



## 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*

**Chengdu Court protestors sentenced:** Ten activists were convicted of “assembling a crowd to disrupt social order” on September 28 for protesting outside the Chengdu City Intermediate Court in 2009. CHRD is dismayed at the verdict and continues to call for their immediate and unconditional release.

**Black jail article stirs up a storm:** *Southern Metropolis Daily* drew wide attention on September 24 when it published a long investigative report revealing that local governments have been paying the Anyuanding Security Company to intercept petitioners and detain them in black jails in Beijing. The company’s chairman and general manager have since been criminally detained.

**Public Letter Urges Peace Prize for Liu Xiaobo:** A total of 340 people signed a public letter calling on the Nobel Peace Prize Committee to award the prize to jailed dissident and activist Liu Xiaobo.

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## Arbitrary Detention

### **Ten Convicted and Sentenced for Protesting outside Chengdu Court**

On September 28, the Leshan City Intermediate People’s Court in Sichuan Province convicted ten activists— Bao Junsheng (鲍俊生), Huang Xiaomin (黄晓敏), Xing Qingxian (幸清贤), Lü Dachun (陆大椿), Yan Wenhan (严文汉), Zeng Rongkang (曾荣康), Liu Jiwei (刘继伟), Zeng Li (曾理), Yang Jiurong (杨久荣), and Xu Chongli (徐崇丽), of “assembling a crowd to disrupt social order.” Bao was sentenced to three years of prison, Huang and Zeng Li were given 2.5 years, Xing, Lü, Yan, Zeng Rongkang, Liu and Yang were given two years. Xu, the only female defendant, was sentenced to one year of “surveillance” (管制). CHRD believes that the ten activists have been punished solely for staging a peaceful protest and for documenting and reporting on human rights violations. CHRD is dismayed at the verdict and continues to call for their immediate and unconditional release. The verdict came more than 18 months since the activists were taken into custody for chaining themselves together to protest what they believed to be unfair rulings handed down by the Chengdu City Intermediate Court over the years on February 23, 2009. (CHRD)<sup>i</sup>

### **Heads of Security Company Criminally Detained for Operating Black Jails**

After [a Southern Metropolis Daily article](#) dated September 24 revealed that local governments have been paying the Anyuanding Security Company to intercept petitioners and detain them in black jails in Beijing, the company’s chairman and general manager have been criminally detained. The article was one of the first in-depth reports on black jails by Chinese media and the first to be followed by official actions to detain some of the individuals responsible for the jails. However, no government officials have yet been detained. Xinhua, on September 26 and 27, released for the first time a [Chinese commentary](#) and an [English article](#) on black jails. The Chinese government has repeatedly denied that such jails exist. Prior to the article by *Southern Metropolis Daily*, *Caijing Magazine* also published a report on the same company on September 13, and was threatened by the Beijing police following its

publication. Last year, when *Outlook Weekly*, a publication of the Xinhua News Agency, ran a story in November about these jails, it raised hopes that it may indicate a change in the official attitude towards these illegal institutions. CHRD started reporting on Anyuanding Security Company as early as October 2009 and has been reporting on black jails since September 2007.<sup>ii</sup>

### **Beijing Dissident-Activist Released after Being Held for Anti-Japan Protests**

On September 24, Li Jinping (李金平), was released following six days of detention in Changying Police station in Beijing's Chaoyang District. Li was taken away by Beijing police just as he arrived at the anti-Japan demonstration in Chaoyang District on September 18. Police did not provide him with any formal detention documents. (CHRD)<sup>iii</sup>

### **Police Clear Beijing Bus Station of Petitioners**

As the October 1 National Day approaches, Beijing police are increasing their efforts to clear the capital of petitioners. Around six in the morning on September 27, about a dozen Beijing policemen checked the buses departing from a bus station in Lü Village, located in Beijing's Fengtai District, pulling to the side those they suspected to be petitioners, and holding them in a public bus parked nearby. Two hours later, the bus filled with more than a hundred petitioners was driven to Jiujiangzhuang, a centralized black jail in Beijing. It is unclear whether these petitioners are still detained at the time of writing. (CHRD)<sup>iv</sup>

