



Chinese Human Rights Defenders (CHRD) 维权网

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Promoting human rights and empowering grassroots activism in China

China Human Rights Briefing Weekly

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Highlights

- **Authorities Move Forward with “Inciting Subversion” Case against Democracy Activist Liu Xianbin:** In the past week, CHRD learned that the case against Sichuan democracy activist Liu Xianbin (刘贤斌) had been transferred to the Suining City Procuratorate. Also this past week, lawyer Ma Xiaopeng (马小鹏) received a copy of the Suining City Public Security Bureau's written recommendation for prosecution against Liu, which focuses on articles he wrote and published on websites including Humanity and Human Rights (人与人权), Beijing Spring (北京之春), and Democratic China (民主中国), as well as manuscripts of articles Liu planned to publish. The recommendation calls for a "severe punishment."
- **Beijing’s Transition Institute Latest Target of Police Pressure:** Earlier this week, National Security officials in Beijing contacted the Transition Institute, a public policy think tank, and demanded that they cancel all public seminars and forums. Officers, whose only explanation for their action was that orders came from “above,” warned the Transition Institute that it could be banned for failure to comply. The police warning comes days after some university students revealed that school authorities issued notices warning them against attending events organized by the Transition Institute.

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Arbitrary Detention

"Inciting Subversion" Case against Democracy Activist Liu Xianbin Transferred to Procuratorate

CHRD learned on July 27 that the case against Sichuan democracy activist Liu Xianbin (刘贤斌) was transferred to the Suining City Procuratorate on July 21. Given the speed with which Liu's case was transferred from the Public Security Bureau to the Suining Procuratorate, as well as the increasingly vocal support for Liu in the domestic activist community, many believe that the procuratorate will move quickly to try Liu. Liu was criminally detained on June 28 and formally arrested on suspicion of "inciting subversion of state power" on July 5. He is currently being held in the Suining City Detention Center. (CHRD)ⁱ

Shandong Activist Granted First Visit in More than One Year of RTL

On August 2, Shandong rights activist Zhang Jinfeng (张金凤) was allowed to meet with her lawyer Liu Peifu (刘培福) for the first time since she was sent to the Shandong Province Number One Women's Re-education through Labor (RTL) Camp in March 2009. Zhang told Liu that she has not been granted visits from family or friends in the more than one year she has been detained in the RTL camp. Zhang was sent to RTL for participating in an "illegal assembly" and

“disturbing social order” after being detained while taking part in a protest with victims of the Shandong Jizheng Healthcare Products Company pyramid scheme in Shandong’s Jinan City on March 5, 2009. Courts in Jinan have refused to accept her administrative litigation lawsuit challenging the decision to send her to RTL. (CHRD)ⁱⁱ

Hunan Petitioners Held in Beijing Black Jail

CHRD learned on August 2 that a group of more than 10 petitioners from Hunan Province were seized in Beijing on July 30 and have been detained in a black jail operated by the Beijing Liaison Office of the Chenzhou government. One petitioner in contact with CHRD reported that conditions in the black jail, which is located in Beijing's Fengtai District, were "difficult to bear;" the petitioners were not being provided with adequate food, were forced to sit and sleep on the floor, and were being held together in a hot and cramped room. The group of detainees includes three handicapped petitioners and one 75 year-old petitioner. (CHRD)ⁱⁱⁱ

Freedom of Expression

Lawyer Receives Written Recommendation for Prosecuting Liu Xianbin on "Inciting Subversion" Charge

On July 28, lawyer Ma Xiaopeng (马小鹏) met with detained Sichuan democracy activist Liu Xianbin (刘贤斌) and received a copy of the Suining City Public Security Bureau's written recommendation for prosecution against Liu for the crime of "inciting subversion of state power." In the recommendation, Liu's human rights activities- including his participation in human rights seminars and his support for Chen Yunfei (陈云飞) and other activists- are not mentioned as a cause for police action. Rather, the authorities focused on articles written by Liu and published on websites including Humanity and Human Rights (人与人权), Beijing Spring (北京之春), and Democratic China (民主中国), as well as manuscripts of articles Liu planned to publish. The recommendation labels Liu “a recidivist” (Liu was sentenced to 13 years in prison for “subversion of state power” in 1999, and served 10 of those 13 years), and calls for a "severe punishment." According to the recommendation, police began investigating Liu's actions on December 26, 2008—before those articles mentioned above were published and less than two months after he was released from prison. (CHRD)^{iv}

