to achieve. Additionally, it provides a more general introduction of the history and development of these organizations. This will place description of their opportunities and goals into context and open for discussion of these NGOs not only in light of development in this specific field, but also in the context of broader NGO and civil society activity in China. Chapter 5 describes how the NGOs work, more specifically what strategies they apply to achieve some set objectives, sustain organizational development and possibly promote changes or influence policy making. These questions are, however, clearly intertwined, and many issues discussed in this Chapter 4 raise many questions that move into the next Chapter 5. Both chapters will thus have to be read as two parts of one comprehensive analysis. Both chapters start with a presentation of each case NGO, which is followed by more general observations and remarks.

4.1 Opportunities, Goals and History of the Case NGOs

The emergence and development of the seven selected NGOs are discussed in relation to changing policies for HIV/AIDS in China. I view opportunities and goals not only in the context of openings and possibilities, but also in context of the many restrictions and problems these NGOs face. This section starts with a table which lists the NGOs according to a timeline of when their activities started. As can be seen, the NGOs work with several different communities. Three of the organizations are not registered and four are registered as businesses, yet they registered at a different time than they began their activities. The introduction of each organization follows largely the same order. The one exception is the organization that is the last to be introduced. It is clearly less developed and less connected to other stakeholders in the field than the other NGOs. As much as each NGO is important for the overall picture, their level

and scope of activities vary, and the space used for describing different organizations varies accordingly. As noted above, the descriptions of the NGOs touch upon many aspects that are relevant for the opportunities and goals, as well as for the strategies of the organizations, and several of these aspects are described in more detail in the next Chapter 5.

Table 1: The Case NGOs

	When activities started	Main communities involved	Type and time of registration
Beijing Aizhixing Institute	1994	Several	Business (2002)
Beijing Gender and Health Education Institute	Mid 1990s	Homosexual, bisexual, transsexual	Business (2002)
Mangrove Support Group	2002	PLWHA	Business (2005)
Dongzhen	2002	Several	Business (2004)
Working Group of Gay Movement of Beijing	2004	Gay, MSM	No registration
Ark of Love	2005	PLWHA	No registration
Chaoyang Chinese Volunteer Group	2005	Gay, MSM	No registration

4.1.1 The Pioneer and the Tiger: Beijing Aizhixing Institute

Aizhixing is a special, if not unique organization in China, because of its continuous work on a number of problematic issues, and its unambiguous advocacy of human rights. Relations with the government have always been constrained, but Aizhixing has been able to work through and around the many bureaucratic and political hurdles the Chinese government has imposed on it. The history of Aizhixing is in many ways a reflection of the overall HIV/AIDS development in China, and furthermore seems to offer indication as to how far civil society activities can be stretched in China.

Aizhixing Institute, or Aizhi Action Project which was its original name, came into being in 1994, which makes it one of the first NGOs to emerge in China. The organization has over the years attracted considerable attention and financial support from the international community. There is no doubt that many characteristics of Aizhixing must be attributed to its leader Wan Yanhai, whose talents and organizing

skills, as well as his ideas, working methods and wide-ranging international networks, have both produced many significant results and considerable controversy (Wu 2005, p. 228). Aizhixing is likely one of the largest, most developed and influential NGOs in China's HIV/AIDS community, and with a functioning board of directors that convenes regularly, a five million RMB budget²², annual reports and audited budgets, Aizhixing also presents a level of administrative professionalism not commonly shared by Chinese NGOs.

Back in 1988, when Wan Yanhai graduated with a medical doctor's degree from Shanghai Medical University²³, he started his career working for the National Health Education Institute in Beijing. Wan Yanhai soon started projects to reach out to the gay community he found to be vulnerable and largely left uncared for, not at least in light of the risks posed by HIV/AIDS. Supported by the director of the Institute, Wan set up a counseling hotline and formed a support group for gay men, the Men's World Club. This was a highly original move, and the work conflicted with the attitude official China had in regard to HIV/AIDS and homosexuals at that time. Consequently, pressure to bring the work more in line with national policy mounted, and both the director supporting Wan and later himself were in 1993 compelled to leave the Institute (Hsu 2006, p. 72-73, and Wu 2005, p. 228).

This did not stop Wan Yanhai, and in 1994 he established the Aizhi Action Project to carry on with his work. In early years, the project NGO operated under registration with Beijing Modern Management College. Staff and activities were limited, and in the beginning main focus was on the needs of gay and bisexual communities. Later, when news of the "blood scandals" started spreading in the late 1990s, Aizhi's work expanded to include research and reporting on the situation, as well as legal counseling and rights advocacy for the victims. Work also expanded in other areas, and Aizhi developed projects to support sex workers and migrant workers (Aizhi 2002, and Chen 2003, p. 52).

As Aizhi developed, Wan was increasingly seen as a political figure in China

²² Aizhixing is one of the few NGOs for which I have obtained annual budgets broken down to yearly income and expenses. I have been reluctant to provide specific budget figures for the other NGOs, mainly because funding is oftentimes provided for projects in bulks meant to cover operations for several years. All NGOs have however been willing to provide financial information upon request.

²³ In 2000 the Medical University merged with Fudan University in Shanghai.

and thus experienced more pressure and difficulties. In 1997, after what had been an uncomfortable year, Wan accepted an invitation to study at the University of Southern California. He was at that time not planning on returning. But after some time in the US, he allegedly came to acknowledge that China would be his home and that the communities he had left behind, were still much in need of the type of work he had started (CDB 2002.06.01). From 1998, while still maintaining a home in the US, he started returning periodically to oversee and expand activities of the Aizhi Action Project. A more professional type of organization was formed when Beijing Aizhixing Institute obtained a business license in October 2002. After registering the Institute, both the financial situation and organizational management developed considerably.

Work has, however, brought Wan Yanhai into several clashes with security authorities, and he was arrested for a month in August 2002, and again for some days in 2006. Most recently, in June 2008, Wan was put under direct surveillance with police following him around in Beijing. Yet although security officials may have succeeded in making Wan moderate his work, Aizhixing has kept expanding its practical work as well as its advocacy on a number of issues considered politically problematic in China. While relations to the government and in particular to the security authorities have always been stressed, this has not alienated Aizhixing from all parts of the Chinese government, and the NGO has been working with state agencies and official organizations on a number of issues and projects. Many of these matters are described in more detail in the next Chapter 5.

In spring 2008, Aizhixing had a regular staff of 16 full time employees and many volunteers. The work covers a broad range of projects, with the initial work to support homosexual and bisexual communities still playing a central role. Staff and volunteers are involved in daily outreach and prevention work in places where men are known to gather to have sex with other men. Many activities, however, go beyond preventing HIV/AIDS, and Aizhixing sustains production of different magazines and brochures, and arranges festivals and other cultural events to address different issues relevant for homosexuals and other sexual minorities. Advocacy for- and support to victims of the blood selling schemes and people who have been infected through blood transfusions also remain central. It is work related to these issues that seem to have triggered the strongest reactions from state authorities. Aizhixing is also

frequently involved in activities to support and advocate the rights of other vulnerable groups, often cooperating with other Chinese and international NGOs.

Other main projects involve health improvement work in migrant schools, as well as HIV prevention and other health related projects among the migrant population in Beijing, in particular among the Uyghur (Xinjiang) community. In 2007, Aizhixing opened two activity centers for sex workers, and the NGO also runs a project aimed at long distance truck drivers who frequently buy sex. Health services for injecting drug users in Beijing are also among the more recently started projects. In addition to main activities in Beijing, the NGO has opened local offices in the provinces of Yunnan (2006) and Liaoning (2008), and Aizhixing supports a number of NGOs in cities throughout China with financial contributions as well as technical advice (Aizhixing 2008a, p. 2 and 5). Wan Yanhai and Aizhixing were main initiators behind the establishment of the China HIV/AIDS CBO Network²⁴, for which Aizhixing is a major source of support. Next chapter will provide more details about this activity.

The goals of Aizhixing are as broad as its scope of work. Prevention of HIV/AIDS and support and care for affected communities remain fundamental, but so do broader goals as fighting discrimination and securing legal protection for the many different groups they represent. Aizhixing is also one of the very few Chinese NGOs that has made explicit advocacy, research and reporting on human rights issues an integral part of its operations, and the NGO thus demonstrates the possibility of this in China, at least under special circumstances. Aizhixing is far from a typical Chinese NGO, but is still a case of Chinese non-governmental activity. Considering the broad scope of involvement and activities, it is clear that Aizhixing's goals are not only related to fighting HIV/AIDS, but to the overall development of the Chinese society. Aizhixing has a relatively broad financial support base, with most noticeable donors being the Open Society Institute and National Endowment for Democracy, the American Chamber of Commerce and the Astrea Foundation. Some contributions are also received from the UN system, the Global Fund and a long list of other international organizations and development agencies. The budget for 2007 was just

²⁴ CBO is short for community based organization.

over five million RMB (Aizhixing 2008a, p. 21), which is considerable for a Chinese NGO.

4.1.2 Support and Counseling to Chinese Sexual Minorities: Beijing Gender and Health Education Institute

The Beijing Gender and Health Education Institute, as its name indicates, is a specialized NGO focusing on service provision, specialized knowledge and research for- and among affected communities. The Chinese government and other external stakeholders frequently work with the Institute on issues where the NGO can provide relevant networks and expertise.

The Gender and Health Education Institute grew out of increased efforts to bring together and organize members of China's homosexual community in the 1990s. Although not officially registered (as a business) before September 2002, a group of devoted members began organizing counseling and psychological support services for Chinese gay, lesbian, bisexual and transsexual communities in the latter part of the 1990s. Among other activities, they were active in the establishment of a free hotline (Tongzhi) in Beijing in 1997. Activities were in initial years largely kept "underground", because of the then official attitude towards homosexual communities. While homosexuality was never explicitly outlawed in China, gay couples and same sex practitioners were often prosecuted against for conducting "hooliganism" or for disrupting social order. Homosexuality remained listed as a mental disorder until China's psychological association removed it from this list in 2001 (Sun, Farrer and Choi 2006, p. 1).

In the mid 1990s, Chinese medical scholar Zhang Beichuan started publishing research on Chinese homosexuals, and a big meeting held in 1998 in Beijing brought together leading figures in the "underground" gay community. Many international professionals and organizations also offered support to efforts to activate the community. Encouraged by these efforts, the volunteers operating the Tongzhi hotline and counseling services were able to bring their activities into the "open", and with support from the Ford Foundation, the group was eventually able to register the Gender and Health Education Institute with a business license in 2002. Groups and organizations across China, as well as government organs have since welcomed the NGO's expertise and ability to mobilize resources and implement work. The AIDS

Association started working with the Institute in 2001, and the China CDC has also frequently been asking for its assistance. Counseling services have remained central part of the ongoing activities, but the NGO has since registration also become increasingly involved in research. The research has resulted in a number of studies and reports on prevention and health issues associated with practices found among some communities of gay men and MSM (Gender and Health Education Institute website, not dated).

The Institute has become increasingly active in training other groups and NGOs operating all over China, and director Guo Yaqi frequently consults health authorities and official organizations on matters related to sexual minorities and HIV/AIDS. Financially, the Institute has received contributions from a number of foreign donors, with the bulk of support coming from the Ford Foundation the last few years. Project funding from the Global Fund round 4 and 5 has provided funding for most training activities, and some support has also been generated from UN organizations in China. With a full time staff of four and an active group of volunteers, the Institute has been able to stabilize its operations, but insufficient funding and high turnover rates of staff are reported to be main obstacles to further expand activities. Major decisions are made by a board comprising several scholars and professionals, representatives of the China CDC and Chinese and international NGOs.

On the whole, the Gender and Health Education Institute works to improve the standing of homosexuals and other sexual minorities in China. While preventing spread of HIV is a focal point of many projects, most of their activities are built around a broader goal to improve the physical and psychological health and well being of its constituencies, as well as to increase the understanding and acceptance of these groups in mainstream society. The Institute is thus trying to make an impact moving beyond the specific interests related to HIV prevention.

4.1.3 Greater Involvement of People Living with AIDS: Mangrove Support Group

Mangrove Support Group came into being following the search for Chinese representatives to work towards greater involvement of people living with AIDS (GIPA) that the UN had set as goal. Up to 2002, there were hardly any PLWHA organizations active in China, and many Chinese HIV-positive were therefore

encouraged to take the lead. Li Xiang, or Adam Li which he uses as his English name, was one of three infected young men who received international support to set up the first organizations. The NGO still works to fulfill this role, but has also taken steps to take on more self-initiated projects related to the interests of Chinese PLWHA.

Li Xiang, who had already gained some experience working with UNAIDS, established his Mangrove Support Group in Beijing in April 2002. Well liked by the media, the Chinese government and international organizations alike, Li was busy from the very start, and observers have worried that his health condition would not permit him to handle the heavy work load (Young 2003, unpagged). Li Xiang has frequently appeared in Chinese media and at conferences and meetings in China and abroad, personally contributing to giving Chinese PLWHA an active voice. Interest representation and advocacy against discrimination of PLWHA are central to the operations of Mangrove, so is work to develop capacities of other of PLWHA groups to do the same (Mangrove 2003, p. 72 and 75). The NGO maintains a relatively large production of media products and exhibitions to spread knowledge about their activities as well as the lives of people affected by HIV/AIDS (Mangrove 2007, p. 1)

Mangrove Support Group is considered an NGO in this study, but the organization has some of the closest relations to government of all NGOs discussed here. From the start in 2002, the AIDS Association has taken care of Mangrove's financial work, and the Association's secretary is member of the advisory committee that is important for decision-making in Mangrove. Other members of the committee are a representative from international NGO Marie Stopes, a representative from You'an Hospital and Li Xiang himself. Other indications of Li's good standing with the government, are that he was appointed member of the first country coordinating mechanism (CCM) for the Global Fund in China (Chen 2003, p. 54), and that in summer 2008 he was invited to be part of the government delegation to the UN High Level Meeting on AIDS in New York. On the other hand, Li Xiang is known for speaking out on a number of issues that sometimes also involve criticism of government. Still, Mangrove's close relationship to the government has prompted criticism and accusations that it is not a true NGO (Chen 2003, p. 55). Government relations are evidently central to how Mangrove works, and this is therefore further discussed in the next Chapter 5.

Mangrove Support Group employs a staff of six, many of whom are PLWHA. The NGO has enjoyed stable support from the Ford Foundation and the Global Fund, and it has received technical and financial contributions from international NGOs Marie Stopes, Volunteer Services Overseas, Action Aids, the consulting company APCO and others. Offices are located at the You'an Hospital in Beijing. Spreading knowledge about HIV/AIDS and fighting stigma and discrimination against those affected, as well as expanding the network and capacity of local PLWHA support groups, remain top goals for Mangrove.

4.1.4 Responding to Acute Needs and Shifting Priorities: Dongzhen

Dongzhen, often referred to as China Orchid Aids Project in English, is a second generation NGO, in the sense that its director Li Dan already had a few years of NGO experience before setting up his own organization in 2004. The NGO has shifted focus several times, responding to restrictions and problems as well as opportunities to develop new projects in several areas related to HIV/AIDS.

Li Dan, an astronomy major from Beijing and still a member of the Communist Party, was studying for his PhD at the prestigious Chinese Academy of Sciences when he was drawn into the HIV/AIDS field in the end of the 1990s. This was still years before the Chinese government had moved HIV/AIDS up on the policy agenda, and public debate about these issues was still very limited. During a trip to the province of Henan in 2001, Li Dan got to see the desperate situation facing many farmers who had been contaminated with HIV by selling their blood. Li Dan started working with Wan Yanhai at Aizhi Action Project and got firsthand experience with the difficulties of operating one of China's first NGOs. By the end of 2002 he left, opting to do more practical work and hoping to set up an NGO able to answer the needs of infected farmers in central China, particularly children who had lost parents to AIDS. With initial funding from Chinese donors, Li Dan moved to Henan to set up a school and an orphanage. But his ideas and working methods which drew increasing attention from Chinese and international media, conflicted with the policies of local government that wanted little attention to the HIV/AIDS problem or its cause (CDB 2008.01.14).

