



Chinese Human Rights Defenders (CHRD)

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Promoting human rights and empowering grassroots activism in China

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Highlights

- Veteran activist and “Jasmine Crackdown” detainee **Chen Wei** will be tried for “inciting subversion” on December 23, following the footsteps of prominent activists including Gao Zhisheng and Liu Xiaobo, whose trials took place right before Christmas. The timing of the trial and the fact that Chen had previously been jailed for political crimes raise fears that he might be given a harsh sentence. In March this year, another activist, Liu Xianbin, was handed a 10-year sentence for the same crime by the same court that is going to try Chen Wei.
- Another veteran activist, Guizhou Human Rights Forum member **Chen Xi**, is also expected to go to trial for “inciting subversion” around Christmas, though the court has yet to announce his trial date.
- The human rights lawyer **Gao Zhisheng**, who has been forcibly disappeared since April of 2010, has been sent to prison to serve his sentence for “inciting subversion of state power” after having his probation withdrawn, according to Xinhua. CHRD released a statement on the decision, calling for Gao’s release.

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Arbitrary Detention

Updates on Detentions and Disappearances Related to Jasmine Crackdown

Sichuan Activist Chen Wei’s Trial for “Inciting Subversion” Set on December 23

Veteran activist Chen Wei (陈卫), from Sichuan’s Suining City, is to be tried for “inciting subversion of state power” on December 23 at 9am at the Suining Intermediate People’s Court. Chen’s case has twice been sent back to the procuratorate for ‘supplementary investigation’ due to insufficient evidence. The indictment reportedly references four articles about human rights and democratization that Chen posted online as the basis for the charge of “inciting subversion of state power,” stating that their wide distribution had a “very bad influence” and that the offense should be severely punished. The charge of “inciting subversion” can carry a maximum of 15 years of imprisonment. In March this year, fellow Sichuan activist Liu Xianbin received 10 years in prison after he was convicted of the same crime by the same court.

Chen Wei, who is held in Suining Detention Center, was taken into custody on February 20, as part of the Chinese government’s “Jasmine Crackdown.” Chen Wei was formally arrested for “inciting subversion” on March 28. (CHRD)¹

Beijing Activist Wang Lihong Released

Beijing activist Wang Lihong (王荔蕪), who has served nine months for “causing a disturbance,” was released on December 20. Wang is in poor health—she lost 12 kilograms and suffers from heart and blood pressure problems and pain in the lumbar area, and has gone for a medical check-up upon release. Before she was released, Wang staged a 3-day hunger strike to protest the use of torture in the Chaoyang District Detention Center. Wang said detainees at the center are required to sit motionless in an awkward position for five hours every day, which causes pain in the waist for those who are detained in the center for long periods of time.

A number of activists were subjected to restriction of movement for planning to meet Wang at the detention center. Zhu Chengzhi (朱承志) from Yunnan Province was briefly taken away by Guilin City national security officers, while Zhao Changqing (赵常青) from Beijing and Wu Huaying (吴华英) from Fujian Province were subjected to “soft detention” at home. (CHRD)²

Guizhou Veteran Activist Charged with “Inciting Subversion” Likely to Be Tried around Christmas

Guizhou veteran activist Chen Youcai (陈友才, aka Chen Xi [陈西]) is likely to be put on trial around Christmas, according to lawyers and family members. Although the trial dates have not been announced, it is believed that court proceedings against him will begin soon as the procuratorate has recently sent the case to court. In recent years, several trials of prominent activists including Gao Zhisheng (高智晟) and Liu Xiaobo (刘晓波) were staged right before Christmas.

