

Circular from the Ministry of Public Security on the Issuance of
“Regulations Concerning the Public Security Organs’ Handling
of Collective Incidents that Affect Public Order”¹

*Document No. 5 (2000) issued by the Ministry of
Public Security, 5 April 2000*²

For the attention of Public Security Departments and Bureaus of all provinces, autonomous regions, municipalities directly under the central government, and the Public Security Bureau of Xinjiang Production and Construction Corps:

In line with fundamental shifts in China’s economic system and management methods in recent years, major changes have occurred in the country’s economy and way of life, and a process of realignment is underway among interest groups of all kinds. In this process, destabilizing factors of all kinds have become increasingly apparent. There has been an increase in mass security incidents triggered by conflicts among different social groups, and such disturbances have increased in scale and intensity and have become more difficult to manage. They have emerged as a salient problem undermining social stability and public order. To provide guidance enabling Public Security organs in each region of China to handle collective incidents that affect public order more competently and to standardize their approaches, the Ministry of Public Security has compiled the attached *Regulations Concerning the Public Security Organs’ Handling of Collective Incidents that Affect Public Order* (hereinafter, “the Regulations”), in accordance with State laws and regulations and based on lessons learnt in the past in handling crowd control problems throughout China. These Regulations are hereby set out in printed form and distributed among

¹ The original Chinese term for the phrase “collective incidents that affect public order” (*quntixing zhi’an shijian*) is variously rendered below, according to context, as “collective incidents,” “mass security incidents,” “mass disturbances” and “collective security incidents.”

² While it may be purely coincidental, it is worth noting that 5 April – the day in 2000 on which these Regulations were issued – was the same date on which, almost a quarter century before, China’s modern human rights and dissident movement was born. On 5 April 1976, tens of thousands of citizens protested in Tiananmen Square against the ultra-leftist authorities’ removal from the square of wreaths commemorating the death of Premier Zhou Enlai. The protests were violently broken up by the militia and hundreds were arrested, but two and a half years later, after Mao’s death, the “5 April Movement” was officially rehabilitated and acquired symbolic significance for all subsequent pro-democracy movements in China.

you [Public Security officials] for study. To ensure their thorough implementation, we draw particular attention to the following points:

(1) Public Security personnel shall diligently study these Regulations to fully prepare them for handling collective incidents that affect public order. The difficulty of handling such incidents is great, as are the related policy and legal implications and tactical demands. Hence a high degree of competence is demanded of Public Security leading cadres and civilian police involved in handling crowd-control situations. After these Regulations have been disseminated to Public Security offices nationwide, it will be necessary to arrange study and training, to enable most civilian police, particularly leading cadres of Public Security organs at the county and municipal levels, to fully understand and apply their provisions, positioning them to better manage complex situations and improving their ability to cope with a disturbance as it happens. In light of the frequency of mass disturbances in rural areas and the inexperience of lower-level Public Security organs in dealing with them, it is necessary in particular to bolster operational leadership for county and municipal-level Public Security organs. Based on the spirit of these Regulations, different kinds of collective incidents shall be analysed, and lessons drawn from actual crowd-control experience, enabling preparation or fine-tuning of *a priori* action plans. It is necessary to tailor advance planning more closely to actual crowd-control conditions, to make it more focused and effective on the ground, and to carry out simulation exercises to ensure smooth coordination between different branches of the police and improve overall operational capabilities. Particularly important is prioritization and formation of Public Security riot squads, and making optimal use of their function as a powerful offensive force in crowd control. It is necessary to quickly create fully-functioning, standardized set of operational paradigms in areas such as legality, organizational command, deployment of police strength, assurance of logistical support, creation of communications networks, and establishment of mechanisms and procedures for crowd control.

