



## Chinese Human Rights Defenders (CHRD)

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Promoting human rights and empowering grassroots activism in China

### China Human Rights Briefing Weekly

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#### *Highlights*

- **Fujian Village Chief Tried on Trumped-up Charges, Lawyer Harassed:** In retaliation for his efforts to organize local villagers against unlawful land expropriation, officials in Fujian Province arrested village chief Lü Jiangbo (吕江波) earlier this year. He was tried September 9 and 10 on nine counts, including “obstructing official business” and “organizing and leading” a triad-like organization. All charges are believed to be groundless, and Lü testified in court that he was tortured while detained. One of his lawyers, well-known Beijing human rights attorney Liu Xiaoyuan (刘晓原), was threatened and followed by police during the period of time surrounding the trial.
- **Courts Rule against Baihutou Villagers in Two Cases:** Courts in Beihai City, Guangxi Province rejected appeals by Baihutou villagers fighting prison sentences and forced demolitions this week. In one case, the convictions of villagers Gao Zhenzhang (高镇章), Gao Shihui (高世辉) and Cai Jianyue (蔡建月) for "obstructing official business" were upheld. The three were arrested after resisting the forced demolition of village property. In the other case, the administrative ruling authorizing the forced demolition of homes belonging to Baihutou Village chief Xu Kun (许坤) and six other Baihutou villagers was also upheld. Xu and at least five other Baihutou villagers were detained in May 2010, but have yet to be tried, for their efforts to resist forced evictions. The local government has been trying to evict the villagers to make way for the remodeling of a tourist attraction next to the village.
- **Chen Guangcheng and Chen Shuqing Released:** Two activists, Chen Guangcheng from Shandong Province and Chen Shuqing, from Zhejiang Province, were released this week after they serving full sentences. However, Chen, who is ill, is now subjected to house arrest together with his wife in their home and barred from seeking medical attention.

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**Arbitrary Detention**

**Activist Chen Guangcheng Released after Serving Full Sentence**

Chen Guangcheng (陈光诚), a well-known human rights activist and “barefoot lawyer,” was released on September 9 from Linyi Prison in Shandong Province after serving his full term of four years and three months of imprisonment. Convicted in 2006 of “intentionally damaging property and gathering crowds to disturb transport order,” Chen was jailed for his work exposing local authorities’ use of violence against villagers during official family planning campaigns. While he appears to be in good spirits, Chen is in poor health and is still ill from chronic gastroenteritis. Chen has suffered from this illness since July 2008, and was not provided with adequate treatment while imprisoned. Since Chen has been released, he and his wife have been subjected to house arrest in their home. (CHRD)<sup>1</sup>

### **Village Chief Stands Trial on Groundless Organized Crime Charges after Resisting Land Seizure**

Lü Jiangbo (吕江波), a rural entrepreneur and the chief of Keren Village in Jinjiang City, Fujian Province, was tried on September 9 and 10 by the Jinjiang City Intermediate Court on nine counts, including allegedly “obstructing official business” and “organizing and leading” a triad-like organization. It is believed that the charges are groundless, and stem from his efforts to organize villagers in opposition to local officials' efforts to unlawfully requisition 1200 mu (approximately 200 acres) of village land earlier this year. Lü, who first rose to national prominence in 1998 for publicly reporting to then-premier Zhu Rongji (朱镕基) on unlawful expropriation of local land, stated in court that he had been tortured by police to confess, and displayed scars left by the torture to the court. Furthermore, one of Lü’s lawyers, well-known Beijing human rights attorney Liu Xiaoyuan (刘晓原), was threatened and followed by police during the period of time surrounding the trial. Earlier, Lü was also subjected to one month of *shuanggui* (双规) by the Jinjiang City Discipline Inspection Commission. *Shuanggui* is a form of extralegal detention imposed by the Communist Party, yet Lü is not a Party member. The court has not yet issued a verdict in the case. (CHRD)<sup>2</sup>

### **Hangzhou Democracy Activist Chen Shuqing Released Following Four Years in Prison**

Hangzhou City, Zhejiang Province democracy activist Chen Shuqing (陈树庆) was released from prison on September 13 after serving four years for “inciting subversion of state power.” Chen, a dissident writer and leading member of the China Democracy Party, was taken into detention on September 14, 2006, and convicted on August 16, 2007. He is reportedly in good health, and said that the prison authorities mostly “stayed away from him” due to international and domestic attention to his case. He also stated that his time in prison has not dampened his resolve to continue fighting for the ideals of democracy and liberty. (CHRD)<sup>3</sup>

