



## Chinese Human Rights Defenders (CHRD) 维权

Web: [www.chrdnet.org](http://www.chrdnet.org) (English) and [www.crd-net.org](http://www.crd-net.org) (中文)

Email: [networkcrd@gmail.com](mailto:networkcrd@gmail.com)

### China Human Rights Briefing Weekly

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#### *Highlights*

- **Sichuan Democracy Activist Liu Xianbin Criminally Detained for “Inciting Subversion of State Power:”** Having already served two jail terms for his activism, the most recent lasting nearly a decade, Sichuan democracy activist Liu Xianbin (刘贤斌) has once again been criminally detained. Accused of “inciting subversion of state power,” officials seem determined to punish Liu for his commitment to human rights and democracy. Police also raided his home, confiscating computer equipment, and harassed and questioned his wife and 13-year old daughter.
- **Tibetan Environmental Activist Karma Samdrup Sentenced to 15 Years in Prison after Torture in Detention:** Tibetan environmental activist Karma Samdrup (噶玛桑珠), once named “philanthropist of the year” by CCTV for his dedication to funding environmental protection, has been given a harsh and unjust sentence by a court in Yanqi County, Xinjiang Uyghur Autonomous Region. It is believed that Karma, who was convicted on grave robbing charges which date back to 1998, is being targeted by officials for his activism and for speaking out in defense of his brothers, both of whom are also in detention after they accused officials in Tibet of illegally hunting endangered animals. According to Karma, he was tortured by police seeking to extract a confession.
- **Liaoning High People’s Court Hears Appeal of Liaoning Street Vendor Convicted of Murdering Officials:** Xia Junfeng (夏俊峰), a street vendor in Shenyang City who was sentenced to death for killing two City Administration and Law Enforcement officials (*chengguan*) as he was being violently beaten by them, appealed his conviction on June 29 in front of the Liaoning Provincial High People’s Court. CHRD believes that Xia’s conviction for intentional homicide is unjust and calls on the Liaoning Provincial High People’s Court to overturn this ruling, sparing Xia from execution.

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**Arbitrary Detention**

## **Trial Alert: Sichuan Rights Defenders Liu Zhengyou and Hu Yulan to be Tried July 6 for “Social Security Fraud”**

CHRD learned on June 24 that Sichuan human rights defender Liu Zhengyou (刘正有) will be tried in an open court session on July 6 for "social security fraud" by the Ziliujing District People's Court in Zigong City, Sichuan Province. Liu's wife, Hu Yulan (胡玉兰), and two other individuals have been named as co-defendants in the case. For more information on the case against Liu and Hu, please see [here](#). (CHRD)<sup>i</sup>

## **Sichuan Democracy Activist Liu Xianbin Criminally Detained for “Inciting Subversion of State Power”**

Little more than a year after he was released following a decade in prison, convicted of “subversion of state power” in 1999, Sichuan democracy activist Liu Xianbin (刘贤斌) has once again been criminally detained, this time for “inciting subversion of state power.” On June 28, police in Suining City, Sichuan Province detained Liu after raiding his home, and the next day officers summoned, harassed, and threatened his wife and 13-year old daughter.

Approximately 14 National Security (*guobao*) officers from the Suining City Public Security Bureau (PSB) arrived at Liu’s home on the afternoon of June 28. While some of the officers took Liu to the PSB station for questioning, others remained to search his residence, confiscating two computer hard drives, two removable drives, Liu’s bank card, and records of payments received by Liu for articles published on pro-democracy websites hosted overseas. Liu was criminally detained on suspicion of “inciting subversion of state power” at seven o’clock that evening, and is currently being held at the Suining City Detention Center, according to the formal detention notice provided to his wife, Chen Mingxian (陈明先). (CHRD)<sup>ii</sup>

*Note: An earlier release incorrectly stated that Liu was being criminally detained for “subversion of state power.”*

## **Tibetan Environmental Activist Karma Samdrup Sentenced to 15 Years in Prison after Torture in Detention**

On June 24, a court in Yanqi County, Xinjiang Uyghur Autonomous Region, convicted Tibetan environmental activist Karma Samdrup (噶玛桑珠) of grave robbing and sentenced him to 15 years in prison, with an additional five years' deprivation of political rights and a fine of 10,000 RMB. Karma, a successful Tibetan businessman and founder of an environmental protection foundation, was named philanthropist of the year in 2006 by CCTV. As the charges against Karma date back to 1998, it is believed that he is being punished for his environmental activism and for speaking out on behalf of his brothers, who are also environmental activists, after they were detained for accusing local officials in Tibet of illegally hunting endangered animals.

