China Human Rights Briefing

December 7-13, 2011

Highlights

Guizhou Activist Arrested As Rights Forum Declared “Illegal”: Guizhou activist Chen Xi (陈西) was recently arrested for “inciting subversion,” just days before authorities strongly moved to ban the Guizhou Human Rights Forum—of which Chen is a key member—for being an “illegal organization.”

Veteran Activist Reveals Torture Suffered in Detention: Sichuan activist Zuo Xiaohuan (左晓环), a veteran of the 1989 pro-democracy movement, has revealed details of torture and other abuses that he suffered while in extended custody for until his release this past November.

CHRD Statement Reflects on Bleak Year for China’s Rights Situation: In recognition of Human Rights Day, CHRD issued a statement that outlined human rights violations against Chinese activists that have taken place this year, and called on the international community to push for China to honor its human rights obligations.

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**Arbitrary Detention**

**Updates on Detentions and Disappearances Related to Jasmine Revolution Crackdown**

**Lawyer for Chen Wei to Obtain Court Documentation, Trial May Be Approaching**

Zheng Jianwei (郑建伟), the lawyer for Sichuan rights activist Chen Wei (陈卫), was notified on December 9 by the Suining Intermediate People’s Court to pick up a copy of the indictment against his client. This may be a sign that court proceedings will begin soon, though the court has not informed Zheng of a trial date. In recent years, several trials of prominent activists have begun right before Christmas, leading to speculation that Chen’s trial might begin in the third week of December and conclude before the end of the year.

Making various excuses, authorities have consistently obstructed Zheng’s work in representing Chen, and as recently as December 6 were uncooperative when Chen’s wife contacted the court to arrange for Zheng to review case materials. Authorities have allowed the lawyer to meet his client just once since Chen was detained on February 20, 2011. The constant denials of such visits violate Article 33 of the Lawyers Law, which states that access to a lawyer should be legally granted “from the day a criminal suspect is taken into custody or questioned for the first time by investigative authorities.” Chen has been detained on suspicion of “inciting subversion of state power,” allegedly over the content of articles that he published online. A 1989 Tiananmen student protester, Chen has been imprisoned on two occasions for his activism. (CHRD)[1]

**Guizhou Activist Chen Xi Arrested for Inciting Subversion**

CHRD learned on December 13 that activist Chen Xi (陈西), a member of the Guizhou Human Rights Forum who has been missing since November 29, has been arrested for “inciting subversion of state power.” On November 29, Chen went to the Guiyang City Public Security Bureau (PSB) Jinyang Subdivision after being notified by police to collect his computer, which had been confiscated. Once there, he was arrested for “inciting subversion,” though the arrest warrant was not sent to Chen’s wife until December 11. When Chen’s wife confronted the police about this delay in notification, the police said the warrant was not delivered until then because earlier notification might have “hindered investigation.” Chen is being held in the Guiyang City No.1 Detention Center. Just days after Chen’s arrest, Guizhou authorities declared the Guizhou Human Rights Forum an illegal organization (see below). (CHRD)[2]
Inner Mongolia Evictee Gets Two-Year RTL Punishment

A victim of forced eviction from Inner Mongolia, Niu Chunchan (牛春婵), was given a two-year Re-education through Labor (RTL) punishment on November 30 for “disturbing public order” after petitioning around Tiananmen Square and nearby locations in Beijing. On November 8, Niu had gone to the capital, where she was taken into custody. Since her home was demolished in June of 2009, Niu has been issued administrative detentions—three in 2009 and two in 2010—for petitioning over unresolved compensation issues. The RTL decision was given by the Hulunbuir City RTL Management Committee. According to her family, Niu has been detained by authorities more than 20 times and spent over 300 days in black jails in retaliation for her petitioning. (CRLW)\[3\]

Village Representative Secretly Sent to RTL

CHRD learned on December 11 that Zhang Dingfen (张定芬), a Chongqing petitioner and a village representative, has been secretly sent to two years of Re-education through Labor (RTL). Zhang’s husband, Chen Shanming (陈善明), was petitioning in Beijing about his wife’s disappearance when he learned that she has been sent to RTL for “disturbing work unit order.” After Zhang was seized by interceptors in Beijing on October 31, Chen had repeatedly asked police and town governments about her but was denied knowledge of her whereabouts. Eventually, Chen learned through various channels that his wife had been sent to the Chongqing Municipality No. 2 Women’s RTL facility. Staff at the facility have confirmed that Zhang is detained there. Zhang had been entrusted by the village committee to represent her fellow villagers’ interests after a spate of evictions, demolitions, and land requisitions. For advocating on their behalf, she has been detained by police and, in 2008, was sent to a year of RTL. (CHRD)\[4\]