Zhejiang Police Add Reporter to “Wanted” List Following Article on Local Company

CHRD learned on July 28 that Qiu Ziming (仇子明), reporter for the *Economic Observer* weekly newspaper, has been added to a national online database of wanted criminals by police in Suichang County, Lishui City, Zhejiang Province. Police are seeking Qiu's arrest on charges of "damaging a company's business reputation." Reportedly, the police search for Qiu is being undertaken in response to articles Qiu wrote for the *Economic Observer* revealing fraudulent dealings of the Suichang-based Kan Specialties Material Co. The paper has released a statement in defense of Qiu; it is available (in English) [here](#). (*Economic Observer*)^v

Nanjing Netizen Detained for Posting on Chemical Factory Explosion

On July 29, Nanjing City, Jiangsu Province netizen Huang Yiyu (黃軼愚) was detained for an online post regarding an explosion at a Nanjing chemical factory. The explosion, which took place on July 28, killed at least a dozen workers and injured hundreds, according to state media reports; Huang's post, entitled "News from the Secret Information Office: Nanjing Chemical Factory Explosion Kills 259 People," claimed that the number of fatalities from the blast was far higher. Huang was believed to have been released on August 2. Reportedly, local officials have taken extreme measures to prevent citizens from reporting on the incident, including dispatching armed police to search the homes of nearby residents with the aim of deleting any images or video of the scene. (CHRD)^{vi}

Freedom of Assembly

Police Call Guangzhou Protestors in for “Chats,” One Reportedly Detained after Pro-Cantonese Action

Following a July 25 protest in which an estimated 10,000 Guangzhou residents gathered to demonstrate against a government proposal that Guangzhou Television switch from Cantonese to Mandarin broadcasts, police in Guangzhou City, Guangdong Province have begun calling protestors in for "chats." Individuals contacted by police have been warned not to take part in a second demonstration, planned for August 1 at Guangzhou's People's Park. Reportedly, at least one organizer of the July 25 demonstration has been administratively detained for five days for "spreading rumors." The massive public turnout on July 25 was part of a larger movement, which is being called "I Love Guangzhou, Support Cantonese." The movement, which began with peaceful flash protests by bands of young people singing Cantonese pop songs, is seen as an important landmark in the rise of civil consciousness in the more progressive southern city of Guangzhou. (CHRD)^{vii}

Freedom of Association

Police Pressure Transition Institute to Stop its Seminars and Forums

CHRD learned on July 29 that National Security officials in Beijing have told the Transition Institute to stop all its seminars and forums, warning the public policy think tank that it could be banned for failure to do so. The officers declined to give a reason for the request, stating merely that they had received orders from "above." The Transition Institute frequently holds discussion forums on political, social and economic issues on university campuses such as the Peking University and Qinghua University. In recent days, university students had posted online messages stating that university authorities had issued orders warning them against attending the Institute's events. (CHRD)

Harassment of Activists

Police Summon, Search Home of Shanghai Activist Feng Zhenghu to Prevent Courthouse Protest

On the morning of August 3, Shanghai rights activist Feng Zhenghu (冯正虎) was taken from his home by police, some of whom remained to search his apartment. Officers seized two computers, two cell phones, and two t-shirts designed by Feng which bore the slogan "I Want My Cases Placed on File" (我要立案). Feng was interrogated and held at the Wujiaochang police station for 14 hours before being allowed to return home. Feng had previously posted an article online entitled "I Want My Cases Placed on File" in which he declared he would sit in the case filing office of a Shanghai courthouse, wearing his t-shirt, on the morning of August 3 to wait until the court places his cases on file to protest Chinese courts' frequent refusals to accept lawsuits filed by citizens; police apparently sought to prevent him from doing so. It is not known what, if any, of Feng's belongings have been returned to him. (CHRD)^{viii}

Beijing Scholar Mo Zhixu Prevented from Leaving China

On the afternoon of August 3, Beijing scholar Mo Zhixu (莫之许, also known as Zhao Hui [赵晖]) was prevented from boarding a plane bound for Hokkaido, Japan at Xiamen airport by border officials. Mo had planned to meet with classmates and sightsee while in Japan. According to Mo, officials in Xiamen informed him that the Beijing Public Security Bureau had ordered them to bar Mo from leaving based on article eight of China's Law of the PRC on the Control of the Exit and Entry of Citizens, which states that individuals who may "endanger national security or incur great losses to national interests" while abroad shall not be allowed to exit the country. However, the Xiamen officials refused to provide Mo with a formal written explanation to the same effect. (CHRD)^{ix}