### **Beijing Petitioners Detained for Traveling to Visit Shanghai Expo**

On September 21, a group of six Beijing petitioners were seized from a train bound for Shanghai by more than a dozen Beijing policemen. The six women were first sent to Majialou, a centralized black jail in Beijing, and then sent to different police stations around the capital. It is unclear whether they have been released. Together with a seventh petitioner, dissident Jia Jianying (贾建英), the six had planned to visit the Expo during the mid-autumn festival holidays in China. Jia has been subjected to soft detention at home to prevent her from leaving for Shanghai. (CHRD)<sup>v</sup>

### **Hubei Petitioner Sentenced to Three Years for “Extortion”**

CHRD learned on September 22 that petitioner Yin Dengzhen (尹登珍), from Shiyan City in Hubei Province, was convicted of “extortion” and sentenced to three years in prison on October 13, 2009. Yin disappeared on April 27, 2009 while petitioning in Beijing. It was later discovered that she was kidnapped by the Shiyan City government officials and forcibly sent back to her hometown. Yin has been petitioning for years for what she considers as unfair rulings handed down by the local court regarding the robbery of her properties. (CHRD)<sup>vi</sup>

### **Updates on Shanghai Women Human Rights Defenders**

On September 23, CHRD received updates regarding the following Shanghai activists:

- Petitioner-activist Duan Chunfang (段春芳), who is serving an 18-month sentence in Minhang District Detention Center in Shanghai, is thin and ill, and her eyesight is deteriorating. Duan's father passed away this summer, but the detention center refused to allow him to visit Duan before his death. Duan's mother and brother are put under soft detention at home during the Shanghai Expo.
- Mao Hengfeng (毛恒凤), a reproductive rights activist sent to 18 months of Re-education through Labor (RTL) on March 4, has been barred from meeting her family since she was detained on February 25.
- Li Huifang (李惠芳), a petitioner-activist sent to 18 months of RTL, is now held at Nanhu RTL camp in Xuancheng City in Anhui Province. Li is weak and afflicted with a skin disease. (CHRD)<sup>vii</sup>

### **Black Jail Operator Drops Case against Petitioner in Bizarre Lawsuit**

On September 19, victim of forced eviction Li Jianhua (李建华), from Nantong City, Anhui Province, received a notice from Nantong's Chongchuan District People's Court that Nantong City Beige Inn had dropped its lawsuit against him and property developer Nantong Industrial Holding Group. Beige Inn, which operated a black jail, sued the developer for its failure to pay for the detained petitioners' room and board. Reportedly, Nantong City government had an arrangement with the developer, that the latter would pay Beige Inn for operating the black jail and in return, the government would give land to the developer. However, the developer fell into arrears and the inn decided to sue them as well as the petitioners, such as Li Jianhua, who had been held in the black jail since 2005. The court heard the case in June 2008 but did not issue a verdict. (CHRD)<sup>viii</sup>

### **Hunan Petitioner Forcibly Institutionalized in Psychiatric Hospital**

On September 21, farmer Zhang Zhi (张治), from a village in Tuanjie Town in Hunan Province, was sent to Yaxirongfu Psychiatric Hospital and has been held there against her will by the town mayor and four other officials for petitioning. Zhang has been petitioning after she and her family had their farmland seized and her minimal living allowance withheld by the local government. (CHRD)<sup>ix</sup>

### Freedom of Assembly and Association

### **Protestors Held for Demonstrating against Forced Eviction**

On September 27, 83 victims of forced eviction from Changsha City in Hunan Province were taken away by Beijing police while protesting outside the State Council Office of Legal Affairs. The protestors wanted to hand in a petition calling on the State Council to promulgate the new regulations on eviction and demolition, which they believe will better safeguard the rights of the evictees. They were taken to Jiujiangzhuang, a centralized black jail in Beijing, where they were handed to officials from the Beijing Liaison Office of Hunan Province. The whereabouts of these petitioners are unknown but it is believed that they have been sent back to their hometowns. Beijing human rights activist Xu Zhiyong (许志永) and netizen Tiantian