Efforts to run a school, an orphanage and in last resort a part time school for the children, were all forcefully stopped by local officials. Donors were also backing

out, and in 2004 Li Dan was back in Beijing reconsidering his options. He managed to register his organization as a business in Beijing in 2004, and operating out of the capital he was able to raise international funds to continue financial support of the children through a local office in Henan. While operations remained problematic, with Li Dan and his local staff confronting sanctions, beatings and arrests by local authorities in Henan, the NGO was also battling with internal management problems. Staff left one by one due to disputes and personal conflicts, and Li Dan was accused of misusing the funds of some donors. Project money had been used to cover administrative expenses and debt, for which the funds were not intended. Li Dan readily admitted having made mistakes, but he was set on continuing the work. He also wanted to develop his NGO to take on a broader range of projects, something that had been a source of conflict with some previous staff and international partners.

In 2007, Dongzhen started work on establishing a law center with American partner NGO Asia Catalyst, for which funding was secured with grants from the Open Society Institute and the Levis Strauss Foundation. Other means of substantial funding in recent years have been Li Dan receiving the Reebok Human Rights Award in 2005, as well as donations from the US Embassy and some other international donors. While activities related to the law center have become a focal point of the NGO, Dongzhen has also kept working on translating HIV/AIDS material into Chinese, as well as offering lectures to university students. With moderate funds from Global Fund round 6, Dongzhen is now preparing publication of a magazine for sex workers and a monthly language café for Chinese and international students to exchange language skills over debates on HIV/AIDS issues. Being of Manchu descent (one of the 55 national minorities recognized in China), Li Dan has also started a Manchu language and culture project that offers language classes.

Since summer 2007, Dongzhen has been operating with four full time staff and a number of volunteers, typically staying with the NGO for a few months. For goals, Dongzhen and Li Dan are looking beyond HIV/AIDS. Strengthening the law environment of HIV/AIDS in China, as well as providing information and doing broader prevention work on HIV/AIDS now seem to be eminent goals. When asked about his working aspirations, Li Dan states NGO and civil society development to be his number one drive. Consequently Li Dan will happily see his work expand into

more areas than HIV/AIDS in the next few years, and in spring 2008 he was making plans for a project on human rights education.

4.1.5 Fighting for Better Medicine and Treatment: Ark of Love

Ark of Love is a PLWHA organization, but differs from Mangrove Support Group in many respects. Although Ark of Love has also received considerable support to increase the role of PLWHA, it was to a larger extent established as a response to specific Chinese conditions and problems. Ark of Love works to improve the overall situation for PLWHA in China, but the main undertaking is still fighting for access to better quality medicine and treatment.

Ark of Love, founded in early 2005, is led by Meng Lin, who has made his own personal struggles to secure good quality AIDS medicine an inspiration for advocacy of better treatment and medicine for all Chinese PLWHA. Meng Lin counts himself among the Chinese AIDS patients who have lived the longest, and his work therefore carries symbolic value of the opportunity of life itself for many HIV-positive Chinese. Meng Lin leads the China Network of People Living with HIV/AIDS, and his ongoing efforts to build capacity and networking skills among other PLWHA groups, as well as his explicit rights- and interest advocacy, have been met with suspicion among representatives of both Chinese government and the larger HIV/AIDS community in China. Still, this does not prevent Ark of Love from frequently cooperating with government organs or official organizations in arranging different types of activities. Meng Lin also enjoys considerable status in many parts of the community, and in 2006 he was elected representative to the China CCM. In July 2008, however, Meng Lin resigned in protest, stating unfair accusations from other CCM members as reason for his resignation²⁵.

Meng Lin was a successful business man who spent many years with personal tumults over his own condition before coming to terms with the situation. His financial situation has allowed him to purchase the best antiretroviral drugs available from abroad, which stands in stark contrast to the treatment available to most Chinese

²⁵Meng Lin was active protesting the outcome of the selection of principal recipients for the Global Fund round 8 proposal in summer 2008. Meng Lin protested the actions of the AIDS Association in this process. According to Meng Lin's letter of resignation, it was accusations from the director of the Association that made him decide to resign. Meng Lin was reportedly accused of promoting private motives and for advancing his chances for reelection to the CCM (Meng Lin 2008.06.25, and 2008.07.16).

PLWHA (Dechamp and Couzin 2006, p. 128-129). After setting up Ark of Love in 2005, Meng Lin has been working to build capacity in the PLWHA community to promote access to better treatment and medicine. With the national CARES program launched in late 2003, free antiretroviral drugs and some support and medical services were offered to Chinese PLWHA, but given the limited number of medicines available and the generally poor condition of China's health system, the program has far from met the medical needs of all patients. Stigma and discrimination against AIDS patients are widespread in China, not at least in many medical institutions (Hu Yuanqiong 2007, p. 44, Dechamp and Couzin 2006, p. 141, and SCAWCO and UNTGA 2007, p. 26, 33 and 35).

Ark of Love has no type of registration or legal status, and the official China Welfare Population Foundation helps with financial management, including a bank account. Major financial support is provided by the Ford Foundation, the Clinton Foundation, UNAIDS and the Global Fund, as well as a number of small contributions from various organizations and development agencies (Ark of Love 2006, and 2005). The organization has seven full time staff, and support and guidance to local PLWHA groups and individuals make up a substantial part of the work load. The main goal of Ark of Love can be seen as basic and in line with what Meng Lin himself has fought for, namely for more Chinese PLWHA to be able to live with the virus and the disease. Access to better medicine and treatment remains the main objective, but Ark of Love has also been active in making anti-discrimination campaigns, exhibitions and media productions displaying the lives of HIV-positive and thus spreading knowledge and fighting the stigma that so many PLWHA suffer from.

4.1.6 Cooperating to Reach High Risk Groups: Chaoyang Chinese Volunteer Group

Chaoyang Chinese Volunteer Group was born out of dialogue between a young man wanting to engage in meaningful work for his community, and a Beijing district (Chaoyang district) health official seeking help with HIV/AIDS prevention work. This may serve as another illustration of changes in official policies towards HIV/AIDS, NGO activity and homosexual communities in China. The concerted initiative illustrates new opportunities to promote the interests of vulnerable and

largely marginalized communities – in line with state interest and with support from state and government affiliated organs.

Several informants having contributed to this thesis, pointed to the year of 2004 as being a turning point for when government and particularly health agencies started paying more attention to spread of HIV among men who have sex with men (MSM). In 2005, China's proposal to the Global Fund round 5 was designed to activate NGOs and community groups to reach out to MSM and gay communities (China CCM 2005, p. 3).

Xiao Dong, the leader of the Volunteer Group, came into contact with the Chaoyang district CDC on an internet forum, and was encouraged to start organizing intervention and outreach projects in the gay community in the district (China Daily 2006.03.22). In May 2005, the Volunteer Group took form and has since been cooperating with the Chaoyang district CDC and the district division of the AIDS Association, as well as other government and non-governmental partners. Its main activity is to distribute condoms and information material to gay men who frequent bars, bathhouses and other venues where sex partners typically meet. To extend activities, the Volunteer Group has been working to involve smaller subgroups, mostly among students in universities. The group also arranges for gay men to visit the district CDC for testing and counseling, and often helps HIV-positive with arranging medical checkups and treatment. Additionally, the volunteer group has been contributing to training seminars on HIV/AIDS for journalists at Tsinghua University.

The volunteer group reports having a relatively stable crew of 13 members, but all are volunteers in the sense that the NGO is not providing salary for any of its members. However, with his background in media and having good knowledge about the gay community, Xiao Dong has been able to generate some income by doing media and advertisement work for products targeted gay men, and some members of the group are also operating a bar in Beijing. Some funding is provided by the AIDS Association and the Global Fund, the German company Bayer, as well as a number of condom manufacturers that have been supporting the group.

The Volunteer Group has no type of registration, but office space, office supplies and management services are provided by the district CDC, and localization is in the compound housing both the district CDC and the district AIDS Association.

The door in to the office is literally marked “NGO office”. Not surprisingly, this close relationship with the CDC, which is organized under the Ministry of Health and the health bureaus at the provincial and local levels, has been met with skepticism in other parts of the NGO community. Xiao Dong responds to this criticism by repeating that he first and foremost cares about doing important work, which he now is much able to. This issue is followed up in the next Chapter 5.

The Volunteer Group has a very specific goal; to reach as many as possible with their intervention work. Surveys and testing helped carried out by the Volunteer Group have been motivation enough, with test results indicating an infection rate of 12 percent among gay men in some of their target communities. In general, there is a severe lack of comprehensive data on infection rates among men who have sex with men, but much of the surveillance data that is available, indicate grave figures. In many communities, unsafe sex practices are widespread, and few community members go in for medical checkups or testing (Wang Yanguang 2006, p. 252-253, SCAWCO and UNTGA 2007, p. 34, and Liu and Kaufman 2006, p. 84).

When interviewed for this thesis, Xiao Dong stated that he has hopes of homosexuality becoming more accepted in the Chinese society, but that this will have to happen gradually and that he will not push for fast changes. On the contrary, the Volunteer Group will keep focusing on providing information about safe sex, condom distribution and arrange for counseling and testing. According to Xiao Dong, it is not more money or new projects that are needed now, but time to keep up the work they have already started.

4.1.7 Socializing and Organizing around Prevention Work: Working Group of Gay Movement of Beijing

Working Group of Gay Movement of Beijing is the least organizationally developed of all NGOs studied for this thesis. Yet the activities associated with this group demonstrate a relatively high level of organizing and coordination on the part of the most active and stable members.

The Volunteer Group has no registration or legal identity, and having no office or locale of their own, they arrange their meetings at cafes and restaurants in the area of Beijing where they operate. All members are volunteers and do the NGO work in their spare time. However, the group reports having about 30 stable, and several more

less stable, members who take part in twice-weekly outreach activities, including information and condom distribution at several bathhouses, saunas and bars catering for gay men. The Working Group is led by a steering committee of six members with special responsibilities, and all members must agree to a long list of membership rules before being accepted (Working Group 2006).

Activities of the Working Group started with some initial members meeting the director of Hong Kong registered Chi Heng Foundation in April 2004. Chi Heng offered some start up support and guidance, and the group has been active since. The small NGO has at times accepted modest grants from the AIDS Association and the China CDC to help with intervention projects, and has also worked with the official National Health Education Institute, China Family Planning Association, as well as with a few other Chinese and international NGOs on conducting surveys and providing information to reports. The NGO was in spring 2008 granted project money from Global Fund round 6 to carry on with its outreach and intervention work, and the group is now considering possibilities to rent an office space, pay some staff to take care of administrative work as well as register.

When talking to the members of the Working Group, they make it clear that as much as preventing spread of HIV/AIDS is the main objective of their intervention work, the social interaction and companionship that the activities offer are also important goals. These members thus highlight what may be one of the basic gains from civil society activities anywhere. They bring people together in ways that may add meaning and joy to the lives of individuals who feel marginalized or out of place in mainstream society. By working together, members of the Working Group not only contribute to HIV/AIDS prevention, they also create an environment of common interests and shared dreams. “We have this world (in the organization, my comment) where we do not worry about the same things we do in the real world. Coming here is like taking a break, in a way, or like going on short vacations” one member elaborated. Homosexuality is still associated with much taboo and sensitivity in China, and many therefore keep all aspects of their association with the gay community hidden from classmates, colleagues as well as friends and family (Wang Yanguang 2006, p. 49 and 242).

The above section has provided a description of each NGO. Below follows more general comments about opportunities the NGOs have found to organize and the various goals they have set for their work.

4.2 General Comments on Opportunities and Goals

The first section below describes the two-sided situation for NGOs working on HIV/AIDS in China. While there is no doubt that new HIV/AIDS policies have opened for more opportunities to organize, China's political system in general still works to restrict NGO activity. The following section describes opportunities in relation to the role of international actors, and discusses to what extent the Chinese NGOs respond to international norms that are often associated with HIV/AIDS and NGO work in other countries. This chapter rounds off with a section further discussing the types of goals and objectives the NGOs have set for their work, and it also takes a closer look at internal and inter-organizational struggles the NGOs are dealing with.

4.2.1 New Opportunities and Lasting Restrictions

There is little doubt that changes in China's response to HIV/AIDS have opened new opportunities for NGOs, yet their activities continue to be subject to scrutiny and intervention from state authorities. The seven NGOs studied here represent a broad range of issues, communities and activities that demonstrate considerable opportunity but also limitation to NGO activity in China. Most activities studied here deal with issues related to PLWHA and gay communities, but some organizations also work on bringing justice to blood victims and infected farmers, provide care and safety for sex workers and drug users and provide general support to these- and other groups affected by HIV/AIDS.

The seven NGOs came to the scene at different times and with different goals and priorities. With the first NGO established in 1994, none of them have a long history, yet their emergence reflects considerable changes in policies and the overall situation for HIV/AIDS and NGOs in China. The Aizhi Action Project started out as a continuation of initiatives the state would not tolerate, as Wan Yanhai was fired from his job and established an NGO to be able to continue the prevention and support

work he had started for gay men in Beijing. The group that formed the Gender and Health Education Institute operated “underground” for years because of the controversy related to homosexuality at the time. A few years later, both NGOs representing PLWHA and gay men, such as Mangrove Support Group and the Volunteer Group, were welcomed and sometimes supported by state authorities, and many NGOs have since been frequently consulted to for inputs on policy and for help with outreach work. Many of the NGOs have also been widely covered in the Chinese press.

What seems clear is that HIV/AIDS has provided incentive for members of affected communities and devoted individuals to organize, and that HIV/AIDS has increased the support and acceptance of these organizational activities. Peter Ho (2001) and other observers of Chinese environmental NGOs have viewed increased NGO activity in light of coinciding state efforts to strengthen environmental protection, and similarly, opportunities to organize around HIV/AIDS issues can be seen coinciding with national policies to strengthen prevention and curb the spread of HIV. Similar tendencies have been observed in other fields, and Jude Howell (2004) has described organizational opportunities for various groups representing marginalized interests that develop services the government finds useful. For the NGOs studied here, the Working Group provides a good illustration in this regard. As much as the members of the group attach great importance to the social aspects of its prevention work, it is likely the perceived value and usefulness of the outreach activities that is the key to the group’s external support.

On the other hand, far from all activities of these NGOs have been popular with all parts of the Chinese government, and some initiative and approaches have triggered reactions from state authorities. Several of the NGOs have experienced arrests and police interrogation in addition to orders to cancel seminars, close projects, publications and other planned activities. These messages have often been communicated indirectly, with partners announcing their inability to take part, hotel managers calling to inform that rented seminar rooms are suddenly unavailable, or that equipment for producing information brochures has been broken and cannot be fixed. However, these are not experiences shared by all organizations. Several of the NGOs have experienced very little, if any, interruption of their activities.

The NGOs work on a broad number of issues and represent different communities, some posing more controversy than others. This influences the way they go about with their work, which the next chapter will describe in much greater detail. What is clear, though, is that while several NGOs have experienced scrutiny, interrogations and intervention from security authorities, virtually all NGOs have experience working with representatives of the government, health bureaus or state agencies and official organizations in particular. The AIDS Association plays an especially central role, given its size and strong involvement in China's overall AIDS response as well as its management responsibilities over many Global Fund projects. Some NGO staff spoke highly of the AIDS Association and described how its staff spends considerable time listening in on the needs of NGOs and grass roots groups. Although most informants saw the Association as principally a governmental organ, many NGO staff still praised its many helpful functions. Furthermore, many interviewees felt that the AIDS Association and other official organizations help increase the understanding of non-governmental work among government officials.

