



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

July 27-August 2, 2011

Highlights

- **Updates on Detentions and Disappearances Related to the “Jasmine Revolution” Crackdown:** The case against Beijing activist **Wang Lihong** (王荔蕻) is expected to go to trial soon, on the charge of “creating a disturbance,” while potential witnesses for her trial have been intimidated and warned not to testify. In addition, the lawyer **Tang Jingling** (唐荆陵) was released on August 1 after being held under illegal residential surveillance for over five months.
- **Beijing Activist Sent to RTL, Husband Already Serving RTL Term: Wang Yuqin** (王玉琴), a Beijing rights defender, was ordered in early July to spend six months in Re-education through Labor (RTL). This follows a 14-day administrative detention, after which she went out of contact. Wang’s punishments are likely related to her advocacy on behalf of her activist husband, **Yang Qiuyu** (杨秋雨), who was sent to RTL for two years in April.

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Arbitrary Detention

Updates on Detentions and Disappearances Related to the “Jasmine Revolution” Crackdown

Activist Wang Lihong Case Heading to Trial on “Creating Disturbance” Charge, Potential Witnesses Threatened

On August 1, lawyers for **Wang Lihong** (王荔蕪), the detained Beijing activist, received the indictment documentation for her upcoming trial and also met with her in detention. Proceedings are expected to begin soon in the No. 2 Chaoyang District People’s Court. The indictment states the charge against Wang is “creating a disturbance,” though it had previously been reported as “gathering a crowd to disrupt traffic order,” and stems from her involvement in peaceful protests outside the sentencing hearing for three netizens (the “Fujian Three”) in Fuzhou City, Fujian Province in April 2010. Article 293 in China’s Criminal Law stipulates that, once a defendant is convicted of “creating a disturbance,” a court can hand down a sentence up to five years, while a “disrupting traffic order” conviction may entail a lighter sentence.* Lawyers **Liu Xiaoyuan** (刘|晓原), who just last week passed the annual lawyers inspection after an extended delay, and **Han Yicun** (韩一村) met with Wang at the Chaoyang Detention Center, where she has been held since March. Wang indicated to them that her state of mind is fine but that she’s suffering from lingering health problems and has trouble sleeping.

Police also have reportedly threatened several individuals preparing to testify in support of Wang, including Jiangxi activist **Chen Maosen** (陈茂森), who told CHRD that he traveled to Beijing to support Wang but returned to Jiangxi because of police pressure. Police have also warned **Wu Gan** (吴淦, aka “Butcher” [屠夫]) and the filmmaker **He Yang** (何杨) not to testify. He’s documentary, “Herzog Days,” about the “Fujian Three” and advocacy efforts waged on their behalf, includes footage and an interview with Wang Lihong. Beijing police also have warned other activists not to testify and to cease actions in support of Wang. (CHRD)^[1]

Lawyer Tang Jingling Released After Five Months of Illegal Detention

CHRD has learned that, on August 2, **Tang Jingling** (唐荆陵), a Guangzhou-based rights defense lawyer who has been under illegal residential surveillance for over five months, was released and sent back to his hometown in Hubei Province. His wife, **Wang Yanfang** (汪燕芳), informed lawyer **Liang Xiaojun** (梁小军) about her husband’s release, and added that authorities are not allowing Tang to return to Guangzhou and, as a consequence, she has not seen him. She also said that the tight surveillance around their Guangzhou home had been lifted on the same day as Tang’s release. CHRD is unable to contact Tang and his wife directly, and could not confirm whether Tang is actually free in his hometown, nor learn about his treatment during detention and the state of his health.

Tang was taken into custody on February 22 on suspicion of “inciting subversion of state power” (煽动颠覆国家政权罪), allegedly for possessing pro-democracy posters. On March 2, he was taken back to his home by police officers who searched the premises, and days later his wife

learned that Tang had been placed under residential surveillance in an unknown location. Tang's family, friends, and lawyer were not able to contact him or learn any information about him even after finding out that he was detained at the Dashi Police Training Center (大石民警培训中心) in Guangzhou's Panyu District. Since Tang has a home in Guangzhou, holding him under residential surveillance in this outside location breached Article 57 of China's Criminal Procedure Law, which requires that a suspect under residential surveillance must be held either at home or at a designated dwelling if they have no permanent residence. (CHRD)^[iii]

