



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

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Highlights

- **Trial of Ni Yulan, Husband Set to Open But Then Sent Back to Procuratorate, Ni's Health Weakens:** The “creating a disturbance” case against Beijing lawyer Ni Yulan (倪玉兰) and her husband, Dong Jiqin (董继勤) was initially scheduled to open on November 24 but then suddenly sent back to the procuratorate only the day before. Meanwhile, Ni's already poor health has declined further in detention, and she reportedly has not been receiving medical care.
- **CHRD Reveals Most Recent Sighting of Chen Guangcheng, Harassment Around Dongshigu Continues:** CHRD, responding to claims that lawyer and activist Chen Guangcheng (陈光诚) was recently seen by fellow villagers, has revealed details of the last verifiable sighting of Chen, which occurred shortly after his release from prison in September 2010. Last week, Hunan lawyer Xie Yang (谢阳) became the latest person to get assaulted and robbed while heading to Dongshigu Village to see Chen.

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Arbitrary Detention

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

Trial of Ni Yulan, Dong Jiqin Scheduled to Open But Then Sent Back for Review, Ni’s Health Declining

The trial of Beijing lawyer **Ni Yulan** (倪玉兰) and her husband, **Dong Jiqin** (董继勤), both charged with “creating a disturbance,” was set to open on November 24 but was suddenly sent back to the local procuratorate the day before. On November 23, defense lawyer Cheng Hai (程海) received a call from the Xicheng District People’s Court and was told that the case was being returned to the Xicheng People’s Procuratorate for further review. Another defense attorney, Dong Qianyong (董前勇), stated that the sudden turn of events—the order for more investigation after a trial date is set—is rare, but he cautioned this is not likely a sign that the case against Ni and her husband would be dropped.

According to the detained couple’s daughter, Ni’s health has declined while being held at the Xicheng Detention Center—she is unable to stand and lymph nodes on her neck have swelled—but she has reportedly not been receiving medical care. Due to past torture she has suffered in detention, Ni has long been unable to walk and has been beset by numerous medical problems. Ni, also facing a fraud charge, and Dong have been detained since early April. (CHRD)^[i]

Petitioner Given Two Years of Re-education through Labor

Last week, Chongqing Municipality petitioner **Tao Dahua** (陶大华) was given two years of Re-education through Labor (RTL) for petitioning in Beijing. On November 15, Tao was seized by

police officers from Beiquan Police Station and the director of the Beiquan Subdistrict Office after she had returned from petitioning in Beijing on November 3. When Tao's family went to Beiquan Police Station to ask about her, the officers refused to acknowledge the detention or disclose details of her whereabouts. Only after Tao's family complained to higher authorities did the officers at Beiquan Police Station notify them that she has been sent to Chongqing Municipality No.2 Women's RTL facility for "disrupting work unit order." However, the police officers still refused to give Tao's family a formal notification of the RTL decision. (CHRD)^[iii]

Officers Search Anhui Activist's Home, Give Him 10-Day Administrative Detention

On November 22, national security officers in Bengbu City in Anhui Province searched the home of activist **Li Wenge** (李文革), who was taken away and then given a 10-day administrative detention. Bengshan District officers confiscated computer disks belonging to Li, along with other property. Upon finding out about Li's detention, fellow activist **Zhang Lin** (张林) and Li's wife, **Zhong Xuemei** (仲雪梅), went to the Bengbu City Detention House in time to see Li before he was driven inside the facility, and were able to give him money, clothes, and cigarettes, and they also demanded a detention notice. Li's offense is reportedly tied to an interview he gave to Radio Free Asia along with Wuhan dissident **Qin Yongmin** (秦永敏) about Bengbu activist **Wu Yuebao** (吴乐宝). Wu has been released on bail after being criminally detained in late July on suspicion of "inciting subversion of state power." For months, Bengbu activists have been subjected to harassment, monitoring, threats, and detention for voicing support for Wu. (CHRD)^[iii]

