



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

January 24-30, 2012

### *Highlights*

- **Court Hears Case Against Zhu Yufu, Does Not Announce Verdict:** On January 31, a Hangzhou court tried dissident **Zhu Yufu** on charges of “inciting subversion,” but did not issue a verdict after two-and-a-half hours of proceedings. A major concern is that a harsh prison sentence—perhaps in line with severe punishments that have been doled out to other activists in recent weeks—will be issued at a later date.
- **Prison Authorities Block Dissident’s Family From Visiting for Nearly Two Years:** CHRD has learned that Shandong democracy activist **Ren Ziyuan**, who is serving a 10-year sentence for “subversion,” has not been allowed to see any member of his family since March 2010, among other rights violations he has been subjected to in prison.

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#### **Arbitrary Detention**

## Updates on Detentions and Disappearances Related to Jasmine Crackdown

### *Hangzhou Court Tries Dissident Zhu Yufu for “Inciting Subversion,” No Verdict Announced*

On January 31, the Hangzhou City Intermediate People’s Court heard the case against Hangzhou activist [Zhu Yufu](#) (朱虞夫), who is charged with “inciting subversion of state power,” and the proceedings ended without a verdict being issued (see CHRD’s [statement](#)). The court adjourned after two-and-a-half hours, with the presiding judge indicating that a decision will be announced after some case evidence is verified. Zhu’s lawyers—**Li Baiguang** (李柏光) and **Li Dunyong** (李敦勇)—represented him in court, and they were reportedly able to present their defense in accordance with legal procedures. Zhu also was given the opportunity to speak to his innocence on the charges against him. Among Zhu’s supporters, only his wife, **Jiang Hangli** (姜杭莉), and son were allowed to observe the hearing.

In recent days as well as during the trial, Hangzhou authorities limited the movement of several prominent dissidents. Officers have kept the writer and activist **Lü Gengsong** (吕耿松) and **Wang Rongqing** (王荣清) under “soft detention” in their homes. National security officers took away dissident **Shi Zouwei** (士邹巍) to “drink tea” and indicated that they would only allow him to return home after Zhu’s trial had ended. Also, **Chen Shuqing** (陈树庆) told CHRD that police warned him several times not to try to attend the trial, and that they would likely take measures to prevent him from going to the courthouse.

In the procuratorate’s indictment, among the charges against Zhu were his participation in the banned China Democratic Party, writings he published online during the calls for “Jasmine Rallies” in China (including a poem titled “It’s Time”), his annual calls for monetary donations for prisoners of conscience, and interviews that he had given.

On October 25, 2011, the Shangcheng County People’s Court notified Zhu’s lawyer, Li Dunyong, that it had approved the local procuratorate’s application to dismiss charges against Zhu, a decision which spurred speculation that Zhu may be released. However, the Shangcheng County Public Security Bureau re-submitted the case for prosecution in December.

A veteran Democracy Wall activist in the 1970s, Zhu, 58, has endured more than three decades of persecution for his activism, and has been imprisoned twice in the past, for a total of nine years. Detained on March 5, 2011, Zhu is one of 11 individuals criminally detained in the “Jasmine Crackdown” who were later known to have been arrested, and if convicted would be the fourth such detainee known to be sent to prison. (CHRD)<sup>[1]</sup>

[Read more](#) information compiled by CHRD about individuals detained during the “Jasmine Revolution” crackdown.

## **Prison Authorities Prevent Shandong Dissident From Seeing Family for Nearly Two Years**

CHRD has learned that Shandong democracy activist **Ren Ziyuan** (任自元), serving a 10-year prison sentence for “subversion of state power,” has not been allowed a family visit in nearly two years, among several rights violations he has endured in prison. In March of 2010, Ren’s father, **Ren Rusheng** (任汝生), last visited him in the Shandong Provincial No. 1 Prison. He found that his son had become very thin, and learned that he had been denied medical treatment for months after contracting tuberculosis in prison. Since that visit, Ren Rusheng has not been permitted to see his son, and he is unsure if Ren Ziyuan has received items that he has brought to the prison for him. In addition, the family has not received further information about Ren’s condition in prison since that time, nor a single letter from him. Ren Rusheng had indicated in the summer of 2010 that his son’s letters were being confiscated, and also suspected then that his son was under tight surveillance and being subjected to psychological abuse.