Karma stated during the first day of his trial on June 22 that police had beaten him, drugged him, and deprived him of sleep while he was detained in order to extract a confession. (CHRD)<sup>iii</sup>

### **Sentences Upheld Following Appeal for Fujian Netizens Convicted of “Slander”**

The Fuzhou City Intermediate People's Court announced on June 28 that it had upheld the conviction of Fujian netizens Fan Yanqiong (范燕琼), Wu Huaying (吴华英), and You Jingyou (游精佑) for "slander" following the defendants' appeal. According to Fan's elder sister, who attended the hearing where the decision was announced, Fan appeared in poor health, and was brought into the courtroom in a wheelchair. While more than 100 supporters gathered outside the courthouse, CHRD received reports that a number of activists, including Wang Lihong (王荔蕻), Zhang Hui (张辉), Wu Gan (吴淦), Zhang Shihe (张世和) and A Er (阿尔) were placed under soft detention and prevented from leaving their homes to travel to Fuzhou. Fan, Wu, and You were convicted of “slander” in April 2010 for posting articles and video online urging government officials to investigate the alleged rape and murder of a young woman. Fan was sentenced to two years in prison, while Wu and You were both sentenced to one year. (CHRD)<sup>iv</sup>

### **Officials in Guangdong Approve Arrest of Land Rights Activist Liu Xiantong**

CHRD learned on June 30 that the Foshan City, Guangdong Province Procuratorate has approved the arrest of activist Liu Xiantong (刘显桐). Liu's arrest is believed to be related to a suit he recently filed against the Guangdong provincial government, accusing the government of illegally requisitioning land. On June 7, Liu was seized by police in Foshan while picking his granddaughter up from kindergarten; on June 17, police criminally detained Liu, using a charge of "obstructing official business" which was originally handed down to Liu in October of 2007. Liu, who has been active helping villagers in Foshan defend their land rights since 2003, was earlier detained for a period of three months by local officials in 2006. (CHRD)<sup>v</sup>

### **Hubei Petitioner Detained Five Months in Psychiatric Hospital**

CHRD learned on June 29 that Qianjiang City, Hubei Province petitioner Liao Meizhi (廖梅芝) has been detained in a psychiatric hospital since being kidnapped while petitioning in front of the Qianjiang government offices on February 11. Liao was petitioning along with her husband and daughter-in-law when she was seized by individuals organized by the Qianjiang Bureau of Health and the Laoxin Town Public Health Clinic. Liao, a former employee of the Laoxin Town Public Health Clinic who retired due to illness, has been detained in psychiatric institutions for petitioning on previous occasions; it is not known whether any independent doctor has assessed her mental health. (CHRD)<sup>vi</sup>

### **Update: Liaoning Petitioner, Seized Outside of Shanghai Expo, Released After Nearly Two Months**

On June 21, Liaoning petitioner Liu Chunbao (刘纯宝) was released following 54 days of detention. Liu was seized on April 29 outside of the Shanghai Expo grounds and forcibly returned to his hometown of Yingkou City, where he was held while local officials attempted to build a criminal case against him. However, after the local procuratorate twice sent his case back to the Public Security Bureau for further investigation, the authorities finally abandoned their efforts and released Liu. Liu, a veteran petitioner, has been seeking justice for more than 20 years after his business was ruined by what he believed was an improper court ruling. (CHRD)<sup>vii</sup>

### **Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

#### **Henan Procuratorate Begins Investigation into Case of Man Detained Five Years Based on Confession Extracted by Torture**

On June 14, Zhoukou City, Henan Province man Li Xinchun (李新春) was visited by five officials from the Henan Provincial Procuratorate and the local Taikang County Procuratorate, who are beginning an investigation into his case. Li, who was charged with murder by poisoning, was detained for five years, from May 2005 to June 2010, on the basis of a confession which was extracted by torture by guards at the Taikang County Detention Center. Li was tried in July 2005 and, in April 2006, was sentenced to death by the Zhoukou City Intermediate People's Court; however, this ruling was reversed by the Henan Provincial High People's Court in December 2006. He was not released, but rather his case was sent back for further investigation, and for the next three years Li's case was transferred between different judicial departments while he remained in detention. The visit by the procuratorial officials on June 14 follows an investigation conducted by a working group of Henan Province government officials, who issued a memo criticizing the handling of his case and calling for his release from detention. Li was released on bail to await trial (*qubaohoushen*) on June 5, 2010. (CHRD)<sup>viii</sup>