### **Veteran Liaoning Petitioner Held in Beijing Detention House without Explanation**

CHRD learned on September 13 that Liaoning petitioner Liu Chunbao (刘纯宝), who was seized by police in Beijing on the evening of September 9, is currently being held in the Fengtai District Detention House. The specific nature of Liu's detention is not known, as Liu's family has not received any formal notice from the authorities. Liu was seized by police shortly after arriving at a restaurant near Beijing's South Railway Station to eat dinner with friends. 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>4</sup>

### **Shanghai Petitioner-turned-Activist Seized in Beijing, Missing Over Four Days**

CHRD learned on September 13 that Shanghai petitioner-turned-activist Zhu Jindi (朱金娣) has been missing for four days. Zhu, who traveled to Beijing to petition regarding the forced demolition of her family's home, was last seen outside of the State Council Letters and Visits Office on September 9. On that date, Zhu was pulled inside the building by a security guard after she protested during a body search, and friends and family members have since been unable to contact her. Officials have provided no formal explanation for her disappearance. Zhu, whose home was forcibly demolished in 2004, has become involved in assisting other petitioners with similar housing rights cases over the years and as a result has been detained and badly beaten on numerous occasions. (CHRD)<sup>5</sup>

### **Jiangxi Villager Detained 10 Days for Confronting Official over Illegally Occupied Land**

On September 6, villager Ceng Juanhua (曾娟华) was taken in for 10 days of administrative detention by police in Longnan County, Jiangxi Province. Ceng's detention stems from a land dispute she and her husband have been engaged in with local officials since June of this year. The couple and their child returned to their home in Denggong Village after years of working in Guangdong Province; however, upon their return, they discovered part of their property had been occupied by the head of a local police unit, who had planted fruit trees on it. The official falsely accused Ceng of cutting down some of the fruit trees, and on July 29 drew up a detention notice stating she was to be administratively detained for 10 days. (CHRD)<sup>6</sup>

### **Beijing Activist Remains Detained after International Martial Arts Competition**

On September 7, CHRD learned that dissident Li Jinping (李金平) remains detained at the Changying police station in Beijing's Chaoyang District. Police took him into custody before the Sportaccord Combat Games to prevent him from speaking out during the event. A number of activists and dissidents in Beijing were placed under soft detention or otherwise subjected to restrictions on their movement during the international competition, which ran from August 28 to September 4 in Beijing. (CHRD)<sup>7</sup>

### **Hubei Petitioner Seized outside Supreme People's Court, Detained in Black Jail**

On September 5, Shiyan City, Hubei Province petitioner Liu Yujie (刘玉洁) was seized by police outside of the Supreme People's Court (SPC) in Beijing. Liu was taken to a centralized black jail in Jiujingzhuang, Beijing, at which point workers from the Beijing Liaison Office of the Shiyan City government arrived and took her to a black jail operated by the Beijing Liaison Office of the Tanghe County, Henan Province government. It is unclear if Liu has been released. Reportedly, Liu and others had been protesting outside of the Supreme People's Court and demanding a meeting with SPC President Wang Shengjun (王胜俊). Liu has been petitioning for years after losing her home in what she believes to be an unjust court ruling. (CHRD)<sup>8</sup>

## **Legal Rights**

### **Beijing Lawyer Wang Yajun Barred from Handling Falun Gong Case in Jilin Province**

On the morning of September 10, Beijing lawyer Wang Yajun (王雅军) was forced to leave his hotel in Yitong Manchu Autonomous County, Siping City, Jilin Province, by three police officers and placed on a train back to Beijing. Wang had been in Jilin to represent a Falun Gong practitioner in a criminal case. On September 9, Wang was visited in his hotel by officials who claimed to represent the secretive government unit which handles Falun Gong cases, the "610 Office" of the Yitong County Political-Legal Committee. The officials told Wang that, according to Jilin Province and Siping City regulations, lawyers from outside the province were not permitted to handle "these types of cases." When Wang asked to be shown the regulations, the officials told him they were "top secret" and could not be shown to lawyers. (CHRD)<sup>9</sup>

