



Chinese Human Rights Defenders (CHRD) 维权网

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Highlights

- **Police Raid Home of Human Rights Defender Li Jinfang; Interrogate Her and Daughter:** Hebei police raided the home of human rights defender Li Jinfang (李金芳) on July 1, confiscating computer equipment, human rights-related documents, and financial information. Following a five-hour interrogation, Li was told she was suspected of having committed the crime of “inciting subversion of state power” and subject to restrictions on her travel; police also told her they had frozen her bank account. CHRD strongly condemns the harassment of Li Jinfang, a dedicated human rights activist. Her case is unfortunately part of a growing trend in recent months, as police seek to crack down on increasingly vocal members of civil society.
- **Beijing Artist Wu Yuren Faces Arrest Following Beating in Detention:** Wu Yuren (吴玉仁), who was one of the leaders of a February protest down Beijing's Chang'an Avenue to draw attention to the forced demolition of the 008 Arts District, has been detained over a month. On July 2, the Beijing Procuratorate approved Wu's arrest on suspicion of "using violence to obstruct judicial officials from carrying out their duties." Wu was reportedly beaten by police while detained.

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Harassment of Activists

Human Rights Defender Li Jinfang Summoned by Police, Home Raided and Property Confiscated

On July 1, fifteen police officers raided the Xianghe County, Hebei Province home of human rights defender Li Jinfang (李金芳), confiscating 74 items, including human rights-related documents, computer equipment and financial documents (for a copy of the police report listing items confiscated, in Chinese, please click [here](#)). Several officers took Li and her teenage daughter Ar Dan (阿丹) to the Shuyang police station for approximately five hours of questioning. Following her interrogation, police told Li that she was suspected of having committed the crime of “inciting subversion of state power,” and was therefore required to report to the police if she planned to leave Xianghe County. However, the police refused to provide her with a written summons (*chuanhuan*) notice or a search warrant as required by law. She was also told that her bank account had been frozen. Li was questioned about her human rights work and her relationship with Chinese Human Rights Defenders. A growing list of grassroots activists have been subjected to similar raids and interrogations in recent months. (CHRD)¹

Beijing Lawyer Zhang Kai Prevented from Leaving China

On the afternoon of July 4, Beijing lawyer Zhang Kai (张凯) was prevented from boarding a United Airlines flight bound for the United States by border police at Beijing's Capital Airport. According to the police, Zhang was barred from leaving the country based on Article 8 of the

Citizens' Entry and Exit Management Law, which states that citizens who the State Council believes will harm the country or the country's interests after leaving China shall be barred from leaving the country. Officers refused to issue Zhang a written notice explaining their decision, and informed him that the State Security Bureau would be contacting him in the coming days. It is not currently known why police decided to ban Zhang, who has traveled internationally in the past, from leaving the country for a training workshop organized by a church group in this occasion. (CHRD)²

Arbitrary Detention

Beijing Officials Approve Arrest for Artist Wu Yuren; Wu Reports Beating in Detention

On the morning of July 5, police at the Chaoyang District Detention Center notified a group of Wu Yuren's (吴玉仁) friends and family, including his wife Canadian citizen Karen Patterson, artists and activists Ai Weiwei (艾未未) and Yang Licai (杨立才), and lawyer Liu Qiang (刘强), that the Beijing Procuratorate had approved Wu's arrest on July 2 on suspicion of "using violence to obstruct judicial officials from carrying out their duties." Wu, who has been detained since accompanying Yang to report the theft of a generator on June 1, was allegedly beaten by police while in detention. His wife and daughter have not been permitted to visit him since he was detained, and he has only met with his lawyer twice. Wu, an artist and activist, was one of the leaders of a February protest down Beijing's Chang'an Avenue to draw attention to the forced demolition of the 008 Arts District. To read a letter by Karen Patterson regarding her husband's situation, please click [here](#) (in English and Chinese). (CHRD)³

You Jingyou, One of the "Fujian Three," Released from Prison; Police Harass Supporters