A former middle school teacher, Ren Ziyuan was taken into custody by the Jining City Public Security Bureau in May of 2005 on suspicion of “subversion” and arrested the following month. The Jining City Intermediate People’s Court sentenced Ren to 10 years’ imprisonment with three years’ subsequent deprivation of political rights on March 13, 2006. In its verdict, the court claimed that Ren had attempted to establish the “Mainland Democratic Front” in order to “overthrow the reactionary and decadent rule of the Chinese Communist Party.” Ren’s sentence is currently set to expire on May 9, 2015. (CHRD)<sup>[2]</sup>

*More recent news related to arbitrary detention:*

“Petitioners Who Spent New Year in Beijing Relief Station Detained in Jiujiangzhuang Black Jail” ([在接济中心过年的访民全部被送往久敬庄关押](#)), January 30, 2012, CHRD

## **Harassment of Activists**

### **Guards Severely Beat Shanghai Petitioner Wang Kouma, Who Remains Hospitalized**

Authorities in Shanghai severely beat petitioner and activist **Wang Kouma** (王扣玛) on January 30, and he is currently hospitalized with life-threatening injuries. Security guards from the Shanghai Municipal Government Letters and Visits Office beat Wang as he was petitioning at the building. Wang was pursuing justice for his mother, who died in a black jail in 2005 after petitioning over the loss of her demolished home. Due to the beating, Wang’s blood pressure

rose dangerously and he suffered seizures before losing consciousness and falling to the ground. Fellow petitioners accompanied Wang to the Huangpu District Central Hospital and, believing that the guards' brutal treatment was premeditated, requested that police look into the beating. However, police refused to file a report. For trying to expose the local government's criminal behavior that led to his mother's death, Wang was previously imprisoned for two years, and then resumed petitioning once he was released. (CHRD)<sup>[3]</sup>

### **Petitioners in Beijing Thrown Out of Rental Properties at New Year**

Around the Chinese New Year, several petitioners from outside Beijing who were renting rooms in the capital were reportedly thrown out of their residences without notice, exacerbating their vulnerable circumstances. On January 24, two security guards drove a group of petitioners out of their rental properties in Daxing District, breaking personal items and throwing blankets out of the premises. One of the petitioners later reported the incident to the police, who visited the scene. The individuals in charge of her housing supposedly agreed to give her more time to look for a place to live but—after the police had gone—refused to let her back into the room where she had been staying. Coming from all over China, some petitioners rent rooms in Beijing in order to be able to more conveniently present grievances to central authorities. However, Beijing authorities reportedly pressure housing owners not to rent to petitioners, and the owners often comply. (CHRD)<sup>[4]</sup>

### **Harassment of Activists' Family Members**

#### **Authorities Prevent Activists' Daughter From Going Abroad, Search Her Residence**

In the early morning of January 29, Beijing authorities twice forcibly entered the home of **Dong Xuan** (董璇), the daughter of detained activists **Ni Yulan** (倪玉兰) and **Dong Jiqin** (董继勤). Just days earlier, Dong Xuan had also been prevented from boarding a plane while attempting to go accept a human rights award for her mother. The first time Dong Xuan's home was entered, three plainclothes men came, including a police officer from the Xicheng District Public Security Bureau who has been monitoring her. They did not produce a search warrant or any legal documentation, and Dong locked the door after they left. Less than a half-hour later, four plainclothes individuals broke the lock on her front door and entered the residence. Without producing proper documents, they forced Dong to turn on her computer and made copies of Dong's personal files. Dong later indicated to CHRD that she intended to call the police as her home was being searched, but her cell phone had been taken away from her.