CHRD Reveals Details of Most Recent Sighting of Chen Guangcheng

In response to claims circulated on microblogs that Shandong human rights activist and lawyer **Chen Guangcheng** (陈光诚), being held under illegal house arrest with his family, has recently been seen by fellow villagers in Dongshigu Village, CHRD has revealed details of Chen's last sighting in September 2010. Shortly after Chen was released from prison that month, he was granted a visit to his father's grave at the edge of the village, when a villager encountered him. Since then, no other villagers have reportedly seen him. Restrictive measures taken against Chen have become more intense since February 2011, after Chen smuggled out a video of his family's illegal house arrest. Since then, Chen's elderly mother, who lives with the couple, is allowed only infrequent trips outside their home, and only when accompanied by guards. From September of this year, one of Chen's brothers, **Chen Guangfu** (陈光福), has also been subject to house arrest and prevented from contacting the outside world. (CHRD)^[iv]

Petitioners Taken Away When Trying to Attend Hearing in Beijing

On November 18, two petitioners were taken away by Shanghai government officials for seeking to attend a hearing which involved a lawsuit filed by Shanghai petitioners against the Beijing Public Security Bureau (PSB) Chaoyang District Subdivision. Several petitioners gathered outside the Chaoyang District People's Court to show support for the five plaintiffs, but none were allowed to enter even though the hearing was supposedly open to the public. Two

petitioners were seized by over a dozen men dispatched by the Shanghai Municipality government in the presence of Beijing police, who did not intervene. The five plaintiffs had filed suit against the Beijing PSB to challenge the legal justification used to administratively detain them after they petitioned in Beijing in December 2010. (CHRD)^[vi]

More recent news related to arbitrary detention:

“Hunan Party Member and Laid-off Worker Detained for Petitioning” ([邝冬蓉：我因上访被拘留的经历](#)), November 16, 2011, CHRD

“Shanghai Petitioner Seized, Administratively Detained for Five Days” ([上海访民兰月莲被绑架拘留](#)), November 18, 2011, CHRD

“Baby Held for Hours to Prevent Petitioning Mother From Escaping Black Jail” ([中国出生两个月的小访民园园被当人质](#)), November 19, 2011, HRCC

“Petitioner-activist Held in Cage in Detention Center, Released Hours Later” ([紧急呼救：关维双遭劫访后被关押铁笼](#)), November 19, 2011, HRCC

“Hebei Petitioner Held in Drug Rehabilitation Center, Detention Center” ([河北涉县冤民王翠英刚出黑监狱又进戒毒所](#)), November 21, 2011, HRCC

Harassment of Activists

Hunan Lawyer Beaten for Attempting to Visit Chen Guangcheng

On November 15, **Xie Yang** (谢阳), a lawyer from Tiandiren Law Firm in Hunan Province, was robbed and beaten for attempting to visit **Chen Guangcheng** (陈光诚), currently under illegal house arrest in Dongshigu Village in Linyi City, Shandong Province. At the entrance to the village, one of the guards on patrol spotted Xie and prevented him from entering the village. Soon after, three guards surrounded Xie and hooded, searched, and robbed him, taking his mobile phone, bank cards, cash, lawyer’s license, and other items. They also pushed Xie onto the ground and beat him before forcing him to walk up a hill, where they pushed him into a hole and abandoned him. Xie then left Dongshigu but was believed to still be hiding in Linyi City at the time of writing. (CHRD)^[vi]

Sichuan Villagers Beaten for Seeking Solutions for Contaminated Drinking Water

On November 14, more than 20 villagers from Sichuan Province were intercepted as they set out to discuss problems of contaminated water with local government officials, and many villagers were beaten and injured. The Yangliu Village residents, led by village head **Chao Fengcheng** (晁凤成), had just left the village gate when they were ambushed by more than 10 workers from

the Huatanzi Coal Company, whose mining work has jeopardized the local water supply. Many villagers were hurt during the incident, including Chao, who was taken to the hospital after being bloodied on his head and face. An emergency vehicle took two hours to arrive at the scene, and government personnel and police who came did not investigate the incident or attempt to quell it, but instead helped the company workers make their case to the villagers. For several years, villagers have been pressing officials and the coal company to address dire environmental problems caused by mining operations. (CHRD)^[vii]

