



## Chinese Human Rights Defenders (CHRD) 维权网

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Promoting human rights and empowering grassroots activism in China

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### China Human Rights Briefing Weekly

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#### *Highlights*

- **Little-Known Wuhan Activist Charged with “Subversion of State Power:”** CHRD learned this week that Li Tie (李铁), a Wuhan City, Hubei Province-based democracy activist and online freelance writer, has been arrested on charges of “subversion of state power.” The Chinese government has in recent years primarily pursued the charge of “subversion” against organizers of opposition parties, and a conviction carries a likely sentence of at least ten years in jail. CHRD urges the Chinese government to immediately release Li Tie and respect freedom of expression on the internet.
- **Zhao Lianhai Case Takes Strange Turn as He Drops Appeal, Fires Lawyers:** Zhao Lianhai (赵连海), detained children’s rights activist and founder of the website Kidney Stone Babies, did not file an appeal before the deadline passed this week to challenge his conviction for “creating a disturbance.” Furthermore, a note signed by Zhao stated he no longer wished to be represented by lawyers Li Fangping (李方平) and Peng Jian (彭剑). Considering Zhao’s condemnation of his conviction only days ago, CHRD believes he was likely pressured into dropping his appeal by officials, perhaps in exchange for consideration of his request to be released on medical parole.
- **In Memoriam: Professor Cai Dingjian (蔡定剑)** CHRD was saddened to learn that Cai Dingjian (蔡定剑), prominent political scholar and director of the Institute for Study on Constitutionalism at China University of Political Science and Law, passed away from liver cancer on November 22. He was 55 years old. Funeral services will be held at 8 am on November 26 in the East Hall at Babaoshan Revolutionary Cemetery in Beijing. Cai was a leading advocate for political and legal reform, and was highly-regarded and well-liked in both domestic and international legal and academic circles.

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### Contents

Arbitrary Detention

Arrest Approved for Wuhan Activist Accused of ‘Subversion of State Power’

Sichuan Activist Liu Xianbin Formally Indicted

Hearing Held in Case against Artist and Activist Wu Yuren, Trial Suspended

Beijing Activist Zhao Lianhai Pressured into Dropping Appeal, Firing Lawyers

Hubei Human Rights Defender Yao Lifa Taken Away, Held under Soft Detention

Liaoning Petitioner Sentenced to Four Years for Protest atop Smokestack in Beijing

Officials in Sichuan Continue to Bar Lawyers from Meeting with Detained Dissident Liu Xianbin

Verdict Expected for Appeal by Sichuan Human Rights Defender Liu Zhengyou on November 24

Sentence Upheld for Beijing Lawyer Wang Yu, Activists Seized outside Courthouse

Update: Activist Wang Yi Enters Re-education through Labor Camp

Hebei Petitioner Seized on Tiananmen Square, Whereabouts Unknown

Updates on Post-Nobel Harassment of Activists

Beijing University Professor Prevented from Leaving Country to Attend Singapore Conference

Lawyer Prevented from Meeting with Guo Xianliang, Criminally Detained for Spreading Word about Nobel Peace Prize

Police in Ningxia Summon Activist Chen Xiaochang, Confiscate Computers

Beijing Police Order Power Cut to Home of Activists Zhang Hui and Xiao Lu

Harassment of Activists

Anhui Activist Zhou Weilin Summoned Twice in One Week

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### **Arbitrary Detention**

**Arrest Approved for Wuhan Activist Accused of ‘Subversion of State Power’**

CHRD learned on November 17 that officials in Wuhan City, Hubei Province, have approved the arrest of scholar and activist Li Tie (李铁) on suspicion of "subversion of state power." Li, who

had been out of contact with friends and fellow activists for more than two months, is believed to have been criminally detained on September 15. In recent years, Li has written extensively about democracy and constitutional government in online articles, and has organized activities to honor the memory of Lin Zhao (林昭) annually since 2008. (CHRD)<sup>i</sup>

