



## Chinese Human Rights Defenders (CHRD) 维权网

Web: <http://chrnet.org/> Email: [networkcrd@gmail.com](mailto:networkcrd@gmail.com)  
Promoting human rights and empowering grassroots activism in China

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### China Human Rights Briefing

July 6-12, 2010

#### *Highlights*

- **Netizens Gather in Support as Sichuan Democracy Activist Liu Xianbin is Formally Arrested for “Inciting Subversion of State Power:”** On July 5, Sichuan democracy activist and human rights activist Liu Xianbin (刘贤斌) was formally arrested for "inciting subversion of state power." As news of Liu's detention and arrest spread, digital activists across the country began organizing themselves into an online support group called "I am Liu Xianbin," with branches appearing in different provinces. Local officials have taken notice of their actions, summoning and harassing some supporters.
- **Sichuan Activists Liu Zhengyou and Hu Yulan Tried for “Social Security Fraud:”** In a court hearing lasting nearly ten hours, Zigong City, Sichuan Province activists Liu Zhengyou (刘正有) and Hu Yulan (胡玉兰) were tried for "social security fraud" by the Ziliujing District Court in Zigong City on July 6. According to Liu's lawyer Zheng Jianwei (郑建伟), there were a number of irregularities during the court proceedings, which concluded without a verdict.

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## **Freedom of Assembly**

### **Beijing Court Rejects Appeal of Human Rights Activist Imprisoned for Protests**

Beijing Number Two Intermediate People's Court upheld human rights activist Zhou Li's (周莉) judgment in a decision issued on July 6. Zhou was originally convicted for "creating a disturbance" on May 4, 2010 and sentenced to one year in prison; she was taken into detention on August 12, 2009, and charged in relation to her participation in protests against Sun Dongdong (孙东东), the Beijing University professor who created an uproar in the activist community when he claimed that “99% of petitioners suffer from mental illness,” in March and April 2009. (CHRD)<sup>i</sup>

### **Sentences Upheld for Protesting Petitioner-Activists in Beijing**

On July 6, the Beijing Number Two Intermediate People's Court rejected the appeals of veteran petitioners-turned-activists Chen Fengqiang (陈风强) and Sun Lijing (孙礼静), upholding the original sentences against the two for "creating a disturbance." On May 4, 2010, the Chongwen District People's Court in Beijing had sentenced Chen, a 50 year-old man from Guangdong Province, to three years in prison, and Sun, a 64 year-old woman from Shaanxi Province, to a year and a half. Chen and Sun, along with a third co-defendant who did not appeal his conviction,

were detained for gathering with other petitioners in Beijing to protest on four occasions in February and May 2009, distributing leaflets, leading songs and chants, and carrying signs calling on the government to end corruption and to solve the problems of petitioners. Chen and Sun are currently being held at the Chongwen District Detention Center. (CHRD)<sup>ii</sup>

### **Beijing Police Pressure Aizhixing Employee into Cancelling Film Screening**

On the evening of July 7, Lan Yujiao (兰玉娇), a member of the legal staff of Beijing's Aizhixing Institute, was summoned by Beijing police for planning to host a screening of a documentary by Beijing activist Zhang Shihe (张世和). National Security officers questioned Lan at the Tianqiao police station for approximately one hour regarding the organization's plan to publicly screen the film, "Civil Society through the Lens of a Citizen Recorder" (公民纪录者镜头中的公民社会) by Beijing blogger and journalist "Tiger Temple" (老虎庙), which Aizhixing announced on its website on July 6. Following her summons, Lan posted a notice online stating that she will not participate in the screening. On July 8, Aizhixing announced online that the screening, originally planned for July 8, had been "postponed." (CHRD)<sup>iii</sup>