Disabled Henan Petitioner Severely Beaten For Second Time in Past Month

Liu Bingtong (刘炳同), a disabled petitioner from Henan Province, was severely beaten on November 21 by two railway screeners at the Beijing South Train Station, the second time in a month that Liu had been physically assaulted and suffered injuries. At the station, Liu was stopped by a female screener, and then a male screener came over and knocked over the vehicle that Liu uses to get around. The man punched Liu and kicked him in the head, leaving Liu covered in blood and with a sprained ankle and swelling around his wounds, while also breaking Liu's vehicle. On October 21, the secretary and director of the Nanguan Subdistrict Office in Zhengzhou beat Liu after his release from a black jail, where Liu was held after being taken back to Henan for petitioning in Beijing around National Day. He suffered tissue damage from that beating and was also threatened with Re-education through Labor. Liu called police to report both of these violent assaults, but officers did not respond either time. (CHRD)^[viii]

More recent news related to harassment of activists:

“As Fujian Provincial Party Congress Convened, Family of Arrested Rights Defender Subjected to Restriction of Movement” ([福建开党代会，福远渔船维权家属被限制自由](#)), November 14, 2011, CHRD

“Fuzhou City Petitioners Closely Followed and Monitored as Fujian Provincial Party Congress Convened” ([福建党代会成了冤民的梦魇](#)), November 15, 2011, CHRD

“Fuzhou Victim of Forced Eviction and His Family Monitored and Followed During Fujian Provincial Party Congress” ([福建党代会期间上访冤民林旭光全家被跟踪监控](#)), November 16, 2011, CHRD

“Legal Advocate Ji Sizun Forced to Leave Fuzhou City During Fujian Provincial Party Congress” ([福建省第九届党代会涉嫌扰民 纪斯尊被国保要求回避](#)), November 16, 2011, HRCC

“241 Individuals Have Witnessed Terror in Dongshigu” ([241人见证了东师古的恐怖](#)), November 21, 2011, CHRD

“Information for Linyi City Folks’ Posted on Periphery of Dongshigu, Linyi City, Shandong” ([山东临沂东师古周边张贴的《告临沂市父老乡亲》书（图）](#)), November 22, 2011, CHRD

Forced Eviction and Demolition/Land Expropriation

Guangxi Authorities Seize Land From Villagers, Infant Injured During Eviction

About 100 officers from the Yulin City Bureau of Land and Resources, Yuzhou District People’s Court, and the Nanjiang Police Station in Guangxi Province, along with hired thugs, forcibly evicted 19 individuals from two families from their farmland and village homes in Nanjiang on November 3. One woman, **Ning Shanfang (宁善芳)**, was beaten, and her grandchild was dropped to the ground and seriously injured. Yulin officials evicted the families in the name of urban development, but without offering compensation, presenting an eviction notice, or signing any agreement. The families have petitioned higher authorities about the violent eviction but have received no response. (CHRD)^[ix]

Hebei County Government Forcibly Seize Farmland, Relocate Over 3,000 Villagers Over Six Years

The Luan County government in Hebei Province recently seized 4,000 *mu* of farmland from local villagers in just the latest episode of illegal land seizure conducted to make way for the construction of a local iron mine. On November 12, about 300 government officials and police officers assaulted the resisting villagers. One village representative had his leg and nose broken and is being hospitalized, while three others were detained, with two having since been released. Since 2005, similar government actions, which have taken place without going through appropriate procedures, have affected more than 3,000 villagers in Luan County, and led to the beatings and detentions of nearly 100 residents and the arrests of nine village representatives.

