



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

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Highlights

- **Detainees From Jasmine Revolution Crackdown See Case Developments:** The “incitement” case against Sichuan activist **Chen Wei** (陈卫) has been transferred to a court, but authorities have continued to obstruct the formation of his defense team. Also, the case against Beijing lawyer **Ni Yulan** (倪玉兰) and her husband, **Dong Jiqin** (董继勤), charged with “creating a disturbance,” was sent back to the procuratorate last week, just one day before their trial was set to open.
- **CHRD Helps Produce Report on Violations by City Administration and Law Enforcement Officers:** On November 25, Chinese legal scholar **Zhang Hui** (张辉) published a report on human rights violations by City Administration and Law Enforcement Officers (*chengguan*). Chinese Human Rights Defenders assisted with the report, which discusses the origins, structure, and mandates of the *chengguan* system, and argues that the system’s arbitrarily expanded power has led to abuse and corruption.

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Arbitrary Detention

Updates on Detentions and Disappearances Related to Jasmine Revolution Crackdown

“Incitement” Case Against Activist Chen Wei Sent to Court; Lawyer Pressured to Drop Case

The case against Sichuan activist **Chen Wei** (陈卫), who has been detained since February on charges of “inciting subversion of state power,” has been transferred to a court in Suining City. Meanwhile, his family has faced restrictions in hiring new defense counsel since one of Chen’s attorneys is no longer representing Chen; his family reportedly is looking to hire a lawyer to replace previous attorney **Ma Xiaopeng** (马小鹏), who has been pressured by authorities to drop the case. Chen is being represented by **Zheng Jianwei** (郑建伟), who was able to see Chen in detention just once, in early September, after his case had been submitted to the procuratorate for a second time. Authorities’ refusals to permit Chen from seeing an attorney blatantly violate Article 33 of the Lawyers Law, which states that access to a lawyer should be granted “from the day a criminal suspect is taken into custody or questioned for the first time by investigative authorities.” Authorities have demanded that either the family hire a new lawyer from the local area—either Chengdu or Chongqing—or that only one attorney be hired to represent him, even though defendants in criminal cases are allowed to have two lawyers. (CHRD)^[i]

Set to Go to Trial, Case of Ni Yulan, Dong Jiqin Sent Back for Review

The case of “creating a disturbance” against Beijing lawyer **Ni Yulan** (倪玉兰) and her husband, **Dong Jiqin** (董继勤), which had been set to go to trial on November 24, was suddenly sent back to the local procuratorate the day before. On November 23, the Xicheng District People’s Court called the couple’s defense lawyers and told them that the case was being returned to the procuratorate for further review. One of the couple’s defense attorneys, **Dong Qianrong** (董前勇), stated that this turn of events—the order for more investigation after a trial date is set—is

rare, but he cautioned that it is not likely a sign that the charges against Ni and her husband would be dropped. Ni, also facing a fraud charge, and Dong have been detained since early April. (CHRD)^[iii]

Liaoning Petitioner Held in Cage Serves Administrative Detention, Goes Out of Contact

A petitioner-activist from Liaoning Province who was recently held for several days in a steel cage remains out of contact days after her administrative detention expired. **Guan Weishuang (关维双)**, from Fushun City, was interrogated around Tiananmen Square in the capital on November 17 before being forcibly returned to Fushun. Back in her hometown, Guan was then held inside a steel cage at a police station and later served a seven-day administrative detention. This punishment expired on November 26, but Guan's whereabouts still remain unknown. Personnel at the Xintun Police Station claim that Guan was released after her detention, but there is speculation that she has actually been transferred to a black jail.

Twice in the past five weeks, Guan went to Shandong Province to try to visit activist and lawyer **Chen Guangcheng (陈光诚)** and to bring greater attention to his plight. On two other past occasions, Guan has been criminally detained by Beijing police, allegedly for singing revolutionary songs. (HRCC)^[iii]

Woman Held in Dungeon for Seeking Justice Over Paralysis Caused by Late-term Forced Abortion

Zhang Wenfang (张文芳) has been detained for over a month in an underground dungeon in Hubei Province for persistently seeking justice over a late-term abortion that she was forced to undergo over a decade ago. Eight months pregnant at that time, Zhang was dragged by town government officials to a health clinic to undergo a forced abortion. An accident occurred during the operation, however, and Zhang was left paralyzed below the waist. The local town government has pledged to give 400,000 RMB in compensation as a result of her petitioning, but the money has not materialized while persecution against Zhang has continued. (CHRD)^[iv]