#### **Imprisoned Sichuan Democracy Activist Hu Mingjun in Poor Health**

According to recently released democracy activist She Wanbao (佘万宝), imprisoned political activist and labor organizer Hu Mingjun (胡明军) is in poor health and has suffered repeated abuse while held in Chuanzhong Prison in Nanchong City, Sichuan Province. Hu, who was sentenced to 11 years in prison for subversion of state power in 2002, is not due for release until May 2012. She states that Hu suffers from high blood pressure and heart disease among other ailments, and has been taken to the prison hospital for treatment on four occasions since 2006. She believes that Hu is not able to receive adequate care for his medical conditions while imprisoned, and that release on medical parole is highly unlikely given the nature of Hu's sentence. (CHRD)<sup>ix</sup>

#### **Imprisoned Writer Zheng Yichun's Health Declines, Release on Medical Parole Repeatedly Refused**

On June 25, CHRDR learned that imprisoned writer and poet Zheng Yichun (郑贻春) is in declining health as his medical problems continue to worsen. Though Zheng's relatives have been threatened and harassed into silence by local officials, CHRDR was able to learn through other channels that Zheng's diabetes has worsened and that he has suffered a cerebral embolism while incarcerated over the past five years. CHRDR believes that Zheng is not being provided with adequate medical treatment while imprisoned, and repeated appeals for his release on medical parole by his family have been rejected by prison officials. Zheng, a former head of the educational affairs department of the Chaoyang Foreign Languages College from Yingkou City, Liaoning Province, was sentenced to seven years in prison for "inciting subversion of state power" in September 2005 on the basis of political articles he wrote and published online. He is currently imprisoned in Jinzhou Prison, Liaoning Province. (CHRDR)<sup>x</sup>

### **Legal Rights**

#### **Appeal Hearing for Liaoning Street Vendor Convicted of Murdering Officials Concludes Without Ruling**

On June 29, the Liaoning Provincial High People's Court held an open court session to hear the appeal of Xia Junfeng (夏俊峰), a street vendor in Shenyang City who was sentenced to death for killing two City Administration and Law Enforcement officials (*chengguan*) as he was being violently beaten by them. The hearing concluded without a ruling. Five of Xia's family members were on hand to observe the hearing. Outside of the courthouse, a plainclothes police officer struck independent filmmaker He Yang (何杨) for documenting the scene, and confiscated his cell phone.

CHRDR believes that Xia's conviction for intentional homicide is unjust and calls on the Liaoning Provincial High People's Court to overturn this ruling, sparing Xia from execution. For more information, please see [here](#). (CHRDR)<sup>xi</sup>

### **Citizens' Actions**

#### **Beijing NGO Aizhixing Issues Open Letter Calling for Abolition of Notarization Requirement for Foreign Funding**

On June 22, Beijing-based Aizhixing, a prominent HIV/AIDS organization, issued an open letter regarding the restrictions on foreign funding for domestic NGOs imposed by a State Administration of Foreign Exchange (SAFE) regulation, which went into effect on March 1 of this year. Aizhixing cites concerns that the regulation's requirement that foreign funds be notarized will prevent Chinese NGOs from receiving funding in a timely manner, harming their ability to provide disaster relief and meet other urgent needs. The letter also expresses concern that foreign organizations may decrease their funding to Chinese NGOs in light of the increased costs and added red tape, putting these NGOs in danger of having to abandon their work.

Aizhixing plans to collect signatures from individuals and organizations in support of their letter until July 2, at which point they will send it to SAFE. (Aizhixing)<sup>xii</sup>

### **Citizens Organize Online to Support Detained Activist Liu Xianbin**

As news of Sichuan activist Liu Xianbin's detention spreads around the country, concerned citizens and fellow activists are beginning to organize online in support. Hundreds have already joined one group, the "Rescue Liu Xianbin Yellow Ribbon Action," signing an open letter which denounces Liu's detention and calls for his immediate release.

Meanwhile, on the morning of June 30, Chengdu City lawyer Ma Xiaopeng (马小鹏) arrived in Suining City to meet with Liu's wife Chen Mingxian (陈明先) and complete paperwork authorizing him to take Liu's case. That afternoon, Ma traveled to the Suining City Detention Center to request a meeting with Liu.