### **Sichuan Activist Liu Xianbin Formally Indicted**

CHRD learned on November 17 that Sichuan democracy activist Liu Xianbin (刘贤斌) has been formally indicted for "inciting subversion of state power" by the Suining City Intermediate People's Court. Chengdu attorney Ma Xiaopeng (马小鹏), one of Liu's lawyers, received the indictment, dated November 11, from the court on the afternoon of the 17th. The formal indictment does not differ substantially from the recommendation for prosecution prepared by the Suining City Public Security Bureau. While the issuing of this document clears the way for Liu to be tried by the court, lawyer Ma said it was difficult to predict when the trial might take place. Liu, who has been charged with "inciting subversion of state power" based on articles he wrote and posted online, was criminally detained on June 28 and formally arrested on July 5 of this year. He is currently being held in the Suining City Detention Center. (CHRD)<sup>ii</sup>

### **Hearing Held in Case against Artist and Activist Wu Yuren, Trial Suspended**

On the morning of November 17, Beijing artist and activist Wu Yuren (吴玉仁) was tried for "obstructing public affairs with violence" in Chaoyang District's Wenyuhe Courthouse. The hearing lasted for approximately four hours and was adjourned after Wu's lawyer Li Fangping (李方平) protested the showing of surveillance video, purporting to show Wu's "attack" on police, which had clearly been edited. The court did not announce when the hearing would be resumed. Wu was detained on June 1 after accompanying fellow artist Yang Licai (杨立才) to the police station to report the theft of a generator, and was allegedly beaten by police while in detention. He was one of the organizers of a bold February protest down Beijing's Chang'an Avenue to draw attention to the forced demolition of the 008 Arts District in February 2010, and his arrest is believed to be in retaliation for his activism. (CHRD)<sup>iii</sup>

### **Beijing Activist Zhao Lianhai Pressured into Dropping Appeal, Firing Lawyers**

CHRD learned on November 23 that detained children's rights activist Zhao Lianhai (赵连海) has fired his lawyers Li Fangping (李方平) and Peng Jian (彭剑). Li and Peng were notified of the decision via a note signed by Zhao and one signed by his wife Li Xuemei (李雪梅); however, it is unclear whether Zhao's signature was forged, or whether he was coerced into signing by officials. November 22 was the final day on which Zhao could have appealed his conviction for "creating a disturbance," for which he was sentenced to two and a half years in prison, and some have speculated that Zhao was pressured into dropping his appeal and firing his lawyers in exchange for release on medical parole. However, at the time of writing, Zhao remains detained at Daxing Detention Center in Beijing. Zhao's home in Beijing's Daxing District has been

surrounded by police in recent days, and all contact with his wife has been cut off. Lawyers Li and Peng have been under tight surveillance and restriction of movement in recent days, and legal scholar Xu Zhiyong (许志永) has been threatened with similar measures for publicizing information about Zhao's appeal. (CHRD)<sup>iv</sup>

### **Hubei Human Rights Defender Yao Lifa Taken Away, Held under Soft Detention**

On the evening of November 19, Qianjiang City, Hubei Province rights activist Yao Lifa (姚立法) was prevented from returning to his home after work and instead was taken away to Jingzhou City by a group of seven teachers acting under the orders of the Qianjiang City Department of Education. Yao is currently under "soft detention" at a hotel in Jingzhou. According to Yao, he was removed from Qianjiang because local police were afraid that he would investigate the case of a petitioner who had recently been beaten to death by local officials in Qianjiang. The case has already attracted attention locally and officials are attempting to prevent the news from spreading. (CHRD)<sup>v</sup>

### **Liaoning Petitioner Sentenced to Four Years for Protest atop Smokestack in Beijing**

On the night of May 7, 2010, Liaoning Province petitioner Han Xixuan (韩锡轩) and six others climbed to the top of a smokestack near Beijing's South Train Station and scattered documents listing their grievances. They remained at the top of the smokestack for 40 hours, until officials promised to grant them compensation for past injustices. However, on May 10, after the petitioners descended, police from Han's hometown of Jianchang County, Huludao City criminally detained him for "extortion." On June 2 he was formally arrested for "assembling a crowd to disrupt the order of a public place," and on September 26, Han was convicted and sentenced to four years in prison. On November 8, the Huludao City Intermediate People's Court upheld his sentence following an appeal. (CHRD)<sup>vi</sup>