Shanghai Police Detain Blind Petitioner Twice in Five Weeks

A blind petitioner from Shanghai, **Chen Yongcheng (陈永成)**, was issued a 10-day administrative detention on November 24 after being returned from Beijing, the second time in five weeks he has been punished for petitioning over compensation involving a forced demolition. Police officers from the Luwan District branch of the Shanghai Public Security Bureau issued Chen both detentions. On October 17, police handed Chen a five-day detention for "disrupting the order of a public place," also after he had gone to the capital to express his longstanding grievance. (CRLW)^[v]

Chengdu Activists Seized After Trying to Free Petitioners From Black Jail

On November 23, five Chengdu activists and petitioners failed in their attempt to rescue petitioners **Jiang Guorong** (姜国荣) and **Liu Cunqin** (刘存钦), who have been held in a black jail in Chengdu. The activists called the police, who arrived at the black jail, but instead of rescuing the illegally detained petitioners, the officers allowed the jailers—Qingyang District government officials and their relatives—to take the petitioners away and beat one of the would-be rescuers. Police officers also took activists **Chen Yunfei** (陈云飞) and **Deng Pinfang** (邓品芳) to a police station, where they are currently being held at the time of writing. Two activists who were let go noticed that they were being followed by three unidentified individuals. (CHRD)^[vi]

More recent news related to arbitrary detention:

“Henan Rights Defender Liu Xueli Detained for 10 Days for Petitioning at the United Nations Development Programme office building” ([河南维权人士刘学立被拘留 10 天](#)), November 24, 2011, CHRD

“Inner Mongolian Herder Detained for 15 Days for Seeking Accountability for Destruction of Grassland” ([内蒙古鄂温克旗法院非法拘留女牧民](#)), November 24, 2011, CHRD

Harassment of Activists

Shanghai Activist Dragged From Friend’s Home for “Gambling”

Shanghai activist **Feng Zhenghu** (冯正虎), who was interrogated last month about advocacy activities held on behalf of activist and lawyer **Chen Guangcheng** (陈光成), was dragged away from a friend’s home by authorities on November 25, supposedly on suspicion of “gambling.” Feng’s whereabouts remain unknown at the time of writing. About a half-dozen officers, including national security officers from Yangpu District and police from the Jiangsu Road Police Station, burst into the home of **Wang Kouma** (王扣玛) and took Feng away. Wang, who was out buying groceries when Feng was seized, learned from a neighbor that officers claimed someone had called the police to report that there was gambling going on at Wang’s home. In a phone call with CHRD, Wang indicated that he had simply asked Feng over for a meal, and that police had not disclosed any information about Feng. On October 22, Feng was interrogated by police about a letter-signing campaign conducted in support of Chen Guangcheng, as well as about a collection he had edited about cases of injustice in Shanghai’s courts. (CHRD)^[vii]

Beijing Netizen Interrogated, Pressured Over Advocacy for Chen Guangcheng

Beijing netizen **Xiao Cuo** (小撮) was questioned for seven hours, from the late evening of November 28 to early the next morning, about advocacy efforts made for activist and lawyer **Chen Guangcheng** (陈光诚), who lives with his family under house arrest in Shandong Province. Officers from the Dongsheng Police Station interrogated Xiao after netizens, including Xiao, pasted materials about Chen around the periphery of Dongshigu Village on November 19, and just after Xiao posted [information and suggestions](#) online about a “new method” for going to see Chen. Taken away by two police officers, was told to agree to not to post further about Chen’s situation, an order he reportedly refused. (CHRD)^[viii]

Sichuan Petitioner Faces Death Threats, Limits on Freedom

For nearly two months, Chengdu petitioner **He Aiqin** (何艾芹) has faced severe threats and limits to her freedom in Qingyang District since returning from Beijing, according to fellow petitioners who have received messages from He. She has been unable to leave her home since October 4, and is under round-the-clock surveillance by guards reportedly taking orders from local party committee authorities. She has indicated that she is forbidden from seeing a doctor, and that guards have warned her that they will alert thugs to beat her up if she goes out. They have also threatened that she will be “beaten to death” if she returns to Beijing to petition and to try to expose various acts of corruption by local officials, behavior for which He has been detained and physically assaulted on several occasions. (CHRD)^[ix]

More recent news related to harassment of activists:

“Xiangfan, Hubei Petitioner Guo Huaixiu Faces Continued Violence From Interceptors at Ministry of Railways” ([湖北襄樊冤民郭怀秀在铁道部连续遭劫访人员暴力](#)), November 22, 2011

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Hunan Activist Seriously Ill, Not Receiving Adequate Medical Care

