



## Chinese Human Rights Defenders (CHRD)

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Promoting human rights and empowering grassroots activism in China

### China Human Rights Briefing

March 20-26, 2012

#### *Top News*

- **Dissident Xue Mingkai Reportedly Sentenced to Four Years for “Subversion”:** Shandong dissident **Xue Mingkai**, detained over a year ago as part of the Jasmine Crackdown, has reportedly been sentenced to four years in prison for “subversion of state power,” his second conviction for that crime in the past three years. Little is known about Xue’s case, including details about his trial, and fellow activists have been out of contact with him for months while also being unable to communicate with his family.
- **Beijing Authorities Still Delaying Licensing for Lawyer Liu Xiaoyuan’s Law Firm:** The Beijing Bureau of Justice has not issued a decision on the license for the Qijian Law Firm, which is headed by Beijing human rights lawyer **Liu Xiaoyuan**, nearly a year after the annual assessment of lawyers and firms began. The Qijian Law Firm’s lawyers eventually had their licenses renewed last summer, but judicial authorities has used various excuses in blocking the licensing of the firm itself.
- **CHRD Makes Submissions to UN on Behalf of RTL Detainees:** In recent months, CHRD has submitted allegations of human rights violations to the Special Procedures of the United Nations Human Rights Council on behalf of petitioners [Ma Lijun](#) and [Li Hongwei](#), who are serving Re-education through Labor (RTL) punishments. The submissions alleged arbitrary detention, torture, and a violation of their freedom of expression.

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## Arbitrary Detention

### Updates on Detentions and Disappearances Related to Jasmine Crackdown

#### *Shandong Dissident Xue Mingkai Reportedly Sentenced to Four Years for “Subversion”*

Shandong dissident **Xue Mingkai** (薛明凯), detained over a year ago as part of the Jasmine Crackdown, has reportedly been sentenced to four years in prison for “subversion of state power,” according to a Hangzhou activist. The activist recently received a notification of Xue’s admittance to the Shandong Provincial No. 1 Prison, which occurred on March 12. Other details of Xue’s case remain unknown, however, including the evidentiary basis for charging him with “subversion,” the time and place of his trial and sentencing, and whether Xue has been represented by defense counsel. Hangzhou activist **Lou Baosheng** (楼保生) has speculated that Xue’s case may be tied to a public letter that they had authored together about the suspicious death of Zhejiang activist and village director **Qian Yunhui** (钱云会), which called on Chinese people to stand up for democracy.

Xue Mingkai was held at the Jining City Detention Center in Shandong after national security officers from Shandong took him into custody in Hangzhou, Zhejiang Province on February 26, 2011. Authorities reportedly did not provide detention or arrest notices to his family and have repeatedly refused to allow Xue’s mother to visit him. While in detention, Xue was able to send out letters to fellow activists until November 2011, and since then his friends have not heard from him. In recent months, Xue’s friends have also been unable to contact his family. Xue served 18 months in prison between May 2009 and November 2010, also for “subversion,” after allegedly planning to organize a political party called the “China Democratic Workers’ Party” in the summer of 2006 and then contacting and joining an overseas democracy organization in early 2009. (CHRD)<sup>i</sup>

### *Under Anxious Circumstances, Family Members Visit Imprisoned Activist Chen Wei*

On March 21, family members of imprisoned activist **Chen Wei** (陈卫), who is serving a nine-year sentence for “inciting subversion of state power,” met with him in Jialing Prison in Nanchong City, Sichuan Province. During the half-hour visit, which prison officials delayed for several hours, authorities reportedly blocked others who had come to see detainees from entering the large visitation area. This created a quiet, secretive atmosphere that unnerved Chen’s wife, **Wang Xiaoyan** (王晓燕), and younger brother, **Chen Bing** (陈兵), whose visit with Chen Wei was also closely monitored by police. Chen Wei’s family members indicated that he is darker and thinner than before. Chen told them that he is required to wake up at 5 a.m. every morning and is only allowed to return to his cell around 8 or 9 p.m., but did not elaborate on the reasons for such a schedule, possibly due to the presence of the police officers at the meeting.