Beijing Activist Sent to RTL for Advocating for Detained Husband

Wang Yuqin (王玉琴), a Beijing rights defender and volunteer with Citizens' Rights and Livelihood Watch (CRLW) who went missing a month ago after serving 14 days of administrative detention, was ordered in early July to spend six months in Re-education through Labor (RTL), according to information received on July 27 by CRLW. Wang's back-to-back detentions appear to be linked to advocacy efforts on behalf of her activist husband, **Yang Qiuyu (杨秋雨)**, who is now serving a two-year term at the Beijing Xin'an RTL facility. After Wang learned that her husband was sent to RTL on April 13, she repeatedly sought explanations for his detention, filed a lawsuit against the Beijing Municipal RTL Committee, and also applied for permission to hold a demonstration. On June 16, Wang was taken into custody after she had gone to the Public Order Management Unit of the Beijing Public Security Bureau to apply to hold a symposium on the RTL system, and given a 14-day administrative detention just prior to her RTL term.

Wang's husband, Yang Qiuyu, was taken into custody on March 6 as part of the "Jasmine Revolution" crackdown, allegedly for taking photographs, and then criminally detained the next day on suspicion of "creating a disturbance." On April 13, he was ordered to serve two years of RTL. (CRLW)^[iii]

Xinjiang-Based Activist's "Inciting Subversion" Case Sent Back Again for Investigation

On August 1, the case against **Hu Jun (胡军)**, a physically disabled activist and petitioner from Xinjiang under residential surveillance on suspicion of "inciting subversion of state power," was sent back for further investigation by the Changji Hui Autonomous Prefecture Procuratorate. The procuratorate notified the Beijing Mo Shaoping Law Firm (北京莫少平律师事务所), which represents Hu, that it has sent the case back—for the second time—to the Changji Prefecture Public Security Bureau (PSB) due to insufficient evidence. Under Chinese law, the case must be either accepted for prosecution after this second-time supplementary investigation or be dismissed. Hu was put under residential surveillance on May 9 by the Changji Prefecture PSB, and his case was transferred to the procuratorate two days later. When lawyer **Shang Baojun (尚宝军)** of the Mo Shaoping Law Firm went to Changji in early June, he learned that Hu's case had been sent back for investigation for the first time.

In the mid-1990s, while serving a two-year prison sentence for "fraud," Hu was sent to Xiaba Lake Prison Mine and injured in an accident that left him permanently disabled. To avoid responsibility, Changji Prison imprisoned Hu beyond his sentence to wait for him to get better. Hu escaped from prison several times and petitioned the government for compensation, only to

be intercepted, beaten, and sent back to prison. Hu was finally released in December of 2008 after his case was exposed online, and he has since joined a group advocating for human rights. (HRCC)^[iv]

Harassment of Activists

Security Officer Physically Assaults Rights Defender Liu Feiyue

On the afternoon of July 31, **Liu Feiyue** (刘飞跃), a human rights advocate based in Suizhou City, Hubei Province, and founder of Civil Rights and Livelihood Watch (CRLW), was stopped while bicycling and beaten by a security guard, **Zou Chuangang** (邹传钢), who is charged with monitoring him. Zou was riding a motorcycle when he stopped Liu along a road. Zou asked Liu if he was “up to no good again” and then struck him. As they scuffled, Zou took a rock and hit Liu several times on his chest and waist. Liu called for help, and some passers-by eventually came over and stopped the attack. Once back home, Liu found scars and bruises on his chest and hands from the assault. Two national security police from the Zengdu District branch of the Suizhou Public Security Bureau (PSB) then came to his home to “visit,” reportedly after Zou had called them. Liu later went with his wife to the Suizhou Economic Development Zone branch of the PSB—where personnel made out a report but did not file the incident for investigation after they learned Liu’s identify—and went to a hospital to have his injuries checked out.