(天天) were also seized by Beijing police for reporting on the protest at the scene, but they were later released. (CHRD and CRLW)<sup>x</sup>

### **Shandong Petitioner Detained for Attending Mid-Autumn Festival Gathering**

CHRD learned on September 25 that petitioner Liu Houshun (刘厚顺), from Wendeng City in Shandong Province, has been held in Beijing's Fengtai District Detention Center since September 22. Liu was seized by the Beijing police while attending a mid-autumn festival gathering with a group of fellow petitioners outside the Beijing South Station. It is not currently known why Liu was seized, or how long he will be held. Liu, who was a businessman, started petitioning in 2005 when Beijing police mistook him for a petitioner and detained and tortured him. (CHRD)<sup>xi</sup>

### **Hundreds of Petitioners Protested in Beijing; Dozens Detained**

On September 22, hundreds of petitioners gathered outside the former site of the Letters and Visits Office of the Supreme People's Court near Beijing South Train Station. They sang and shouted slogans such as "We Want Human Rights," and at one point, the crowd swelled to about one thousand. Police seized dozens of the petitioners and detained them in a public bus. It is unclear whether they have been released. (CHRD)<sup>xii</sup>

## Freedom of Expression

### **Xinhua Removes Black Jail Report from Website**

On September 27, CHRD discovered that the *Southern Metropolis Daily's* in-depth report about black jail is no longer available on Xinhua's website (www.xinhuanet.com). The report has also been removed from a number of government-controlled media, such as the websites of *People's Daily* (www.people.com.cn), *Tianjin Daily* (www.tianjinwe.com) and the Central People's Broadcasting Station (www.cnr.cn). (CHRD)<sup>xiii</sup>

## Forced Eviction and Demolition

### **Man Given Light Sentence for Beating an Evictee to Death**

According to an article by *Xinwenhua Post* on September 25, Yang Xuesong (杨雪松), a man hired by a property developer, was convicted of "intentional bodily harm" and sentenced to 18 months in prison for killing an evictee in Siping City in Jilin Province. Yang was also ordered to give RMB 26,000 in compensation to the victim's family. In August 2007, Yang and another man, Wang Changlin (王长林), were hired by a developer to evict families who refused to leave in Siping City. Yang and Wang in turn hired another man, who hired four men to carry out the eviction. In the process, Mr. Deng, an evictee, was killed when Yang told one of the four men to "hit his shoulders and legs with a pick." Deng's family is dissatisfied with the verdict, saying that the sentence is too light, the compensation is too little, and that they will appeal. The article also reports that some of the men involved have been caught and

sentenced, but it did not give details of their sentences. (*Xinwenhuo Post*)<sup>xiv</sup>

### **Courts Refuse to Accept Lawsuits Filed by Victims of Forced Eviction**

On September 21, two victims of forced eviction from Huaiyin District in Jinan City, Shandong Province went to the Jinan City Intermediate People's Court for the second time to file a lawsuit against the Jinan City government. The two allege that the government failed to make public official documents authorizing the demolition of their homes. The pair mailed their application to file the lawsuit to the court on September 2, but they never heard back within the time limit stipulated by law. They visited the court on September 20, and the judge receiving them told them they needed to supply supplementary information to file the case. However, when the pair returned with the information the next day, the judge said he needed time to "study the case" and refused to either accept or officially reject it. (CHRD)<sup>xv</sup>

In a separate incident, on September 22, six victims of forced eviction from Jinxiang County, Jining City in Shandong Province went to file a lawsuit at the Shandong High People's Court against the county government, alleging that the government's force demolition of their home was illegal. Prior to that, on September 13, the six went to file the lawsuit with the Jining City Intermediate People's Court, which did not respond to the application within the time limit. The six will have to wait to see if the High Court will ignore their case as well. (CHRD)<sup>xvi</sup>