(2) Clear delegation of duties, and establishment of a reliable system of responsibilities in dealing with collective incidents that affect public order. It is necessary to commit to fully implementing the spirit of the CPC Central Committee's *Circular (No. 4, 1999) on the "Commission of Politics and Law's Opinion*

Concerning Major Current Issues and Tasks that Affect Social Stability” and also the Ministry of Public Security’s *Circular (No. 22, 1999) on the “Ministry of Public Security’s Opinion Concerning the System of Responsibility for Implementing the Public Security Organs’ Task of Upholding Stability”*, and thereby ensure that local authorities, government departments and different branches of the police can work together effectively in creating a sound and practicable system of responsibility for dealing with these issues. County (municipal)-level Public Security organs shall be responsible for on-the-spot handling of collective incidents that affect public order, while major incidents shall be handled by prefectural (municipal) Public Security organs. Higher-level Public Security organs shall be responsible for leadership and coordination duties. Primary responsibility for on-the-spot management of a collective incident that affects public order shall lie with leading cadres of Public Security organs. In the event of a major incident, they shall go to the scene in person, and, under the joint leadership of the affected Party committee, government and higher-level Public Security organs and within the scope of their personal authority, shall carefully organize operations, boldly decide policy and provide firm leadership. Departments in charge of command centres, public order, police patrols, riot squads, domestic security, legal matters, action strategies, criminal investigations, protection of economic installations, equipment and communications shall each assume their assigned responsibilities, work in close liaison, perform their roles and cooperate to ensure competent handling of the incident. If in the course of carrying out a crowd-control operation, any violation of laws or regulations with significant consequences occurs, the responsibility of the person involved shall be investigated, as circumstances require.

(3) Strengthen intelligence and information-gathering work, and ensure rigorous reporting. It is necessary to broaden information-gathering channels for greater promptness and accuracy, establish responsive, highly effective intelligence and information networks, diligently compile status reporting, analysis and feedback systems, and put in place a practicable system for early [problem] detection, reporting, management and resolution. It is necessary to act fully in line with the policies of Party and government, closely monitor social dynamics, diligently acquire in-depth, advance, inside operational intelligence and information. In particular, at a time of severe social stresses, when major policy initiatives are about to or have just become

public, or when sensitive issues arise, it is even more important to make full use of various overt and covert methods to investigate factors undermining social stability, and carry out advance analysis when a collective incident is predictable, to forestall its occurrence. It is particularly important to collect intelligence and information about disturbances that have been fanned by hostile elements who have meddled in and exploited conflicts among different social groups, and then immediately expose and crack down on the perpetrators. In the crowd control process, attention must be paid to gathering dynamic information, to achieve greater focus and effectiveness in control operations. All significant information on social stability gathered by Public Security services at all levels, collective incidents that have already occurred and details of their management must be reported to the affected Party committee, government and higher-level Public Security organs. Collective incidents that feature foreign involvement must be promptly reported to the Ministry of Public Security along with details of location (province, autonomous region, or municipality directly under the central government). In the event of late reporting, information leaks, and deliberate concealment of important information with serious consequences, it will be necessary to rigorously investigate the responsibility of personnel involved and their superiors.

(4) Firm adherence to rules, careful planning, and increased competence in management of collective incidents that affect public order. When Public Security organs deal with collective incidents, they should, under the leadership of the Party committee, government and higher-level security organs, take particular account of the broader political and general situation and legal implications. They should adhere rigorously to rules, and at the same time carefully tailor strategy and methods to differences in collective incidents that affect public order in terms of type and progression, and prevent slow or inappropriate responses leading to conflict intensification and amplification. In incidents arising from collective appeals to authorities, petitions, sit-ins, and strikes among workers, students and tradespeople or consumers, the Public Security authorities shall work with the local Party and government leaderships and competent authorities and units, and take conflict-resolution measures, preventing a situation from worsening or growing in scale. Police strength must always be used with caution, as should weapons and other police tools, and coercive measures. In cases where collective incidents that affect public

order are triggered by problems involving collective interests, such as redundancies, lack of daily income, arrears in wages and pension benefits, forced relocations, exploitation of rural migrants, and unauthorized fee-collecting, fining, resource allocation and fund-raising, the Public Security authorities should concentrate on upholding general order, protecting the lawful rights and interests of the people, and supporting official conflict-resolution efforts, and avoid taking unwarranted coercive measures, even if a minority resort to extreme words and actions, as long as there is no serious threat to transportation and public order. However, when a crowd adopts surrounding tactics, and hostile elements attack party or government organizations or key units, lie in front of vehicles, obstruct transportation, or cause other disturbances, or commit criminal actions such as beating, smashing, looting or burning property, Public Security authorities shall boldly uphold the law, stability, and the interests of the State and people, and resolutely take the necessary measures within the law. Whenever hostile forces and elements seek to exploit, or try to instigate, collective incidents that affect public order, Public Security organs shall gather evidence and take punitive action within the law. Mobilized police, including the People's Armed Police, shall act strictly in accordance with laws and regulations when they participate in an operation using coercive measures and armed force.