In 2005, without providing adequate compensation, the county government forcibly seized farmland in 30 villages and relocated eight villages with a total of 5,363 residents to pave space for a privately-owned, open-pit iron mine. At the time, the villagers resisted the seizure by petitioning higher authorities, but without success. Instead, nearly 100 villagers were intercepted, beaten, and arbitrarily detained for petitioning, and nine were sentenced to between one and three years in prison. Six years later, again without proper procedures, the county government approved an expansion of the mine, and on October 29 of this year, the government forcibly seized 2,000 *mu* of farmland from at least five villages. (CHRD)^[x]

Guangxi District Government Seized Village Land Without Proper Procedure, Adequate Compensation

On November 16, the vice-chief of Liangqing District in Guangxi’s Nanning City led a group of about 100 men to Nahuang Village, forcibly seizing the land and homes of the villagers. The men, who did not identify themselves, bulldozed the villagers’ crops as well as beating them and injuring two women, who suffered broken bones and head wounds. According to the villagers, the men did not show any legal documents as they seized the land. The villagers were only

informed of the seizure the day before. Without having signed an agreement with the government beforehand, they were simply notified that their land has been expropriated and that they should collect 300,000 RMB, which has been deposited into the bank account of the town government. (CHRD)^[xi]

More recent news related to forced eviction and demolition/land expropriation:

“Police Look On as Developer Forcibly Demolished Amusement Park, Beating Wife of Owner” ([成都游乐园多次暴力拆迁，警方不作为（图）](#)), November 15, 2011 , CHRD

“Hunan Evictee Committed Suicide Because of Inadequate Compensation” ([长沙杨继忠因拆迁补偿不合理自杀（图）](#)), November 12, 2011 , CHRD

“Disabled Evictee Given Suspended Death Sentence after Unfair Trial for Man’s Death During Forced Eviction” ([“刺死”强拆人员的武汉邹斌被判死缓](#)), November 12, 2011 , CRLW

“Woman Committed Suicide Because of Forced Eviction” ([浙江杭州弄口村一被拆迁村民上吊自杀](#)), November 12, 2011, CRLW

Local People’s Congress Elections Watch

Shanghai Independent Candidate Harassed, Threatened for Running in Election

After voters in Shanghai’s Election District 43 cast their ballots for local People’s Congress representatives on November 16, the Party secretary of the district’s election office refused to have the votes counted at the polling station, but instead took away the ballot boxes. According to business manager and independent candidate **Liu Shengmin** (刘生敏), not only were the votes not counted in front of any voters’ or candidates’ representatives, but Liu also had been obstructed and threatened for running for a seat. In October, the election office repeatedly refused to inform Liu of the boundaries of the election district, making it difficult for him to distribute campaign materials. On another occasion, elections office staff members threatened his campaign consultant, warning him that he should “be careful.” (CHRD)^[xii]

Fujian Independent Candidate Stripped of Candidacy Right Before Elections

On November 14, the Shunchang County Elections Committee in Fujian Province stripped the candidacy of independent candidate **Zhang Dejin** (张德锦). Zhang, who intended to run in the People’s Congress election in Shuangxi Subdistrict in Shunchang, said officials refused to give him any reason or legal basis for the action. On November 15, the day of the elections, Zhang then found a notice posted on the door of the Neighborhood Committee issued by the Shunchang County Elections Committee, stating that Zhang’s candidacy had been stripped because of “fraud and other illegal behavior.” Throughout the day on November 15, police officers followed and took photographs of Zhang as he went around his election district and visited voters. Zhang, a

laid-off worker, was included on the list of formal candidates on November 8, but police officers began to follow and monitor him beginning on November 11. (CHRD)^[xiii]

Independent Candidate Not Receiving Medical Care While Detained in Hospital

Independent People's Congress candidate **Li Biyun (李碧云)**, from Guangzhou in Guangdong Province, is suffering from poor health while being detained in a hospital, and has not received proper medication for more than 20 days, according to her attorney, **Wang Quanping (王全平)**. Though the local procuratorate had claimed Li was being held in the Shunde District Detention Center, Wang and her other lawyer, **Li Zhiyong (李志勇)**, learned last week that she was at the Armed Police Hospital in Guangzhou after they spoke with personnel at the detention center and the Shunde Public Security Bureau. When the attorneys finally met Li at the hospital, she told them that she often passes out, and that is only being given vitamins since she does not have the money to pay for medicine and other treatments. Criminally detained on September 21 on a charge of "undermining elections," Li was formally arrested on September 27. Li had protested an election in the neighborhood of Rongli over procedural irregularities, and was detained after attacking an official involved with the election. (CHRD)^[xiv]