Beijing Rights Activist Criminally Detained on 60th Birthday

A rights activist from Beijing, Zhu Fuxiang (朱福祥), was criminally detained on December 7—also Zhu’s 60th birthday—reportedly on charges of “intentionally destroying property,” and is being held in a hospital at the Beijing No. 2 Detention Center. Zhu was taken away for questioning on November 30 by public security officers from Haidian District. Friends of Zhu later went to the Haidian District Detention House but were unable to learn about his situation. They then went to the local detention center and found out where Zhu was being held, but officers did not disclose the reason for his detention.

In October, a group of unidentified people stormed into Zhu’s home only days after he had undergone heart surgery, and his family was held in a police vehicle and his home forcibly demolished. Authorities went on to give a series of warnings to Zhu, and he was taken into custody after submitting an application—to hold a parade on December 4, which was “Legal Publicity Day”—to the public order corps of the Beijing Public Security Bureau. Zhu started petitioning after he learned of the government’s plans to demolish his home, and gradually became an activist. This year, like many other petitioner-activists in Beijing, Zhu ran in a local People’s Congress election as an independent candidate. (CHRD)\[5\]
Chen Guangcheng Supporters Detained With Cohort in Shandong

On December 7, supporters of lawyer and activist Chen Guangcheng (陈光诚) — writer Lu Haitao (卢海涛) and a netizen who uses the name ‘1.3 Billion Citizens’— were reportedly given 10-day detentions for “illegal gathering.” That day, Linyi City police took them into custody when they brought money for a detained cohort, Shang Xueshan (尚雪山), who has been held at the Lanshan District Detention House. On December 4, Shang was seized during their joint advocacy activity in Linyi People’s Square, where the group had carried banners expressing support for Chen Guangcheng. The three have been held in the same detention facility, with Shang also serving a 10-day detention for “illegal gathering.” (CHRD)[6]

Shanghai Petitioner Issued Two Detentions in Three Weeks

Shanghai petitioner Lan Yuelian (兰月莲), after trying on December 4 to seek out President Hu Jintao (胡锦涛) and Premier Wen Jiabao (温家宝) to hand them her grievance materials, was issued a 10-day administrative detention. It was her second such punishment in three weeks for the exact same behavior. On China’s “Legal Publicity Day,” Lan headed to Zhongnanhai, the compound of central leadership offices, with a plan to approach the Chinese leaders after she had gone to various government letters and visits offices in Beijing. On November 15, Lan was taken into custody around Zhongnanhai and held in the black jail at Jiujiangzhuang before being sent back to Shanghai, where she was given a five-day administrative detention on the charge of “disrupting the order of a public place.” Lan has been petitioning over alleged abuse of power by her local village secretary. (CHRD)[7]

Chengdu Petitioner Freed After Nearly Nine Months in Black Jail

CHRD has learned that, after being held for nearly nine months in a black jail, Chengdu petitioner Jiang Guorong (姜国荣) was freed and returned home on December 2, less than two weeks after a failed attempt to rescue her from the illegal detention. On November 28, authorities came to speak with her about arrangements for compensation related to the forced demolition of her home, but they came to no resolution. Four days later, authorities let Jiang go after reportedly trying to persuade her to give up her grievance.

On November 23, five activists and petitioners had organized to try to free her and fellow petitioner Liu Cunqin (刘存钦) from a black jail. That day, the activists called the police, who arrived at the black jail, but instead of rescuing the detained petitioners, the officers allowed the jailers—Qingyang District government officials and their relatives—to take the petitioners away. After the rescue attempt, Jiang was transferred to another black jail and held there until her release. Jiang and Liu were taken into custody in mid-March while petitioning in Beijing. (CHRD)[8]

Activists Warned, Subjected to Restrictions of Movement Before Human Rights Day
In the lead-up to Human Rights Day on December 10, CHRD received reports of activists being subjected to restrictions of movement or being warned against participating in events marking the occasion, including:

- On December 9, Guangzhou-based activists Chen Bin (陈斌), Tang Jingling (唐荆陵), Xiao Yong (肖勇), A Gui (啊贵) and Yuan Shaohua (袁少华) received phone calls by police officers, who told them that they would be interrogated at the appointed time on Human Rights Day, or warned against participating in activities to mark the occasion.