Chen Xi's case shares several striking similarities with the case of Sichuan activist Chen Wei (see above), who will be tried on December 23, also right before Christmas. Both Chen Wei and Chen Xi started their activism in 1989—Chen Wei was a student protestor in Beijing while Chen Xi organized a pro-democracy group to join the protests in Guizhou, and for these activities the two were imprisoned respectively. But the two have not ceased their activism. They went on to organize political parties, and in recent years, have been at the forefront of human rights activism in Sichuan and Guizhou provinces. The fact that both were imprisoned before—Chen Wei was jailed for six years while Chen Xi spent 13 years in prison—does not bode well for them in their current trials, as repeat political “offenders” are likely to receive harsher sentences. As they are both based in provinces far away from Beijing, the national capital, their cases have so far received little international attention. Both have been charged with “inciting subversion of state power” and in both cases, the procuratorates have cited their articles promoting human rights and democracy as evidence for “inciting subversion.”

Chen Xi, originally from Guangxi Province, was seized and arrested for “inciting subversion” on November 29. Chen Xi is a member of the Guizhou Human Rights Forum, which has been declared by the Guizhou authorities as an “illegal organization” on December 5, days prior to the Human Rights Day on December 10. His case was sent to the Guizhou Intermediate People's Court on December 16, only five days after Chen Xi's family received notification of his arrest. Chen Xi is currently held in Guiyang City No.1 Detention Center. (CHRD)³

Guangzhou Human Rights Lawyer Tang Jingling Missing After Being Seized by Police

Beijing human rights lawyer Tang Jingling (唐荆陵) has not returned home after he was taken away by Guangzhou police in the evening of December 18. Police took Tang away for “summons,” even though they did not present a warrant. It is unclear why Tang has been taken away. Tang's family speculates that his recent call for attention to the ongoing protests against land expropriation in Wukan Village in Guangzhou Province might have led to his disappearance. Tang disappeared for months during the “Jasmine Crackdown” of this year. He was taken into custody on February 22 and then placed under residential surveillance (jianshi juzhu) on suspicion of “inciting subversion” in early March at a location outside of his home. He was eventually released on August 1 and sent back to his hometown in Hubei Province, and was not being allowed to return to Guangzhou until September. He and his family have continued to be subjected to police surveillance ever since his release. (CHRD)⁴

Beijing Court Sends Gao Zhisheng “Back to Prison” for “Incitement” Conviction, Claims Probation Violations

The human rights lawyer Gao Zhisheng (高智晟), who has been forcibly disappeared since April of 2010, has reportedly been sent to prison to serve his sentence for “inciting subversion of state power” after having his probation withdrawn, Xinhua [reported](#) on December 16. In an announcement, the Beijing No. 1 Intermediate People's Court stated that Gao—who was sentenced to three years in prison with five years' probation in December of 2006—had on numerous occasions seriously violated the terms of his probation, which was set to expire only days before the court's decision was issued. It is unclear where Gao is being detained or where he will serve the sentence.

In an interview with CHRD, Gao's elder brother, Gao Zhiyi (高智义), indicated that government officials had not notified him. He reiterated the last time he had contact with Gao Zhisheng was during the Qingming Festival, in April of 2010. At that time, Gao Zhisheng had returned to their hometown in Shaanxi Province before being taken away by authorities from Beijing. When Gao Zhiyi later asked about his brother's whereabouts, Beijing authorities preposterously claimed that perhaps he had "gotten lost," and since then they have not answered or responded to Gao Zhiyi's phone calls. Gao told CHRD that he worries that the government has killed his brother and he intends to go to Beijing to inquire about his younger brother's situation.

Gao Zhisheng was taken into custody on August 15, 2006, after working on sensitive rights cases and exposing abuses suffered by Falun Gong practitioners. On December 22 of that year, he was convicted of "inciting subversion" and sentenced to a three-year prison term, which was immediately commuted to five years' probation. After his release, Gao and his family were subjected to constant monitoring and harassment. In 2007, Gao was disappeared for over 50 days and also tortured. In February 2009, he disappeared again for over a year. When Gao re-appeared briefly in late March of 2010, he spoke of the cruel treatment he had been subjected to while in secret detention, and then went missing again the following month. (CHRD)⁵