You Jingyou (游精佑), one of the three Fujian digital activists jailed for posting online information regarding the alleged rape and murder of a young woman, was released following one year in prison on July 4. A number of activists who had traveled to Fuzhou City, Fujian Province to greet You upon his release were harassed by the police. Beijing activist Wang Lihong (王荔蕪) and Jiangxi netizen Liu Ping (刘萍) were struck by police officers. Beijing human rights lawyer Teng Biao (滕彪) was prevented from leaving his Fuzhou hotel room by police, who accused him of "narcotics trafficking" and sought to search his belongings. Netizens who arrived at Teng's hotel to protest his treatment were herded into a conference room in the hotel and confined briefly by police. Reportedly, Teng and his supporters have since been released. (CHRD)⁴

Detained Activist Liu Xianbin Meets with Lawyer for First Time

On July 1, Chengdu lawyer Ma Xiaopeng (马小鹏) met with Liu Xianbin (刘贤斌), a Sichuan democracy activist detained on June 28 for "inciting subversion of state power." The two met

for half an hour under the guard of three National Security officers. Liu said he has been interrogated for his involvement in citizen efforts in support of persecuted activist Chen Yunfei (陈云飞), for attending a seminar in May in Beijing on the trial of three Fujian activists, and for publishing articles on human rights and democracy.⁵

CHRD learned on July 2 that prominent Beijing human rights attorney Mo Shaoping (莫少平) will join Ma in defending Liu. (CHRD)⁶

Sichuan Democracy Activist Wang Sen Released Following Nine Years in Prison

On July 2, democracy activist Wang Sen (王森) was released following more than nine years of incarceration. Upon returning to his home in Dazhou City, Sichuan Province, Wang was greeted by a group of around 20 friends, relatives, and fellow activists, who report that he is healthy and in good spirits. Wang, a leader of the China Democracy Party in Sichuan, was sentenced to 10 years' imprisonment in 2002 for "subversion of state power." (CHRD)⁷

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

Gansu Father and Daughter Seized, Beaten, Harassed for Petitioning

CHRD learned on July 3 that Lingtai County, Gansu Province petitioner Cao Fulin (曹福林) and his daughter were kidnapped by local officials while petitioning in Beijing and returned to their hometown on June 24, after which they were beaten and placed under soft detention. According to Cao's daughter, local government officials beat the pair while they were en route to their home on June 26, injuring her arms and legs and her father's arm. They are currently under 24-hour surveillance at their home and have been warned against continuing to petition. Cao and his daughter have been petitioning since another of Cao's daughter was abducted in Beijing while petitioning four years ago. (CHRD)⁸

Law and Policy Watch

New Tort Law Takes Effect

On July 1, the Tort Law of the People's Republic of China (中华人民共和国侵权责任法) went into effect. While previous pieces of legislation allowed Chinese citizens to file civil lawsuits in tort cases, the Chinese government is touting this new law as offering citizens increased protection of their personal and property rights. Chinese citizens will be able to use the law to sue for damages related to faulty products, traffic accidents, environmental pollution, infringement of their rights online, and other related incidents. The law cannot be used to file suits based on events which took place before it went into effect. It remains to be seen what impact this law will have on the number of civil suits filed by citizens, the ability of citizens to

collect compensation for infringement of their rights, and the behavior of individuals and companies accused of violating citizens' rights. (Xinhua)⁹

Supreme People's Court Issues Notice Urging Increased Mediation; Mediation Law Draft Published

According to a June 28 Xinhua report, the Supreme People's Court has issued a directive¹⁰ urging lower-level courts to promote mediation, rather than legal proceedings, as a means of resolving disputes. The notice called for mediation in nine types of civil cases, including "class action cases posing threat to social stability, family dispute cases, cases where no convincing evidence is found and cases where there is strong antagonism between the two parties." The SPC also recommended courts use mediation to handle "minor criminal offenses," stating that mediation would promote "social harmony." In a related story, the Standing Committee of the National People's Congress issued the full text of a draft mediation law on July 1. The draft will be available for comment on the National People's Congress website (www.npc.gov.cn) until the end of July. (Xinhua)¹¹