In the event of inconsistencies in documents issued by the Public Security authorities and the contents of this circular and Regulations, this circular and Regulations shall take precedence. Reports shall be made to the Ministry should any problems arise in the implementation of these Regulations in any area.

Regulations Concerning the Public Security Organs' Handling of Collective Incidents that Affect Public Order

Article 1

Based on State laws and regulations, these Regulations are laid down to ensure appropriate handling of collective incidents that affect public order and the maintenance of social stability, in accordance with the law.

Article 2

In these Regulations, collective incidents that affect public order are defined as any behaviour by a group of people who collectively: violate State laws, regulations and rules, disrupt social order, jeopardize public security, or violate the personal safety of members of the public or the security of public or private property. Such behaviour mainly includes:

- (1) Illegal gatherings, parades, and demonstrations involving a relatively large number of people.
- (2) Behaviour during gatherings, parades, and demonstrations and collective appeals to higher authorities that seriously disrupts social order or poses a significant threat to public security.
- (3) Strikes by workers or students, or commercial stoppages and boycotts, that gravely impair social stability.
- (4) Relatively large-scale organized gatherings and activities by illegal organizations and cults.
- (5) Moves by groups to surround and attack Party and government organizations, legal institutions, military installations, major guarded security facilities, radio and television broadcasting stations, communication hubs, foreign countries' embassies and consulates, and other critical institutions or locations.
- (6) Moves by a crowd to block off public transportation hubs and transportation trunk routes, disrupt the orderly operation of public transport or illegally occupy public spaces.
- (7) Stirring up trouble or disturbances at major sporting, entertainment, business and trade events, and celebratory functions.
- (8) Seizures by crowds from state-owned storage facilities, priority construction materials or other public and private property.
- (9) Relatively large-scale mass brawling involving weapons.
- (10) Other crowd behaviour that significantly threatens public security or the social order.

Article 3

The major functions of Public Security organs dealing with collective incidents that affect public order are as follows:

- (1) Promptly appraise the situation, and report to the Party committee, government and higher-level security organizations;
- (2) Based on the nature, cause, scale, threat posed by, and development of, an incident, propose an appropriate plan of action, and report it to the Party committee, government and higher-level security organizations for approval;
- (3) With the joint support of affected Party committee, government and higher-level Public Security organs, mobilize police at the appropriate time and in the appropriate strength, and help the competent authorities to complete the task of dispersing the crowd and defusing conflict.
- (4) When necessary, take such coercive measures as are permitted under law to bring a situation under control, calm things down and restore public order.

Article 4

County (municipal) Public Security organs shall be responsible for on-the-spot management of collective incidents that affect public order, and major incidents shall be the responsibility of prefectural (municipal) security organs. When necessary, higher-level Public Security organs may take direct charge of on-the-spot operations, or send cadres to the scene to lead and coordinate operations. On-the-spot command functions shall be the responsibility of the senior Public Security official(s) at the scene. On-the-spot operational management in collective incidents that occur in adjoining districts shall be the joint responsibility of higher-level Public Security organs in the affected areas; these may designate lower-level Public Security organs to take responsibility in conjunction with other Public Security organs.

Article 5

If a Public Security organ needs to issue orders or notices or announce a decision to take drastic measures, or mobilize personnel, equipment, ambulances, vehicles, communications equipment and other resources of other government departments, a report shall be made to, and approval obtained from, the affected Party committee, government, and higher-level organizations. In an emergency situation, reports can be made while action is being undertaken.

Subject to legal and regulatory restraints and under the direction of the affected Party committee, government, and higher-level security organizations, on-the-spot operation leaders shall, as circumstances require, have the authority to:

- (1) Swiftly take effective measures to bring the situation on the ground under control.