For many NGOs, cooperation with official organizations is a practical necessity, as this provides NGOs with bank accounts, financial management and project administration which they either lack because they are not registered or simply do not have capacity to take care of on their own. Additionally, much of the international funding made available to Chinese NGOs in the HIV/AIDS field is first given to official organizations or state agencies before funds are dispersed out to smaller NGOs. The Global Fund and the Gates Foundation, as well as many governmental aid-programs work according to this principle. This likely encourages cooperation between different sectors and may even contribute to building the type of bridges or channels between the state and civil society actors that are reported to be lacking or barely existing in China (Howell 2004, p. 161). But the situation also provides official organizations and state agencies with powers and responsibilities many NGO staff and leaders argue are being misused. Many informants interviewed for this thesis, noted that the official organizations, the AIDS Association in particular since it is the most relevant in regard to the NGOs studied in this thesis, remain powerful and equipped with powers that are sometimes reportedly being used to split and rule. By supporting some NGOs and alienating others, the official organizations

may generate controversy within the NGO community in a fashion that prevents cooperation and networking.

The opportunities and restrictions described above and throughout this thesis underscore that the operational space available to Chinese NGOs is not clear cut. None of the organizations studied here have been able to register as anything but businesses, which is clearly not the best option for organizations opting for status as not-for-profit entities with possible tax benefits. Three of the case NGOs have no type of registration. Generally speaking, the lack of options to register properly, and the following lack of proper regulations make many NGOs operate in limbo. They are technically unregulated, but are practically subject to whatever type of intervention the security authorities see fit. Additionally, lack of proper “NGO- status” sometimes makes cooperation with official organizations or state organs necessary to sidestep strictly tax-related barriers, as many foreign donors will only be able to deduct taxes at home, if money is given to not-for-profit registered organizations. Several of the NGOs studied here have experience securing foreign funding by “borrowing” the name and bank account of official organizations or state institutes, for which 5-15 % percent of the donation is typically charged in management fees.

Beijing hosting the Olympic Games in summer 2008 may serve as another illustration of the dubious conditions Chinese NGOs are working under. The Olympic Games to some extent effected activities of most case NGOs, and most organizations had made preparations to scale down or move activities out of Beijing to avoid anticipated surveillance and intervention in the period leading up to- and during the Games. The reason to do this was expressed as a given, and the NGOs did not receive any special notice on how to deal with the Olympics. “We know because we are Chinese”, one interviewee explained. The exception was Wan Yanhai and Aizhixing who were put under direct surveillance in May 2008, which may be regarded a warning or official notice of lower tolerance for activities in the time leading up to the Games. However, many NGO staff was supportive of the anticipated strengthening of sanctions and restrictions, and some argued it was common for all Olympic hosts to discourage exhibition of problems during such festive times.

The NGOs studied here exhibit considerable variety in terms of communities, interests and goals represented. Furthermore, Aizhixing with a relatively large staff, a

five million RMB budget and an explicit human rights advocacy approach clearly stands out from the smaller NGOs that have few if any full time staff, very small budgets, little advocacy work, and have no explicit links to human rights advocacy. Naturally, perhaps, attention vested by government and security authorities varies accordingly. This is discussed further in the next chapter. What is most important to note here, is that all NGOs studied have found opportunities, if not because of political goodwill than out of ambiguous acceptance, to organize around HIV/AIDS issues and to work towards some set objectives.

4.2.2 Support from International Actors and Responding to International Norms

All NGOs studied for this thesis have received financial support from abroad, and all NGOs more or less frequently attend meetings and activities arranged by international actors in Beijing, UN organizations and the Global Fund in particular. When it comes to norms, however, most organizations are reluctant to link their goals and approaches to those often associated with HIV/AIDS and NGO work internationally.

Funding for these NGOs comes from a wide range of international NGOs and foundations, foreign government development agencies, a few international and multinational companies, the UN system and the Global Fund. American donors are by far the most valuable in terms of financial support. Some American donor institutions have been discussed in critical articles in the Chinese media and have reportedly raised concerns within parts of the Chinese government (Huanqiu 2007.12.26, and CDB 2005, p. 2). For the NGOs discussed here, however, this was to a very limited extent considered to be a problem, and several of the NGOs have received funding from some of the debated US organizations for several years²⁶.

Funding from Chinese sources is minimal for the NGOs studied for this thesis, and overall contribution from the private sector is also very limited. A few exceptions are some condom manufacturers that provide free or discounted condoms and lubricant products, and some support that is allocated from a few international and multinational companies operating in China. This evident lack of financial support drawn from national sources may pose serious questions about the strength and even

²⁶ A point of note is that during work on this thesis, I have come across several examples of Chinese state- and governmental institutions receiving support from some of these organizations that have been criticized in the Chinese media.

authenticity of the activities discussed here. These questions also seem relevant in regard to Chinese NGO and civil society activity more generally speaking. Foreign funding provides Chinese organizations with vital opportunities, but it seems critical to ask whether activities can be sustained if foreign, material support one day stops. As for now, most material support to Chinese NGOs is foreign (Ma 2006, p. 195 and 199, and CIVICUS Report 2006, p. 32), and in regard to the activities studied for this thesis, I have found very few indications of successful initiatives to activate potential Chinese donors. Efforts to draw more support from national sources, including the business sector, were by most informants typically described as very difficult or impossible.

International NGOs and UN organizations offer additional means of support. Marie Stopes International, Oxfam Hong Kong, Chi Heng Foundation and the Clinton Foundation have all offered technical advice and capacity training for the NGOs studied here, and UNAIDS, UNDP, UNICEF and WHO all provide opportunities for NGOs to attend meetings and participate in projects and activities. Some NGOs have also received support from the UN to send a delegate to meetings abroad. Many case NGOs considered interaction with these international actors to offer valuable opportunities for networking and sharing information. Nevertheless, many interviewees with affiliation to Chinese NGOs were critical in regard to the practical work and actual contributions of many international actors. Both UN organizations and international NGOs were sometimes criticized for being too considerate of keeping good relations to the Chinese government, and for lacking key staff with ability to communicate with the NGOs in Chinese.

However, the Global Fund seems to make a special case. The Fund stands for a very limited proportion of the funding for the group of NGOs most closely studied here, but more importantly, the operations of the Global Fund in China have evidently paved the way for more NGO participation. The processes of electing CCM representatives for the NGOs and the affected communities²⁷ in particular, have spurred much activity. Meng Lin of Ark of Love was elected PLWHA representative in 2006, replacing Thomas Cai, who is director of Aids Care China, another NGO based in Guangdong province. Besides the CCM, there are several other forums

²⁷ PLWHA or people living with malaria or tuberculosis.

associated with the Global Fund where many NGOs have been active participants. Aizhixing, the Gender and Health Education Institute, Mangrove Support Group, Ark of Love, the Volunteer Group and Dongzhen have all been serving as members of working groups or proposal writing teams, technical review panels or discussion meetings hosted by the China CCM or the Global Fund China Secretariat. These are all forums providing ample opportunities for NGOs to network and voice interests and opinions. In terms of funding, all case NGOs have received some Global Fund money, but this has been limited since Beijing has so far only been covered in one of the successful proposal rounds. But in spring 2008 many of the NGOs did receive project grants from round 6 which does cover Beijing, and some NGOs, like the Gender and Health Education Institute and Ark of Love, have received funding from previous rounds for projects covering other areas.

It is beyond the scope of this thesis to discuss in detail the impact that international organizations and institutions have for Chinese NGOs²⁸, but the point here is to show that they are providing the NGOs with opportunities for funding as well as for participation in forums where NGOs can voice opinions or contribute with input. The next chapter elaborates further on how NGOs make use of these opportunities.

The international norms surrounding efforts to combat HIV/AIDS emphasize strong involvement of civil society and PLWHA. This whole thesis is in part a study of to what extent these norms are being followed in China, and there is little doubt that the government has moved some lengths in opening for more civil society activities in this field. However, much of the HIV/AIDS response known internationally is associated with human rights and realization of broader development goals. UN resolutions and initiatives in particular strongly emphasize this link. Most of the NGOs discussed in this thesis work for rights and interests that clearly intertwine with both human rights and broader development goals. Still, most NGOs do not link their work or objectives to a human rights context. Several of the NGOs explicitly stated that they do not- and will not deal with human rights, but will remain focused on more practical objectives. This view was shared by most NGOs I have met

²⁸ For a comprehensive discussion on the impact of international actors may have on Chinese NGOs and policy making in relation to HIV/AIDS, see Liang-Yin Hsu (2006) and Wu Fengshi (2005), full references are given in the List of References.

with outside of Beijing as well, clearly adding support to the notion that human rights constitute a problematic and controversial issue that Chinese NGOs refrain from associating with. Staff of an NGO outside Beijing put it this way: “We are working on gay rights, we can push for better rights for gays. But we do not advocate human rights, of course we do not do human rights”.

The most notable exception is Aizhixing, which has made human rights advocacy a key component of its overall approach, and perhaps to some extent Dongzhen, whose leader Li Dan often expresses his work as being part of a broader social development in China and has been planning to start projects on human rights education. Meng Lin of Ark of Love is also one of the few NGO people interviewed who regards his work in a more explicit rights-advocacy context. Yet he refers to his approach as promoting rights and interests (*quanyi*) rather than just rights, which may carry stronger connotations to protest and opposition²⁹. Since refraining from relating human rights to their goals and overall approach is a choice of strategy for many NGOs, this is further discussed in the following Chapter 5.

4.2.3 From Hopes and Dreams to Everyday Struggles and Challenges

The NGOs studied for this thesis have all found opportunities to organize and work towards a number of expressed goals. In general, people interviewed were largely optimistic about development and many of the changes they have seen taking place. Several representatives of organizations working with gay issues and communities ironically stated something along the line of “Chinese gays have to ‘thank’ AIDS for the many new opportunities to work like this”, as one NGO leader put it.

For the most part, goals and objectives for what to make out of these opportunities are largely modest in the sense that very few NGOs expressed interest in explicitly pushing for changes in policies. This is telling for the limitations NGOs associate with their own activities, and it is likely telling for how far NGOs and civil society actors in general stretch activities in China. For the NGOs studied here, goals were typically expressed as practical objectives related to the work of the NGO, and were often limited to how they can benefit their members or communities. Many

²⁹ A note on translation is important here as the Chinese term *quanyi* carries the meaning of both rights and interests together, and a different term would be chosen if speaking of just rights or interests.

interviewees literally shifted to talking about hopes and dreams (*xiwang*) when asked if they had any “higher” goals for their work, indicating that they are indeed hoping for change in many respects, but that their day to day focus is on the more practical work.

Some NGOs associated their operations with more lofty goals such as social development, realization of human rights or a more tolerant society, but most NGOs stated having more moderate objectives. That is not to say that most NGOs are indifferent to changes in policies or to making a difference. On the contrary, both the activities and the expressed objectives of practically all NGOs studied for this project demonstrate determination to make an impact and to contribute to changes taking place. What seems clear, though, is that most see changes taking place in a gradual fashion, or in a “slowly, slowly move” (*manman lai*) kind of way, which is the most typical Chinese way of saying it. As this is shifting over to questions related to strategy, I return to these matters in the beginning of next chapter. Before moving on, however, it is necessary to describe some of the challenges these NGOs are facing in their day to day operations. Many of these challenges are related to difficulties with management and organizational development, and in this respect, the seven case NGOs struggle with many of the same problems which reportedly appear to be commonly shared by most Chinese NGOs.

Poor management skills, shortage of human resources and low capacity were symptoms self-prescribed by most of the NGOs, and there is little doubt that money plays a part in this. Securing sufficient funding was described as a constant challenge by most NGOs, and many pointed to the recent years’ influx of money to HIV/AIDS work in China as also having spurred emergence of many new organizations that are now competing for available funding. However, many of the NGOs studied here have been able to operate with relatively stable support from a number of donors for several years, and for some of the organizations, finances were not a major concern at all. One NGO leader characteristically stated: “our main problem is not politics, the government or limited financial resources. The biggest problems are all rooted within the organizations and within the NGO community”. Many NGO leaders and other staff contended that they are so busy trying to deal with day to day management and operations, that they have little time to reflect on what their role is or how they want

to develop their organizations in the long run. Only a few of the organizations operate with a board or other formal organs for supervision, discussion and decision making. Professional standards for reporting and auditing are poorly developed, and the accountability of most of these NGOs seems to be limited to the relationship and trust they develop with different stakeholders, particularly with donors that keep prolonging their support.

As has been noted earlier, Chinese NGOs are known for being heavily dependent on the talents and connections of their leaders, and this seems to be very true for most organizations studied here as well. Limited experience and skills among staff were general problems shared by all NGOs. In many cases this may be related to the fact that most of these organizations were established just a few years ago. However, frequent changes in staff increase the difficulties of organizational development. Most NGO staff and volunteers are typically young and inexperienced university graduates, and because of limited resources and the often difficult nature of the job, the NGOs are unable to offer conditions that encourage or enable employees to stay more than a year or two. Aizhixing, which is certainly among the most developed of all the NGOs, is still no exception in this regard. With his fluency in English, a broad international network and extensive experience from leading one of China's oldest NGOs, director Wan Yanhai brings to Aizhixing many of the things most other NGOs lack. Yet difficulties improving internal management and capacity were repeatedly pointed to as main challenges by Aizhixing staff as well.

For the PLWHA organizations this problem is of a somewhat different nature since staff and volunteers are often recruited among PLWHA of different ages and backgrounds. But issues related to the staff's personal health and fears of being identified as HIV-positive naturally pose other and additional challenges for these organizations.

One aspect that is notable about the NGO community involved with HIV/AIDS, is the high level of controversy that characterizes relations between many organizations and NGO members. There may be many reasons for this. Informants listed strong personal interests and competition over funding, position and power as being main triggers behind many conflicts. Several networks and loosely-knit unions of NGOs have been formed in recent years, and a few more are in the making. As

much as such networks likely encourage and increase cooperation, they also seem to create or sharpen competing coalitions. Several NGOs expressed apprehension in regard to these developments. Some informants also expressed problems with members of the community trying to draw lines between different groups based on the status of members. Particularly status as being gay or not gay was, according to some interviewees, used to include and exclude people, which is working counter to the all-inclusive and tolerant society they are trying to promote.

The many challenges these NGOs are struggling with demonstrate many limitations to civil society activity in China that have less to do with political restrictions, and more to do with financial limitations and internal, organizational challenges. Opportunities given to any number of NGOs do not necessarily solve problems or produce results. It is only when NGOs turn opportunities into actual work that they can really develop and reach for their set goals and objectives. How NGOs set out to do this, is the overall theme of the following chapter.

Chapter 5

STRATEGIES OF NEGOTIATING WORKING SPACE AND INFLUENCE

This chapter focuses on the strategies of the NGOs, that is how the NGOs operate and how they make use of opportunities to progress as organizations and to work towards reaching some of their set goals in particular. I view strategy as a reflection of how the NGOs negotiate for working space and influence. For several of the case NGOs, activities indicate little explicit negotiating going on, and the goals of many NGOs are very modest in terms of aiming for broader influence. Still, all NGOs have developed some kind of strategy for how to navigate in the space they are operating, and all NGOs do want to promote changes, even if limited to supporting the communities they represent. As the following pages will show, the NGOs demonstrate considerable differences related to their choices of strategy and approach. The variation indicates a relatively high degree of strategic maneuvering taking place across different issues and communities in the field, and the discussion suggests possibilities and limitations to this type of activities in China today.