Imprisoned village activist **Xiang Songmei** (向松梅) is seriously ill, but the detention center where she is being detained has refused to provide her with adequate medical treatment. According to Xiang’s sister, the Hongjiang City Detention Center recently notified her that Xiang, 54, is very ill and is too weak to ingest food, though her specific illness is unknown. The detention center has not provided Xiang with adequate treatment, however, and instead asked her sister to provide medication for her. Xiang was convicted of “gathering a crowd to disrupt traffic order” and sentenced to one year in prison on October 25. The ruling was likely in retaliation for her organizing of fellow villagers to expose corruption over compensation after farmland had been flooded in 2009 during dam project work. After the flooding, a power plant had submitted compensation to government officials, but most of the funds allegedly went missing. Villagers

later protested when they suspected malfeasance on the part of officials, and Xiang was taken into custody and held for several months. Earlier this year, she was criminally detained after petitioning in Beijing. (CHRD)^[x]

Authorities Detain, Beat Petitioner Frequently Held in Psychiatric Hospitals

A petitioner who has been sent numerous times to psychiatric hospitals, **Gu Xianghong** (辜湘红), has reported being beaten while detained by officers from the Beijing Public Security Bureau Tiananmen Subdivision, and has since gone out of contact. From Xiangxiang City in Hunan Province, Gu called Civil Rights & Livelihood Watch (CRLW) on November 21, and said she had petitioned at several letters and visits offices in Beijing before being seized and then beaten by police officers and interceptors. Authorities have detained Gu in psychiatric institutions in Beijing and Xiangxiang as many as nine times in retaliation for her petitioning activities, which involve grievances over family planning issues. (CRLW)^[xi]

Freedom of Peaceful Assembly and Association

Guangzhou Authorities Question, Harass Students Holding Environmental Protection Event

On November 27, several police officers questioned and bullied university students in Guangzhou who were participating in an event that focused on protecting the environment. A group of university students as well as others in the area signed a banner that students had made which was adorned with the slogan “Protecting the Environment Makes Everyone Happy.” Seven or eight public security officers and personnel from the park where the event was being held then converged on the gathering and questioned some of the students. The interrogators reportedly spoke roughly to the students and threatened to tear the banner. Residents and others who remained at the scene complained to the police that the student activity deserved promotion and support, and police eventually relented and ceased their questioning. (CHRD)^[xii]

Freedom of Religion

Hunan Authorities Run Pilot Campaign to Suppress Christians, Falun Gong Practitioners

Village authorities in Hunan Province have initiated suppression of Christians and Falun Gong adherents by targeting families to “refuse cult” activities, a pilot campaign reportedly being tried out before it is applied more widely. On November 23, more than 200 Christians and Falun Gong practitioners in Beishan Village, located in Longhui County, were subjected to a “study class” intended to “brainwash” them, with lessons focused on disseminating “anti-cult” information. As part of the campaign, more than 11,000 local residents were reportedly forced to sign guarantees that prohibit them from participating in religious and spiritual activities. Overall, the local government has expended great efforts in organizing “anti-cult” activities, reportedly holding

more than 60 “cultural and arts” events, publicly posting thousands of “anti-cult” slogans, and mass-printing materials about abolishing “cult” beliefs and practices. (CHRD)^[xiii]

Local People’s Congress Elections Watch

Shenzhen Candidate Spells Out Harassment, Obstructions Faced in Campaigning

Independent candidate **Zhang Zhiru (张治儒)**, an advocate for the interests of migrant workers in Shenzhen, has revealed how he has been closely monitored and harassed during his recent campaign work. On November 19, Zhang’s helper was handing out promotional materials when police officers from Bao’an District took him to a holding room in the station, and he was freed only after being warned not to distribute more materials. The next day, Zhang and others were preparing to give out voter materials when nearly 20 public order personnel confiscated the materials and also tore down election information that had been publicly posted. Dozens of public order officials then were sent to keep watch over Zhang’s office, and a police car was stationed out front. Zhang was further warned not to distribute materials himself, even those issued by the Bao’an National People’s Congress Standing Committee, or else he would be held accountable for “undermining elections.” Zhang also stated that he has been followed and monitored of late, and that local officials have come to his office and requested to see his business license. In addition, criteria for drawing up voting districts have been inconsistent, with those without permanent residence in Shenzhen—like the migrant workers that Zhang supports—now needing to provide more certifications than previously stated in order to be eligible to vote. (CHRD)^[xiv]

Special Notice

Report: Lack of Legal Basis Fuels Violence, Rights Violations by City Administration and Law Enforcement Officers (“Chengguan”)

A new report in Chinese on the human rights violations by City Administration and Law Enforcement Officers (*chengguan*) was published on November 25 by Chinese legal scholar Zhang Hui, with assistance from Chinese Human Rights Defenders. The *chengguan* system has gradually been set up across China since 1997 by city governments aiming to centralize the related powers of various government agencies involved in city management, and has generated widespread public anger in recent years as its officers use heavy-handed methods in dealing with street vendors and evictees. The report traces the origins of the system, discusses the organizational structure and the mandate of *chengguan*, and argues that the system lacks regulation by a designated law and that its power has been arbitrarily expanded, opening the door for abuse and corruption. Victims of *chengguan* officers’ irregular enforcement tactics, including arbitrary seizure of goods and destruction of tools, have few remedies. The report bases its

findings on cases of abuses as reported in the Chinese media, as well as on interviews of 40 small- and medium-size businesses and 10 former *chengguan* officers. (CHRD)^[xv]