(2) Jointly organize deployment of different branches of the police, equipment and personnel, ambulances, vehicles, communications equipment, and other resources.

(3) Promptly take emergency measures to bring the situation under control, calm things down and restore public order.

Article 6

If the number of police officers mobilized in handling a collective incident that affects public order is under 50, a report shall be made to, and approval obtained from, the Public Security organs of the county (municipality). If the number is between 50 and 200, reports must be made to, and approval obtained from, the prefectural (municipal) Public Security organs. If the mobilization involves over 200 police, reports must be made to, and approval obtained from, Public Security organs at the level of the province (or autonomous region, or municipality directly under the central government). If the mobilization covers adjoining districts, reports must be made to, and approval obtained from, higher-level Public Security organs of the areas affected. The authorizing and mobilizing organizations must separately make prompt reports to their respective superior Public Security organs of details of progress in obtaining approvals and in arranging the mobilization. In emergencies, when prompt deployment of police for a decisive response is not possible, leading to difficulty in controlling the situation, reports may be made to higher-level Public Security organs progressively as police are put into the field.

Article 7

In cases where management of a collective incident that affects public order involves deployment and use of the People's Armed Police, it is necessary to rigorously implement the provisions of the *Circular on "Regulations Concerning the Scope of Powers to Authorize Deployment and Use of the Chinese People's Armed Police"* (*Guanyu zhongguo renmin wuzhuang jingcha budui bushu he bingli diaodong shiyong pizhun quanxian de guiding*) and also of the *Circular on "Regulations Concerning the Scope of Powers to Authorize Deployment and Use of the Chinese People's Armed Police in Beijing District"* (*Guanyu Beijing diqu zhongguo renmin wuzhuang jingcha budui bushu he bingli diaodong shiyong pizhun quanxian de guiding*), issued jointly by the General Office of the CPC Central Committee (Document No. 2 of 1999), the General Office of the State Council, and the General Office of the Central Military Commission.

Article 8

While handling collective incidents that affect public order, Public Security organs must follow the following principles:

(1) Take crowd control measures under the leadership of the local Party committee and government and jointly with competent supervisory authorities. Following a collective incident that affects public order, Public Security organs shall urge affected Party and government leaders and supervisory cadres to go in person to the scene, to defuse the conflicts underlying the dispute. Order must be upheld at the scene, the

security of strategic party and government locations and of officials at the scene must be protected, and public transport must run smoothly.

(2) Prevent the conflict from getting worse. It is necessary to ensure that it is possible to disperse, break down and calm the crowd involved in the security incident so that it cannot re-gather, regroup or become disruptive again. The main means for achieving this shall be guidance and persuasion. Security personnel shall work to nip problems in the bud or at an early stage.

(3) Exercise caution in deploying police and taking coercive measures. Any decision on whether or not to use police, and if so in what number and form, shall be taken based on the nature, cause and scale of the collective incident. The decision on whether or not to use coercive measures shall be based on appraisal of the way the situation is developing. It is essential to avoid reckless use of police force or coercive measures in a way that intensifies the conflict, or allow a disturbance to expand in scale through failure to use force when warranted.

(4) Exercise caution in using weapons and police crowd-control tools. Civilian police deployed at the scene of a collective incident that affects public order shall be given the necessary equipment, but may not carry arms. Civilian police deployed in a support role surround the scene of a disturbance may be equipped with weapons depending on need. Any use of weapons by police must be approved in strict accordance with the *Regulations on the Use of Police Implements and Weapons by the People's Police (Renmin jingcha shiyong jingxie he wuqi tiaoli)*. Any use of teargas bombs or weapons must first be approved by officials in command at the scene of a disturbance.

(5) Act resolutely within the law. In dealing with criminal activities such as surrounding and attacking party and government institutions, lying in front of vehicles, obstructing public transport, and beating, smashing, looting or burning property, the right moment must be chosen for taking decisive action, to bring the situation under control and quickly calm things down—always remaining within the law—to prevent the disturbance from escalating or becoming protracted.