### **Harassment of Activists**

#### **Hubei Activist Liu Feiyue Attacked after Observing Strike in Suizhou**

Human rights activist Liu Feiyue (刘飞跃) was attacked by an unidentified individual after observing a strike by cotton mill workers in Suizhou City, Hubei Province on July 7. According to Liu, shortly after he left the scene of the strike, a man on a motorcycle overtook him on the road and beat him, breaking his glasses and leaving him with injuries to his head and shoulders. Liu is the founder of Civil Rights and Livelihood Watch (CRLW), a website dedicated to documenting rights abuses and providing information on human rights. (CRLW)<sup>iv</sup>

### **Arbitrary Detention**

#### **Medical Professor and Wife of Imprisoned Human Rights Lawyer Kidnapped, Held in Black Jail**

On the morning of July 5, medical professor Yu Xiaoyan (于晓艳) was kidnapped and taken to a "law education class," a type of black jail, CHRD learned on July 12. According to Yu's mother, the family lost touch with Yu after police arrived at Zhongshan College of Dalian Medical University in Dalian City, Liaoning Province, to question her. After inquiring with a number of local officials, Yu's mother was able to learn that Yu had been taken to a location outside of Fushun City, Liaoning Province, which specializes in "reforming" Falun Gong practitioners. Yu's mother was able to locate her daughter, who told her she had been forcibly kidnapped by police and members of the sub-district office. Yu continues to be held and her family has not received any formal notification regarding her detention. Yu is the wife of Wang Yonghang (王永航), a former lawyer and outspoken advocate for the rights of Falun Gong practitioners who is serving

a seven-year sentence for “using a cult to damage the implementation of the law” in November 2009 after being tortured in detention. (CHRD)<sup>v</sup>

### **Petitioner Detained Ten Days in Guangxi Following Forced Return from Beijing**

On July 1, a group of seven petitioners was seized in Beijing and forcibly returned to Guangxi Province, arriving on July 4. Of those seven, one petitioner, Peng Haiqing (彭海清), was later sent to Nanning City's Number Two Detention House for 10 days of administrative detention. According to one of the forcibly returned petitioners, the group had traveled to Beijing towards the end of June to petition regarding what they believed to be an illegal land seizure by the Nanning government. They were seized on Tiananmen Square following an ID check by police, and held in Majialou, a central black jail for petitioners, before being returned to Nanning. The precise reason for Peng's detention is not known. (CHRD)<sup>vi</sup>

### **Sichuan Democracy Activist Liu Xianbin Formally Arrested for “Inciting Subversion of State Power”**

On July 6, Chen Mingxian (陈明先), wife of detained Sichuan democracy activist Liu Xianbin (刘贤斌), received a notice from the Suining City Public Security Bureau stating that Liu had been formally arrested for "inciting subversion of state power." The notice was dated July 5. Liu, who was released little more than a year ago following a decade in prison for “subversion of state power,” was detained on June 28 following a raid of his home by police in Suining City. (CHRD)<sup>vii</sup>

A number of digital activists have organized themselves into an online support group called "I am Liu Xianbin," with branches appearing in different provinces. On the morning of July 6, Zhang Ming (张明), the spokesperson for the Sichuan Province branch of the group, was summoned for six hours by police in Pi County, Chengdu City. According to Zhang, police interrogated him about his and the group's activities to support Liu and warned him against being “too deeply involved” in these activities. (CHRD)<sup>viii</sup>

### **Sichuan Activists Liu Zhengyou and Hu Yulan Tried for “Social Security Fraud;” Hearing Ends Without Verdict**

On July 6, Zigong City, Sichuan Province activists Liu Zhengyou (刘正有) and Hu Yulan (胡玉兰) were tried for "social security fraud" by the Ziliujing District Court in Zigong City. The trial, which lasted from 9 am until 7 pm, concluded without a verdict. According to Liu's lawyer Zheng Jianwei (郑建伟), there were a number of irregularities during the court proceeding: lawyer Zhang Kai (张凯) was ignored by the judge after requesting on multiple occasions that court officials and public prosecutors speak Putonghua, and the court refused to provide Zhang with an interpreter to help him understand the local dialect. The defense was not allowed to

cross-examine a number of witnesses during the hearing, and public prosecutors presented evidence during the hearing which had not been submitted to the court.