### **Officials in Sichuan Continue to Bar Lawyers from Meeting with Detained Dissident Liu Xianbin**

On November 23, human rights lawyers Mo Shaoping (莫少平) and Ma Xiaopeng (马小鹏) attempted to visit with detained democracy activist Liu Xianbin (刘贤斌) at the Suining City Detention Center in Sichuan Province. However, the two were refused access to their client on two occasions by officials at the Detention Center, who told them that they could not visit with Liu because his case was "special." Liu, who is being charged with "inciting subversion of state power" based on articles he wrote and posted online, was criminally detained on June 28 and formally arrested on July 5 of this year. Since his case was transferred from the procuratorate to the court in August, his lawyers have been barred from meeting with him and have been unable to review evidence submitted by the prosecution. (CHRD)<sup>vii</sup>

## **Verdict Expected for Appeal by Sichuan Human Rights Defender Liu Zhengyou on November 24**

CHRD has learned that a verdict in the second instance trial of Sichuan human rights defender Liu Zhengyou (刘正有) for "fraud" will be announced at 4 pm on November 24. Liu's appeal hearing was held on October 21. Liu, who is serving a 2-year sentence following a conviction in August, is the only one of four original co-defendants to remain in detention, and CHRD believes that local officials have singled him out for harsher punishment as a way of intimidating other local activists. Liu continues to suffer from rubella and experienced another episode of dangerously high blood pressure in early November. Officials at the Zigong City Detention Center, where he is currently held, have so far been unable to provide effective treatment for these conditions. (CHRD)<sup>viii</sup>

## **Sentence Upheld for Beijing Lawyer Wang Yu, Activists Seized outside Courthouse**

On November 18, the Tianjin Railway Court held a second instance hearing in the case of Beijing lawyer Wang Yu (王宇), who was sentenced to 2.5 years in prison for "causing bodily harm due to negligence" on September 21, 2010. According to witnesses at the scene, a number of activists and supporters who had hoped to observe the hearing were roughly handled by plainclothes police officers and taken away from the courthouse: activists Ye Jinghuan (野靖环), Liu Xiuzhen (刘秀珍), and Wang Ling (王玲), along with lawyer Dong Qianrong (董前勇), were briefly detained and interrogated. Only three of Wang's family members were allowed to be present in the courtroom. According to a message posted to Twitter by lawyer Tang Jitian (唐吉田), the court upheld Wang's conviction and sentence.

On May 4, 2008, Wang got into a dispute with four railway workers at the Tianjin West Railway Station. Wang, who said she was hit by the workers, was later seized and charged with "intentional injury." She was tried on July 15, 2009 and later sentenced to 3 years in prison by the Tianjin Railway Court. However, the judgment was overturned by the Beijing Railway Intermediate Court on August 10, 2010, which ordered a re-trial of the case due to "insufficient evidence." Wang's supporters and fellow lawyers have argued that it is unconstitutional for the railway system to run a parallel system of police, procuratorate and courts, and that Wang's case is a perfect example of how easily the system is abused to persecute individuals who irk railway officials. (CHRD)<sup>ix</sup>

## **Update: Activist Wang Yi Enters Re-education through Labor Camp**

On the evening of November 16, human rights activist Wang Yi (王译) entered the Shibali River Women's Re-education through Labor Camp in Zhengzhou City, Henan Province. Police had originally attempted to send Wang to the camp on November 15, but officials refused to accept her without a pre-detention physical examination. Wang was given one year of Re-

education through Labor for "disrupting social order" based on a Twitter posting she wrote on October 17 during violent anti-Japan demonstrations. (CHRD)<sup>x</sup>