On January 25, police reportedly stopped Dong at Beijing Capital International Airport and prevented her from boarding a flight to Shenzhen in Guangdong Province. She was planning to go to the Netherlands to accept the "Human Rights Defenders Tulip Award" on behalf of her

detained mother. The Dutch government announced the award to Ni Yulan last month.

On December 29, 2011, the Xicheng District People's Court in Beijing tried Ni Yulan and her husband, Dong Jiqin, for "creating a disturbance" and also tried Ni on a "fraud" charge. The court has not yet announced a verdict. On April 7, 2011, police seized the couple in connection with the "Jasmine Crackdown" for hanging a banner outside the Yuxinyuan Guest House, their residence at the time. (CHRD)<sup>[5]</sup>

## **Legal Rights**

### **Hubei Authorities Prevent Appeal Submission for Convicted Dissident Li Tie**

Authorities in Hubei Province have blocked the lawyer and family of Wuhan dissident [Li Tie](#) (李铁), who was sentenced to 10 years' imprisonment for "subversion of state power" on January 18, from filing appeal procedures against the court's decision. According to Article 183 in the Criminal Procedure Law (CPL), the time limit for submitting an appeal against a judgment is 10 days, beginning the day after the decision is received. Due to various forms of obstruction by Wuhan authorities, Li's lawyer and family were unable to file for an appeal as the deadline passed on January 29.

Since the verdict was announced right before the Chinese New Year, and government offices shut down for seven days during the holiday, Li's lawyer and family only had three days to initiate the appeal procedures. At the Wuhan City No. 2 Detention Center, where Li is being held, personnel had refused to allow Li's lawyer and another attorney from meeting Li to discuss and authorize the procedures. And to block his family from trying to submit an appeal, Wuhan police did not allow Li Tie's younger brother to leave his home. Although extremely unlikely that Li Tie's conviction could be successfully overturned on appeal, deliberately obstructing the pursuit of an appeal represents a clear violation of Li's procedural rights.

This violation only adds to procedural illegalities with the case, since the issuing of the verdict also flouted Chinese law: The court originally tried Li in April of 2011 and then waited eight months to issue its verdict, even though Article 168 of the CPL allows a court a maximum of only two-and-a-half months to release a decision once it accepts a case. (CHRD)<sup>[6]</sup>

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<sup>[1]</sup> “Zhu Yufu Case Heard, Court to Announce Verdict at Later Date” ([朱虞夫案开庭，法院择日宣判](#)), January 30, 2012, CHRD; “With Zhu Yufu Trial Imminent, Several Hangzhou Activists Face Limits to Freedom” ([朱虞夫案开庭在即，杭州多位异见人士被限制自由](#)), January 29, 2012, CHRD; “Zhu Yufu Trial for ‘Incitement’ to Open on January 31”(特别关注：[朱虞夫“煽动颠覆国家政权”案于本月 31 日开庭](#)), January 28, 2012, CHRD; “Lawyer Li Dunyong Goes to Detention Center, Goes Through Defense Procedures Again for Zhu Yufu” ([李敦勇律师到看守所重新为朱虞夫办理辩护手续](#)), January 17, 2012, CHRD; “Trial to Open in January for ‘Inciting Subversion’ Case Against Zhu Yufu” (特别关注：[朱虞夫“涉嫌煽动颠覆国家政权案”将于本月开庭](#)), January 13, 2012, CHRD; “Wu Yilong Held After Home Searched, Zhu Yufu Case Sent Again to Procuratorate” ([吴义龙被抄家后无处安身，朱虞夫案重新送检](#)), December 28, 2011, CHRD; “Zhejiang Dissident Wu Yilong Questioned, Has House Searched, Is Forcibly Returned to Hometown” ([浙江异议人士吴义龙被传唤抄家送回老家](#)), December 27, 2011, CHRD; “Shangcheng Court in Hangzhou Approves Procuratorate’s Application to Dismiss ‘Incitement’ Charges Against Zhu Yufu” ([上城法院批准检察院撤销对朱虞夫“煽动颠覆国家政权罪”的起诉](#)), October 27, 2011, CHRD; “Family Submits Bail Application for Zhu Yufu, Case Under Review for Prosecution” ([陈树庆：传朱虞夫被审查起诉，家属提出取保候审申请](#)), July 12, 2011, CHRD; “Hangzhou Democracy Activist Zhu Yufu Formally Arrested” ([杭州民主党人朱虞夫被批准逮捕](#)), April 12, 2011, CHRD