More recent news related to Local People's Congress Elections Watch:

"The Illegal People's Congress Elections in Guiyang City" ([贵阳市南明区人大换届选举非法\(图\)](#)), November 12, 2011, CHRD

"Summary of Experiences of Beijing's Independent Candidates (2): Being Blocked, Suppressed, Giving up and Resistance" ([2011北京“独立参选”综述之二：阻挠、压制、放弃和抗争](#)), November 16, 2011, CHRD

"Summary of Experiences of Beijing's Independent Candidates: the Means the Government Uses to Control Elections" ([2011北京“独立参选”综述之三：官方的选举操作手法](#)), November 17, 2011, CHRD

Law and Policy Watch

Public Security Ministry Reportedly Making Strides Towards Standardizing Quality of Police Force, Investigation Facilities

According to a Xinhua article from November 14, the Deputy Minister of the Ministry of Public Security (MPS) claims that the Ministry has made significant improvements since 2008 in standardizing the practice of law enforcement across the country. These reported improvements include abolishing set quotas officers must reach for criminal detention, administrative detention, and fines, and also remodeling police investigation facilities so that 70% of them meet MPS's standards by installing video and audio recording systems. (Xinhua)^[xv] However, whether the cameras will successfully reduce incidence of torture and mistreatment in these facilities is

unclear. In cases documented by CHRD, police often refuse to release unedited versions of surveillance videos when officers are accused of torture.

China Stages Crackdown on “Illegal and Harmful Messages” on Blogs, Online Forum and Instant Messaging

The Ministry of Public Security has initiated a crackdown on “the online black market” to take effect from mid-November through February 2012, targeting “illegal and harmful messages” on the internet. As reported in a November 14 article published by Xinhua, the crackdown will focus on, among other areas, internet search engines, instant messaging services, blogs, online communities, and online forums. (Xinhua)^[xvi] In the past, the Chinese government has used ostensibly legitimate reasons—such as cracking down on “pornography”—to instead close down politically-sensitive websites and limit free speech.

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^[i] “On Eve of Trial, Case Against Ni Yulan, Husband Sent Back to Procuratorate” ([开庭前夕，北京维权律师倪玉兰夫妇案件退回检察院](#)), November 23, 2011, CHRD; “Trial to Open for Beijing Rights Defender Ni Yulan, Husband for ‘Creating a Disturbance’” ([北京维权人士倪玉兰夫妇“寻衅滋事案”即将开庭](#)), November 21, 2011, CHRD; “Ni Yulan and Husband’s Case Sent Back to Public Security Branch Bureau for Further Investigation” ([倪玉兰夫妇案件被退回公安分局补充侦查](#)), August 28, 2011, CHRD; “Ni Yulan and Husband’s Case Transferred to Procuratorate, ‘Fraud’ Charge Added,” ([倪玉兰夫妇案移送检察院，再增“诈骗”罪](#)), July 21, 2011, CHRD; “Arrests of Rights Defense Lawyer Ni Yulan and Husband Both Confirmed, Family Has Not Received Formal Notice” ([倪玉兰夫妇双双被捕，亲属未收到法律文书](#)), June 9, 2011, CHRD; “News Flash: Arrest of Human Rights Lawyer Ni Yulan Approved” ([快讯：维权律师倪玉兰被批准逮捕](#)), May 17, 2011, CHRD

^[ii] “Chongqing Petitioner Tao Dahua Sent to Re-education through Labor for Complaints About Police, Procuratorate, and Judiciary” ([重庆访民陶大华控告公检法被劳教](#)), November 17, 2011, CHRD

[iii] “Bengbu Rights Defender Li Wenge Administratively Detained for 10 Days”(蚌埠维权人士李文革被行政拘留 10 天), November 22, 2011, CHRDR; “Bengbu Rights Defense Activist Li Wenge Has Home Searched, Is Taken Away” (快讯: 蚌埠维权人士李文革被抄家带走), November 21, 2011, CHRDR