### **Hebei Petitioner Seized on Tiananmen Square, Whereabouts Unknown**

CHRD learned on November 16 that petitioner Li Guisuo (李贵锁), of Hebei Province, has been missing since being seized on Tiananmen Square on November 10. Repeated efforts by CHRD to contact him have so far been unsuccessful. Li has been petitioning for close to 10 years on behalf of fellow villagers after local officials embezzled disaster relief funds from the central government and beat and detained individuals, including Li, who attempted to hold them accountable to higher authorities. (CHRD)<sup>xi</sup>

### **Updates on Post-Nobel Harassment of Activists**

#### **Beijing University Professor Prevented from Leaving Country to Attend Singapore Conference**

On the evening of November 19, religious scholar and People's University professor He Guanghu (何光沪) was prevented from leaving the country by border officials at Beijing's Capital Airport. Professor He was en route to Singapore to take part in an academic conference. Officials gave He the same explanation they had provided to other individuals prevented from leaving the country in recent weeks, that he might "endanger state security" while abroad. (CHRD)<sup>xii</sup>

#### **Lawyer Prevented from Meeting with Guo Xianliang, Criminally Detained for Spreading Word about Nobel Peace Prize**

CHRD learned on November 23 that police in Guangzhou City, Guangdong Province refused lawyer Liu Zhengqing's (刘正清) request to meet with detained engineer Guo Xianliang (郭贤良). Guo was criminally detained on suspicion of "inciting subversion of state power" on October 29 for passing out flyers containing information about Liu Xiaobo and the 2010 Nobel Peace Prize. According to lawyer Liu, he submitted his request to the Yuexiu District Public Security Bureau in Guangzhou on November 9, but on November 11 received a response stating that he could not meet with his client because his case was "special." Liu has submitted a formal complaint to the Public Security Bureau. (CHRD)<sup>xiii</sup>

#### **Police in Ningxia Summon Activist Chen Xiaochang, Confiscate Computers**

Police arrived at the Yinchuan City, Ningxia Hui Autonomous Region store operated by democracy activist Chen Xiaochang (陈晓昶) on the morning of November 16 and announced they would be confiscating two computers belonging to him and summoning him for questioning. According to the officers, monitoring by the Ministry of Information Industries discovered that Chen had downloaded a large quantity of information which "incited subversion of the state and threatened the unity of the country." During seven hours of questioning, police primarily asked

Chen about *Charter 08*, which he had posted on his Facebook account. They then threatened to send Chen to Re-education through Labor if he continued to download materials related to *Charter 08*, and fined him 2000 RMB. (CHRD)<sup>xiv</sup>

### **Beijing Police Order Power Cut to Home of Activists Zhang Hui and Xiao Lu**

On the afternoon of November 17, Beijing human rights activist Xiao Lu (小路) suddenly lost power at her home; when she went to investigate the problem, she discovered a worker cutting her power lines. She was told that her electricity was being disconnected at the request of local officials. It is believed that this latest episode of harassment is part of efforts by police and officials to force Xiao Lu and her husband, fellow activist Zhang Hui (张辉), to move out of their neighborhood. Zhang is currently being forced to travel outside of Beijing. (CHRD)<sup>xv</sup>

### **Harassment of Activists**

#### **Anhui Activist Zhou Weilin Summoned Twice in One Week**

On the morning of November 23, Anhui human rights defender and CHRD field investigator Zhou Weilin (周维林) was seized outside of the Hefei City government offices by police and illegally summoned for questioning. Zhou, who is disabled from injuries suffered in a factory and uses a wheelchair, was released after eight hours of interrogation and detention; police confiscated his digital camera and an audio recording device. Zhou had been at the offices to report on the failure of local police to investigate an illegal fireworks display five days earlier, during which episode he was also illegally summoned. He was seized by police after witnessing a scuffle between officers and petitioners outside of the offices. (CHRD)<sup>xvi</sup>

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[Issues and Cases CHRD Recommends the Committee against Torture Include in its List of Issues for the Chinese Government to Address in its Fifth Periodic Report](#)