Petitioner Remains Held in Psychiatric Hospital After 12 Years

A petitioner from Shandong Province, Jiao Yanshou (焦延寿), has reportedly been detained by a local government in psychiatric hospitals since 1999, and now languishes in such detention at 71 years of age. Formerly a farming tool factory worker in Laizhou City, Jiao approached authorities around 12 years ago about alleged theft of materials by a factory manager, which resulted in Jiao being beaten and then losing his job. Refusing to accept these retaliatory measures, Jiao petitioned several times to the city and provincial governments, and also went to Beijing to pursue his grievance. Claiming that Jiao had a mental illness, local authorities ended up detaining him in Rongjun Hospital, a psychiatric facility in Yantai City. Because it became too expensive for authorities to hold him there, Jiao was moved to another mental institution. An individual who encountered Jiao in that hospital in 2008 indicated that Jiao was in good spirits and did not have obvious signs of mental illness. CHRD was able to contact Jiao's brother, but he was unwilling to discuss Jiao's situation. (CHRD)⁶

Shandong Mother, Infant Son Detained After Family Cannot Pay Huge Family Planning Fine

A mother and her one-year-old son remain detained in Shandong Province after being forcibly taken from their home on December 10 when the family could not pay an enormous fine for violating family planning policies, according to her husband, Liu Zhi (刘志). Personnel from the Family Planning Committee of Lanshan Subdistrict in Linyi City seized the woman and child, who are reportedly being held at the party committee office in Xiaolizhuang Village. Liu's wife gave birth to the couple's first child, a girl, in August of 2001, and then they had the son in 2010. Lanshan family planning officials recently told the family that the second child "violated" provincial regulations from 2002, and demanded the couple pay a fine totaling 116,800 RMB (more than US\$18,000). Far from able to pay the fine—the only household income is generated by Liu's microblog—Liu was only able to borrow about one-third of the money to cover the

penalty, and gave it to the family planning committee. Without receiving the full fine amount, family planning officials illegally detained his wife and son, and have continued to pressure Liu to hand over more money. Since his wife and son were detained, Liu has sought out government officials for help, but none have taken action. (CHRD)⁷

More recent news related to arbitrary detention:

“Beijing Netizen Subjected to Soft Detention for Aiding Homeless Petitioners” ([北京葛志慧救助露天蜗居访民又被软禁](#)), December 19, 2011, CHRD.

“Jiangsu Man Reportedly Held in Psychiatric Institution for 30 Years for Political Reasons” ([江苏常熟王永刚因政治原因关精神病医院30多年](#)), December 19, 2011, CHRD.

“The Man Who Beat Christian Bale and Chen Guangcheng’s Wife Yuan Weijing” ([殴打、谩骂袁伟静的看守张升和打奥斯卡巨星贝尔\(图\)](#)), December 17, 2011

“Guizhou Human Rights Forum Members Disappeared, Subjected to Forced Travel and Other Restrictions on Movement” ([贵州人权研讨会成员被严格控制部分被旅游](#)), December 19, 2011.

“Wuxi Petitioner Lu Fengjuan Detained in Beijing, Another RTL Sentence Feared” ([无锡访民陆凤娟在北京被抓捕恐被再次劳教](#)), December 15, 2011, CHRD

“Lixian County, Hunan County Petitioner-Rights Defender Treated for ‘Mental Illness’” ([湖南临澧县上访维权者“被精神病”](#)), December 15, 2011, CHRD

Harassment of Activists

Activist and Husband Return Home After Missing for Two Weeks for Advocating for Chen Guangcheng

Shandong activist Wang Xuezheng (王雪臻) and her husband were released on December 15, two weeks after police took them from their home on December 2 as they were preparing to go to Jinan City to take part in a “Free Chen Guangcheng” activity for the lawyer and activist being held under house arrest. The couple was first held at a nursing home for retired cadres, but then was apparently transferred to a section of a Party school in Laiyang City where Falun Gong practitioners are detained. Wang has gone on seven occasions to Linyi City to try to see Chen Guangcheng, and has kept advocating for Chen’s freedom despite repeated harassment by local police and guards. (CHRD)⁸