As in the previous chapter, descriptions of each NGO are followed by more general comments, starting with a discussion of differences between the NGOs in terms of association with so called hard and soft methods and explicit advocacy. The variation in working methods and level of advocacy reflects the different choices and strategic considerations the NGOs make, and these are often, but not always, related to political and legal conditions. The next section focuses on how the NGOs deal with the state and government, which is followed by a description of how the NGOs make use of opportunities provided by international actors. As in the previous chapter, the last section discusses issues related to the NGOs' internal, organizational development as well as how they relate to other NGOs in the field.

5.1 Different Strategies and Approaches – Three Groups of NGOs

This first section starts with a table dividing the NGOs into three groups. The grouping is based on differences in the overall objectives and strategies of the NGOs. I refer to this table in later sections of this chapter, explaining that it is relevant to

divide the NGOs into different groups, but also that the situation is too complicated to make strong or definite categorizations.

Table 2: NGOs Divided Into Groups According to Overall Approach

Rights oriented and protesting	Support and policy oriented	Practical work and community-organizing
Beijing Aizhixing Institute	Dongzhen	Chaoyang Chinese Volunteer Group
Ark of Love	Beijing Gender and Health Education Institute	Working Group of Gay Movement of Beijing
	Mangrove Support Group	

5.1.1 Rights Oriented and Protesting NGOs

The two NGOs in this group are generally more preoccupied with advocating rights and protesting state policies, and seem willing to go further in terms of voicing criticism and explicit problems than other organizations. Their approach may sometimes even be a bit confrontational, but both NGOs also demonstrate caution in not taking their protests too far.

Beijing Aizhixing Institute is likely among the most well known of all Chinese NGOs. Its international networks and relative fame likely go a long way in lending it more working space than what is allowed for other organizations. The position of Aizhixing, however, was not reached overnight. From the very start, founder and director Wan Yanhai has been promoting controversial ideas on what have often been labeled sensitive issues. One characteristic feature is the explicit advocacy of human rights, which is not shared by many other Chinese NGOs (Jia Xijin 2007, p. 141). It is therefore no surprise that relations to government have often been strained. While the scope of activities of Aizhixing indicates that most of its operations are never associated with protest or controversy, it is the will to persist in advocating some of the politically more difficult issues that makes Aizhixing really stand out from other Chinese NGOs. As noted before, Aizhixing is not a typical Chinese NGO, but it still offers a demonstration of what is possible to make of non-governmental activities in China when sufficient skills, resources and support are provided.

In August 2002, after having distributed an official document describing the graveness of the HIV situation in Henan, the province most affected by the blood selling schemes, the NGO's office was shut down and Wan was arrested. The arrest triggered considerable international attention, and this at a time when China was awaiting the Global Fund's 98 million USD-worth decision on whether to approve funding to China's HIV/AIDS program (Wu 2005, p. 230, and Chen 2003, p. 52 and 54). After a month in detention Wan was released, indicating that some kind of a deal had been made. Upon his release, Wan publicly admitted to having committed an "error" for which he expressed regret. Furthermore, he thanked all collaborators for their support, and he also thanked the Ministry of Health for having visited the Public Security Bureau (PSB) on his behalf. And lastly he thanked the security authorities for their leniency in the matter. Within the next week, the Beijing Aizhixing Institute was able to register with a business license, and for AIDS Day the same year Wan Yanhai and his staff were invited to join activities in the Great Hall of the People (Young 2003, unpagged).

These incidents are important for understanding the position of Aizhixing as a well known actor in the HIV/AIDS community, both internationally and nationally. Wan travels frequently, and he and Aizhixing interact with a broad range of international organizations and networks, academic institutions and the media. Wan has received several human rights awards and recognitions for his work. This relative fame and wide ranging support most likely help negotiate the operational space that is being allowed for Aizhixing in China. However, it is likely not only international pressure, but also backing from actors within official China that has enabled Aizhixing to repeatedly get out of trouble and progress to become the organization it is today. The NGO has considerable experience working with government officials and institutions, and many of its activities, working methods and approaches never trigger any controversy.

Aizhixing comes across as a very open organization, and frequent meetings and seminars open to anyone interested make information and participation very accessible. Activities are manifold, and the NGO maintains an extensive production of information products to complement the more practical work, like regularly published magazines, information brochures and pamphlets, research reports and

annual reports related to ongoing projects and future plans. The annual report on AIDS and human rights in China, as well as reports on discrimination of PLWHA and many other topics, address issues which are not featured in very many other Chinese publications. The NGO's webpage is maintained relatively well with frequent new postings, which also makes a rare source of Chinese language material on many issues and incidents not covered by the national media. Wan and other staff are also constantly distributing information through e-mail groups and online meetings. Both Chinese and international media are frequently invited to report on their work. Some projects are however less open to media scrutiny, which is a precaution to protect the interests of vulnerable participants.

Wan Yanhai and other members of his staff contend that their approaches and methods are subject to constant assessments of what is workable and "safe". "We are not like many other NGOs that shy away from sensitive topics, we still work on these issues. But everything we do is legal, we do not break laws and we do not hide things from the government. We think our way through the problems - ahead of time and all the time" one staff member explained. When the lines of state tolerance are being crossed, it is director Wan Yanhai who takes the heat, in line with Wan's professed objective of always keeping staff and volunteers safe. Illustratively, perhaps, Aizhixing decided to halt most activities and leave Beijing well in time before the Olympic Games were to start in summer 2008. Wan explained the decision with wanting to keep authorities happy as well as wanting to protect the safety of all projects and affiliated staff.

Still, assessments and safety precautions do not stop Aizhixing or Wan Yanhai from repeatedly stepping into prohibited territory. Wan was arrested again in November 2006, this time on the night before the opening of a planned conference on legal issues, again related to the victims of the blood selling schemes. The conference was cancelled, but international media and supporters immediately responded. This time Wan was released after a few days (Washington Post 2006.11.26), and work continued. More recently, in May and June 2008, Wan was put under constant surveillance with police and security officials following him around Beijing, reportedly also trying to persuade him not to meet with a European Council-member and two US officials who were visiting Beijing. Wan responded very publicly. He

wrote an open letter of complaint to the district PSB (Wan Yanhai 2008.05.25), notified all his collaborators and accepted interviews with international media (USA Today 2008.05.27). Finally, he went to the district court building and filed a lawsuit against the authorities whom he felt had violated his freedoms (Wan Yanhai 2008.06.19). In July, just before Wan and other staff left Beijing to attend activities elsewhere, police was no longer following him around.

Wan Yanhai will likely continue to be a high profile figure with demonstrated ability to mobilize support as well as cause opposition and controversy. He has shown ability for taking on a number of different strategies, turning ideas into practical work, and for more or less effectively advocating interests and rights of many vulnerable groups. When the People's Congress and the People's Consultative Conference convened in Beijing in fall 2007, Wan worked together with Thomas Cai from another NGO, in submitting a letter asking for changes in the medicines being offered to Chinese PLWHA (China ITPC 2007). Other staff of Aizhixing stated they frequently write letters to government officials or use the media to try to get their viewpoints across to policymakers. Being a board member of the official AIDS Association, Wan Yanhai is also able to express his viewpoints and advocate interests at the Association's annual meetings. In 2006, Wan Yanhai took a more unusual move by signing up to participate in elections to the local People's Congress³⁰. This time some of Aizhixing's foreign donors reportedly stepped in expressing concern over the NGO getting mixed up in politics (CDB 2006.10.10). Consequently, Wan's election campaign was short lived.

Wan Yanhai continues to be very active in forums related to the Global Fund. Watch and reporting on the development of the Fund's operations in China have become a central project of Aizhixing. The NGO has applied to become principal recipient (PR) and sub-recipient (SB) of Global Fund projects for round 6 and 8, both positions involving considerable management responsibilities over funds and projects. Aizhixing, as well as all other NGOs that applied, lost both times, and Wan Yanhai has been one of the most vocal protesters of these decisions (Global Fund Observer 2007.09.30, and Aizhixing 2008.06.07a).

³⁰ It is possible for independent candidates to be nominated for elections to local People's Congresses, but whether their name will be included on the ballot, is for an election committee to decide (CDB 2006.10.10).

Sometimes protests have brought Wan to personal conflict with other members of the NGO or HIV/AIDS communities in Beijing. Most notable, perhaps, were Wan's actions in the process of electing an NGO representative to the China CCM in April 2006. Aizhixing boycotted the last round of elections, claiming the process was flawed and that most participating NGOs were more or less "appointed" by the Global Fund China Secretariat. In May 2006, Aizhixing initiated a round of their own, separate elections attended by 70 other NGOs, many of them getting travel costs reimbursed by Aizhixing (Rivers and Qiu 2006, p.11- 12). Following these events, Wan Yanhai engaged in a public dispute with the leader of the Global Fund China Secretariat who in a meeting criticized Wan for "using foreign money to serve foreigners". Wan responded by making a recording of the conversation available from Aizhixing's website (Young and Qian 2006, online document, and Li Dun 2008b, p. 34-38).

Protests have sometimes also been expressed in more practical ways. Being recipient of project funding from Global Fund round 6, has given Aizhixing opportunity to influence norms and practices of the AIDS Association that has management responsibility over these projects. In spring 2008, Aizhixing complained that volunteers were being exposed to possible identification with staff of the Association taking pictures and registering names of volunteer staff. Aizhixing refused to do any more work on these projects before the Association's practice was changed (Aizhixing 2008.04.28, and 2008.06.07b). This was a rather small matter, but still serves as an illustration of the everlasting protest-cooperate relationship Aizhixing has to state and government.

Despite its controversial status in parts of the NGO community, Aizhixing has in recent years been seen increasingly networking with Chinese NGOs. In 2007 Aizhixing provided about 30 smaller NGOs with financial and technical support as well as other types of contributions (Aizhixing 2008, p. 24). By opening project offices in the provinces of Yunnan and Liaoning, the NGO has also taken further steps to expand activities and networks in other parts of the country. Aizhixing remains a driving force behind the Chinese HIV/AIDS CBO Network, which is described in more detail later in this chapter. Additionally, Wan Yanhai and Aizhixing are members of a Chinese medicine advocacy network, an AIDS legal network and

other networks that further connect them to other parts of the Chinese NGO and HIV/AIDS communities.

Ark of Love is the other more protest- and advocacy oriented organization among the NGOs discussed here. Improving access to better medicine and treatment remains principal goal, and building capacity among local PLWHA groups an important means in the effort to achieve this. Meng Lin frequently travels around China to meet with groups, and he lectures on organizational development as well as medical issues. Many informants contributing to this thesis expressed high thoughts of the work Meng Lin and Ark of Love do to assist NGOs and support groups, also outside the PLWHA community. Meng Lin serves as a member of the board of Beijing Gender and Health Education Institute, one of the other NGOs selected as cases for this study.

Before starting Ark of Love on 2005, Meng Lin had encountered various experiences working for other organizations and projects, but conflicts related either to the work or sometimes to the way he felt he was being treated, eventually made him decide that setting up his own NGO was the only durable solution. His knowledge and the personal experiences he has gained since finding out he was HIV-positive in 1994, make him a credible lecturer. When last interviewed for this study in May 2008, Meng Lin had just returned from a tour visiting five PLWHA groups all around China, and he planned keeping up this effort in the forthcoming months. He expressed hope of being able to expand and strengthen the China Network of People Living with HIV/AIDS which he is leading. Since 2005, Ark of Love has arranged a large annual meeting for PLWHA groups, also inviting other organizations and government organs to discuss medical issues and the role of PLWHA groups.

In many activities, Ark of Love and Meng Lin appear side by side with members of government and official organizations, and for AIDS Day in 2007, Ark of Love co-hosted a show together with the National Health Education Institute and one other NGO (Working Group of Gay Movement of Beijing). However, Meng Lin is often associated with protest and controversy. In addition to serving as elected PLWHA representative on the China CCM, he has served in review panels, working groups and other forums associated with the Global Fund. He has frequently used these opportunities to advocate the interests of his communities and he has sometimes strongly protested decisions made in these forums. With announcement of his protest

resignation from the China CCM in July 2008, Meng Lin once more demonstrated his willingness to make personal protests. There is also little doubt that Ark of Love's networking efforts and explicit advocacy of rights and interests (*quanyi*) have made parts of government and security authorities skeptical. In summer 2007 Meng Lin had to cancel a meeting for the PLWHA Network in Henan province (Reuters 2007.08.15). This shows that for PLWHA, as for all other groups engaged in civil society activities in China, there is a limit to how far they can go before government authorities will intervene.

Besides advocacy and capacity building for PLWHA groups, Ark of Love is involved in many activities to fight discrimination and otherwise support Chinese PLWHA. The Ark of Love office is situated in the You'an Hospital in Beijing, one of the country's leading facilities for HIV/AIDS treatment. According to Meng Lin, a considerable part of his staff's time is spent arranging for AIDS patients and HIV-positive from other parts of China to come to Beijing for medical treatment. During an interview with Meng Lin one late night in May 2008, he was frequently on the phone arranging surgery for a boy who had just flown in from another province. The boy had recently found out he was HIV-positive as doctors at his local hospital a few days earlier had explained to him why they would not perform his scheduled backbone surgery. Several of the NGOs I have met outside of Beijing had experience turning to Ark of Love for this type of assistance. Many such problems and other experiences of PLWHA groups and individuals are addressed in the magazine *Our Voice (Women de shengying)* which is published once monthly. Information is also sporadically posted on a section of the webpage of China AIDS Information Network (CHAIN). Meng Lin has also frequently appeared in the Chinese media, often wearing a cap and dark sunglasses not to reveal his identity.

5.1.2 Support and Policy Oriented NGOs

The NGOs in this middle group are largely more modest and typically less critical in their approaches than the previous group, but are still preoccupied with activities that seek to improve conditions for their communities as well as influence policies and practices related to HIV/AIDS.

Dongzhen is one of the NGOs belonging in this group, although the many different projects of this NGO make it less focused in terms of goals and approaches than other organizations. Initially, the NGO was started to support children affected by HIV/AIDS, but today main activities are related to the NGO's Korekata (Weiqian) AIDS Law Center opened in cooperation with American Asia Catalyst in 2007. Work on other projects, such as translation of HIV/AIDS material, and lecturing for student groups is continued at irregular pace. Director Li Dan states he would like to develop new projects to build a broader and more secure foundation for the NGO, and one of his latest plans has been a project on human rights education.

Li Dan left Aizhixing in 2002 to work on supporting children in Henan. With a small group of devoted staff and volunteers he opened a school and an affiliated orphanage in Shangqiu county. The project attracted considerable attention, and Dongzhen paved way for a number of Chinese and international journalists and TV crews to come and report on the situation. While this led to positive media coverage and may have helped in attracting financial sponsors, it did not make relations to local authorities any less difficult. After distributing a film he had made of the grave situation in one of the Henan villages, Li Dan was detained for a day and received a warning (Washington Post 2004.09.14). All efforts to run a school were blocked, and while still being able to operate local offices to distribute financial support to children and their families, interference from local police continued. In 2004 Li Dan figured it best to start managing operations from Beijing with local staff in Henan taking care of the practical work. Although struggling with finances, internal conflicts and all his staff leaving the NGO by 2006, the children's support project continued into the following year. Local officials finally declared operations illegal and closed the local office in summer 2007, making it clear that managing an NGO in the capital gives no assurance for operations of local projects in other provinces.