Liu, who had been questioned by Zou the previous day, believed the beating was linked to Zou’s suspicion that Liu was planning to meet with others to commemorate the victims of the railway accident that occurred on July 23 in Wenzhou City, Zhejiang Province. According to Liu, Zou had also beat him on another occasion—in December of 2010, when Liu had tried to visit the Wuhan dissident **Qin Yongmin** (秦永敏) at the Xingouqiao Police Station after Qin had been taken into custody. (CRLW)^[v]

Democracy Rights Activist Luo Yongquan Beaten by Unidentified Individuals

On July 24, longtime democracy activist **Luo Yongquan** (罗勇泉) was beaten by three unidentified individuals at the Jinxiongying Hotel, his current workplace, in Nanxiong City, Guangdong Province. A poet, *Charter 08* signatory, and member of the banned China Democracy Party, Luo was released this May after two years in Re-education through Labor (RTL) for allegedly publishing poems critical of the Party and the government. On the day of the attack, the three assailants went to the hotel, where Luo works as a caretaker of the pool, and asked for him at the reception desk. Luo was then summoned to the desk by the receptionist, whereupon the men, after confirming Luo’s identity, proceeded to beat him. His colleagues came to his aid and pulled him away, and Luo was not badly injured; he suffered a swollen eye and his glasses were broken. He sent a message about the attack to activist **Liu Shasha** (刘沙沙) and then called the police. When officers arrived at the scene, they only took down Luo’s name and address and made no further inquiries before sending Luo on his way. (CRLW)^[vi]

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^[i] “Special Attention: Wang Lihong Criminal Charge Changed Back to ‘Creating a Disturbance,’” (特别关注：王荔蕙案涉嫌罪名再变回“寻衅滋事”), August 1, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_1848.html; “Case Against Wang Lihong Going to Court, Many Willing to Testify,” (王荔蕙案将移送法院，多人愿为其出庭作证), July 17, 2011, http://wqw2010.blogspot.com/2011/07/blog-post_17.html; [*Article 293 in Criminal Law: 《刑法》第二百九十三条寻衅滋事罪，该法条有下列寻衅滋事行为之一，破坏社会秩序的，处五年以下有期徒刑、拘役或者管制：（一）随意殴打他人，情节恶劣的；（二）追逐、拦截、辱骂他人，情节恶劣的；（三）强拿硬要或者任意损毁、占用公私财物，情节严重的；（四）在公共场所起哄闹事，造成公共场所秩序严重混乱的。] “Several Willing To Testify in Wang Lihong Case Threatened,” (王荔蕙案中多位愿出庭作证者被警告), July 26, 2011, http://wqw2010.blogspot.com/2011/07/blog-post_1824.html; “Case Against Wang Lihong Going to Court, Many Willing to Testify,” (王荔蕙案将移送法院，多人愿为其出庭作证), July 17, 2011, http://wqw2010.blogspot.com/2011/07/blog-post_17.html

^[ii] “Guangzhou Rights Defense Lawyer Tang Jingling Sent Back to Hubei Hometown,” (广州维权律师唐荆陵被送回湖北老家), August 2, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_9127.html

“Individuals Affected by the Crackdown Following Call for ‘Jasmine Revolution,’” August 2, 2011 (updated), http://chrdnet.org/2011/06/17/jasmine_crackdown/

^[iii] “Beijing Rights Defender, CRLW Volunteer Wang Yuqin Sent to RTL,” (北京维权人士、民生观察志愿者王玉琴被劳教), July 27, 2011, <http://www.msguancha.com/Article/ShowArticle.asp?ArticleID=14487>; “Beijing Rights Defense Activist Wang Yuqin Given 14 Days’ Administrative Detention,” (北京维权人士王玉琴被行政拘留十四天), June 16, 2011, <http://www.msguancha.com/Article/ShowArticle.asp?ArticleID=14344>

^[iv] “Hu Jun ‘Subversion of State Power’ Case Goes Back Second Time to Public Security,” (胡军涉嫌“煽动政权”案第二次被退回公安), August 1, 2011, <http://rightscampaign.blogspot.com/2011/08/blog-post.html>

^[v] “Suizhou, Hubei Rights Defender Once Again Fiercely Beaten by Monitoring Personnel,” (湖北随州监控人员再次行凶殴打维权人士), August 1, 2011, <http://www.msguancha.com/Article/ShowArticle.asp?ArticleID=14501>

^[vi] “Guangdong Dissident Luo Yongquan Beat by Unidentified Individuals,” (广东异议人士罗勇泉被不明身份者殴打), July 27, 2011,

<http://www.msguancha.com/Article/ShowArticle.asp?ArticleID=14485>

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.

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