The increased emphasis on mediation marks a serious threat to the development of rule of law in China. Mediation can certainly be a useful alternative in dispute resolution, but only in situation where the parties are not pressured to mediate or to come to a settlement and where, if they wish, can return to the ordinary litigation process where their procedural rights are protected. However, in China, mediation is conducted either by the judicial authorities or by people of influence in the community, making it intimidating for the parties involved. In addition, with great pressure being placed on the judicial authorities to resolve disputes through mediation, there is some considerable worry that quotas may be imposed on the courts or even on prosecutors to carry out mediation in cases where this would be inappropriate, effectively forcing parties to settle. At the same time, the government is deterring citizens from resorting to litigation, which are already conducted in flawed ways by courts that lack independence. The combined effect of the government's effort to promote mediation while undermining litigation is to distort the purpose of the courts, chipping away at the very basis of an already weak legal system.

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.

Please feel free to use CHRD information, and please attribute it to CHRD when you do so.

¹ CHRD, Human Rights Defender Li Jinfang Summoned by Police, Home Raided and Property Confiscated, July 1, 2010, <http://chrdnet.org/2010/07/01/human-rights-defender-li-jinfang-summoned-by-police-home-raided-and-property-confiscated/>

² "Beijing Lawyer Zhang Kai Barred from Leaving Country at Beijing Capital Airport" (北京律师张凯在首都机场出关时被拦截), July 4, 2010, http://www.crd-net.org/Article/Class53/201007/20100704201003_22038.html

³ "Beijing Procuratorate Approves Arrest of Wu Yuren, Organizer of Chang'an Avenue Protest" (长安街游行组织者吴玉仁被北京检察院批准逮捕), July 5, 2010, http://www.crd-net.org/Article/Class18/wuyuren/201007/20100705171819_22053.html; "Arrest Approved for Wu Yuren on Charge of "Using Violence to Obstruct the Official Business of Police" (吴玉仁被以“以暴力手段妨碍司法人员执行公务”罪批捕), July 5, 2010, http://www.crd-net.org/Article/Class18/wuyuren/201007/20100705235813_22064.html

⁴ "You Jingyou Already Released from Prison" (游精佑已经出狱), July 5, 2010, http://www.crd-net.org/Article/Class18/youjingyou/201007/20100705135552_22045.html; "Wang Lihong Beaten, Teng Biao Falsely Accused, Many Netizens Face Restrictions on Liberty" (王荔蕻被打, 滕彪被诬, 大批网友被限制自由), July 4, 2010, http://crd-net.org/Article/Class18/youjingyou/201007/20100704192842_22037.html

⁵ CHRD, "Lawyer Meets Liu Xianbin (律师会见刘贤斌)," July 2, 2010, http://www.crd-net.org/Article/Class18/Class35/201007/20100702095056_21990.html

⁶ "Famous Human Rights Attorney Mo Shaoping Accepts Commission to Represent Liu Xianbin" (著名人权律师莫少平接受委托代理刘贤斌案), July 2, 2010, http://www.crd-net.org/Article/Class18/Class35/201007/20100702131912_21993.html

⁷ "Major Sichuan Democracy Activist Wang Sen Released from Prison; Greeted by Flowers from Relatives and Friends" (四川重要民主党人王森出狱 众亲友鲜花迎接), July 2, 2010, http://www.crd-net.org/Article/Class18/wangsen/201007/20100702221017_21999.html

⁸ "Gansu Petitioner Cao Fulin's Family Kidnapped, Returned to Hometown, Beaten, and Placed under Soft Detention" (甘肃访民曹福林一家绑架回地方后遭殴打软禁), July 4, 2010, http://www.crd-net.org/Article/Class53/201007/20100704080026_22020.html

⁹ Xinhua, "China tort law set to further guard individual rights," July 2, 2010, http://news.xinhuanet.com/english2010/china/2010-07/02/c_13381332.htm

¹⁰ 进一步贯彻“调解优先、调判结合”工作原则的若干意见

¹¹ Xinhua, "Chinese judges told to use mediation to settle disputes," June 28, 2010, http://news.xinhuanet.com/english2010/china/2010-06/28/c_13373863.htm; "Full Text of Draft Law on People's Mediation Issued; Soliciting Opinions from a Wide Range of Sources" (人民调解法草案全文公布 广泛征求各方面意见), http://news.xinhuanet.com/legal/2010-07/01/c_12287777.htm