



Chinese Human Rights Defenders (CHRD) 维权网

Web: www.chrdnet.org Email: networkcrd@gmail.com

Promoting human rights and empowering grassroots activism in China

China Human Rights Briefing

August 29-September 6, 2011

Highlights

- **Yao Lifa Closely Monitored Back in Hometown:** Democracy rights activist **Yao Lifa** (姚立法), from Qianjiang City, Hubei Province, was returned this week to his home after an incommunicado detention, but is being restricted in movement and closely monitored. Yao, who has encouraged and assisted others to follow his example to run as independent candidates for local People's Congress elections, has been frequently detained and subjected to increased harassment as elections for these congresses, which are held every five years, are scheduled to take place across China in 2011 and 2012.
- **CHRD Releases Letter on Criminal Procedure Reforms:** CHRD has released an open letter to the Standing Committee of the National People's Congress about the draft amendments to the Criminal Procedure Law. The letter points out serious deficiencies in several areas of human rights and offers recommendations that would ensure greater protections for criminal suspects.

Contents

[Arbitrary Detention](#)

- [Updates on Detentions and Disappearances Related to the "Jasmine Revolution" Crackdown](#)

[Case Against Harbin Netizen Liang Haiyi Reportedly Transferred to Court](#)

- [Ailing Yao Lifa's Movement Restricted Back in Hometown, Official Issues Demands](#)
- [Shandong Authorities Hold Petitioner in Four Black Jails](#)
- [Henan Petitioner Illegally Detained, Tortured](#)
- [Xinjiang Petitioner Freed Early From RTL, Had Signed Agreement to Stop Petitioning](#)
- [Wuhan Court Yet to Issue Verdict After April Trial, Suspect Still Held](#)
- [Henan Officials Illegally Detain Ill Farmer, Prevent Lawyer Visits](#)

[Harassment of Activists](#)

- [Beijing Police Heighten Surveillance, Limitations on Dissidents' Freedom](#)
- [Urumqi Police Take Away, Beat Activist Around China-Eurasia Expo](#)

Local NPC Election Watch

- [Jiangxi Authorities Detain Independent Candidates](#)

Special Notice

- [CHRD Issues Open Letter to NPC on Draft Amendments to Criminal Procedure Law](#)
- [CHRD Produces Report on Equal Education Rights for Vulnerable Children](#)

Arbitrary Detention

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

Case Against Harbin Netizen Liang Haiyi Reportedly Transferred to Court

CHRD has learned that the case against **Liang Haiyi** (梁海怡, aka Miaoxiao [渺小]), a netizen based in Harbin City, Heilongjiang Province, who was criminally detained for “inciting subversion of state power” in February, has been transferred to a court. Human rights lawyer **Wu Zhenqi** (吴镇琦) learned this information from a police officer when he himself was being held overnight in Harbin on August 19 as authorities were obstructing his work on another case. Wu told the officer that he was willing to defend Liang, who is now being held at the Harbin Women’s Prison, but the officer claimed she already has an attorney. The date of Liang’s trial is unclear. Very little information about her case and circumstances has been known since she was taken away for questioning on February 20 and detained two days later, though authorities have reportedly pushed her to sign a confession, and she has refused. Police took Liang into custody for allegedly “posting information from foreign websites regarding ‘Jasmine Revolution’ actions on domestic websites” such as QQ, the Chinese social networking site. (CHRD)^[1]

Ailing Yao Lifa’s Movement Restricted Back in Hometown, Official Issues Demands

Yao Lifa (姚立法), a democracy rights activist from Qianjiang City, Hubei Province, is having his movement restricted and being closely monitored after being brought back home on September 4 following a month-long detention during which his physical health declined. On September 5, more than 10 individuals from the school where he works took him from his home as he was preparing to go to a hospital with his wife for a medical examination. He has since been held from the early morning each day in the office of the school’s vice-principal, and then driven back home at night. Many police officers remain stationed outside his home. A high-

ranking official has reportedly presented demands to Yao—that he leaves Qianjiang, not give interviews to foreign journalists nor allow them into his home, not instruct citizens about participating in elections, and not “incite the masses to try to topple the political power structure.”