Law and Policy Watch

Ministry of Public Security Issues Notice Banning Public Parading of Prostitutes

On July 26, Chinese state media announced that the Ministry of Public Security had issued a notice banning the parading of suspected prostitutes and solicitors of prostitution in public. Any police officials conducting these "perp walks" in the future would be subject to criticism and would be held accountable for their actions, the notice stated. (*Dafe News*)^x

The practice of publicly parading criminals and suspects was the subject of a notice issued in June 1988 by the Ministry of Public Security and other Law Enforcement Organs, which similarly prohibited the practice; according to a Dui Hua commentary published this past week, "perp walks" were first prohibited in 1984.^{xi} Punishments for law enforcement officials are nearly identical between the 2010 notice and the 1988 notice, leading CHRD to question whether this new initiative will have any effect on limiting this practice. The parading of suspects, regardless of their crime, is a violation of their privacy, and the practice damages the

development of rule of law, as it undermines the idea that criminal suspects are innocent until proven guilty by a court of law.

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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ⁱ "Case Against Famous Sichuan Democracy Activist Liu Xianbin Sent to Procuratorate" (四川著名民运人士刘贤斌案已移送检察院), July 27, 2010, <http://news.boxun.com/news/gb/china/2010/07/201007271734.shtml>

ⁱⁱ "Sealed Re-education through Labor: Zhang Jinfeng Finally Meets with Lawyer After One Year" (封闭式劳教: 张金凤一年后才见到律师), August 3, 2010, <http://news.boxun.com/news/gb/china/2010/08/201008031551.shtml>

ⁱⁱⁱ "Many Petitioners from Hunan Illegally Detained in Beijing Black Jail" (湖南数名访民被非法关押在北京黑监狱), August 2, 2010, <http://news.boxun.com/news/gb/china/2010/08/201008021233.shtml>

^{iv} "Liu Xianbin Prosecution Proposal Shows Evidence of Long-Planned Political Persecution" (刘贤斌起诉意见书显示早已预谋的政治迫害证据), July 28, 2010,

<http://news.boxun.com/news/gb/china/2010/07/201007281921.shtml>

^v "Economic Observer Issues Statement after Its Journalist is Put on a Wanted List for Reporting (经济观察报就记者因采写报道被通缉发表声明)," July 28, 2010,

<http://news.boxun.com/news/gb/china/2010/07/201007281542.shtml>

^{vi} "Huang Yiyu Detained for Posting on Deadly Nanjing Explosion" (黄轶愚因发布南京爆炸死亡人数被拘留), July 31, 2010, <http://www.peacehall.com/news/gb/china/2010/07/201007311916.shtml>

^{vii} "Many Guangzhou Citizens Called for Talks by Police for Participating in 'I Love Guangzhou' Demonstrations" (广州多位市民因参与“我爱广州”公民行动被警方约谈), July 29, 2010,
<http://news.boxun.com/news/gb/china/2010/07/201007292325.shtml>

^{viii} "Shanghai Rights Activist Feng Zhenghu Summoned for 14 Hours" (上海维权人士冯正虎被传唤 14 小时后回家(图)), August 3, 2010, <http://news.boxun.com/news/gb/china/2010/08/201008032238.shtml>

^{ix} "Noted Scholar Mo Zhixu Prevented from Leaving the Country by Beijing Public Security Bureau" (著名学者莫之许被北京公安局阻止出境), August 3, 2010,
<http://news.boxun.com/news/gb/china/2010/08/201008031533.shtml>

^x "Ministry of Public Security Strictly Prohibits Public Parading of Prostitutes, Solicitors of Prostitution" (公安部严禁对卖淫嫖娼人员游街示众), July 26, 2010, <http://news.163.com/10/0726/04/6CG9F02Q0001124J.html>

^{xi} Dui Hua Foundation, “Translation: ‘Perp Walks’ for Petty Thieves Should Cease,” July 29, 2010,
<http://www.duihuahrjournal.org/2010/07/translation-perp-walks-for-petty.html>