- Since December 7, police has tightened controls over Zhang Zuhua (张祖桦), who has been monitored and under soft detention at home since the release of “Charter 08” on December 9, 2008, suspending his internet and telephone services and barring him from leaving his home.

- Since December 7, dissidents Zha Jianguo (查建国) and He Depu (何德普) and independent candidate Ye Jingchun (野靖春) have been subjected to restrictions to their movements. They can only leave their homes upon police authorization, and even then they must be accompanied by police officers. (CHRD)\[9\]

Hundreds Seized Near UN Development Programme Building on Human Rights Day

On December 10, hundreds of petitioners from around the country were seized near the UN Development Programme (UNDP) building in the capital by Beijing police and interceptors from various municipalities and provinces. These petitioners, who wanted to visit the UNDP building on Human Rights Day to draw international attention to the poor human rights record in China, were stopped and taken away by Beijing police and interceptors who had set up checkpoints and cordons along the way and at important public transport facilities, such as bus stops. It is unclear how many petitioners were detained that day, though petitioners reported that, by the morning, over 50 busloads of petitioners had already been sent to Jiujingzhuang, a centralized black jail in Beijing. Many of these petitioners have been forcibly sent back to their hometowns by interceptors, and they fear further reprisals for their petitioning. (CHRD)\[10\]

Writer-Activist Detained For Online Activities Supporting Chen Guangcheng

Rights defense activist and writer Li Yu (李宇), from Sichuan Province, was taken into custody on December 9 by police officers from Luojiang County. Li is reportedly being held at the Luojiang County Detention House in Deyang City, and may have been given a 10-day detention, according to information provided by national security officers from Luojiang. It is believed that Li is being detained because of his online activities, which have included sharing information via Skype about Shandong activist and lawyer Chen Guangcheng (陈光诚) and also establishing QQ groups—a popular way to sending instant messages in China—that are sympathetic to Chen. Founder of the Gnu Club (角马俱乐部) of writers, Li is also a volunteer with the rights defense organization Civil Rights & Livelihood Watch. (CRLW)\[11\]

More recent news related to arbitrary detention:
Harassment of Activists

Rights Defender Detained For Trying to Participate in Drafting of “Human Rights Action Plan”

On the eve of Human Rights Day, petitioner and rights defender Cao Shunli (曹顺利) was seized in Beijing after reportedly preparing to submit an application to participate in the drafting of the Chinese government’s “Human Rights Action Plan for 2012-2015.” Cao had gone to the State Council Information Office in the capital to deliver his document on December 9, and he was taken away by police officers. Cao’s document advocated the inclusion of petitioners in the deliberation of the plan. Reportedly, two others—Hu Guang (胡光), who was detained by police that same morning, and Chen Jianfang (陈建芳)—had planned to accompany Cao to hand over the proposed plan, and then go on Human Rights Day to United Nation offices and also the American Embassy to bring attention to the human rights situation in China. Both Cao and Hu have since been released. (CHRD)

Police Take Away Activist Wang Rongqing, Organizer of Banned Political Party

Democracy rights activist Wang Rongqing (王荣清) was taken away by police in Hangzhou City on December 7 while inquiring about problems with his pension, and has not yet returned home. That day, Wang went to the Jianongkou Subdistrict Office and police officers arrived shortly thereafter. After asking Wang how he had managed to reach the office—Wang’s movements are typically restricted and monitored—they took him to the Jianongkou Police Station.