[iv] “Chen Guangcheng’s Family Isolated From the World, Last Seen Last Year When Sweeping Grave” (陈光诚家人被隔绝联系, 只有去年上坟时有人见过), November 16, 2011, CHRDR

[v] “Petitioners Seized for Seeking to Attend Lawsuit against Beijing PSB Chaoyang Subdivision Filed by Mao Juhua and Others” (访民要求旁听毛菊华等人诉朝阳分局案遭拒被抓), November 18, 2011, CHRDR

[vi] “Hunan Lawyer Xie Yang Subjected to Beatings and Robbed for Visiting Chen Guangcheng” (湖南律师谢阳探访陈光诚遭殴打抢劫), November 16, 2011, CHRDR

[vii] “Linshui County Residents in Sichuan Beaten for Petitioning Over Drinking Water” (四川邻水县村民为饮水上访遭殴打), November 19, 2011, CHRDR

[viii] “Henan Disabled Petitioner Liu Bingtong Brutally Beaten by Railway Screeners” (河南残疾访民刘炳同惨遭铁路安检员毒打), November 22, 2011, CHRDR; “Disabled Petitioner Liu Bingtong Beaten After Release From Black Jail” (河南残疾访民刘炳同出黑监狱后遭殴打), October 23, 2011, CHRDR

[ix] CHRDR, “Villagers in Zhenzhong Village in Yulin City, Guangxi Province Forcibly Evicted” (广西玉林市镇忠村遭暴力强拆), November 19, 2011, CHRDR

[x] CHRDR, “Hebei Luan County Forcibly Expropriate Villagers’ Farmland, Many Beaten and Subjected to Soft Detention” (河北滦县暴力强占农民耕地, 多人遭殴打软禁), November 19, 2011, CHRDR

[xi] “Guangxi Nanning Violent Expropriation of Land, Villagers Injured and Sent to Hospital” (广西南宁暴力征地 村民受伤送医), November 16, 2011, CHRDR

[xii] “Shanghai’s Liu Shengmin, Blocked and Rights Violated for Running in People’s Congress Elections” ([上海刘生敏独立参选人大代表遭遇种种阻挠侵权](#)), November 17, 2011, CHRD

[xiii] “Shunchang Independent Candidate Zhang Dejin in Fujian Followed, Monitored on Election Day” ([福建顺昌独立参选人张德锦投票日被跟踪监控](#)), November 15, 2011, CHRD; “Shunchang County Election Committee in Fujian Illegally Withdraw Formal Candidacy of Candidate” ([福建顺昌县选举委员会非法撤销正式候选人资格](#)), November 14, 2011, CHRD

[xiv] “Newest Development of Independent Candidate from Shunde Accused of ‘Undermining Elections’” ([顺德独立参选人被控“破坏选举罪”最新情况](#)), November 21, 2011, CHRD; “Newest Case Developments of Arrested Foshan People’s Congress Candidate Li Biyun” ([佛山被逮捕的人大代表参选人李碧云案最新进展](#)), October 10, 2011, CHRD; “Over 900 Voters in Li Biyun’s Foshan Voting District Jointly Submit ‘Indictment of Illegal Election’” ([佛山李碧云案选区九百多名选民联名递交《选举违法控告书》](#)), October 9, 2011, CHRD; “Newest Developments in Criminal Detention of Foshan City Independent Candidate Li Biyun” ([佛山市独立参选人李碧云被刑拘最新进展](#)), October 2, 2011, CHRD; “Independent Candidate Li Biyun Criminally Detained for ‘Undermining Election’” ([独立参选人李碧云被以“破坏选举罪”刑拘](#)), September 26, 2011, CHRD

[xv] “National Standardization of Law Enforcement Has Seen Success at This Phrase; 70% of All Investigative Facilities Completed Transformation” ([全国公安执法规范化取得阶段成效 70% 办案场所完成改造](#)), November 14, 2011, Xinhua

[xvi] “Ministry of Public Security Carries Out Special Clean-up Action on Online Black Market” ([中国公安部部署开展清理整治“网络黑市”专项行动](#)), November 14, 2011, Xinhua

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