Article 9

In the event of crowd actions that do not yet threaten the lives or property of the public or the social order, as detailed below, security organs may not deploy police strength directly, or use armed police or take coercive measures; but small numbers of police may be sent to the scene of a disturbance to appraise the situation, uphold order, and help cadres of the Party, governments and competent supervisory authorities to defuse the conflict, and prepare the way for the police to be deployed if needed. During the operation, it is necessary to plan strategy and select approaches carefully, and avoid direct clashes with the crowd. Reports must be updated promptly as the situation changes. Crowd actions that do not yet threaten the lives or property of the public or the social order include:

(1) Collective appeals to authorities that do not yet threaten social order or the smooth operation of public transportation;

(2) Strikes by students or workers inside colleges or work units that have not yet resulted in assault leading to injury or acts of beating, smashing, looting or burning; and

(3) Other crowd actions arising from conflicts among different social groups that have not escalated and can be defused.

Article 10

Public Security organs handling collective incidents that affect public order may take the following control measures at the scene, based on their appraisal of the situation, and subject to the law;

(1) Seal off the scene of the disturbance and affected areas, and bar access to all people who have not been checked and approved.

(2) Establish a security cordon and an operational zone for police crowd control;

(3) Put in place a local traffic management system.

(4) Protect priority sites.

(5) Check the identification documents of all those present at the scene, and check articles carried by suspicious persons.

(6) Prevent the recording of sound or images, taking of photographs, and interviewing or reporting activities at the scene of the disturbance by any person who has not been approved by officials in command. Information relating to a collective incident that must be made public shall first be reported to the Party committee or government at the county or municipal level or higher levels for examination and approval, and should then be reported to and approved by the higher-level Party committee and government affected before being released in the appropriate format. Major or sensitive incidents must be reported to the Party Central Committee and the State Council and made public only after their approval.

Article 11

Depending on circumstances, and subject to legal constraints, Public Security organs may take the following coercive measures to deal with a collective incident that affects public order:

(1) Issue an order or notice for onlookers to immediately leave the scene, for crowd organizers to immediately break up their teams, and members of the crowd to disperse quickly, before a certain time limit.

(2) Those remaining at the scene of a disturbance after the time limit for crowd dispersal, may be forcibly dispersed using the necessary tools to drive away or overwhelm a crowd, but every effort must be made to avoid injuries and fatalities.

(3) Those who still refuse to leave the scene of a disturbance after coercive measures have been taken to drive them away, or who try to escalate the unrest, may be taken away from the scene or immediately detained.

(4) People caught in the act of beating, smashing, looting or burning property shall be immediately restrained and taken away from the scene or detained.

(5) Illegal portable weapons, controlled cutting tools, inflammable or explosive and other dangerous items, and tools, banners, leaflets and other items for illegal propaganda and incitement purposes shall be confiscated, and those carrying them handled according to the law.

Article 12

During the handling of a collective incident that affects public order, the Public Security organs may, subject to legal constraints, use a combination of overt and covert methods to quickly gather evidence, for use in legal processes relating to incident management and its aftermath.

Article 13

Public Security organs shall investigate within 24 hours any person(s) taken away forcibly from the scene of a disturbance or put in detention, and promptly deal with such person(s) as required by law.

Article 14

While dealing with a collective incident that affects public order, Public Security organs must promptly attend to injured people. After the incident has been defused, officials under the unified leadership of the local Party committee and government shall in cooperation with competent authorities and units clean up the scene, dismantle roadblocks, remove restrictions on scene access and local transportation, and restore normal order.

Article 15

After a collective incident that affects public order has been dealt with, Public Security organs shall draft a report summarizing the incident and submit it to the affected Party committee, government and higher-level Public Security organs.

Article 16

In the event that Public Security organs handling a collective incident should violate laws or regulations or these Regulations with serious consequences, the administrative and legal responsibility of the cadres and officials directly responsible shall be investigated, as circumstances require.

Article 17

These Regulations shall have effect from their date of issue. Public Security departments and bureaus of all provinces, autonomous regions, and municipalities directly under the central government may compile and implement action plans based on these Regulations, and report their plans to the Ministry of Public Security for filing.