

MPs unite against Hu's closed-door case

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Stern Hu: charged with receiving bribes and infringing commercial secrets. (Rio Tinto: Supplied)

MPs on both sides of politics have expressed concern that consular officials will be barred from parts of the China trial of Rio Tinto executive Stern Hu.

After eight months in detention in Shanghai, the Australian national and three of his colleagues will face trial.

Australian diplomats were informed last night that the trial of Hu, Liu Caikui, Ge Mingqiang and Wang Yong will be next Monday. The ABC has been told that the trial will probably start at about 8:30am (local time).

Hu, who was an iron ore negotiator for Rio Tinto, has been charged with inducing Chinese steel company executives into leaking sensitive commercial information and of giving and receiving bribes.

These commercial secrets relating to iron ore price negotiations came from Chinese steel companies and are said to have been received for the benefit of another party, presumably Rio Tinto.

Australian consular officials will be allowed to observe part of the trial relating to bribery charges. But the Department of Foreign Affairs (DFAT) says that it has been informed that parts of the trial dealing with commercial secrets will be closed, meaning consular officials will be unable to attend.

The statement from DFAT does not say who it was that requested the major part of this trial be closed, but it states that Australia has asked for the decision to be reconsidered.

If the central and most important part of this trial is to be heard in secret, it means that unless Rio Tinto decides to tell its side of the story in public, the truth of this matter may not be known to anyone but those involved for a long time.

Government frontbencher Chris Bowen says the trial should be completely open.

"We have communicated that to the Chinese Government and we will continue to make our views known to the Chinese Government," he said.

"We think that's consistent with the consular agreements between Australia and China."

Opposition foreign affairs spokeswoman Julie Bishop agrees.

"I would prefer that all aspects of the trial were open and that our consular officials were given access to the whole trial," she said.

Greens leader Bob Brown says Foreign Affairs Minister Stephen Smith needs to make stronger representations to China to fully open the trial.

"He will not get a fair trial," he said.

"The sentence for Stern Hu will have been pre-determined in Beijing - it's a farce.

"The fact that the trial has been shut down to public view for the central claims of bribery speaks volumes about the corruption of the court process itself in China."

Opposition finance spokesman Barnaby Joyce says Australia will have to wait and see how the trial unfolds.

"At this point in time the course of action is to sit back and let processes of justice go forward and hope that Stern Hu gets fair treatment," he said.

Hu's arrest last year caused tensions between Australia and China after Prime Minister Kevin Rudd warned China that the "world would be watching" its handling of the case.

Family First Senator Steve Fielding says Mr Rudd must intervene.

"I think the Prime Minister needs to pick up the phone and do whatever he can and call the president of China, and actually start to ask how Australia can be involved diplomatically to make sure there is some check and balance in the process," he said.

VIP visit

The hearing will take place in the midst of what seems to be a remarkable coincidence.

The Chinese government has a high-security VIP-guest special reception compound in the West of Beijing, complete with gardens and banquet halls, called Diaoyutai State Guesthouse.

There, next Monday, a Chinese government think tank known as the China Development Research Foundation will hold a session titled Strengthening Global Cooperation for a Mutually Beneficial Future.

Speaker number three at this session, which is closed to the general public, is Tom Albanese - president and chief executive of Rio Tinto.

At the same time the head of Rio Tinto is speaking in Beijing about strengthening global cooperation for a mutually beneficial future, four of his executives from the iron ore negotiating team will be facing court in Shanghai.

Up until now virtually nothing is known about what these four men are accused of in order to give Rio Tinto multi-billion dollar advantages in iron ore price negotiations.

Whatever they are said to have done, according to Chinese court documents, their actions led to "serious consequences for the relevant steel companies".

The central evidence is made up of piles of documents, but every word remains secret and it appears most of it will stay that way - even after next Monday.

<http://www.abc.net.au/news/stories/2010/03/18/2849256.htm>