In January of 2009, Wang, a main organizer of the Zhejiang chapter of the banned China Democracy Party, was sentenced to six years’ imprisonment for “subversion of state power” by the Hangzhou City Intermediate People’s Court. With Wang in very poor health, his family appealed to have him released on medical parole. He was eventually let out of prison but has since been subjected to constant restrictions on his movement, particularly soft detention in his home. (CHRD)

More recent news related to harassment of activists:

“Shijiazhuang, Hebei Disabled Petitioner Huo Junhui Placed Under Soft Detention, Threatened” (河北石
Freedom of Association and Assembly

Guizhou Authorities Declare Guizhou Human Rights Forum “Illegal Organization”

Authorities in Guizhou Province have moved to ban the Guizhou Human Rights Forum, striking a major blow to an organization whose members have been harassed in various forms since the organization was founded on Human Rights Day in 2005. On December 5, the Guizhou Civil Affairs Department declared the forum an “illegal organization” since it has “not registered with the civil affairs department,” according to a notice entitled “Decision Concerning the Banning of the Guizhou Civil Human Rights Forum.” The decision came days after one of its members, Chen Xi (陈西), was arrested for “inciting subversion” (see above).

The forum was established six years ago as a loose circle of activists who would meet to discuss human rights as well as distribute educational materials, including copies of the Universal Declaration of Human Rights, to the public in Guiyang City. Forum members have been targeted for harassment ever since the group was founded, especially on “sensitive” dates, with many of them subjected to arbitrary detention, illegal searches of their homes, physical assaults, and other blatant rights violations. Its members were taken away and disappeared around Human Rights Day, and some have not yet returned home. (CHRD)14

Torture and Other Cruel, Inhuman, or Degrading Treatment and Punishment

Veteran Rights Activist Details Torture Suffered in Detention

A veteran of the 1989 pro-democracy movement, Zuo Xiaohuan (左晓环) of Sichuan Province, recently revealed torture and other abuses that he suffered while in custody from April 2010 until November 11 of this year at the Santai County Detention Center. According to details from Zuo, who was being held on suspicion of “inciting subversion,” myriad abuses began in November 2010, when a fellow detainee began to harass him and punched him in the head. Zuo reported this to a detention center officer and asked him to check the surveillance tape, but this request was denied. After Zuo protested, the official punched Zuo in the face, a blow that resulted in great pain and a lost tooth. Zuo subsequently was forced
to wear heavy shackles around his ankles for four days.

Incidence of abuses and torture escalated this past summer. In July, Zuo was denied food and his bowl thrown away after he protested. Later, under the order of prison personnel, seven or eight prisoners beat and kicked Zuo, hitting him in the head and knocking out a tooth. One prisoner was ordered to hold his head and knock it against a wall. Prisoners were also ordered to shackled Zuo to a bed for 11 days. After this episode of torture, Zuo was unable to stand up, and more than 10 days later he was still barely able to walk. Zuo eventually went on a hunger strike for three days to protest the torture he had endured.

Zuo was taken into custody in April of 2010 for “inciting subversion” after getting involved in rights activities on behalf of teachers at minban schools (schools not operated by the state). His case was sent to the Mianyang City People’s Procuratorate three months later for prosecution, but was then sent back for further investigation. After 18 months of pre-trial detention, on November 11 of this year, Mianyang City People’s Procuratorate decided not to prosecute Zuo’s case. He was then released from the detention center and is now subjected to residential surveillance at home. For participating in democracy activities in 1989, Zuo was detained in late June of that year but then released after a year in detention. He has also served two years of Re-education through Labor for “inciting subversion.” (CHRD)

Forced Eviction and Demolition/Land Expropriation

Rural Residents Beaten, Injured in Conflict Over Requisitioned Farmland

Vegetable farmers in Hubei Province recently stood united against hired thugs who tried to orchestrate a takeover of their farmland, with a conflict between the two sides resulting in some residents being injured. On December 10, Yunxi County officials and a development company sent out more than 20 thugs to help drive the farmers away from their land. The farmers stood their ground that day, but the thugs returned the next morning, only in greater numbers and more intimidating fashion—60 individuals arrived in safety helmets and shovels, and driving five excavators so they could dig up the farmers’ crops. Hundreds of farmers attempted to block them again and violence broke out, with the thugs only withdrawing when more farmers arrived to try to protect the land. Among the residents beaten and injured were elderly and children; an eight-year-old child who was seriously hurt was taken to the hospital. Reportedly, the local government began to forcibly requisition farmland in the area in 2009, but without any arranged compensation, and then sold off the land to developers. (CHRD)

More recent news about forced eviction and demolition/land expropriation:

“Hongjiang City, Hunan Refugees in Reservoir Area Detained After Refusing Compensation” (湖南洪江市库区移民拒收补偿款就要坐牢), December 12, 2011, CHRD
Local People’s Congress Elections Watch

Shandong University Professor Evicted, Deprived of Right to Vote on Election Day

On December 9, security guards and officers from the housing management office of Shandong University evicted retired professor Sun Wenguang (孙文广), reportedly in retaliation for his running as an independent candidate in the local People’s Congress elections on December 12. The university evicted Sun from the apartment that the school had allocated to him; his belongings were thrown out, and he was barred from returning to the residence. After rejecting authorities’ request for him to “travel” just before the election, Sun was put under soft detention in his home on election day, and was prevented from voting.