However, the authorities are beginning to act in response. On June 30, Suining City National Security officers brought activist Chen Wei (陈卫) to the City Public Security Bureau for questioning. The officers warned him against taking part in any efforts to support Liu Xianbin or connecting with others to take action regarding Liu's case. (CHRD)<sup>xiii</sup>

### **Law and Policy Watch**

#### **NPC Standing Committee Adopts Amendment to Administrative Supervision Law**

According to a June 25 Xinhua report, the Standing Committee of the National People's Congress has adopted an amendment to the Administrative Supervision Law which will strengthen protection for citizens who report on administrative misconduct. The amendment makes it a crime for supervisory officials to divulge the identity of informants or information regarding the handling of their reports, and calls on these officials to accept, investigate and handle informants' reports according to law. (Xinhua)<sup>xiv</sup>

According to reports, some 70% of informants are eventually retaliated against for reporting on administrative abuses. Better legal protection for these citizens is essential, but even more essential is an expansion of the people's power to supervise the government, so that officials no longer feel they can retaliate against citizens without consequences. Without a shift in the balance of power, there is little hope that this newly amended law will provide any stronger protection than existing legislation.

*Editors: David Smalls and Lin Sang*

[News updates from CHRD](#)

[Annual Report on the Situation of Human Rights Defenders in China \(2009\)](#)

Chinese Human Rights Defenders (CHRD) is a China-based, non-political, non-governmental network of grassroots and international activists promoting human rights and empowering grassroots activism in China. CHRD's objective is to support human rights activists in China, monitor human rights developments, and assist victims of human rights abuses. CHRD advocates approaches that are non-violent and based on rule of law. CHRD conducts research, provides information, organizes training, supports a program of small grants to human rights activists and researchers, and offers legal assistance.

*Chinese Human Rights Briefing* (CHRB) is a newsletter providing the latest information on China's human rights developments. Our information originates from Chinese human rights defenders and groups at the grassroots. CHRD is responsible for all information published in CHRB. CHRB is available in both daily and weekly format, and the latter is available on our website.

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- i "Zigong Rights Activist Liu Zhengyou to be Tried on July 6 for 'Social Security Fraud'" (自贡维权人士刘正有“诈骗社保金”案7月6日开庭), June 24, 2010,  
[http://www.crd-net.org/Article/Class53/201006/20100624143643\\_21871.html](http://www.crd-net.org/Article/Class53/201006/20100624143643_21871.html)
- ii "Sichuan Democracy Activist Liu Xianbin Criminally Detained for 'Inciting Subversion of State Power,'" June 29, 2010,  
<http://chrdnet.org/2010/06/29/sichuan-democracy-activist-liu-xianbin-criminally-detained-for-%E2%80%9Csubversion-of-state-power%E2%80%9D/>
- iii "Tibetan Environmental Activist Karma Samdrup Sentenced to 15 Years in Prison for Grave Robbing" (西藏环保人士噶玛桑珠被以“盗掘古墓葬”罪重判十五年), June 26, 2010,  
[http://www.crd-net.org/Article/Class53/201006/20100626171737\\_21903.html](http://www.crd-net.org/Article/Class53/201006/20100626171737_21903.html); "Tibetan Environmental Activist Karma Samdrup States in Court He Was Tortured to Extract Confession" (西藏环保人士噶玛桑珠在法庭上控诉酷刑), June 26, 2010,  
[http://www.crd-net.org/Article/Class53/201006/20100626124348\\_21897.html](http://www.crd-net.org/Article/Class53/201006/20100626124348_21897.html)
- iv "Verdict Upheld in Fujian 'Three Netizens' Posting Case" (福建“三网民发帖案”二审维持原判), June 28, 2010,  
[http://www.crd-net.org/Article/Class18/fanyanqiong/201006/20100628092714\\_21921.html](http://www.crd-net.org/Article/Class18/fanyanqiong/201006/20100628092714_21921.html);  
"Judgment Pronounced in Appeal of Fuzhou Three Netizens, Beijing Support Group Members Have Liberty Restricted" (福州三网友二审宣判, 北京关注团成员被限制自由), June 28, 2010,  
[http://www.crd-net.org/Article/Class18/wuhuaying/201006/20100628084047\\_21919.html](http://www.crd-net.org/Article/Class18/wuhuaying/201006/20100628084047_21919.html)
- v "Foshan Activist Villager Liu Xiantong Arrested" (佛山维权村民刘显桐被逮捕), June 30, 2010,  
[http://www.crd-net.org/Article/Class53/201006/20100630194018\\_21966.html](http://www.crd-net.org/Article/Class53/201006/20100630194018_21966.html)
- vi "Qianjiang Petitioner Detained Incommunicado in Psychiatric Hospital for Five Months" (潜江市上访者被关精神病院5个月无音讯), June 29, 2010,  
[http://www.crd-net.org/Article/Class53/201006/20100629093446\\_21935.html](http://www.crd-net.org/Article/Class53/201006/20100629093446_21935.html)
- vii "Liaoning Rights-Defending Petitioner Liu Chunbao, Detained for Attending Shanghai Expo, is Released" (参观世博会被扣押的辽宁维权访民刘纯宝获释), June 22, 2010,  
[http://www.crd-net.org/Article/fmzj/201006/20100622104137\\_21837.html](http://www.crd-net.org/Article/fmzj/201006/20100622104137_21837.html)