Yao, who initially went missing on June 20, is suffering from serious medical conditions, including the effects of two broken wrists and spinal fractures sustained when he jumped out of a building in Qianjiang on July 4 to escape an enforced disappearance. On August 6, Qianjiang Public Security Bureau officers seized Yao in Beijing, and held him in incommunicado detention in several locations in Qianjiang until this week. Yao endured poor conditions such as inadequate food and unhygienic detention facilities while he was held by the officers, who only took him to a hospital on September 2. (CHRD)^[iii]

Shandong Authorities Hold Petitioner in Four Black Jails

Local authorities have held petitioner **Guo Nana (郭娜娜)**, of Shan County, Shandong Province, in a total of four black jails since police took her and five other petitioners into custody on August 19 in Beijing. After local interceptors brought the petitioners back to Shan County, they were first detained at an armory base and monitored by personnel from the Nancheng Subdistrict Office. After the petitioners’ fate was revealed, the office personnel on August 22 transferred Guo and another petitioner to a factory warehouse in Huanggang Town, while the other petitioners were taken to Heze City to continue their detention. On August 26, Guo was transferred to a black jail in Qili Village in Shan County, and allegedly was still being held for refusing to sign a guarantee to stop petitioning. On August 29, Guo was then taken to a guesthouse located in Shan. The petitioners had gone to the capital on August 12 after the violent demolitions of their homes, and were reportedly taken into custody for allegedly “contacting websites run by hostile foreign elements.” (CHRD)^[iii]

Henan Petitioner Illegally Detained, Tortured

CHRD learned on August 30 that petitioner **Wang Qunfeng (王群凤)**, from Lushi County, Sanmenxia City, Henan Province, has been illegally detained and tortured for petitioning in Beijing. On August 25, Wang was taking a walk at Tiananmen Square when she was seized by Beijing police, who sent her to Jiuqingzhuang, a black jail in Beijing. Wang was then forcibly sent back to Lushi County, where she has been detained in Lushi Detention Center. Lushi officials told the family that she will serve a 10-day administrative detention for “disrupting social and public order” in Beijing. According to Chinese law, such a punishment should only be issued in the locale where the violation was committed, and by authorities above the county level, and not by Lushi officials. When Wang’s family recently saw her, she told them she had beaten and deprived of food and water while being returned to Lushi by thugs allegedly hired by the local government. Wang started petitioning when the medical expenses of her father, a former

cadre, were not properly reimbursed by the government, and her actions have led to violent retaliation from local officials. (CHRD)^[iv]

Xinjiang Petitioner Freed Early From RTL, Had Signed Agreement to Stop Petitioning

CHRD has learned that **Feng Yongji (冯永记)**, a petitioner from Shihezi City, Xinjiang Uyghur Autonomous Region, was released nine months early from a Re-education Through Labor (RTL) camp in exchange for signing a letter agreeing that she would stop petitioning. Feng was released nearly a month ago, and her health had deteriorated in detention, where she could not receive adequate medical treatment, particularly for a back injury sustained from a beating by Shihezi officials. Feng has indicated that despite being released, she still must report to the local public security bureau, is being closely monitored, and has been warned not to contact the outside world. In May of 2010, Feng was sent to two years of RTL for “disrupting work unit order” by Shihezi officials after she was forcibly returned home from Shanghai, where she had gone to visit the Shanghai World Expo. Feng began petitioning in 2007 after a court in Xinjiang sentenced her husband to nine years in prison and seized her property. (CHRD)^[v]

