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讲清楚涉“9.13”犯罪的有关问题

Clarify “Operation 9.13” Crime-related Questions

第一要讲清楚为什么手机会被停机

手机有境外通联，或者使用小众软件翻墙到境外宗教极端网站，所以才会被停机。停机的目的就是提醒当事人，主动找公安机关、有关部门说清楚，和境外谁通联了，通联的内容是什么；或者说是使用什么软件上了什么网站，看了什么东西。只要是一般的情况，找公安部门说清楚，恢复开机。有些人用手机与境外的“东伊运”、IS 成员等打电话通联，自己就心虚，不敢去找，更换手机或重新办号，以为换一个手机或者手机号，公安机关就找不到他，这是不可能的。

I. Clarify why some cell phones have their service suspended.

If they have used the cell phone to contact people overseas or have used marginal software [VPN services] to circumvent the [internet] firewall and access religious extremist websites abroad, that is why they have the service is suspended. The purpose of suspension is to alert the person, and to prompt them to explain to the police and the government agencies concerned whom they had contacted overseas and what they had talked about; or to explain which applications they had used to access which websites, and what content they had watched. As long as their circumstances were normal, and they had clarified them with the police, they would have the phone service reactivated. Some people use their phones to call and contact members of the “East Turkestan Movement” (ETM) or the “Islamic State” (ISIS). They feel guilty and are too terrified to go to the police. They therefore change their phones or phone numbers, thinking that once they have done so, the police will not be able to locate them—this is impossible.

简单地说，只要你购买手机办理了一张实名登记的手机卡，不管这个手机、手机卡是你妻子还是孩子或者其他谁在用，公安机关都能查到具体使用人；即使你换了一百部手机也能准确地找到你、找到手机卡。讲清楚全地区“9.13”一共推了十几万人，凡是说能说清楚的、自己主动报告的，我们都没有收押。收押的都是自己不报，公安机关找到以后又说不清楚，利用技术手段核查确实有问题的人员。这个技术手段可以看到你跟谁通话、通了多长时间，可以看到你用的哪个软件、到了哪个网站、看了什么内容，我们都能查到。我们收押教育的都是观看暴恐内容的，打击的是涉暴涉恐的人员。

Put simply, so long as your legal name was registered with the SIM card you got when you bought the cell phone, no matter who is using the phone and the SIM card—your wife or child or anyone else—the police can track down the specific user; even if you change a hundred cell phones, they will be able to track you and the SIM card down. Clarify that in

the whole region, Operation 9.13 has affected over a hundred thousand people. We do not detain anyone who can explain [what they had used their cell phones for] and who proactively report to the police. All we have detained were those who did not report themselves, could not explain away [suspicion], and were indeed problematic according to our technological methods of verification. These technological methods can identify whom you called, for how long; they can see which software you used, which sites you accessed, what contents you saw—we can pinpoint everything. We only detain and educate those who had watched contents of violence and terrorism; we crack down on the people involved in violence and terrorism.

第二要讲清楚我们查的情况

一是查电话通联停机，有三种情况。第一种情况是正常与境外的好人通话，如果有孩子在美国上学，给孩子打电话或者孩子给家里打电话；亲戚在境外，与亲戚正常联系这些情况，通过自己报告、我们核查，确实没有与“东伊运”“乌伊运”“IS”，没有从事危害国家安全、没有从事分裂活动的人通联，那我们就甄别清楚了，属于正常的通联就可以排除。第二种情况是与境外的坏人通联。我们有记录可以反映出来，看看与他通联的是好人还是坏人，这个轨迹上也有记录，可以核查的清清楚楚。第三种情况是拒不交代和谁通联，故意隐瞒。越隐瞒就越说明心理有鬼、越有问题。公安机关显示有轨迹，但你拒不承认又拿不出合理解释，我们从逻辑分析上推理，判断他与境外爆恐分子、分裂分子有通联。

II. Clarify what situations we are investigating.

Number one is to investigate those whose cell phone service had been suspended. There are three scenarios. First, those who contact good people overseas in normal ways; if they have children studying abroad in the U.S., they call their children, or their children call them; if they have relatives abroad and contact them normally. Through their self-reports and our verifications, if they in fact do not have ties with the “East Turkestan Movement” (ETM), the “Islamic Movement of Uzbekistan” (IMU), or the “Islamic State” (ISIS); if they are not involved in activities that threaten national security; and if they are not in contact with separatists, then we will have completed the screening, and can rule out [their potentially suspect status] if their situation is normal. Second, those who contact bad people overseas. We have records that show if those whom they call are good or bad. We also have records for contact tracing and can clearly track them down. Third, those who refuse to confess whom they contact and deliberately conceal [information]. The more one conceals, the more guilt they have inside, and the more problematic they are. The police records show that there had been contact, but they deny it and yet do not have a reasonable explanation for it. Logically, we infer and judge that they are in contact with extremists, terrorists, and separatists overseas.