Since late November, Sun has been subjected to many forms of intimidation, harassment, and obstruction for publicizing his candidacy; his posters have been torn down, police and the university’s security guards have barred him from entering the university grounds, and his volunteers had been threatened with RTL punishments. (CHRD)

Independent Candidate Blocked From Giving Out Voting Materials, Engaging With Voters

Li Zhiyong (李志勇), a lawyer and one-time independent People’s Congress candidate in Shenzhen City, was threatened after copying promotional leaflets that he planned to distribute to local residents in order to explain the voting process. On December 13, a People’s Congress official from Nanshan District called Li to warn him that he should not give out the materials, which Li had done in other districts, and said that the matter would be turned over to judicial bodies if he repeated this behavior. Due to various obstacles, Li had already been prevented from becoming an official electoral candidate. Li was motivated to help build voting literacy after observing that many local residents did not know how to fill out a ballot, and also since election organizers did not provide information about the process. Local elections in Shenzhen will take place on December 16. (CHRD)

Special Notice


In recognition of Human Rights Day, CHRD issued a statement on December 9 observing that 2011 has been witness to some of the abuses against human rights defenders in China in recent memory. The statement points out continued rights violations committed against activists, including imprisonment, harassment, extralegal detention, and torture. CHRD decries the widespread use of enforced disappearance and unlawful house arrest against human rights defenders, especially during the “Jasmine
"Crackdown” in the first half of the year, and also efforts by the Chinese government to amend the Criminal Procedure Law to legalize enforced disappearance. In the statement, CHRD calls on the international community to take action against these myriad violations and push for China to honor its international human rights obligations. (CHRD)[19]

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News updates from CHRD

[1] “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案卷无法联系到法官), December 6, 2011, CHRD; “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, CHRD


[4] “Chongqing Petitioner Zhang Dingfen Sent to Two Years of Re-education through Labor after Being Kidnapped” (重庆访民张定芬被绑架后劳教两年), December 11, 2011, CHRD


Linyi City” (快讯：作家卢海涛及网友“十三亿公民”遭临沂当局关押), December 7, 2011, CHRD; “Real Time Report on Group of Marriage Seekers in Linyi City (2)” (临沂征婚相亲团实时报道（2）), December 4, 2011, CHRD; “Real Time Report on Group of Marriage Seekers in Linyi City (3)” (临沂征婚相亲团实时报道（3）), December 4, 2011, CHRD


[8] “Chengdu Petitioner Jiang Guorong Released After Nearly Nine Months in Black Jail” (成都访民姜国荣被关黑监狱近9个月后获释), December 13, 2011, CHRD; “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


Rights Forum Member Chen Defu” (贵州人权研讨会成员陈德富被四名不明人士绑架带走), December 9, 2011, CHRD; “Members of Guizhou Human Rights Forum Recently Gone Missing” (人权日将近, “贵州人权研讨会”成员集体被失踪), December 8, 2011, CHRD

[15] “Sichuan Rights Activist Zuo Xiaohuan Tortured, Abused in Detention Center” (四川异议人士左晓环在看守所受酷刑迫害), December 8, 2011, CHRD [*The “punishment bed” is an instrument of torture in which a prisoner’s arms and legs are shackled to an iron bed. In the past, it was generally only used on criminals sentenced to death.]

[16] “On Human Rights Day, Yunxi County Farmers Beaten Over Forcibly Requisitioned Land” (世界人权日湖北郧西农民被强征、暴打), December 12, 2011, CHRD


[18] “Introducing Voting Methods, Independent Candidate Li Zhiyong Is Threatened” (独立参选人李志勇介绍投票方法遭威胁), December 13, 2011, CHRD


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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