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- viii "Henan Provincial Procuratorate Investigates Case of Zhoukou City Victim of Injustice Li Xinchun" (河南省检察院调查周口李 新春冤狱案), June 23, 2010, [http://www.crd-net.org/Article/Class53/201006/20100623092450\\_21857.html](http://www.crd-net.org/Article/Class53/201006/20100623092450_21857.html); see also "A Report on the Investigation Regarding Li Xinchun, of Henan, Detained Five Years for Murder without Conclusion" (河南李新春疑似杀人被羁押 5 年未结案的调查报告), June 10, 2010, [http://www.crd-net.org/article/Class53/201006/20100610211650\\_21675.html](http://www.crd-net.org/article/Class53/201006/20100610211650_21675.html)
- ix "Hu Mingjun, Suffering from Many Diseases, Resigns Himself to Imprisonment" (胡明军疾病缠身 自认难以出狱), June 24, 2010, [http://www.crd-net.org/Article/Class53/201006/20100624110004\\_21869.html](http://www.crd-net.org/Article/Class53/201006/20100624110004_21869.html)
- x "Zheng Yichun's Condition Worsens in Prison" (郑怡春狱中病情加重), June 25, 2010, [http://www.crd-net.org/Article/Class18/Class21/201006/20100625213630\\_21881.html](http://www.crd-net.org/Article/Class18/Class21/201006/20100625213630_21881.html)
- xi "No Ruling Following Appeal Hearing for Xia Junfeng in Shenyang; Independent Filmmaker He Yang Beaten" (沈阳夏俊峰案二审未判 独立制片人何杨遭殴打), June 30, 2010, [http://www.crd-net.org/Article/Class53/201006/20100630160430\\_21962.html](http://www.crd-net.org/Article/Class53/201006/20100630160430_21962.html)
- xii "A Proposal for SAFE Regarding the Abolition of the Notarization Process in SAFE's Notice on the Problem of Foreign Exchange Management of Contributions to Domestic Organizations" (就《国家外汇管理局关于境内机构捐赠外汇管理有关问题的通知》建议取消公证程序 致国家外汇管理局的建议信), June 22, 2010, <http://chinarights2.blogspot.com/2010/06/3305.html>
- xiii "'Rescue Liu Xianbin Yellow Ribbon Action' Citizens' Concern Group Second Roll" ( "营救刘贤斌黄丝带行动" 公民关注团签名第二批名单), June 30, 2010, [http://www.crd-net.org/Article/Class71/201006/20100630180019\\_21964.html](http://www.crd-net.org/Article/Class71/201006/20100630180019_21964.html); "Chen Wei Returns Home After Police Questioning" (陈卫被遂宁警方传讯后回到家中), June 30, 2010, [http://www.crd-net.org/Article/Class18/chenwei/201006/20100630183838\\_21965.html](http://www.crd-net.org/Article/Class18/chenwei/201006/20100630183838_21965.html); "Lawyer Hurries to Suining to Request Meeting with Liu Xianbin" (律师赶到遂宁要求会见刘贤斌), June 30, 2010, [http://www.crd-net.org/Article/Class53/201006/20100630154400\\_21960.html](http://www.crd-net.org/Article/Class53/201006/20100630154400_21960.html)
- xiv "Administrative Supervision Law Amendment Strengthens Responsibility to Protect Informants" (《行政监察法》修正后将强化保护举报人责任), June 25, 2010, [http://news.xinhuanet.com/legal/2010-06/25/c\\_12264270.htm](http://news.xinhuanet.com/legal/2010-06/25/c_12264270.htm)