我们现在打击的就是后面这两种情况，因为有明确的侦查结果，充分说明他与境外恐怖分子、分裂分子通联了，通过我们审讯他们自己也交代了，印证了。要讲清楚四点：一是确实有这种行为，确实是后面两种情况的，二是这种行为必定是准备从事或者是通过小众软件鼓动、煽动、宣传、教唆极端恐怖；三是从事的行为将对国家安全造成危害。与境外恐怖分子通联，在接受极端思想的同时就是准备实施暴力恐怖犯罪的过程，构成准备实施暴恐活动罪；四是现在对其判刑、收教是党和政府在挽救他的措施，如果不及时挽救，任其发展，不仅危害社会甚至失去生命，还会连累家人。判刑收教人员确实干了这些事，只要你用了这些东西，我们都能查得清清楚楚，不是想抵赖就能抵赖得了的。我们有轨迹可查，你哪一月、哪一天和谁在什么时间，打了几分钟电话，我们都掌握的清清楚楚。还要给他讲为什么查到他的手机，那么多人用手机，为什么没查别人，就是因为他确确实实干了坏事。

Right now we are cracking down on [those in] the second and third scenarios. For there is clear investigation evidence that suggests they had contacted terrorists and separatists abroad; through our interrogation they also confessed and confirmed that. We should make it clear on four things. First, they indeed had such behaviors and in fact were part of the second and third scenarios. Second, this behavior [contacting “terrorists” and “separatists” overseas] must be a preparation, using marginal software, for agitating, instigating, propagandizing, abetting extremist terror. Third, this action will threaten national security. Contacting terrorists overseas, receiving extremist thought, [is equivalent to] preparing for violent terrorist crimes; all of these constitute “Preparing to commit violence and terror” crime.¹ Fourth, sentencing them and detaining them now are the Party and the government’s measures to save them. If we do not save them in a timely manner, and let them develop, they will not only damage society and even lose lives, but also cause trouble to their family. People who are sentenced and detained had for sure done such things [of which they were accused]. As long as you have used these things [i.e., VPN services, calls overseas], we can track down everything lucidly; you cannot deny it even if you want to. We have all the details we can trace. In what month, on what day you called whom, at what time, for how long—all information is in our hands. We should also explain to them why we had inspected their cell phones. So many people use cell phones—why do we not inspect others? Because they indeed did wrong.

第三要讲清楚使用小众软件停机问题

群众可能不知道什么是小众软件，我们就给他解释，使用了特殊软件。因为在手机上下载安装了特殊软件，到了境外的宗教极端网站，而不是到我们正常的国内网站。第一种情况是他看了，说明他已经有了宗教极端思想的苗头和基础，所以才会使用特殊软件到宗教极端网站去看。看的同时也是在不断巩固宗教极端思想，就是在为实施暴力恐怖活动做准备。

¹ Clause 120, no.2 of the Amendment (IX) to the Criminal Law of the PRC passed in 2015.
<http://www.drxsfd.com/xf/xx.asp?bh=463>

III. Clarify the problem of service suspension due to the use of marginal software.

The masses may not know what a marginal software is. We need to explain to them what the special software is. Once you have downloaded this special software to your cell phones, you access religious extremist websites abroad, rather than our normal domestic websites. The first scenario is that they accessed overseas websites, meaning that they already had the budding foundations for religious extremist thought; that was why they would use special software to access religious extremist websites. The process of watching [the contents] was also a reinforcement of religious extremist thought, which was a preparation for committing violent and terrorist activities.

第二种情况是他自己看了，看完以后，本身就有宗教极端思想，而且下载下来并通过软件或者别的渠道向他人宣传，就有煽动民族仇恨和准备实施暴力恐怖犯罪事实。如果仅是到暴恐音视频网站，没有看暴恐音视频；或者看完了，没有下载、传播、接受暴恐思想，没有具体危害到国家安全，我们也不会打击处理。如果他接受了宗教极端思想，到这个宗教极端网站上看，就是再次接受、巩固宗教极端思想的一个过程，就是准备实施暴恐犯罪；下载后向他人传播，就是在教唆、鼓动、煽动民族仇恨，准备实施暴力恐怖。对这样的人，我们才判刑。他的这种行为，对国家安全造成了危害，党和政府为了教育他，挽救他，才对他判刑，要不然任其发展，就是死路一条、家破人亡。党和政府为了不使其走上毁灭的道路、避免伤害家庭、危害社会，挽救了他、挽救了他的家庭，家属还有什么想不通的呢？是不是应该感谢党？

The second scenario is that they watched it. After that, not only they already had religious extremist thought, but also downloaded [the contents] and used software applications or other channels to spread them to others. This constitutes the fact of instigating ethnic hatred and preparing to commit violent and terrorist crimes. If they only browsed violent and terrorist websites without watching those audios/videos; or if they watched them but did not download or disseminate them or accept terrorist ideas; if they did not concretely threaten national security, we will not punish them. If they had accepted religious extremist thought and went to watch [those contents] on the religious extremist websites, that is a process of reaffirming and reinforcing religious extremist thought, and that is preparing to commit violent terrorist crimes. To download [audio/video] and spread them to others is to abet, agitate, and instigate ethnic hatred; it is to get ready for committing violence and terror. It was this kind of people that we sentenced. Their behavior was damaging to national security. The Party and the government only sentenced them in order to educate them and rescue them. Otherwise, if we let them grow, it will only be a dead end; their family will be shattered, and members will be dead. The Party and the government—in order to prevent them from going down the destructive path and damaging their family and society—saved them and saved their family. What else are the family members confused about? Should they not be grateful to the Party?