<sup>[2]</sup> “Shandong Dissident Ren Ziyuan Not Permitted to See Family for Nearly Two Years” ([山东异见人士任自元狱中两年被禁见家人](#)), January 25, 2012, CHRD; “Imprisoned Shandong Democracy Activist Ren Ziyuan Subjected to Psychological Abuse” ([山东民运人士任自元狱中遭精神虐待](#)), July 16, 2010, CHRD

<sup>[3]</sup> “Shanghai Petitioner Wang Kouma in Critical Condition After Beating at Letters and Visits Office” ([上海访民王扣玛在信访办被殴打生命危急](#)), January 30, 2012, CHRD; “Shanghai Rights Activist Wang Kouma Severely Beaten While Petitioning” ([上海维权人士王扣玛上访被](#)

[殴打](#)), January 30, 2012, CRLW

<sup>[4]</sup> “Property Owners Violently Drive Away Petitioners in Beijing Around New Year” ([春节在京访民遭房主暴力驱赶](#)), January 24, 2012, CHRDR

<sup>[5]</sup> “Police Twice Break Door to Enter, Search Residence of Ni Yulan’s Daughter” ([警察两次破门进倪玉兰女儿的住所搜查](#)), January 29, 2012, CHRDR; “Witnesses Harassed Before Lawyer Ni Yulan’s Trial for Creating Disturbance” ([倪玉兰律师被控寻衅滋事案开庭前证人被控制](#)), December 28, 2011, CHRDR; “Ni Yulan, Husband Go To Trial, Many At Scene Taken and Held at Police Station” ([倪玉兰夫妇庭审，现场多人被抓往派出所](#)), December 28, 2011, CHRDR; “‘Creating Disturbance’ Case Against Ni Yulan, Dong Jiqin Going to Trial on December 29, Daughter to Testify” ([北京倪玉兰夫妇“寻衅滋事案”29日开庭，女儿将出庭作证](#)), December 27, 2011, CHRDR

<sup>[6]</sup> “Family, Lawyer of Wuhan Dissident Li Tie Prevented From Appealing Decision” ([武汉李铁家人与律师被阻止提起上诉](#)), January 29, 2012, CHRDR; “Wuhan Dissident Li Tie Sentenced (continued)” ([武汉异议人士李铁被重判（续）](#)), January 18, 2012, CHRDR; [“Chinese Democracy Activist Li Tie Jailed for Ten Years for ‘Subversion.’”](#) January 18, 2012, CHRDR; “Wuhan Dissident Li Tie Sentenced to 10 Years in Prison” ([特别关注：武汉异议人士李铁被判处 10 年重刑](#)), January 18, 2012, CHRDR; [“Subversion Charge against Little-Known Activist Indicates Heightened Crackdown on Dissent in China.”](#) November 22, 2010, CHRDR; “Trial of Li Tie Begins, Procuratorate Recommends 10-Year Sentence” ([李铁案开庭，检控方建议判刑 10 年](#)), April 17, 2011, CHRDR

Chinese Human Rights Defenders (CHRDR) is a China-based, non-political, non-governmental network of grassroots and international activists promoting human rights and empowering grassroots activism in China. CHRDR’s objective is to support human rights activists in China, monitor human rights developments, and assist victims of human rights abuses. CHRDR advocates approaches that are non-violent and based on rule of law. CHRDR 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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