While efforts to support HIV/AIDS affected children have been brought to a halt, Dongzhen is still working on many issues relevant to their situation. The Korekata Law Center was set up to spread knowledge about the laws and regulations relevant to HIV/AIDS, as well as to support victims of contaminated blood transfusions who seek justice and compensation. Dongzhen has arranged several training sessions for Chinese lawyers and journalists, and so far lawyers affiliated to

the Law Center have assisted in one case involving a hospital in Henan³¹. In 2007, Dongzhen and its American partner NGO started regular publication of the magazine *Weiqian (Korekata)* which covers a range of topics related to HIV/AIDS and NGO development in China, but with a particular focus on legal issues. Chinese and foreign lawyers, scholars and people associated with civil society work on HIV/AIDS contribute with articles. Activities of the Law Center have not gone unnoticed by Beijing security officials, though, and officials intervened in summer 2007. Consequently, a planned seminar on Chinese and international experiences with contaminated blood transfusions and related legal questions, was cancelled. While Dongzhen has been able to carry on with other activities of the Law Center, director Li Dan acknowledges that they have moderated some of the work, having learned more about what the government does and does not tolerate.

Dongzhen is one of the NGOs with the lowest degree of contact with government of all organizations studied for this thesis. In an effort to find a way to communicate with the government, director Li Dan who has Communist Party membership, in 2006 got himself nominated for elections to the local People's Congress (CDB 2006.10.10). But he never made it to the Congress, and government relations remain few. In spring 2008, Dongzhen was granted funding for two projects from the Global Fund round 6. This will give the NGO some experience working with the official AIDS Association which manages funding and supervision of these projects. This seems to be the only collaborative relationship Dongzhen has to Chinese state or government organizations. On the other hand, Li Dan has been able to increase contact with other stakeholders and partners. Dongzhen is part of the China HIV/AIDS CBO Network, and the NGO is a regular participant in meetings and activities hosted by UN organizations and other members of the NGO and HIV/AIDS communities in Beijing. Li Dan attended the UN High Level Meeting on HIV/AIDS in 2006 and again in 2008, and during summer 2008 he spent a longer period abroad to study and build experience in issue-areas where he would like to develop more work.

³¹ The center represents the parents of a girl who was infected with HIV, allegedly due to a blood transfusion in 1995. The girl died in 2005. Technically, since cases with HIV are not accepted by Henan courts, the parents are seeking compensation for a hepatitis B infection related to the same transfusion. The hospital has acknowledged responsibility, but the case has since fall 2007 been awaiting decision to be accepted by the court (Jinghua shibao 2007.12.04).

Changes in the activities and approaches of **Beijing Gender and Health Education Institute** go a long way in demonstrating China's changing policies in regard to HIV/AIDS and NGO involvement. From starting out as a small group operating largely underground in the 1990s, the Institute has developed into a specialized NGO not only doing research and support work among its communities, but has additionally built extensive relations to Chinese health officials and official organizations that often turn to the Institute for its specialized knowledge and network.

The Institute is not known for controversial working methods or strongly voiced protests. According to director Guo Yaqi and other members of this NGO, it is not always so much political considerations as it is the interests of their communities that lay behind the relatively moderate working methods. They believe keeping a low profile is the only way they can carry on working with people who often keep their association with homosexual, bisexual or transsexual communities hidden even from close friends and family. Sex workers and owners of bars, bathhouses and other venues commonly blamed for accommodating high risk behavior, would likely also be less willing to cooperate with the NGO if it was known for attracting scrutiny by media and state authorities. Staff of the Institute agrees that they can best work with these groups and promote their interests, if maintaining a modest approach to the advocacy they do in relation to external stakeholders.

By drawing on its extensive networks and engaging its own communities in the work, the Institute aims to accumulate valuable data on relevant issues, and at the same time actively spread information about health and safe sex practices in these communities. The Institute frequently works with scholars and researching authors such as sexologist Pan Suiming and writer and researcher Tong Ge. The work has resulted in a series of reports and books on issues related to HIV/AIDS prevention among sexual minorities in China, as well as the general situation facing these communities today.

The Institute is involved with capacity building and training of many groups throughout China, adding to its already extensive network that remains basis for most research and prevention work. Guo Yaqi and other affiliated staff and members frequently lecture on seminars hosted by other NGOs, UN organizations, the Global Fund and Chinese state agencies and official organizations, thus strengthening the

Institute's status as a credible source. Especially in relation to the Global Fund, the Institute has had a notable role contributing with expert knowledge of communities that are out of reach for most other actors in the field.

Mangrove Support Group was from the start well connected to Chinese governmental organizations and official organizations, as well as to the international community involved in HIV/AIDS in China. Director Li Xiang was a young HIV-positive with no experience in managing an NGO, and the financial and technical support he and Mangrove received in initial years was thus especially valuable. The NGO has since taken steps to become more self-sufficient.

Relations to official China remain close, most recently illustrated with Li's invitation to be part of the government delegation to the UN High Level Meeting on AIDS in June 2008. Li Xiang, who went to the same meeting representing the Chinese NGO community in 2006, accepted the government's invitation explaining this would be a good opportunity to discuss with the government the interests of PLWHA as well as the interests of Chinese NGOs. Li Xiang has himself been member of the official Chinese Foundation for the Prevention of STD and AIDS since 2002, and member of the official AIDS Association since 2003 (Southern.com 2007.11.26). In interviews, Li stated that he is determined to remain on friendly terms with all stakeholders, believing this is the most effective way to promote changes in China.

Mangrove and particularly Li himself run a busy schedule of meetings with government and affiliated organizations, UN and other international organizations and the Global Fund. Li is frequently interviewed by the Chinese media, often in relation to activities where government and UN organizations are also present. This is one way of communicating interests and of fighting discrimination and stigma, but some members of the NGO community remain critical of its approach, claiming Mangrove is too much of a government associate to qualify as non-governmental (Chen 2003, p. 55). On the other hand, Mangrove is also involved in activities that may not be so popular with the government. For one, Li Xiang is not always shying away from making critical remarks about national laws and policies relevant for NGO work or the overall interests he represents. Furthermore, in 2005 Mangrove registered as a business to become more self sufficient in financial management. The same year, Mangrove started cooperating with another official organization, Kangzhong. While

the AIDS Association still upholds management over parts of Mangrove's finances, other funds Mangrove now manages on its own or in projects with Kangzhong. These steps have likely given the NGO more freedom in use of funds as well as in decision making.

Mangrove supports many smaller grass roots organizations and support groups that do not have the same access to international and governmental resources. Li Xiang focuses main training efforts on women leaders, believing women PLWHA have the greatest potential for taking the lead in providing care and support. The NGO was in 2007 and 2008 supporting 17 small PLWHA groups with financial and technical means, and Li Xiang wants to expand this activity to include many more groups. In Beijing, Mangrove has made a number of media products and exhibitions to spread knowledge and reduce stigma and discrimination, such as the magazine *Xieshou (Hand in Hand)* which is published monthly, the book *My story (Women de gushi)* and the film *Our lives (Women de shenghuo)*. The NGO frequently meets with students and now has plans to launch an educational project for students in medical schools. Mangrove and Li Xiang are also regular contributors to training seminars for Chinese journalists arranged together with Tsinghua University.

5.1.3 Practical Work and Community-Organizing NGOs

The NGOs in this last group are the most modest in terms of goals and approaches. Their overall focus is on maintaining practical work and on sustaining activities to benefit their communities and members.

Chaoyang Chinese Volunteer Group is a product of joint interests between city health officials and gay men. Obviously, its localization in an equipped office in the Chaoyang district CDC, leaves little doubt to whether the group continues to operate in line with state interests. Not surprisingly, many see the group as representing the government, to which director Xiao Dong responds they are only representing themselves, and that they are anyhow only working to fight HIV/AIDS.

Xiao Dong is very clear about wanting to keep his work to the ground where he finds that it is most needed. Xiao Dong, on the other hand, has sometimes been very critical of other NGOs he claims are using HIV/AIDS to engage in politics and power plays rather than focusing on the more important, practical work. An

illustration of this two-way criticism can be found in reports on the heated discussions surrounding the process of electing an NGO representative to the China CCM in 2006 (Li Dun 2008b, p. 30-31).

The Volunteer Group remains preoccupied with doing outreach work in the Chaoyang district in Beijing. While the group is helping the CDC reach its objectives of making more people come in for testing and counseling, Xiao Dong contends the arrangement also benefits the community by enabling immediate access to inexpensive treatment and medical checkups. A win-win deal has also been made with some manufacturers of condoms, lubricants and other products especially targeted MSM costumers. Free or discounted products are being returned with free advertisement and product feedback.

Xiao Dong and activities of the Volunteer Group frequently appear in the Chinese media, and their website is maintained well with frequent postings. The webpage is one of several hundred³² web pages for gay men in China, which is itself an indication of a community being more openly active than just a few years back. The group has contributed to production of a number of information brochures and has carried out smaller surveys and research projects, often working together with the district CDC and the AIDS Association where Xiao Dong himself is a member (Zhang and Shi 2007, p. 168). Additionally, the Volunteer Group has cooperated with UNDP and other UN organizations on arranging seminars and campaigns, and with Tsinghua University on arranging training seminars for Chinese journalists. Xiao Dong is frequently engaged in activities related to the Global Fund, and members of the group have also assisted the AIDS Association with preparations for Global Fund project activities in Beijing. All in all, there may be no reason to doubt that Xiao Dong and the other volunteers are keeping their focus on practical work, but their activities and approaches do no longer appear to be that limited.

With no office, no paid staff, no legal registration and no stable affiliation to any official organization, the **Working Group of Gay Movement of Beijing** is clearly the least developed among the NGOs studied here, also in terms of activities and approaches. The group is, however, not isolated from the HIV/AIDS or NGO

³² The number of web pages and Internet sites for gay men have often been reported to be around 300 (Chi Heng Foundation 2003, p. 33).

communities, and the NGO has been contacted by various organizations offering it support and cooperation.

Members of the Working Group sometimes attend meetings hosted by UN organizations or other Chinese NGOs, and the group has on several occasions been working with government agencies and official organizations on small projects and various activities. For AIDS day in 2007, the Working Group organized a show together with Ark of Love and the official National Health Education Institute. The Working Group has several times been asked to contribute to surveys or other forms of information gathering done by other NGOs. In spring 2008 the group was completing a report for the international NGO Oxfam Hong Kong on sex practices associated with some gay venues in Beijing. In spring 2008, the Working Group successfully applied for funding from round 6 of the Global Fund and will thus get more experience working with the Global Fund and the AIDS Association that supervises these projects. The NGO, however, states having no experience dealing with the media.

The most active members of the Working Group typically meet once or more every week to socialize and discuss matters related to the outreach work. The six member steering committee meets once a month to decide on activities for the upcoming months, and members can follow decisions and plans through postings at the organization's website. The group would like to expand activities and financial support in ways that will enable renting an office space and perhaps hiring a person to deal with management and coordination, but members who were interviewed for this study, said they do not want "for some big organization" to come and tell them what to do. "We would like to get more training in NGO work, but we do not want to be raised by anyone", one member in the steering committee explained. One of the biggest challenges facing the group now is to sustain stability among the many volunteers.

5.2 General Comments on NGO Strategies

The above sections have described how different NGOs have made use of opportunities and developed strategies for how to operate their organizations, work

for set goals, and how to deal with different stakeholders and partners. What follows are four sections with more general comments that also relate the operations of these seven NGOs to general characteristics of NGO and civil society activity in China. The first section describes different methods and approaches related to advocacy, promotion of interests and spread of information. The next two sections discuss strategies for dealing with state and government, and for dealing with international actors and international norms typically associated with HIV/AIDS and NGO work in other countries. The last section takes a closer look at the NGOs' internal matters as well as the inter-NGO relations that are characteristic for the work climate in the community.

5.2.1 Hard Methods, Soft Methods and Advocacy Work

The seven case NGOs display great variation to how much they engage in explicit advocacy and to how willing they are to openly criticize state policy or practices. Not all NGOs have expressed clear objectives in terms of opting to change norms and policies, but for most organizations, some level of interest advocacy is a component of their overall approach. Even NGOs mostly engaged with practical work and community-organizing do want to make a change and improve the situation for their communities, but their methods and choices of strategy greatly differ.

When reflecting on strategies to promote their interests, many NGO staff and leaders talked in lines of a “push and adjust” approach, as well as of using “hard methods” and “soft methods”. The pushing and adjusting were often used to describe the long term operations of the NGOs, in the sense that their continuous work would be a contribution to pushing for eventual changes. Deviation between hard and soft methods was often used to describe strategic considerations of choosing certain methods for promoting explicit interests and issues. With “hard” representing protest and criticism, and “soft” representing everything that will not upset government or security officials, most NGOs contended that they opt for the latter. For some NGOs, this was described as a matter of priority, indicating that a more radical approach would hamper their opportunities to work with vulnerable groups and sensitive topics. Similarly, other NGOs in this field have stressed the need to remain “low profile” when working on issues with potential for raising moral or political concerns from the public or from the government (Chi Heng Foundation 2003, p. 37).

Many of the NGOs studied for this thesis employ a number of different strategies in their dealings with different issues and stakeholders. The mixture of methods and approaches many of these NGOs represents, shows that non-confrontational methods are not just indications of NGO weakness, but also of considerate choices made in regard to strategy and approach. Yang Guobin (2005) wrote of the environmental NGOs he studied that many organizations strategically resort to more careful approaches “when radical challenges are out of the question” (p. 55). In this respect, it is also important to bear in mind the many things none of the NGOs would likely ever do, like organizing noteworthy demonstrations or interfere with state arrangements or visits. Considering possible consequences of their approaches is something all NGOs do. Typically, perhaps, most NGOs had planned their activities as to not appear troublesome in the time close to- and during the Olympic Games in summer 2008. Several literally took a break or moved away at that time. Most NGOs also refrained from direct, public commenting on the case of Hu Jia, an activist who has been involved with HIV/AIDS as well as many other social issues, and was jailed for three and a half years in April 2008 (Wu 2005, p. 245, and BBC News 2006.09.08, and 2008.02.01). Several interviewees said they were sympathetic to his case, but were not able to support him in any direct way.

The table presented at the beginning of this chapter may to some extent be used to do the same grouping of NGOs based on their association with so called hard and soft methods. But this will be an over simplification. To push any NGO into a narrow category based on its willingness to protest or openly criticize the government, may easily miss the significance of the mixture of methods and approaches that is being applied. As Jude Howell (2004) has noted, many Chinese organizations have gained tolerance and acceptance from the government by developing alternative models and practices that offer care and support to vulnerable groups in ways the government finds useful. If successful, organizations may thus be able to influence government thinking without spurring conflict or controversy (p. 160 and 162). This type of reasoning was clearly expressed by many of the NGOs studied for this project. For instance Aizhixing and Ark of Love, clearly two of the most rights- and protest oriented representatives among the NGOs studied here, are working on many practical projects that never seem to be affiliated with protest or criticism.

Still, the willingness to protest and openly criticize government makes some organizations, and especially their leaders and directors, stand out. It is difficult to estimate the degree of these deviations, however, since the NGOs work with many different issues and communities that are associated with varying and indefinite levels of perceived sensitivity. In addition, the NGOs are not always able to predict the response to their initiatives and sometimes end up getting in trouble for doing things they thought would be very safe. When security officials do react, it is sometimes in response to activities that were not planned to stir any controversy, thus at times making NGOs appear very critical or daring when the intention was really not to appear this way. Making assessments of which issues are more sensitive than others is also problematic. As have been shown throughout the previous pages, NGOs that are largely different in regard to level of protest or in regard to their closeness to government, may be working on many of the same issues. There really seems to be no definite answers to what the state will tolerate, and NGOs have to rely on their experience and general knowledge when choosing strategies.