## **Forced Demolition and Eviction**

### **Sentences for Baihutou Villagers Detained after Resisting Forced Demolition Upheld on Appeal**

CHRD has learned that the convictions of Baihutou Village, Beihai City, Guangxi Province residents Gao Zhenzheng (高镇章), Gao Shihui (高世辉) and Cai Jianyue (蔡建月) for "obstructing official business" were upheld on September 2 following their appeal. On June 4, the Yin Hai District Court in Beihai City sentenced Gao Zhenzhang and Gao Shihui to two years in prison, while Cai Jianyue was given one and a half years. The three had been involved in efforts to resist the forced demolition of village property by local officials. (CHRD)<sup>10</sup>

### **Court Ruling Sets Stage for Demolition of Baihutou Village Homes of Xu Kun and Others**

According to relatives of detained Baihutou Village chief Xu Kun (许坤), the Beihai City Intermediate Court in Guangxi Province has upheld the administrative ruling authorizing the forced demolition of Xu's family home in Baihutou Village. Six other Baihutou villagers were similarly affected by the ruling, which was handed down on September 2. Villagers expect local officials to wait until after the October 1 National Day holiday to begin carrying out the

demolition, as tourism season is nearing its peak in Baihutou. Preparations are already underway, however, as a construction wall has been erected around the village.

Xu has been detained since May 2010 along with at least five other villagers for “operating an illegal business;” their case was transferred to the Yin Hai District Procuratorate in Beihai City in early August. Additionally, in June of this year, Baihutou villagers Gao Zhenzhang (高镇章) and Gao Shihui (高世辉) were sentenced to two years in prison for “obstructing official business,” while Cai Jianyue (蔡建月) was given one and a half years for the same charge. All of the detained villagers were active in resisting forced evictions of their homes and small businesses by the local government. (CHRD)<sup>11</sup>

### **Freedom of Association**

#### **Aizhixing Inspected by Beijing Taxation Bureau Again**

On September 7, Beijing NGO Aizhixing Institute received a notice from the Beijing Local Taxation Bureau Second Inspection Unit, stating that the tax authorities had resumed their inspection of the NGO’s tax compliance status. As a result, Aizhixing is being required to supply a list of documents, including its contracts with funders, account books, and financial statements stretching back to 2005. According to Aizhixing, the organization has already been inspected three times since September 2008 by the Haidian District Local Taxation Bureau and the Beijing Local Taxation Bureau Second Inspection Unit, and none of the inspections found any violations. Moreover, since the beginning of the year, Aizhixing has been inspected repeatedly by other government departments, such as the State Administration for Industry and Commerce, the Fire Department, and the Ministry of Civil Affairs. Aizhixing believes that these “inspections” by government departments are nothing more than efforts to intimidate and harass the organization. Aizhixing also said that on September 3, two unidentified men guarded the entrance to Aizhixing’s office and demanded that its staff as well as visitors supply their personal identification information. Aizhixing believes that the recent harassment is related to their provision of legal aid to detained young AIDS activist Tian Xi (田喜). (Chinarights email group)

### **Law and Policy Watch**

#### **Neighboring Provinces Ready Security Cordon Ahead of Asian Games in Guangzhou**

On September 7, top officials from Guangdong, Fujian, Jiangxi, Hunan, Guangxi, and Hainan Provinces gathered in Guangzhou City, Guangdong Province to discuss security concerns ahead of the upcoming Asian Games, scheduled to begin on November 12 in Guangzhou. The officials signed an agreement pledging to cooperate in sharing information and resources and coordinating actions to increase security in the region surrounding Guangzhou during the Games. Specifically mentioned were efforts to resolve "contradictory issues" and "elements leading to

social instability" locally, to prevent individuals with problems from seeking a platform to voice their grievances in Guangzhou. (*Legal Daily*)<sup>12</sup>

This agreement underscores that fact that the Asian Games, like the Olympic Games and other events of international significance, will be marked once again by a clampdown on freedom of expression, freedom of movement, and other rights of Chinese citizens. Local governments will target dissidents, activists, and petitioners before, during, and in many cases after the Games themselves in order to prevent anyone from their jurisdiction causing "trouble" in Guangzhou. As with the Olympic Games, illegal detention, administrative detention, and criminal punishment are all very real possibilities for any individual who attempts to speak out or draw attention to issues the Chinese government deems too "sensitive" for such an occasion.