### Torture and other cruel, inhuman or degrading treatment or punishment

#### **Supreme People's Court Gives Green Light to Execution despite Torture Allegations**

Fan Qihang (樊奇杭), the alleged Chongqing mob boss convicted of "organizing, leading and participating in triads," murder, and other charges and sentenced to death, was executed on September 26. The Supreme People's Court (SPC), after reviewing Fan's case, approved of the penalty because "the facts were clear, the evidences were reliable and adequate, the conviction was accurate, the sentence was appropriate and the proceedings were legal." (Sina)<sup>xvii</sup> In late July, Fan's lawyer Zhu Mingyong (朱明勇) submitted to the SPC and then released to the public a video recording in which Fan described being subjected to torture by police seeking to extract a confession. A month before lawyer Zhu came forward with the video, in late June, the SPC together with other ministries issued Rules Concerning Questions about Exclusion of Illegal Evidence in Handling Criminal Cases, which state that evidence obtained through illegal means such as torture must be excluded from criminal proceedings. Unfortunately, in this critical case, the new rules appear to amount to no more than empty words, as the SPC simply ignored the allegations and gave green light to the execution.

### Citizens' Action

### **Over Three Hundred Sign Letter Urging Nobel Peace Prize for Liu Xiaobo**

A total of 340 public intellectuals, human rights activists, lawyers, government officials and others signed a public letter calling on the Nobel Peace Prize Committee to award the prize to Liu Xiaobo, prominent dissident and activist currently serving an 11-year sentence for “inciting subversion of state power.” The letter, made public on September 25, is available [here](#).

#### Law and Policy Watch

### **Chinese Government Releases White Paper on Human Rights**

On September 26, the State Council Information Office issued a [white paper on “Human Rights Developments in China in 2009.”](#) The paper praises the government’s efforts in every area, ignoring many serious areas of rights violations, such as torture, black jails and the Re-education through Labor (RTL) system. It is equally silent on government’s actions to persecute human rights defenders. The paper fails to use international standards and definitions of human rights in evaluating the government’s performance, but merely uses detailed but marginally relevant statistics to support its claims. For example, it cites the publication of three government documents encouraging the reception of petitioners and government statistics, which find that the number of petitions had gone down 2.7% in 2009, as evidence that citizens “have the rights to criticize, make suggestion, complain, and make accusations and charges.” Conveniently left out of the picture, however, is that petitioners are intercepted, beaten, detained in black jails and sent to RTL camps for petitioning.

### **National Development and Reform Commission Advocates for Maintaining the Hukou System**

On September 21, the secretary of the National Development and Reform Commission, Yang Weimin (杨伟民), said at a meeting that he advocates for maintaining the hukou (residency permit) system in order to maintain control over the number of rural migrants settling in cities. According to Yang, city governments can decide, depending on their own circumstances and capacity, the number of rural migrants they would allow residency status in a given year. Migrants would be required to wait in line for a few years before they are given the permits. At the same time, he said cities should relax the conditions in obtaining these permits, and that they should provide the same public services to city dwellers as well as to rural migrants with permits. (*Beijing News*)<sup>xviii</sup>

*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.

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

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<sup>i</sup> CHRD, "Defendants in 'chained gate' case are convicted and their verdicts announced, lawyers and families decry illegality ( "链子门" 案件有罪宣判 律师家属均指非法)," September 28, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009281221.shtml>

<sup>ii</sup> See CHRD's 2007 report, "Black Jails" in the Host City of the "Open Olympics," <http://chrdnet.org/2007/09/21/black-jails-in-the-host-city/> and its following report in 2008, " "Black Jails:" China's Growing Network of Illegal and Secret Detention Facilities", <http://chrdnet.org/2008/10/19/black-jails-chinas-growing-network-of-illegal-and-secret-detention-f/acilities>

<sup>iii</sup> CHRD, "Li Jinping released after he was held for participating in the September 18 demonstration (因参加 9.18 游行的北京维权人士李金平获释)," September 25, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009251922.shtml>

<sup>iv</sup> CHRD, "Beijing public bus subjected to major check, 100 people detained and sent to Jiujiangzhuang (北京公交车遭遇大检查, 100 余人被押往久敬庄)," September 27, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009271454.shtml>