Information is central to all NGOs. All NGOs discussed here are contributing to some kind of research or reporting within their communities, and for most NGOs disseminating information to government or the larger society is a central concern. Publication of reports, magazines and information books and pamphlets is extensive. Although some NGOs have web pages they maintain relatively well, most do not, and the Internet seems to be more important for internal communication and for communicating with other members of the NGO and HIV/AIDS communities. To reach the broader public, but also to gain the government's attention, many NGOs resort to the media as the most effective communication tool. Although press freedom is restricted, Chinese media does report on many NGO activities and issues related to HIV/AIDS. Many NGOs watch the media and complain to media and journalists when they portray wrong or discriminating views on PLWHA or homosexuals. Some NGOs have also contributed to training seminars for journalists. Working with the media has, however, produced mixed results. Some NGOs complained that journalists are only interested in negative, controversial stories that will work counter to the interests of the NGO and the communities they represent. This was particularly found to be a problem dealing with international media that, reportedly, often wants to link

the NGOs to human rights issues.

Very few NGOs are doing anything to explicitly link their work to human rights. On the contrary, several NGO staff and leaders explicitly said they may sometimes engage in modest advocacy of specific rights, but will not be associated with promoting human rights. Thus most of these NGOs reflect the general assessment that Chinese NGOs involved with explicit human rights work are indeed very few (Jia Xijin 2007, p. 141). Many of the NGOs studied here expressed having made strategic considerations in this regard. An explicit human rights approach was typically regarded too sensitive and controversial, and some NGO staff disputed the relevance of this approach for the situation in China. This indicates an uncertain and precarious situation regarding the implementation- and even understanding of human rights in China. The outstanding exception is Aizhixing which is very active doing human rights advocacy in several Chinese and international forums. Among other activities, the NGO researches and publishes an annual report on AIDS and human rights in China, and frequently publishes stories of rights violations on their website. Other possible exceptions are Ark of Love that maintains its rights- and interest advocacy approach, and Dongzhen that has been preparing a human rights education project designed for Chinese circumstances.

Interestingly, these few exceptions show that it is possible, under special circumstances, at least, to integrate rights advocacy and human rights work into Chinese NGO and civil society activities. The different choices Chinese NGOs have made in this respect do indicate limitations to what NGOs can do, but also show that these limitations are not definite. Provided an NGO is equipped with sufficient resources and strategic skills, it can take on work and approaches most other Chinese actors are not able to, willing to or anyhow do not do. This discussion is continued throughout the following sections and in the last, concluding Chapter 6.

5.2.2 Dealing with State and Government

State and government likely make the most important stakeholders for NGOs, in terms of negotiating for both working space and influence. Yet for some NGOs they make the most strenuous and complex of all relations. Again, the NGOs display a great variety of different strategies and different ways of dealing with state and government, which provides for a look into the complexity of Chinese state-society

relations. Most NGOs are constrained by limitations associated with authoritarian control and restricted freedoms, yet all have working relations with the government in some way or another. The extent of- as well as the functions of these relations vary greatly, however.

The NGOs often work with official organizations and the state health agency China CDC. In this thesis, the official organizations being discussed are largely seen as representing government more than the non-governmental sector, given the definition of NGO that is applied here. The definition is not unproblematic, however, as many of the official organizations are operating as relatively self-sustaining institutions and often play a very important role for the operations of many NGOs. A more detailed description of the situation is given in Chapter 2. The AIDS Association is by far the most important for the NGOs discussed here, and Wan Yanhai (Aizhixing), Li Xiang (Mangrove) and Xiao Dong (Volunteer Group) are all members of the AIDS Association. Many NGOs resort to the Association for administrative support, and most have experience cooperating with the Association or China CDC on projects. Many NGO staff said they consider these to provide possible bridges into government, and thus found it important to actively provide them with factual information as well as viewpoints and critical remarks.

NGOs with more extensive, cooperative relations to government affiliated organs, typically referred to these as partners. Several of the NGOs studied for this thesis state the same kind of conscious reasoning for staying close to state and government that has been identified in many other studies (Saich 2000, p. 139, and Ho 2001, p. 917). Many NGOs typically found this to be a constructive and effective strategy to achieve set goals and promote changes. Other NGO staff and leaders were far more reluctant to engage in government partnerships, and stressed the value of upholding their independence rather than getting closer with state and government. This type of considerations was expressed by both some of the least developed and the more developed NGOs. What most NGO do want is more channels for communicating with policy makers, which is something civil society organizations in China generally lack (SCAWCO and UNTGA 2007, p. 36, and Howell 2004, p. 161). Many of the NGOs studied here try to communicate their interests through the media, by collaborating with researchers, by writing open as well as private letters to relevant

ministries and departments, and by attending open HIV/AIDS forums where representatives from state and government also meet. At an NGO event held shortly before the UN High Level Meeting on AIDS in New York in June 2008, one of the main topics of the night was discussing strategies of how to literally meet with the government officials who were also to attend the UN meeting. “This is a good chance we must try and use, since we hardly ever get a chance to meet these people in China” one NGO representative stated. Several NGOs proceeded planning “the meeting” on Internet forums the following days.

Another, and perhaps equally important, side to the relationship between NGOs and state and government, is the functions of the Public Security Bureau (PSB) and other security authorities. There is little doubt that the interests of these authorities are different and often weigh heavier than the interests of health officials and staff of official organizations primarily concerned about preventing HIV. Many, but certainly not all, NGOs have experienced sanctions, interventions or interrogations from police and PSB officials. Sometimes reactions have been very explicit, like when people have been arrested, taken in for questioning or when relatively high profile events have been closed. Foreign media typically reports on such events. Yet it is perhaps the more modest and less direct signs of warning that affect NGOs the most. Several NGO staff described their operations along metaphorical lines as playing a game where you have to learn unwritten rules and tactics along the way. To keep it safe, as most if not all NGOs generally try to, they will always have to try and keep within the lines of what is accepted at any given time. This offers ample indications of widespread self censorship and a general carefulness in the approach of most, if not all, NGOs.

That is not to say the line is never crossed, or that state intervention always produces obvious results. NGOs sometimes seek different means to sustain their activities. One NGO was told to stop publication of a magazine which content was regarded too problematic. The NGO stopped print publication, but continued to publish the material through e-mails and online forums. One NGO that was warned about the sensitivity of some issues related to one of its projects, decided to shift focus from strictly focusing on the Chinese situation, and started addressing the issue from a broader, more international angle. Another NGO experienced problems with their

Internet postings being blocked or censored. The NGO then started publishing a printed magazine featuring the same kind of information.

Another strategy several NGOs have applied to work through political or security hurdles, is careful selection of project fields and identifying sympathetic government representatives and bureaucrats. Again, different government organs display having different interests, and learning where and how to pull the right plugs within the complex Chinese bureaucracy may be a difficult but productive strategy. For NGOs with experience operating outside of Beijing, moving activities to areas characterized by “NGO-friendly” policies is one way of sustaining operations, another is to limit local appearance to practical work and manage the rest of operations from the capital. Even within Beijing, certain districts, divisions and officials within the bureaucracy are known for being more sympathetic to NGOs. Identifying these government organs and bureaucrats are not only important for localizing project sights and where to arrange meetings and activities, but also for communicating interests. With expanding experience comes the expanding knowledge of who are willing to listen or even negotiate with the NGOs.

The work space open to NGOs and their ability to influence take shape in between the complex relations NGOs maintain with both security authorities as well as with collaborators within government. But as continuous incidents of state interference indicate, the NGOs are not always able to- or willing to keep their approaches balanced to the indefinite interests of the state. Unable to always predict the results of their approaches, many NGO staff stated the best way to keep state or government organs “away” from interfering, is to keep them “in” by letting them know what the NGOs are doing. Several informants, including representatives of Chinese NGOs as well as international organizations, explained that one of the most important parts of their job is to reassure government officials that their activities will not obstruct government policies. Consequently, the NGOs seem to make little effort to keep activities hidden. On the contrary, they come across as largely open and welcoming of those who want to participate in activities or look into their affairs.

The different strategies for dealing with state and government demonstrate the complexity of state-society relations, and underline the relevance of talking about more than one type of civil society or state-society relations in China. The situation is

further complicated by the presence and influence of international actors, which is the focus of the following section.

5.2.3 Dealing with International Actors Inside and Outside China

As discussed in Chapter 4, international actors are valuable providers of opportunities to Chinese NGOs, mainly in terms of providing funding, technical support and platforms for interaction with both Chinese and international government representatives and organizations. The NGOs studied here make use of- and reflect on these opportunities in different ways.

Starting with funding and technical support, the NGOs receive support from international donors inside and outside of China. Typically, the NGOs have to submit project proposals to be eligible for funding, and many NGOs therefore devote considerable resources to planning projects and writing proposals. The criteria for receiving support vary, and as much as some donors may grant funding according to a list of strictly defined terms, the general feeling among informants interviewed for this thesis, is that most donors are rather flexible in regard to Chinese grantees. Sometimes the process works the other way, with international organizations contacting Chinese NGOs for assistance in developing projects or to ask for their contribution to more specific tasks. Either way, Chinese NGOs have considerable incentives to interact with the donor community and to make their name known. Ma Qiusha (2006) has noted how an NGO's track record is typically a key condition for obtaining funding (p. 198). Many of the NGOs contributing to this study stated giving high priority to communicating their work and project plans to potential international partners. Lacking language skills, several organizations try to attract foreign volunteers to help with communication and writing proposals.

For attracting foreign support, some NGO staff talked about the importance of appearing cooperative and everything but controversial in their relations to the Chinese government. Some interviewees said something along the line of "international organizations always want to keep a good relationship to the government, so many will never support us since we argue with the government". Previous research holds that maintaining good relations to the government is main priority for many international NGOs (Li Wenwen 2004, p. 302, and CIVICUS Report 2006, p. 52). Yet considering the type of projects various international

organizations do support, there is definitely data pointing in another direction, demonstrating significant funding allocated to NGOs that, for one, work on what is generally considered to be problematic issues; and two, are willing to criticize or protest government practices. If one refers to it as a strategy, as far as attracting funding goes, both approaches seem to produce results.

Turning it around, Chinese NGOs may sometimes see reason to consider the political standing of their donors, as some foreign donors have reportedly raised concerns within the Chinese government. Several of the organizations that have been figuring with critical remarks in the Chinese press do support many NGOs studied for this thesis, both in Beijing and elsewhere. Other donors have likely raised additional suspicion because of their affiliation to international human rights reporting. Some NGO interviewees had considered possible problems associated with donors, but this was not a major concern and support had anyhow always been accepted. “It may not make the government happy, but I do not think it is a big problem either. Most important is all the new opportunities we get out of this”, a staff member of one NGO said. He explained that working with one particular foreign organization had not only provided support for one project, but had also helped them develop new projects and helped them get in touch with more donors. This particular foreign organization is likely viewed with much skepticism by Chinese authorities, but its work in regard to supporting Chinese NGOs is still being accepted.

A number of UN organizations and international NGOs are present in Beijing. Besides providing some funding and hosting meetings, several NGOs portrayed these international actors as having limited impact on their work. Although all NGOs more or less frequently attend meetings and activities arranged by these international organizations, many do not consider this very important for their overall work. This was one of the very few issues to which informants not affiliated to Chinese NGOs, many of them staff of international NGOs and UN organizations, gave significantly different responses. Staff of international organizations tended to see their role as more important than many Chinese NGOs did. Since this thesis is not focusing on international organizations operating in China, I do not have enough data to discuss the differences in responses much further. What is clear, though, is that a number of the NGOs studied here have been working with UN organizations and international

NGOs operating in China, typically by cooperating on projects, co-hosting seminars and by receiving support to participate in meetings and activities abroad. Yet the NGOs do not always see this as very important for their overall work or for reaching their various objectives.

However, the role of the Global Fund was often described as notably more important by the NGOs studied here. The Global Fund functions as both an international institution and a national actor in China. Several of the NGOs have taken on active roles as members of the China CCM or by participating in other forums affiliated to Global Fund operations in China, and some have been very active protesting decisions made in these forums. Yet many of the interviewees with considerable experience participating in Global Fund activities, said they have to be considerate of their approach. “It is still dominated by government, I still have to watch my words” one NGO representative said. Some interviewees complained about a general tendency among some in the community to regard Global Fund meetings a place for addressing all kinds of issues, while the operations of the Fund are really quite specific. On a general level, many NGO staff complained about still limited involvement of NGOs, but the willingness many NGOs have shown to protest issues related to the Global Fund’s operations in China, is itself an indication of many NGOs vesting time and resources to these activities.

In particular the process of electing an NGO representative to the China CCM in spring 2006, demonstrated how willing some NGOs are to act. Not only did some of the participating NGOs protest the result, but altogether 70 NGOs attended the separate elections initiated by Aizhixing (Rivers and Qiu 2006, p. 39). It was this initiative that led to establishment of the China HIV/AIDS CBO Network which since has grown to include 108 member organizations. Following the protested elections in spring 2006, the Global Fund called for an investigation, and independent observers were appointed to give advice. In the end, the investigation concluded that the election process had flaws, but that faults were not grave enough to annul the initial result (Rivers and Qiu 2006, p. 18). The original CCM election result was then accepted, and in December the same year, NGOs and representatives of the Global Fund and other members of the HIV/AIDS community came together in a big meeting (“the Wuhan meeting”) to calm down resentment and improve the working climate

surrounding the Global Fund operations. The NGOs formed working committees to oversee development and prepare for future elections. For the following round of elections in March 2007, recommended adjustments had been implemented and the new representatives were elected without protest. The International Republican Institute has been sponsoring training for NGOs in election procedures (Jia Ping 2008, p. 16-21).

In November 2007, when China was host to the international board meeting of the Global Fund, some of the NGOs studied for this thesis were active advocating interests and problems to the international representatives. Prior to the meeting, several NGOs were also involved in what came to resemble a campaign to change China's immigration laws which prohibit HIV-positive from entering China without special permission. PLWHA members of the Global Fund's international board got involved and threatened to boycott the meeting if China did not take moves to change the laws (China AIDS Info 2007.10.07). When the Chinese government after some time responded stating the laws will be changed, some of the NGOs considered this to be one of their so far most notable "advocacy victories".

With perhaps less clear results, but still with considerable protesting involved, many NGOs have been very active in the processes of selecting principal recipients (PR) and sub-recipients (SR) to manage projects of the different Global Fund rounds. Again, Wan Yanhai and Aizhixing have been among the most noticeable actors. Aizhixing has unsuccessfully applied to become managing recipients twice³³, and both times Wan Yanhai has strongly protested the outcomes. Most contested was the back-and-forth process of selecting PR and SR for round 6 in the first half of 2007. More recently, protests rose again in early summer 2008, when the China CCM selected PR for forthcoming round 8. Both times, NGOs have protested too much power being given to the government. For all previous rounds the health agency China CDC has been selected PR. But for the forthcoming round 8 it was decided the State Council Working Committee for AIDS³⁴ is to be chief management organ, thus moving management responsibilities at least one step up on the government ladder

³³ Aizhixing applied to be SR for proposal round 6, and again applied to be selected PR for round 8 in spring 2008. A number of other NGOs applied for the same status, but were all eventually turned down by the CCM.

³⁴ The State Council is China's executive government, and the Working Committee on AIDS is a coordinating organ comprising several ministries and departments.

(Global Fund Observer 2007.09.30, and Aizhixing 2008.06.07a).

Several of the NGOs studied for this thesis have been involved in the controversies described above, but their affiliation with protest has varied greatly. Again, it is Aizhixing and Ark of Love that have been most noticeable in terms of public protest and criticism. Nevertheless, in CCM meetings, working groups and technical review panels, several more NGOs have demonstrated considerable willingness to advocate interests and provide of their expert knowledge on specific issues and communities. Working with the Global Fund has clearly become a notable means for many NGOs to negotiate for more working space and influence, and the organizations studied for this thesis demonstrate ample evidence of conscious efforts to make use of opportunities that emerge with the development of Global Fund activities in China. With its combination of large scale funding and nationalized decision making steered by international norms and a list of explicit requirements, the Global Fund seems capable of influencing both the Chinese government and NGOs. The relative influence of the Global Fund may serve as an inspiration for other international actors hoping to cultivate NGO and civil society growth in China. However, the critical question of what will happen to these activities if foreign funding is cut short - remains.