Wuhan Court Yet to Issue Verdict After April Trial, Suspect Still Held

The first-instance trial of **Li Tie (李铁)**, a dissident from Wuhan City, Hubei Province suspected of “subversion of state power,” concluded on April 18, but a verdict has still not been issued and Li remains in detention. According to the relevant Chinese law, the court has a maximum of two-and-a-half months to issue a verdict after it accepts a case. Last week, his family members twice went to the Wuhan City Intermediate People’s Court to ask about the case, but a judge only advised the family to petition about the matter at a local letters and visits office. The attorney who police assigned to Li is apparently unaware of any case developments. (Li’s family had originally hired lawyer **Jin Guanghong [金光鸿]** to represent Li, but Jin was never allowed to meet with his client and went missing just before the trial.) Prosecutors had called for a 10-year sentence for Li, accusing him of writing articles attacking the government, joining online reactionary discussion sites, and giving reactionary speeches. Li was initially detained in September of 2010 and formally arrested that November. He has written many online articles about democracy and constitutional government, and also organized activities to honor the memory of dissident **Lin Zhao (林昭)**. (CHRD)^[vi]

Henan Officials Illegally Detain Farmer, Prevent Lawyer Visits

Officials in Shangcheng County, Henan Province have prevented a lawyer from visiting with **Hong Maoxuan (洪茂轩)**, a farmer detained and arrested in early August for “obstructing official business.” The charges, however, stem from Hong’s efforts nearly a decade ago to

expose official corruption, and thus should fall beyond the statute of limitations for prosecution. His family fears that Hong is perhaps being tortured to the point where his life is at risk. Hong's attorney, **Wang Quanzhang (王全章)**, was twice unable to get permission to see his client, first on August 31 at the Shangcheng Detention Center, where Hong is currently held, and then the next day, when Wang went with Hong's family members to the county public security bureau. In detention, Hong has suffered from painful kidney stones attacks, which also have led to swelling in his legs, vomiting, nausea, urinary problems, and difficulty eating, and he has lost 40 kilograms in recent weeks. After seeing Hong in mid-August, Wang unsuccessfully applied for him to be released on medical parole. Some Shangcheng residents feel that Hong, a popular local leader, was detained because he preparing to run in a People's Congress election. Hong was detained on August 4 and formally arrested on August 8. (CHRD)^[vii]

Harassment of Activists

Beijing Police Heighten Surveillance, Limitations on Dissidents' Freedom

Since August 30, a number of Beijing dissidents have been subject to limitations on their freedom of movement, increased police monitoring and ramped up surveillance. Though the reasons for the heightened police activity are not completely clear, it is believed to be related to visits or events involving foreign governments. According to individuals who have been affected (noted below), the Philippine President's visit to Beijing, the International Book Fair, and the visit by a delegation of the European Parliament could likely have triggered the authorities' actions. **Zhang Zuhua (张祖桦)**, a constitutional scholar, has had police officers stationed outside the entrance to the floor of his residence, and police have also increased their presence and monitoring in the downstairs lobby and parking garage. Dissidents **He Depu (何德普)**, **Zha Jianguo (查建国)**, and **Gao Hongming (高洪明)**, as well as writer **Liu Di (刘荻)**, have been held under soft detention in their homes. (CHRD)^[viii]

Urumqi Police Take Away, Beat Activist Around China-Eurasia Expo

On August 30, **Zhang Haitao (张海涛)**, a rights defender from Urumqi City, Xinjiang Uyghur Autonomous Region, was dragged off, beaten, and threatened by police on the eve of the China-Eurasia Expo, which was held in the city in the first week of September. Zhang was abducted around the entrance to the Xinshi District government building by two plainclothes officers responsible for monitoring him since August 29. He was taken to a nearby construction site, where he was roughly handled and his cell phone snatched away. Zhang was then taken to the Zhongya South Road Police Station, where he was locked up and beaten. A national security officer warned Zhang that he should remain close to his home and not go near the Expo's venue. After more than three hours, Zhang was let go and also got back his cell phone, but the content

had been erased. Zhang believes he was assaulted due to his repeated complaints that law-enforcement personnel violently beat him over a year ago, to which authorities have not responded. (CHRD)^[ix]