***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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<sup>1</sup> "Activist Chen Guangcheng Released after Serving Full Sentence," September 9, 2010, <http://chrdnet.org/2010/09/08/activist-chen-guangcheng-released-after-serving-full-sentence/>

<sup>2</sup> "Fujian Rights-Defending Village Official Lv Jiangbo Stands Trial for 'Suspicion of Obstructing Official Business'" (福建维权村官吕江波“涉嫌妨碍公务罪”受审), September 10, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009102330.shtml>.

For blog posts written by lawyer Liu Xiaoyuan regarding the case, see Liu's blog at <http://blog.sina.com.cn/liuxiaoyuan>.

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- <sup>3</sup> "Chen Shuqing Released from Jail Safe and Sound, Says Belief in Democracy Unchanged" (陈树庆平安出狱, 称 民主信念不改(图)), September 13, 2010, <http://www.peacehall.com/news/gb/china/2010/09/201009130938.shtml>.
- <sup>4</sup> "Liaoning Petitioner Liu Chunbao Detained in Fengtai PSB Detention Center for Several Days" (辽宁访民刘纯宝被关押在丰台公安分局看守所数日), September 13, 2010, <http://www.peacehall.com/news/gb/china/2010/09/201009131958.shtml>; "Liaoning Petitioner Liu Chunbao Detained in Yangqiao Police Station" (辽宁访民刘纯宝被关押在洋桥派出所), September 11, 2010, <http://www.peacehall.com/news/gb/china/2010/09/201009111214.shtml>.
- <sup>5</sup> "Shanghai Activist Zhu Jindi Missing for Four Days after Petitioning in Beijing" (上海维权人士朱金娣到北京上访已失踪 4 天(图)), September 13, 2010, <http://www.peacehall.com/news/gb/china/2010/09/201009132244.shtml>.
- <sup>6</sup> "Public Enraged as Ganzhou, Jiangxi Criminal Investigation Unit Leader Forcibly Occupies Forest Land, Detains Woman Who Stands up for Her Rights" (江西赣州刑侦大队长强霸林地拘留维权妇女引公愤(图)), September 8, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009081211.shtml>.
- <sup>7</sup> "Beijing Activist Li Jinping Detained in Police Station During Combat Games, Yet to Be Released" (北京维权人士李金平因武博会被关派出所仍未获自由), September 7, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009072116.shtml>.
- <sup>8</sup> "Shiyan City Petitioner Liu Yujie Detained in Black Jail by Beijing Liaison Office" (十堰市访民刘玉洁被 驻京办关"黑监狱"), September 7, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009071822.shtml>.
- <sup>9</sup> "Beijing Lawyer Wang Yajun Illegally Detained, Expelled by Police while Handling Case in Jilin Province" (北京律师王雅军在吉林代理案子时遭到警方非法拘禁与驱逐), September 11, 2010, <http://www.peacehall.com/news/gb/china/2010/09/201009110015.shtml>.
- <sup>10</sup> "Original Verdict in Beihai, Guangxi Forced Eviction Case Upheld Following Appeal" (广西北海反强拆案 二审维持原判), September 13, 2010, <http://www.peacehall.com/news/gb/china/2010/09/201009131040.shtml>.
- <sup>11</sup> "With Rights-Defending Beihai Village Chief in Prison, Family Home Faces Forced Demolition" (北海维权村官身陷囹圄 家园面临强拆(图)), September 8, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009081635.shtml>; "Beihai Government Builds Walls Encircling Village, Wishes to Forcibly Demolish Baihutou Village" (北海市政府筑 墙围村 欲强拆白虎头村), September 9, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009092139.shtml>.
- <sup>12</sup> "Five Provinces, One Autonomous Region Surrounding Guangdong Sign Safety Cooperation Agreement" (环粤五省一区共签安保协作协议), September 7, 2010, [http://www.legaldaily.com.cn/index\\_article/content/2010-09/07/content\\_2277340.htm?node=5954](http://www.legaldaily.com.cn/index_article/content/2010-09/07/content_2277340.htm?node=5954).