5.2.4 Organizational Development, NGO Cooperation and Networking

Practically all leaders and staff of the NGOs interviewed for this project shared a largely optimistic view on development, not always so much in relation to HIV/AIDS, as to the future of their own organizations. All seven case organizations represent relative progress and development in terms of having been able to expand activities and in many cases having been able to hire or engage more staff or stable volunteers. A few organizations have had to close or halt some projects, but in the meantime they have found new opportunities. This may not always have been a matter of strategic planning, but it does no less demonstrate ability to make use of opportunities and to turn these into organizational development.

Securing sufficient funding is still a great concern for many of the NGOs, which naturally impacts the overall organizational development and capacity building. Needless to say, since the scope of activities as well as the basic characteristics of these NGOs vary greatly, so do the challenges they are facing in their day to day or

long term operations. If there was one thing all organizations agreed on, however, it was that building internal capacity is most critical for future development. Capacity building is an all-encompassing task, but during interviews NGO staff and leaders usually referred to it in terms of building basic working skills, as well as expanding basic knowledge about HIV/AIDS and other matters relevant to the activities of the NGOs.

Keeping, not as much as attracting, stable staff and volunteers was described as a great constraint by all NGOs. In general, Chinese NGOs cannot compete with the private sector or international organizations over salaries, and they cannot compete with official organizations or state agencies which are often able to offer employees permanent residence status with corresponding welfare benefits (Ho 2001, p. 905). What the NGOs can offer is a social environment and opportunity to take part in activities that may not be found elsewhere. Aizhixing offers staff opportunity to study and attend university lectures once a week, and many NGO leaders said they strived to let staff and volunteers work on the issues they are most interested in. However, most directors and leaders explained that idealism and high motivation among staff and volunteers are still not enough to keep them in the organization for very long. Consequently, directors of several NGOs described their work as constant training of new staff and volunteers.

Most NGO staff and leaders expressed frustration over struggling with management issues, and only a few of the organizations operate with a functioning board for decision making, or have developed standards for reporting or auditing. Accountability is typically limited to the relationship the organizations have with donors and other stakeholders. These are characteristics widely identified by many studies of Chinese NGOs. Since many organizations operate without registration and often get help with financial management, some of these questions may be of less relevance for some organizations. Leaders and staff of most NGOs studied for this thesis, however, expressed a great need for a framework or some set standards for how to deal with internal management. Lacking opportunity to register as legal organizations, they have to choose the business option, or the option of not registering at all, which none of them offer a relevant set of regulations. As previous studies have shown, the situation is telling for the precarious state of much NGO and civil society

activity in China. Activities may be accepted, but lacking status and legal protection, the NGOs have had to develop various strategies to manage their operations. The director of one NGO explained: “I am of course not an expert of NGO management, none of us are. Since I have experience working for a company, I tried following a business model, but that was not fit for the NGO. Then I tried following the model of some foreign NGOs, but that did not work either. I still have not found a model that works”. Most NGOs maintain a strong wish to be able to register as “proper NGOs” with a corresponding set of regulations that may not only clarify and protect their role in relation to the overwhelmingly powerful state, but may also help regulate their internal affairs.

Despite the fact that many NGOs report struggling with limited resources and management issues, all NGOs that have contributed to this thesis do demonstrate relative development as far as activities and number of paid staff or stable volunteer go. Furthermore, what is notable about several of the NGOs discussed here, is that they are actively involved in the development of other NGOs and support groups. The director of the Gender and Health Education Institute devotes a considerable amount of his time to training groups involved with HIV prevention. Mangrove supports a network of women’s PLWHA groups with both funding and technical advice. Meng Lin leads the China Network of People Living with HIV/AIDS, and he upholds a busy schedule visiting with PLWHA groups as well as other NGOs all over China. Aizhixing and director Wan Yanhai are very active in the development of the China HIV/AIDS CBO Network, and provide both financial and technical support to several of its member organizations.

With its 108 member organizations, a board of nine elected members who communicate frequently, regular meetings, a secretariat and its own website, the HIV/AIDS CBO Network has grown considerably since its establishment in 2006. It comprises organizations working with a range of issues related to HIV/AIDS that all have agreed to a set of principles and rules. The organizations most active in the Network now often issue joint statements on issues relevant to their work. For the UN High Level Meeting on AIDS in June 2008, some NGOs in the CBO Network agreed to send a delegate representing them all. Following the Sichuan earthquake in May 2008, several member organizations worked together in raising joint rescue funds, and

in summer 2008 the Network arranged a training camp for young people involved in NGO and HIV/AIDS work. One other network in considerable development is the China Network of People Living with HIV/AIDS, led by Meng Lin and Ark of Love. In May 2008 this network reportedly comprised more than 50 affiliated groups. Two or three more networks are also considerable in size and influence, but are less relevant for the NGOs most closely studied here.

NGOs with experience from joining some of the networks that have emerged in the field, stated membership had been helpful for finding funding opportunities and for learning from the experiences of other NGOs. Cooperation and networks are thus means to share resources and information. NGOs convene for meetings hosted by different networks, and, more frequently, join online meetings on the Internet. I have also found online chat forums and e-mail list groups to be means of communication very actively used for inter-community correspondence. However, the level of activity and involvement varies, and some of the NGOs stated having made conscious choices not to join or not become especially involved in any specific network of collaborating NGOs. The level of controversy and conflict that persists in the Chinese NGO community involved with HIV/AIDS was by some NGO staff stated to be good reason not to get too involved with any one particular group.

It is beyond the scope of this thesis to discuss the different networks and positioning in much greater detail, and much of the aforementioned controversy is based on personal conflicts and badmouthing that is difficult to confirm and no less difficult to discuss without revealing identities and possibly hurting the interests of some informants. I will note that this was an issue of much concern to many informants. Many started talking in lines of allegories when describing the situation; with big lions and tigers trying to maintain their positions in the NGO jungle; with big fish eating smaller fish in the NGO aquarium; and with pigs striving for power in China's "NGO Animal Farm". There is also good reason to believe that authorities are paying attention to development of these networks. Some informants contributing to this thesis said they had been approached by security officials concerned about networking activities, and said they consequently were considerate of keeping activities to a level that will not trigger state intervention.

Nevertheless, expanding networks may, despite controversies and government

restrictions, be significant signs of development for NGOs in this field. NGOs involved in HIV/AIDS have been described as lacking the interconnecting networks that have been pointed to as indications of maturity and development for NGOs in the environmental field (Wu 2005, p. 143, and 232-233, and Economy 2004, p. 145-156, and 2005, p. 18-19). Increased networking, together with the relative progress demonstrated by the seven NGOs selected as cases for this study, might be signs of a broader development taking place that is similar to what many observers have seen happen in the environmental field, which is known for being the most developed and influential in regard to NGO activity in China. I continue this discussion in the next, concluding chapter, but given the focus of this study, I however remain careful about making comparisons and generalizations.

This and the previous chapter have presented an analysis of the data collected for this thesis. The data indicate considerable opportunities available to Chinese NGOs, and the seven case NGOs demonstrate great variety in what goals they have set for their work and what kind of strategies they have developed to sustain organizational development and to reach for some of their set objectives. Still, the data also point to some general trends, and turning over to the next chapter, I will discuss the main findings in relation to theoretical considerations as well as in relation to what this may suggest in regard to our understanding of broader civil society development in China.

Chapter 6

FINAL DISCUSSION AND CONCLUDING REMARKS

The NGOs studied for this thesis display a wide spectrum of opportunities given, of goals set and of strategies chosen. Despite the many restrictions that influence their operations, these NGOs represent significant opportunities to organize around HIV/AIDS, and they demonstrate notable ability to work towards set goals and to steer the course of their own organizational development. The many different goals and strategies make the organizations stand out from one another and show that different approaches are possible and that choice and strategy matter. Overall, this study indicates considerable opportunity and potential for NGO and civil society activity in China.

Most NGO staff and leaders interviewed for this project were largely optimistic about development, and some have themselves seen organizational opportunities increase with recent years' changes in China's HIV/AIDS policies. With state organs looking for help to combat HIV/AIDS, and with international donors eager to invest, HIV/AIDS has worked like a golden key for many NGOs. While some establishments have been actively encouraged by the state, most NGOs have had to breach way for arrangements the government has come around to appreciate or reluctantly tolerate. All NGOs have benefitted from foreign funding, and many times support has been stable for several years, enabling NGO directors to develop new projects and to take on more staff.

All seven NGOs selected as cases for this study have HIV/AIDS work as their main activity. Yet the issues and the communities they represent vary. For most organizations, main goals are expressed in terms of largely practical objectives related to their project activities, but all NGOs work to make positive changes for the communities they represent. Even NGOs representing the most modest goals and approaches are trying to make a difference, not so much in terms of pushing for policy changes, but more often by doing practical work and voicing interests and concerns to stakeholders that are involved in their operations. Staff and leaders of all NGOs make conscious considerations in regard to different approaches, and many typically speak of preferring "softer methods" over more "hard core" protest and confrontation. Although all NGOs frequently participate in meetings and activities where many

advocate interests, most NGOs largely refrain from going public with their more critical remarks. Aizhixing is the most obvious exception, as director Wan Yanhai is often willing to both protest decisions and engage in personal disputes with representatives of state and government. Aizhixing may be a good, but special illustration to how far NGO and civil society activity can be stretched in China. Equipped with sufficient resources and talent for strategic maneuvering, Aizhixing seems able to deal with issues and to take on approaches most other NGOs are not able- or willing to. This underlines the special status of Aizhixing, but it also indicates significant potential for Chinese non-governmental initiatives.

Variations in public protest and critical approaches do impact the overall operations of an NGO, but there is no clear indication of this pointing in any one direction. Aizhixing and Ark of Love, known for a tougher rights- and protest oriented approach, work on largely the same issues that NGOs known for more modest approaches do. It is the set goals and chosen strategies that make these organizations stand out, and it is approaches more than issues that seem to define the blurred lines of what is accepted and what is not. Activities associated with the victims of the so called “blood scandals” have often triggered state intervention, but much work on similar issues is being done without interference. In choosing approaches and strategies, the NGOs clearly practice a sort of self inflicted carefulness and censorship, but the reason for this is not only political. Many of the NGOs work with communities that shy away from public attention, and thus it is not always government, but often the NGOs’ members and the people they work to help who define the borders for activism and advocacy.

One notable feature of China’s HIV/AIDS response pointed out by many observers and informants interviewed for this thesis, is that it is led by the less powerful Ministry of Health and its affiliated health agencies and official organizations. There is no doubt that new policies of HIV/AIDS have opened for more involvement of NGOs and civil society, but wariness of non-governmental activities is still predominant among the more powerful ministries and departments in charge of security. This has serious implications for Chinese NGOs, and the organizations studied here naturally make no exception. The state has different ways of restricting activities, and security officials do from time to time make visits, issue

warnings and are unquestionably willing to take further action. With experience, the NGOs learn how to read the signs of trouble and how to respond. When facing repression, NGOs sometimes change course or come up with new strategies for how to reach their objectives. Aizhixing is often willing to protest publicly, other NGOs are infrequently willing, but most NGOs typically try to keep activities just within acceptable borders, or step back when having crossed into prohibited territory. Even the most daring among Chinese NGOs, have a list of things they would never do unless they want to be shut down. Negotiations with the state and exercises of boundary-spanning contention therefore seem to typically take place in the border area of what is tolerated, sometimes with the NGOs adjusting operations in response to signs of warning, and most often without security officials actively having to stop activities.

What is notable about all these NGOs, is their large focus on projects and practical work. Most NGO staff and leaders spoke of their possible influence as a gradual process, where many non-confrontational steps along the way would eventually lead to changes. A few NGOs are more inclined to protest and even confront certain stakeholders, but it seems unlikely that it is only these NGOs that do all the negotiating, or set in motion every turn in the spanning of boundaries. After all, all the NGOs studied here demonstrate relative progress in terms of expanding activities and recruiting more staff or stable volunteers. Most NGOs do a combination of different approaches, both delivering services and promoting, and to various degrees actively advocating, interests. The Gender and Health Education Institute has proven itself an attractive collaborator for government and other stakeholders that want access to its expert knowledge and specialized networks. Although it remains modest and careful in its approach, the Institute has plenty of opportunity to raise concerns and introduce others to the interests most important to its members and communities. As Jude Howell has noted, service delivery is one tactic for Chinese NGOs to prove themselves useful and gain tolerance from the state (2004, p. 162). Illustratively, behind the more famous commotion of both Aizhixing and Ark of Love, lies a long list of projects and practical work that often involve interaction with official organizations and state agencies and that are anyhow not associated with protest or controversy.

Although relations to parts of state and government remain constrained for many of the NGOs, particularly in regard to security authorities, none of the NGOs are alienated from government or official organizations. The AIDS Association, with its managing responsibilities for many Global Fund projects, is an especially notable actor and deals with all the NGOs studied here. For most case NGOs, the AIDS Association and the China CDC constitute the most important and often only links to state and government. Mangrove Support Group and the Volunteer Group have developed the closest relations, and although many in the community are critical of what they see as embedded relationships, the two NGOs defend their positions by pointing to many practical gains. Many other organizations in China share with them a largely positive assessment of what can be gained from staying close to government (Saich 2000, p. 139, and Ho 2001, p. 911).

For all NGOs, and particularly for organizations with less contact with government, meetings and activities arranged by UN organizations and the Global Fund provide rare opportunities to meet with possible policy makers. However not always eager to speak, members from even the least developed among the NGOs, the Working Group, more or less frequently attend meetings hosted by UN organizations to exchange information. Yet it is the Global Fund that seems to trigger most NGO activity, and it seems that forums associated with the Fund do provide the kind of channel for non-governmental participation which is known for being inadequate or barely existing in China (SCAWCO and UNTGA 2007, p. 36, and Howell 2004, p. 161). The Fund has limited financial impact on NGOs studied for this thesis, but operations of the Global Fund do attract much attention. The Chinese government is still dominant, but NGOs are actively making use of opportunities to negotiate their involvement and position.

Working groups, technical review panels, CCM meetings and not at least elections of representatives to the China CCM, are all Global Fund forums where NGOs can and do advocate interests and sometimes protest decisions. NGO involvement is still limited but has reportedly been increasing in every proposal round. It seems that boundaries are being stretched as NGOs keep asking for “more” and the government becomes more familiar with international norms. New rounds of proposals and regular assessments of previous rounds will likely work as incentives

for both government and NGOs to perform well. The role of international actors, and in particular the short history of the Global Fund in relation to China's HIV/AIDS response, do indicate that foreign initiatives supporting Chinese NGOs, either directly with money, or indirectly by providing platforms open for NGO participation, can be significant and may indeed produce long-lasting consequences. This will anyhow make for a very interesting development to follow in the years to come.

Jude Howell noted in her 2004 article that HIV/AIDS is one of the fields where Chinese groups have been able to organize around what she calls "marginalized interests". HIV/AIDS is marginalized because it invokes social taboos (p. 150-151). While there are still many taboos associated with HIV/AIDS and the communities most affected by it, I will argue that HIV/AIDS itself does not represent a marginalized interest, at least not in all respects. Considering the international funds and the national attention invested, HIV/AIDS may look anything but marginalized compared to a whole range of other social issues China is struggling with. What seems highly marginalized, though, are advocacy of- and explicit references to the rights of the affected groups, and advocacy of human rights in particular. All NGOs discussed here are doing work which logically may be associated with the international discourse linking HIV/AIDS to human rights and broader development goals. Yet very few NGOs choose to make this link. On the contrary, staff of many organizations explicitly refrained from associating their work with advocacy of specific rights or human rights. The obvious exception is, again, Aizhixing that has made advocacy of rights and human rights a fundamental part of its overall approach. Ark of Love with its focus on "interest and rights", and Dongzhen that has started a Law Center and is preparing projects on human rights education, may also serve as modest exceptions to the rule.