Local NPC Election Watch

Jiangxi Authorities Detain Independent Candidates

CHRD has learned that three independent People’s Congress candidates in Xinyu City, Jiangxi Province—**Liu Ping** (刘萍), **Li Sihua** (李思华), and **Wei Zhongping** (魏忠平)—were recently detained in locations outside their homes. Liu believes authorities held the candidates in order to prevent a foreign journalist from interviewing them. Liu indicated that, on September 1, personnel from the security division of the Xinyu Iron and Steel Company, Liu’s former employer, took her to a hostel in the rural outskirts of Xinyu, where she was held by 20 personnel, and seven were still monitoring her the next day. Those holding Liu agreed to take her back home, but it was unclear if they would keep restricting her movement. Liu noted that this was the third time in the past month that she’s been subjected to such treatment. According to Liu, Li Sihua had been taken to Jinggang Mountain to “receive education,” while Wei Zhongping was held in the Yuanhe Hotel located at the Xinyu Iron and Steel Company. (CHRD)^[xi]

Special Notice

CHRD Issues Open Letter to NPC on Draft Amendments to Criminal Procedure Law

On September 2, CHRD released an [open letter](#) to the Standing Committee of the National People’s Congress (NPC) following the August 30 publishing of [draft amendments](#) to the Criminal Procedure Law. The letter points out serious deficiencies in the revisions that expand police powers and threaten the rights of suspects, including:

- restricting access to legal counsel so that lawyers are required to seek police permission to have access to their clients in certain types of cases;
- expanding police powers to detain citizens so that police are not required to notify a suspect’s family within 24 hours if the suspect is accused of certain crimes or if their family “cannot be contacted”;
- introducing investigative techniques such as wiretapping for crimes that “pose serious harm to society”; and
- allowing police to appoint anyone to carry out secret investigations on suspects.

CHRD's letter also provides recommendations that would ensure greater human rights protections for suspects, which include unrestricted access to lawyers, notification of families of suspects in all cases, and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. (CHRD)^[xi]

CHRD Produces Report on Equal Education Rights for Vulnerable Children

On September 1, CHRD released a report analyzing the state of education equality in China, focusing on three vulnerable groups of children: those who accompany migrant workers, those whose parents are involved in petitioning, and children whose parents are serving either criminal sentences or Re-education through Labor punishments. Read the full report in Chinese [here](#). (CHRD)^[xii]

Editors of this issue: Victor Clemens and Songlian Wang

Follow us on Twitter: [@CHRDnet](#)

Join us on Facebook: [CHRDnet](#) (NEW!)

[News updates from CHRD](#)

^[i] “Liang Haiyi ‘Inciting Subversion’ Case Has Been Transferred to Court,” (梁海怡“煽动颠覆国家政权”案已移交到法院), August 30, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_1515.html; “Harbin Netizen Liang Haiyi in Custody Over Five Months,” (哈尔滨网民梁海怡被羁押逾5个月), August 3, 2011, <http://wqw2010.blogspot.com/2011/08/5.html>

^[iii] “Adventures of Elections Expert Yao Lifa, Part II,” (秦永敏:选举专家姚立法历险记之二), September 6, 2011, http://rightscampaign.blogspot.com/2011/09/blog-post_6939.html; “Elections Expert Yao Lifa Ill, Again Disappeared,” (选举专家姚立法病痛中被带走再次失踪), September 5, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_7769.html; “Elections Expert, Missing for Many Days, Is Released With Severe Illnesses,” (失踪多日的选举专家姚立法病重获释), September 4, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_2851.html; “Details of Surveillance of Elections Expert Yao Lifa,” (选举专家姚立法被监禁期间详情), September 4, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_7674.html; “Feng Ling Uncovers Nothing at Police Station, Yao Lifa’s Whereabouts Still Unknown,” (秦永敏:冯玲找派出所无果 姚立法仍无下落), August 8, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_323.html; “Yao Lifa’s Lower Back Severely Injured, No Information for Over 50 Hours Since Being Taken Away,” (姚立法腰部严重受伤,被带走逾 50 个小时没消息), August 7, 2011, <http://wqw2010.blogspot.com/2011/08/50.html>; “Urgent Attention: Elections Expert Yao Lifa Seized in Beijing,” (紧急关注:选举专家姚立法在北京被抓), August 6, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_3525.html