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>i</sup> "Wuhan Activist Li Tie Arrested on Suspicion of 'Subversion of State Power'" (武汉维权人士李铁被以涉嫌“颠覆国家政权罪”逮捕), November 17, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011171555.shtml>; also <http://chrdnet.org/2010/11/22/subversion-charge-against-little-known-activist-indicates-heightened-crackdown-on-dissent-in-china/>

<sup>ii</sup> "Liu Xianbin Formally Indicted (Indictment Attached)" (刘贤斌已被正式起诉(附起诉书)(图)), November 17, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011171922.shtml>

<sup>iii</sup> "Chang'an Avenue Demonstration Organizer Wu Yuren 'Attacking Police' Case Hearing Extended" (长安街游行组织者吴玉仁被“袭警”案延期审理(图)), November 18, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011180030.shtml>

<sup>iv</sup> "Tight Security in Force around Home of Zhao Lianhai, Release on Medical Parole Possible if He Gets Rid of Lawyer" (赵连海住宅外戒备森严, 解除律师后或可保外就医(图)), November 23, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011231153.shtml>

<sup>v</sup> "Special Alert: Elections Expert Yao Lifa Once Again Kidnapped, Taken Away" (特别关注: 选举专家姚立法再次被绑架到外地), November 19, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011192126.shtml>

<sup>vi</sup> "For Climbing Tower to Voice Grievances, Hulu Island, Liaoning Petitioner Han Xixuan Sentenced to Four Years in Prison" (因爬高塔喊冤, 辽宁葫芦岛访民韩锡轩被判刑4年), November 20, 2010, <http://www.peacehall.com/news/gb/china/2010/11/201011201216.shtml>

<sup>vii</sup> "Lawyer Mo Shaoping Barred from Meeting with Liu Xianbin" (莫少平律师被阻止会见刘贤斌), November 23, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011231727.shtml>

<sup>viii</sup> "Verdict Announcement Tomorrow for Liu Zhengyou Defrauding Social Security Case" (刘正有涉嫌诈骗社保案将于明天下午宣判), November 23, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011231722.shtml>

<sup>ix</sup> "Would-be Attendees to Second Trial of Wang Yu Violently Taken Seized by Police outside of Courthouse" (王宇二审开庭要求旁听者被警方暴力抓走), November 18, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011181018.shtml>; "'Wang Yu Case' Second Instance Hearing Attendees Interrogated after Being Beaten" (“王宇案”二审要求旁听者被殴打后带走审讯), November 18, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011181345.shtml>

<sup>x</sup> "Wang Yi Enters Re-education through Labor Camp" (王译被送入劳教所), November 17, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011172223.shtml>

<sup>xi</sup> "Hebei Petitioner Li Guisuo Missing Days After Being Seized on Tiananmen Square" (河北访民李贵锁天安门被抓多日下落不明), November 16, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011161852.shtml>

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<sup>xii</sup> "People's University Professor He Guanghu Prevented from Leaving the Country" (中国人民大学教授何光沪被阻止出境), November 20, 2010, <http://www.peacehall.com/news/gb/china/2010/11/201011202306.shtml>

<sup>xiii</sup> "Guangzhou Police Bar Lawyer from Meeting with Guo Xianliang, Lawyer Submits Written Opinion to Relevant Departments in Accordance with Law" (广州警方拒绝律师会见郭贤良，律师依法向有关部门提交意见书), November 23, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011232348.shtml>

<sup>xiv</sup> "Chen Xiaochang, of Ningxia, Summoned and Has House Searched for Collecting Charter 08" (因收藏《08宪章》，宁夏陈晓昶被抄家传唤), November 17, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011171748.shtml>

<sup>xv</sup> "Electricity Cut to Home of Human Rights Activists Zhang Hui, Xiao Lu by Beijing National Security Officers to Force Move" (维权人士张辉、小路家被北京国保逼迁断电), November 17, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011171635.shtml>

<sup>xvi</sup> "A Record of Anhui Human Rights Activist Zhou Weilin's Summons by Police in Hefei" (安徽维权人士周维林被合肥警方传唤经过(图)), November 23, 2010, <http://news.boxun.com/news/gb/china/2010/11/201011232326.shtml>