The low level of association with human rights is typical for most Chinese NGOs (Jia Xijin 2007, p. 141). In many ways this group of seven selected NGOs largely reflects other characteristics commonly used to describe the state of NGOs in China. Most NGOs I have studied are indeed small, have limited material and human resources, and typically struggle with poor standards for budgeting, reporting and auditing. Most are also heavily dependent on their leaders, who by and large are the organizational entrepreneurs Yang Guobin has found many Chinese NGO leaders to

be. However, entrepreneurs involved in HIV/AIDS do not possess the social or political capital that has often been credited leaders of other successful NGOs, particularly in the environmental field (Yang 2005, p. 61, and Saich 2000, p. 137). None of the leaders in the HIV/AIDS community came to the scene with noticeable, political prestige or having networks readily developed to reach into official China, and they do not typically have a background in media. Staff and leaders of these NGOs have had to build all kinds of capital, and have had to develop capacities, more often than not, starting from scratch.

One of the comparisons earlier made between NGOs in the HIV/AIDS field to environmental NGOs, is that the latter group is better connected and more involved in supporting each other than NGOs working on HIV/AIDS (Wu 2005, p. 248). I do not have sufficient data to compare, but my findings strongly indicate significant networking taking place in the HIV/AIDS field. Several of the NGOs studied here are very active in building capacity among other NGOs and support groups across China, and many umbrella organizations are being formed, often loosely defined, but still formal enough to separate members from non-members. I believe increasing networking and interaction among NGOs are indications of a community gaining strength and maturity, but most of this development is very recent and it is impossible to know where this is heading in the longer run. It is also important to note that many informants representing NGOs that have not joined any specific networks did not always regard this development as something positive. On the contrary, many felt grouping of NGOs adds to the already significant level of controversy and conflict that pervades many relations between different organizations in the community.

Networking is also one aspect of non-governmental activity authorities are most wary of. After all, the prohibition against more than one social organization registering in any one policy field, at any one administrative level or in any one geographical area, was made to prevent this type of development (Saich 2000, p. 131). It will thus be interesting to see if the networks will continue to reassure authorities and keep activities within the indefinite spaces of state tolerance. The uncertainty is of course telling of the state of NGOs and civil society in China. The variety of activities and approaches found within this group of seven selected organizations indicate considerable opportunity and ability vested in Chinese NGOs. I believe investigating

this variety can help us map out the stretches of China's civil society, but the powers and interests vested in the Chinese state and the Communist leadership, on the other hand, make it very troublesome to anticipate what organizational development will look like in the years to come.

As I have found these seven NGOs to demonstrate, there are no definite lines nor any catchy terms that can describe the complex development these NGOs are part of. China is a huge and multifaceted body in the midst of continuous transition, and state-society relations and civil society are bound to be found in many forms and variations (Saich 2000, p. 138, Howell 2004, p. 163, and Frolic 1997, p. 56). The terms most often used to describe China's civil society, like "state-corporatist", "state-led", "embedded", "semi-civil", "nascent" or just "limited" and "restricted", are all helpful for explaining the authoritarian nature of the Chinese state and society. But I agree with Tony Saich and Jude Howell who suggest that these terms do not reflect the significant negotiating that is taking place between largely independent, civil actors and the always more powerful, but not almighty Chinese state (Howell 2004, p. 163-164, and Saich 2000, p. 139).

What can be summed up about organizations studied for this thesis is that they represent considerable opportunity to organize, to set goals and to develop strategies to reach practical as well as more fundamental objectives. Most NGOs approach their stakeholders with strategic modesty and carefulness, but not all NGOs, and far from all NGO staff and leaders, profess the "female mildness" or avoidance of conflict that Peter Ho found to characterize organizations and activists he has studied (2001, p. 916). Yet the NGOs continue to operate in a limbo. Most evident is that none of the seven NGOs selected as cases, and only three out of the 13 other Chinese organizations studied for this thesis, have been able to register with proper licenses. Many of the NGOs are not registered at all, which technically speaking makes them illegal. Various NGOs are from time to time recognized for their work in the Chinese media, and all organizations discussed throughout this thesis have some working relations to government or official organizations. But the state does not seem ready to grant these NGOs more than conditional acceptance, and is no less ready to bring this expanding layer of organizations into a regulatory framework that will give them formal recognition and clarify their rights as well as obligations. The state can work

with NGOs to utilize resources, but will not include them as proper members of the Chinese sociopolitical sphere.

If NGO activity will continue to expand, these seem to be issues that will have to be dealt with somewhere down the development road. The NGOs discussed here do demonstrate notable potential for civil society work in China. The relative progress and development that characterize these NGOs may be indications of a NGO community becoming comparable to that in the environmental field, which is often described as having the most developed, mature and influential NGOs in China. And if these two fields are representative for a broader development taking place, there is reason to believe that NGOs can progress to take on more notable roles in the Chinese transformation in the years to come. However, all signs are not that promising.

For one, the NGOs studied here as well as Chinese NGOs in general, are almost fully funded by foreign money (Ma 2006, p. 195 and 199, and CIVICUS Report 2006, p. 32), and I have found very few examples of Chinese NGOs being able to allocate material support from Chinese donors. This situation will keep triggering questions about the authenticity of Chinese NGOs and what intentions the donors might have. Foreign money may work both for and against further civil society development; the Chinese government is interested in foreign funding, but is also wary of foreign meddling in Chinese affairs. This might also serve as an important reminder of just how limited Chinese NGO activity is, not at least in light of China's huge population and still far-reaching state apparatus. If- or when foreign funding stops, it seems likely that organizations working with marginalized communities and difficult issues will be among the first to lose out. This underlines the notion that NGOs and their involvement in HIV/AIDS must be understood in context of the impact of international actors (Foller 2005, p. 213), but it remains uncertain where this leaves NGOs in the longer run.

What this study can offer in terms of answering questions about NGO and civil society development in China, is limited, but my findings are reassuring that there is definitely development taking place in the community, and that Chinese NGOs show notable ability to steer the course of their own development. I have found significant opportunities available for NGOs to organize around HIV/AIDS issues, and the NGOs demonstrate considerable ability to turn opportunities into work, by

setting their own goals and by developing strategies to reach practical objectives as well as to strive for some dreams. China is, however, in transition, and I contend that we still need to know more about how the flux of different state-society relationships functions, before making strong predictions about where this all is heading (O'Brien 2006, p. 37). If there is one thing Chinese and international scholars agree on, it is that we lack comprehensive data and information about Chinese NGOs, how they work and what their possible contributions might be (Ho 2001, p. 907, Morton 2005, p. 521, Ma 2006, p. 3, and Deng 2007, unpagged).

What does seem clear, is that despite obvious restrictions and limitations, Chinese NGOs can and do make choices and strategic decisions that not only make them stand apart, but also offer solid confirmation that different strategies and approaches are workable and productive in China today.

LIST OF REFERENCES

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For Chinese articles, journals, books and other sources without a given English title, I provide translation indicated by []. These translations are my own.

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APPENDIX

List of Organizations Studied and Interviewed

NGOs selected as cases

Ark of Love
Beijing Aizhixing Institute
Beijing Gender and Health Education Institute
Chaoyang Chinese Volunteer Group
Dongzhen (China Orchid Aids Project)
Mangrove Support Group
Working Group of Gay Movement of Beijing

Other Chinese NGOs, all doing HIV/AIDS work

Aibai Culture & Education Center
Beijing Yirenping Center
China AIDS Network (affiliated to Chinese Association of STD and AIDS Prevention)
China Global Fund Watch
China HIV/AIDS Information Network (CHAIN) (project organization of Kangzhong, a registered social organization)
Hebei Yongqing PLWHA Support Organization
Hemophilia Home of Tianjin
Shenyang Consultation Center of AIDS Aid and Health Service
Tianjin Deep Blue Volunteer Group
Yudan Shanghai
Yunnan Daytop Drug Abuse Treatment and Rehabilitation Center (registered social organization)
Zhejiang Love Working Group

UN organizations, international NGOs and foundations, all informants are working with HIV/AIDS in China

Joint United Nations Programme on HIV/AIDS (UNAIDS)
United Nations Children's Fund (UNICEF)
United Nations Development Programme (UNDP)
United Nations Theme Group on AIDS
World Health Organization (WHO)
Chi Heng Foundation (Hong Kong)
Bill and Melinda Gates Foundation (US)
Medecins Sans Frontieres (France, Belgium)
Merck Company Foundation (US)

Government organizations, all doing HIV/AIDS work

Chinese Center for Disease Control (city and district level)
Chinese Association of STD and AIDS Prevention (national and city level)

Additionally, a number of scholars, experts and other informants have been interviewed for their knowledge about Chinese NGOs- and or the HIV/AIDS situation.

Interview Guides

Interview guide for Chinese NGOs

In actual interviews all questions were asked and answered in Chinese. The original version of this guide was written in Norwegian.

Organizational information: legal status, human resources, members, areas of work, related issues, main activities and projects, budget, sponsors, income, board and board members, affiliation to government etc.

How was your organization established?

Why have you chosen to work with this? Why do you find it important to work with this?
What is your role in the organization? What do you think other staff thinks of your role?
Do you have some kind of decision making body in the organization? If so, what is its role?

What is it that you are trying to do?

What do you want to achieve – do you have some set goals or some vision for your work? If so, is this written down anywhere?

Are some of your objectives more important than others?

What do you think are the most important contributions of your organization? Key words: support, help, provide service, report, investigate, influence, reform, provide opportunities.

Are there some things you already have achieved? Anything else you want to achieve? Have your objectives changed?

Whose interests are you most concerned about? In what way are you in touch with these people/groups/communities?

Advocacy? Reporting? Own media products? Distribution of information? Website and use of the Internet? Blogs?

What are your most important sources of information?

How many of your activities are related to HIV/AIDS? What can you contribute with in relation to HIV/AIDS?

Are there things that are more important for your organization than to work on HIV/AIDS issues?

What type of interests do you represent in relation to HIV/AIDS?

In what ways have you experienced changes in China's response to HIV/AIDS? What do you think of China's HIV/AIDS policies? What is good? What needs improvement?

What do you think of the way CDC work? What do you think of the work GONGOs do? How is your work affected by the CDC/GONGOs?

Please describe how you work?

What kind of things must be provided for you to work like this?

What kind of things do you need to take care of/solve if a project is to be successful?

Participation in any HIV/AIDS campaigns? Activities for AIDS day?

May you mention some things you are happy to have accomplished? Why was that successful?
May you mention some things that have not been successful? Why was it not successful?
Are there things you would like to work with, but that are too difficult/sensitive/problematic?

How will you describe your contact with state/government/official authorities?
Do you find that your organization and the government have different interests?
How important are relations to the government?
What would you prefer relations to the government to be like?
Is party membership important? Do you have party members in the organization? Do you have a party cell?
Are you opting for influence? What opportunities do you have to influence? What do you do to be heard?
Do you have any negative experiences you may tell me about? Some good experiences?
May you mention something you would like to do, but that you are not able to do?
How is it possible to know what is OK to do and what is not?
Are you able to negotiate with the government? How?
If you have to choose: is closer contact to the government or more autonomy most important for you?

What do you think of the laws and regulations that regulate your organization?
If you could change some of this – what would you change first?

How will you sum up the years 2007 and 2008? Positive and negative development?
Influence from the People's Congress?
Beijing is to host the 2008 Summer Olympic Games. How does this influence your work? Are you in any way part of the Olympic Games?

What is your experience with the Chinese media – international media? How important is press coverage for your organization?
What do you think of the way media report on HIV/AIDS issues?
Many environmental organizations have journalist members and often have good relations to the media. How do you think that is for organizations working on HIV/AIDS?

What do you do to obtain finances? How many resources do you put into this?
What do you think of requirements that donors make? What do you have to contribute with to get funding?
What do you think has been the reason for sometimes getting money and sometimes not getting any money?
How important are your relations to the Chinese government for allocating funding?
What is it like to recruit employees? How is it to keep employees? What kind of people work in your organization? How long do people normally work there?
How do you take care of finances – budgets, reports, auditors?

Contact with Chinese and international businesses?

How do ideas for your projects come about?
How do you consider opportunities for funding when thinking about new projects?

May you give some examples of something you would like to do but are not able to? What stands in the way?

HIV/AIDS work has received a lot of money and attention in recent years. How does that influence Chinese organizations/NGOs?

How does it influence your organization?

How important is the contribution that the NGOs make? Is their work being appreciated? Is it well prepared/arranged for NGOs to work?

Please mention some organizations that you think are doing well – why?

May you mention some organizations that you do not support – why?

What kind of relations/cooperation do you have with other Chinese organizations?

How are relations between different organizations in Beijing and in China?

A large part of the funding for HIV/AIDS work in China comes from other countries. What do you think of that?

What do you think of the work international organizations are doing in China?

What kind of international relations do you have?

The Global Fund has become a considerable actor. How important is that? What does this mean for your organization?

How well does the Global Fund function in China? What is good? What is bad?

What do you think of the job the UN is doing in China?

What is your experience with UN organizations in China? Participation in trainings, seminars, meetings – arranged by whom, were costs reimbursed? Outcome from participating?

What kind of group is more important for your organization – the media, international organizations, other Chinese organizations, state/government, the business sector, UN organizations, donors and sponsors, affected communities, the society in general?

Some people say the most developed NGOs in China are within the environmental field.

What do you think of that?

How may it be different to work on environmental issues and HIV/AIDS issues?

What are your plans for the near future? What do you figure the near future will be like for your organization?

What are major obstacles to succeed from now and in the time to come? Optimistic?

Pessimistic?

If you could change some of the things surrounding NGO work in China, what would you change first?

How is your organization part of developing China and the Chinese society?

How may you be part of moving boundaries for what is possible in China?

When one talks about NGOs, one often talks about civil society, participation, freedom, rights, advocacy, democratic development. What do you think of this? Is there any of these things you are working for?

Some people say Chinese organizations are being so tightly controlled that China has no civil society. What do you think?

I am particularly interested in the strategies of Chinese NGOs. May you tell me something more about your strategies?

What are major experiences you have made?

What kind of advice would you like to stress for other people who want to do NGO work on HIV/AIDS in China?

Is there anything else you would like to tell me?

May you mention some other people or organizations I should talk to?

Additional questions for other informants (staff of UN organizations, international NGOs and foundations, Chinese and foreign scholars)

Questions from the general guide were widely used in these interviews as well.

How are you involved in HIV/AIDS work in China? How much of your work is related to HIV/AIDS?

What types of organizations are working on HIV/AIDS in China?

What is your impression of their work?

How much are they able to do? Are NGOs able to negotiate with the state/government?

What is your relation to Chinese NGOs working on HIV/AIDS? What kind of experiences? What kind of impression?

Are you providing support for any NGOs? If so, what do you find important about this support? What are conditions you set for your support?

How important are relations between the NGO and the state/government for you? What are your own relations to state/government like? Good and bad experiences?

What can the NGOs do to make good relations and cooperate with the state/government?

I research a paper on Chinese NGOs – their goals and strategies. Is there something you immediately want to say in that regard?

Are there things that are different between the goals and strategies of Chinese NGOs and NGOs elsewhere?

What do you think of the way Chinese NGOs work? May you say something about their strategies?

Is there something you see the NGOs are good at? Something they are not doing well?