Forced Eviction and Demolition/Land Expropriation

Centenarian, Paralyzed Women Injured Over Land Requisition Dispute

CHRD learned on December 14 that an ongoing impasse over requisitioned land led to conflicts last month in Guangxi Province in which a 104-year-old woman and a 71-year-old paralyzed woman were injured. Conflicts in Yulin City broke out on both November 16 and 23, with the People's Congress secretary from Xinqiao Town joining personnel from a development company and others to intimidate local villagers. Dozens of villagers, who have seen their land being taken over and their crops destroyed, came to discuss the situation on both days. Conflicts broke out, however, leading to injuries to a half-dozen residents, including to a centenarian, Chen Ruifang (陈瑞芳), who was pushed over by thugs, and also a paralyzed villager who is over 70 years old. Chen suffered a large gash on her left arm but was deemed too old to be admitted to the local hospital, so the hospital instead sent personnel to her home to administer medical attention. Police reportedly came to the scene of the conflict on the 16th but failed to halt the violence; villagers called police several times on the 23rd but no officers arrived.

Another injured villager, Xiao Li (肖丽), was brought to the Xinqiao Police Station to file a report, but officers said the matter should be taken up with the town government, which later sent Xiao to a local hospital and paid her examination fee. Xiao was diagnosed with a concussion and is still hospitalized, but the hospital has stopped providing medical care since the Xinqiao authorities ceased paying her fees. The authorities have threatened her family that Xiao's medical expenses will not be paid unless the family signs over an agreement relinquishing their land. Reportedly, many villagers have not signed such agreements because they argue that the government has not complied with the law in seizing the land. Villagers have petitioned to the city and provincial governments numerous times over the land requisition issues, but without any success. (CHRD)⁹

Local People's Congress Elections Watch

Independent Candidate's Microblog Shut Down Just Before Election Day

The microblog of Wang Lixin (王立新), an independent candidate in Shandong Province, was closed down on December 16, just days before the local People's Congress elections. From the time Wang declared his candidacy in Dongying City, security officers belonging to his employer, the Dongying branch of China Unicom, had closely monitored Wang's microblog announcements as well as his activities. After his microblog was shut down, a message appeared on Sina.com, where it had been hosted, saying that Wang's account was inaccessible. Wang has found it daunting to conduct a campaign at all, since he was forced to register his candidacy through his company, which only promoted the campaign of the company's Party secretary. (CHRD)¹⁰

Special Notice

CHRD Issues Statement on Arbitrary Nature of Court Decision to Send Gao Zhisheng "Back to Prison"

On December 16, CHRD released a [statement](#) on the decision of the Beijing No. 1 Intermediate People's Court to put human rights lawyer and activist Gao Zhisheng (高智晟) "back in prison" after he had been missing for the past 20 months. The statement underscores the fact that the

court's announcement is the clearest acknowledgment to date that the Chinese government has been secretly detaining Gao since last spring. CHRDR's statement is critical of authorities for not publicly revealing more information about Gao's whereabouts and fate, and points out that his continued disappearance only mirrors a recent trend of authorities using secret detentions as a tool for squelching perceived dissent and violating the rights of Chinese citizens. In the statement, CHRDR calls for Gao's immediate release or—at minimum, full disclosure of his whereabouts and permission for him to be visited—and also for the Chinese government to abandon proposed revisions to the Criminal Procedure Law that would in effect legalize enforced disappearance. (CHRDR)¹¹

Correction: CHRDR has previously reported, in its December 9-11 and November 28-29 editions of China Human Rights Briefing, that the lawyer of Sichuan activist Chen Wei, Zheng Jianwei, was only allowed to meet with his client once since Chen was taken into custody in February. In fact, Zheng was able to meet Chen for the second time on November 14.