<sup>v</sup> CHRD, "Police Says Because You Are Jia Jianying Therefore You Cannot Go to Shanghai; Concerned about Ye Jinghuan and Others Who Have been Taken into Custody for Going to the World Expo (警察说因为你叫贾建英所以不能去上海----关注野靖环等因去看世博被抓)," September 22, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009222137.shtml>

<sup>vi</sup> CHRD, "Hubei Shiyan City Petitioner Yin Dengzhen Sentenced for Extortion (湖北十堰访民尹登珍被法院以敲诈勒索罪判刑)," September 20, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009221131.shtml>

<sup>vii</sup> CHRD, "The Situation of Shanghai Women Activists Mao Hengfeng and Others after They Were Sent to Prison (上海女性维权人士毛恒凤等人入狱后的近况)," September 23, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009231507.shtml>

<sup>viii</sup> CHRD, "Nantong Black Jail Drop Case, Petitioner Li Jianhua Continues to be Persecuted (南通黑监狱撤诉, 访民李建华继续受迫害)," September 19, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009231344.shtml>

<sup>ix</sup> CHRD, "Hunan Jishou Petitioner Zhang Zhi Forcibly Committed to Psychiatric Hospital again (湖南吉首访民张治再次被强制关精神病院)," September 23, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009231007.shtml>

<sup>x</sup> CHRD, "83 victims of forced eviction from Hunan's Changsha sent to Jiujiangzhuang for petitioning (湖南长沙 83 名拆迁受害人上访被送到久敬庄)," September 27, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009271713.shtml>; Civil Rights and Livelihood Watch (CRLW), "Xu Zhiyong and Tiantian taken to a police vehicle for supporting evictees from



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Hunan Province (许志永、天天声援湖南拆迁户被抓上警车),” September 27, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009271557.shtml>

<sup>xi</sup> CHRDR, “Shandong petitioner Liu Houshun detained for participating in mid-autumn festival gathering (山东访民刘厚顺中秋节参加聚会被抓捕),” September 26, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009261709.shtml>

<sup>xii</sup> CHRDR, “Breaking News: Petitioners Gathered and Singing outside of the South Train Station Have Been Taken to the Police Stations (快讯：在北京南站唱歌聚会的访民被抓往派出所),” September 22, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009221207.shtml>

<sup>xiii</sup> CHRDR, “Xinhua Blocks Report on Black Jail Setup by Anyuanding (新华网封杀“安元鼎”设“黑监狱”报道),” September 28, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009282123.shtml>

<sup>xiv</sup> *Xinwenhua Post*, “Developer instructed thugs to beat evictees, pick heats the man’s head leading to his death (开发商指使流氓殴打拆迁户 镐把打中头部致人亡), September 24, 2010, [http://news.ifeng.com/society/1/detail\\_2010\\_09/24/2614742\\_0.shtml](http://news.ifeng.com/society/1/detail_2010_09/24/2614742_0.shtml)

<sup>xv</sup> CHRDR, “Jinan Intermediate People’s Court again Makes it Difficult for Victims of Forced Eviction to Sue the Government (济南中院立案庭一再刁难拆迁受害人起诉政府),” September 22, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009221514.shtml>

<sup>xvi</sup> CHRDR, “Jining Court Refuses Citizens’ Lawsuit against Officials, Victims Turn to High Court (济宁法院拒绝民告官，受害人转向高院起诉),” September 22, 2010, <http://news.boxun.com/news/gb/china/2010/09/201009222212.shtml>

<sup>xvii</sup> Sina, “Chongqing ‘mob boss’ Fan Qihang executed today (重庆“黑老大”樊奇杭今日被执行死刑),” September 26, 2010, <http://news.sina.com.cn/o/2010-09-26/151618162216s.shtml>

<sup>xviii</sup> *Beijing News*, “National Development and Reform Commission: the Total Number of Migrant Workers Given a Hukou Should be Controlled Depending on the City (发改委：农民工落户规模“因城而异”应总量控制),” September 22, 2010, <http://www.takungpao.com/index/sytj/1409757.html>