^[iii] “Danxian County Government Operates Black Jails; Worrying Situation of Guo Nana, Victim of Eviction and Demolition,” (单县政府多处设黑监狱,拆迁受害人郭娜处境堪忧), September 1, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_4610.html; “Danxian County Petitioner Guo Nana, Others Seized in Beijing for Contacting ‘Hostile’ Websites,” (因与“敌对”网站联系,单县郭娜娜等在京被抓), August 19, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_3791.html

^[iv] “Henan Petitioner Wang Qunfeng Sent Back Home, Illegally Detained,” (河南访民王群凤被押回地方非法关押), August 30, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_7648.html; “Henan Petitioner Wang Qunfeng Missing After Being Held in Jiujingzhuang,” (河南访民王群凤关久敬庄后失踪), August 28, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_28.html

^[v] “Xinjiang Petitioner Feng Yongji Released From RTL After Being Forced to Sign Letter of Guarantee,” (新疆访民冯永记被逼写保证书后从劳教所获释), August 30, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_30.html; “Xinjiang Petitioner Feng Yongji Again Sent to RTL After Being Beaten” (新疆访民冯永记再次被毒打后劳教两年), May 13, 2010, http://www.crd-net.org/Article/Class53/201005/20100513215809_21194.html

^[vi] “Trial of Wuhan’s Li Tie, Suspected of ‘Subversion,’ Yields No Result After 4 ½ Months,” (武汉李铁涉嫌“颠覆国家政权案”开庭四个半月无果), September 2, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_02.html; “Trial Begins in Li Tie Case, Prosecutors Propose Sentence of 10 Years” (李铁案开庭,检控方建议判刑 10 年), April 17, 2011, <http://wqw2010.blogspot.com/2011/04/10.html>

[vii] “Rural Leader Hong Maoxuan Arrested for ‘Obstructing Official Business,’ Lawyer Is Refused Visitation,” (农民领袖洪茂轩被以“妨害公务罪”逮捕，律师会见遭拒), September 1, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_5203.html

[viii] “Several Beijing Dissidents Have Personal Freedom Limited,” (北京多位异议人士被限制人身自由), August 31, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_5658.html

[ix] “Rights Defender Kidnapped, Beaten Downtown on Eve of Urumqi ‘China-Eurasia Expo,’” (乌鲁木齐市“中国—亚欧博览会”前夕维权人士闹市遭绑架殴打), August 30, 2011, http://wqw2010.blogspot.com/2011/08/blog-post_5608.html

[x] “Liu Ping, of Xinyu, Jiangxi, Among Three Independent Candidates Placed Under Soft Detention,” (江西新余刘萍等三名独立候选人被软禁), September 2, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_3719.html

[xi] “CHRD Issues Open Letter to NPC Standing Committee on ‘Amendments to the Criminal Procedure Law (Draft),’” (“维权网”就《刑事诉讼法修正案（草案）》致全国人大常委会的公开信), September 2, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_2424.html

[xii] “Necessary Implementation of Equal Education Rights—Examples of Accessing Education Rights for Three Major Groups of Vulnerable Children,” (教育平等权亟待落实——以三大弱势群体子女的受教育权为例), September 1, 2011, http://wqw2010.blogspot.com/2011/09/blog-post_01.html?spref=tw

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.

To unsubscribe, please “Reply” to this mail with “unsubscribe” in the “Subject” line.