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¹“Court Hears the Case of Chen Wei, Charged with ‘Inciting Subversion of State Power’ on December 23” ([特别关注: 陈卫“煽动颠覆国家政权案”本月23日开庭](#)), December 23, 2011, CHRDR; “Lawyer Zheng Jianwei Finally Allowed to View Documents for Chen Wei’s ‘Incitement’ Case, But Again Blocked From Seeing Chen” ([陈卫“煽动颠覆国家政权案”律师开始阅卷, 会见再次受阻](#)), December 15, 2011, CHRDR; “Trial of Chen Wei Imminent, Suining Court Notifies Lawyer to Get Copy of Indictment” ([陈卫案开庭在即, 遂宁法院通知律师取起诉副本](#)), December 9, 2011; “Chen Wei’s Attorney Set to Examine Case Documents, But Unable to Contact Judge” ([陈卫案代理律师欲到法院阅卷无法联系到法官](#)), December 6, 2011, CHRDR; “Lawyer Again Blocked From Meeting Chen Wei, Dissident Charged With ‘Incitement’” ([陈卫“煽动颠覆国家政权”案律师会见再次受阻](#)), November 30, 2011, CHRDR

²“Beijing Human Rights Activist Wang Lihong Released, Physically Weak” ([北京人权活动家王荔蕪出狱, 身体虚弱\(图\)](#)), December 19, 2011, CHRDR; “Activist Zhu Chengzhi Disappeared after Being taken Away by Guilin City National Security Officers” ([维权人士朱承志被桂林国保带走后失踪\(图\)](#)), December 19, 2011, CHRDR.

³“Guizhou’s Chen Xi’s Case of ‘Inciting Subversion of State Power’ Sent to the Court with Amazing Speed” ([贵州陈西涉嫌“煽动颠覆国家政权”案已被神速移交法院](#)), December 17, 2011, CHRDR; “Sichuan Activist Chen Wei Meets Defense Lawyer” ([四川维权人士陈卫与代理律师会见](#)), December 17, 2011, CHRDR.

⁴“Guangzhou Human Rights Lawyer Tang Jingling Has Not Returned Home After a Night of Being Summoned” ([广州维权律师唐荆陵被传唤一夜未归\(图\)](#)), December 18, 2011, CHRDR

⁵ “Lawyer Gao Zhisheng Sent Back to Prison, Family Unaware of Details” ([特别关注：高智晟被重新关进监狱，亲属称毫不知情](#)), December 16, 2011, CHRD; “Gao Zhisheng Missing for 15 Months, Elder Brother’s Multiple Inquiries Yield No Results” ([高智晟失踪 15 个月，其兄多方找询无果](#)), June 9, 2011, CHRD.

⁶ “71-Year-Old Petitioner Jiao Yanshou Held For 12 Years in Psychiatric Hospital” ([山东 71 岁访民焦延寿关精神病医院 12 年](#)), December 14, 2011, CHRD

⁷ “Mother, Son From Linyi City Illegally Detained After Family Is Unable to Pay Fee for Violating Family Planning Policy” ([因无法交巨社会养，沂生委法拘禁母子二人](#)), December 14, 2011, CHRD

⁸ “Wang Xuezheng, Chen Guangcheng Supporter, Missing 14 Days” ([关注声援陈光诚，王雪臻被失踪 14 天](#)), December 15, 2011, CHRD; “Shandong Human Rights Activist Wang Xuezheng Missing 13 Days, Family Unable to Locate Her” ([山东维权人士王雪臻失踪十三天下落不明 家人寻访未果](#)), December 14, 2011, CHRD; “Wang Xuezheng Taken Away by Police For Calling Attention to Chen Guangcheng’s Plight” ([快讯：因关注陈光诚，王雪臻被警方带走](#)), December 2, 2011, CHRD

⁹ “104-Year-Old Woman Injured During Conflict Over Requisitioned Land in Yulin City, Guangxi Province” ([广西玉林征地引冲突，104 岁农妇受伤](#)), December 14, 2011, CHRD

¹⁰ “Microblog of Independent Candidate Wang Lixing Closed Down” ([独立参选人王立新竞选微博遭封杀](#)), December 15, 2011, CHRD

¹¹ “[Disappeared Lawyer Gao Zhisheng Ordered “Back to Prison” Highlights Law’s Arbitrariness in China.](#)” December 16, 2011, CHRD