Editors: Victor Clemens and Wang Songlian

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^[ii] “Case of Sichuan Rights Defender Already Transferred to Court, National Security Officers Prevent Meetings With Lawyer” ([四川维权人士陈卫案已经送达法院，国保干预请律师](#)), November 29, 2011, CHRD; “Lawyer Meets For First Time With Sichuan Rights Defender Chen Wei, Detained for Over Half Year” ([律师首次会见被关押半年多的四川维权人士陈卫](#)), September 8, 2011, CHRD

^[iii] “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

^[iii] “Liaoning Rights Defender Guan Weishuang Disappears After Release From Detention in Steel Cage” ([被关铁笼的辽宁维权人士关维双在拘留所离奇失踪](#)), November 28, 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

^[iv] “Hubei Petitioner Zhang Wenfang Detained in Black Jail” ([湖北访民张文芳被关黑监狱](#)), November 26, 2011, CHRD

^[v] “Blind Shanghai Activist Chen Yongcheng Given 10-Day Detention” ([上海盲人访民陈永成再次被拘留](#)), November 25, 2011, CRLW; “Chen Yongcheng, Blind Petitioner from Shanghai, Detained” ([上海盲人访民陈永成被拘留](#)), November 15, 2011, CRLW

^[vi] “Chen Yunfei, Others Try to Rescue Petitioner From Black Jail, End Up Held in Police Station” ([陈云飞等人营救黑监狱中访民被带往派出所](#)), November 23, 2011, CHRD; “Pujiang County, Chengdu City,

Sichuan Province is Still Holding Petitioners in Detention following the Two Meetings” ([四川成都蒲江 仍然关押着一批两会上访的访民](#)), May 21, 2011, CHRD

^[vii] “Feng Zhenghu Visits Wang Kouma’s Home, Is Taken Away by Police for Alleged ‘Gambling’” ([冯正虎到王扣玛家做客，被警察以“赌博”名义带走](#)), November 25, 2011, CHRD; “Feng Zhenghu Summoned for Supporting Activities to ‘Free Chen Guangcheng’” ([冯正虎支持“自由光诚”行动被传唤](#)), October 22, 2011, CHRD

^[viii] “Netizen Questioned By Police Over Pasting of ‘Information for Linyi City Folks’” ([赴临沂张贴《告临沂市父老乡亲》的网友被警方约谈](#)), November 29, 2011, CHRD; “Six Netizens Publicize, Post ‘Information for Linyi City Folks’” ([六网友赴临沂宣传张贴《告临沂市父老乡亲》](#)), November 28, 2011, CHRD; “Beijing Netizen’s New Method for Visiting Chen Guangcheng—‘Veteran Medical Program’” ([北京网友探访陈光诚的新模式——“老军医项目”](#)), November 28, 2011, CHRD

^[ix] “Chengdu Petitioner He Aiqin Has Limits Placed on Freedom” ([成都访民何艾芹 因上访被限制自由多日](#)), November 23, 2011, CHRD

^[x] “Hunan Hongjiang City Rights Activist Xiang Songmei Seriously Ill in Detention Center” ([湖南省洪江市维权人士向松梅在看守所病危](#)), November 24, 2011, CHRD

^[xi] “Psychiatric Patient Gu Xianghong of Hunan Taken Into Custody, Beaten” ([湖南被精神病患者辜湘红被殴打抓捕](#)), November 22, 2011, CRLW

^[xii] “University Students Interrogated For Holding Environmental Protection Activity, Police Threaten to Tear Up Signed Banner Students Had Created” ([大学生公园宣传保护环境被盘查，警察扬言撕烂签名横幅](#)), November 28, 2011, CHRD

^[xiii] “Longhui Village Government in Hunan Province Persecutes Religious Practitioners” ([湖南隆回县迫害宗教人士](#)), November 24, 2011, CHRD

^[xiv] “Independent Candidate Zhang Zhiru of Shenzhen Faces Tight Surveillance, Obstructions” ([深圳张治儒参选人大代表遭严密监视和阻挠（图）](#)), November 22, 2011, CHRD

^[xv] “Human Rights Abuses and Problems of Comprehensive Urban Management and Law Enforcement System” ([城管综合行政执法体制的制度弊端及城管执法对人权的侵害](#)), November 25, 2011, CHRD

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