Liu's sister was barred from attending the trial, while his daughter was taken away from the courthouse by police after shouting slogans and distributing flyers in support of her parents. Reportedly, crowds of between four and five hundred supporters, mostly from Zigong City, gathered in support of the couple outside of the courthouse. (CHRD)<sup>ix</sup>

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

#### **Democracy Activist Xu Wanping Subjected to Solitary Confinement, in Poor Health and Denied Adequate Treatment**

CHRD learned on July 7 that democracy activist Xu Wanping (许万平) has been repeatedly subjected to solitary confinement while held in Yuzhou Prison in Jiangbei District, Chongqing for the past five years. The longest period of such confinement, reportedly in a cell so small that one cannot walk or stand up straight, lasted for 11 months. Xu's mental health is poor as a result of repeated solitary confinement, and his physical health is also poor; he suffers from a gastrointestinal condition and other illnesses. Xu has been denied release on medical parole despite repeated requests, and has reportedly been unable to receive adequate medical attention while incarcerated. Xu, who founded "China Action Party" after the Tiananmen Massacre in 1989, is currently serving a 12-year sentence for "inciting subversion of state power," and previously spent terms of eight years in prison and three years in a Re-education through Labor (RTL) camp for his activism. (CHRD)<sup>x</sup>

#### **Hebei Province Reporter and Activist Xu Yishun Reportedly Beaten in RTL Camp**

CHRD learned on July 7 that Hebei Province human rights defender and former reporter Xu Yishun (徐义顺) has allegedly suffered hearing damage and injuries to his ears following repeated beatings by a fellow detainee at the Baoding City Gaoyang RTL Camp. According to Xu's relatives, the information regarding Xu comes from another fellow detainee who has since been released from the camp; the family has been unable to determine whether officials at the camp were complicit in the violence, and efforts by the family to report the violence to camp officials have been met with silence. Xu was sent to one and a half years of RTL on May 25, 2010 for "fraud;" however, his family believes that Xu is being punished for his activism, which includes taking a trip in late April 2010 to visit Yuan Weijing (袁伟静), the wife of imprisoned Shandong human rights defender Chen Guangcheng (陈光诚). (CHRD)<sup>xi</sup>

### **Law and Policy Watch**

#### **Sinopec Found Not Liable for Death of Employee Detained 13 Years in Psychiatric Hospital**

On June 5, the Chaoyang District Court in Beijing ruled that the China Petroleum and Chemical Corporation (Sinopec) did not violate the rights of its former employee Chen Miaocheng (陈淼盛), who died after having been detained 13 years in a psychiatric institution. Lawyer Li Renbing (李仁兵), who represented Chen's widow in the suit, argued that by involuntarily committing Chen to the psychiatric institution and then abandoning him there until his death, Sinopec violated Chen's rights to life, liberty and health. However, the court ruled that Sinopec did not violate the law when they committed him to the hospital; and because Chen died from pneumonia, his death was not related to his detention and therefore the company was not liable. Chen, who was involuntarily hospitalized in 1995 for "paranoid schizophrenia," was cleared for release as early as December 1996 by doctors at Beijing's Huilongguan Hospital. However, the hospital refused to release him unless his work unit, who had originally placed him in the institution, gave permission for his release. Sinopec refused and despite effort of Chen's family to release him, the man languished and died in the hospital. (Caixin)<sup>xii</sup>

Chen's case is yet another example of China's broken mental health system that urgently needs reform. Chinese laws provide almost no legal safeguards for individuals subjected to involuntary hospitalizations and do not spell out the mechanisms for them to challenge the decision, making it very difficult for their families and lawyers to intervene effectively in aiding them.

***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 daily 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. A compilation of each week's CHRBs, updated daily, is available on our website.

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