Authorities delayed the visit ostensibly over a matter involving Chen Bing’s identification and, in general, this visit was far less smooth and comfortable than one Wang made to her husband last month. It is not clear why the conditions during the more recent visit were so different. The Suining Intermediate People’s Court convicted and sentenced Chen Wei on December 23, 2011, and he was transferred to Jialing Prison on February 13. (CHRD)<sup>ii</sup>

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

### **Three Petitioners Sent to RTL for One Year, Had Petitioned Near US Embassy**

After airing grievances near the US Embassy in Beijing, three petitioners from Fujian Province have each been given a one-year Re-education through Labor (RTL) punishment for “disrupting social order,” on top of the 15-day administrative detentions they recently served. **Xiong Fenglian** (熊凤莲), **Wu Fasheng** (吴发胜), and **Hu Shuyuan** (胡淑媛)—all now being held at the Fuzhou City RTL facility—were among nine petitioners who were taken into custody on February 27. Another individual in the group, **Wang Weizhu** (王尾珠), was given a 15-day administrative detention after ingesting pesticide in an apparent suicide attempt while petitioning. Fuzhou authorities are reportedly still holding petitioner **Wu Zhongjin** (吴冬金), who was also seized with them. Both Wu and Hu have petitioned about the forced demolition of their homes, while Xiong has been complaining to authorities about torture she suffered in 2007. (HRCC)<sup>iii</sup>

### **Hebei Woman Sent to One Year RTL After Contesting Guilty Verdict Against Son**

CHRD has learned that a woman from Hebei Province, **Tian Chunling** (田春玲), was sent to one year of RTL late last year after contesting a guilty verdict issued to her son, who a court convicted in a robbery case from 2004. Since the verdict was handed down, Tian has maintained that her son was found guilty despite the lack of witnesses or material evidence, and that he was forced to confess by police officers. Tian Chunling was given the RTL punishment on November 13, 2011, and is being detained at the Hebei Provincial Women’s RTL facility. (CHRD)<sup>iv</sup>

## **Jiangsu Police Hold Petitioner for One Month**

**Xiao Jinmei** (肖金妹) has been held in a police station in Jiangsu Province for the past month as her family has unsuccessfully sought her release. Xiao initially went to the Huangxiang Police Station in Wuyi City on February 27 to ask why officers had been harassing her family. Officers took her into custody that day because, according to the police, she had been petitioning in Beijing. Police have reportedly not followed legal procedures in holding Xiao, who has been petitioning for years over an issue involving her son, an ex-soldier, and also since she felt that her family did not receive sufficient compensation for a home eviction and demolition. Due to her petitioning, Xiao has been harassed and detained in black jails and also gone to RTL, and there are concerns that police may send her to RTL again. (HRCC)<sup>v</sup>

## **Hunan Activist Xiang Songmei Released After One-Year Sentence**

Hunan activist **Xiang Songmei** (向松梅), who has served out a one-year sentence for “gathering a crowd to disrupt traffic order,” is recuperating after not getting adequate medical care in detention and is also being prevented from meeting fellow villagers. Held at the Hongjiang City Detention Center until her release on March 23, Xiang has weakened physically, and a particular health problem—a prolapsed uterus—worsened because she was not provided timely treatment in detention. Police officers are reportedly concerned that residents from Longtian Village will want to visit Xiang, who is staying at her parents’ home instead of returning to her own residence.

Xiang Songmei was punished in retaliation for organizing fellow villagers to expose official corruption after farmland had been flooded during dam project work in 2009. After the flooding, the power plant had submitted compensation to government officials, but most of the funds allegedly went missing. Xiang was criminally detained in June of 2010. Although the Hongjiang City People’s Procuratorate initially did not approve the case for prosecution, a local court convicted Xiang last October and gave her a one-year sentence. (CHRD)<sup>vi</sup>

*More recent news:*

“Hongjiang, Hunan Rights Activist Duan Chunsheng, Zhang Wangshan Given Administrative Detentions on Same Day” ([湖南洪江市维权人士段纯圣、张万山同日被洪江警方拘留](#)), March 22, 2012, CHRD

## **Harassment of Activists**

### **Jiangxi Activist Liu Ping Beaten, Strip-Search, Detained in Windowless Room for 14 Days**

CHRD has learned of a series of flagrant rights violations committed against Jiangxi activist **Liu Ping** (刘萍), an independent People’s Congress candidate, after security personnel from her former employer, the state-owned Xinyu City Steel Group, intercepted her in Beijing and forcibly returned her to Jiangxi. When Liu was seized at the Beijing West Railway Station on March 6, her belongings were confiscated, and she was held temporarily in a black jail. Her captors then forced Liu into a car and drove her back to Jiangxi. The next day, they blindfolded her before driving to a

secret location where three women strip-searched Liu, damaging her clothes so badly that she was left virtually naked and completely disheveled. On the way back to Jiangxi, her guards refused to give her food during the daytime, resulting in stomach cramps and exhaustion, and Liu also suffered from swollen feet. When Liu confronted the guards about her mistreatment, the women beat and kicked her until she fell to the ground.

In Jiangxi, Liu was detained in a windowless padded room equipped with surveillance cameras and monitored daily by three women and three men working in two shifts. After about 10 days in confinement, Liu reportedly suffered an inflamed gall bladder, which caused vomiting, a fever, and throat ulcers, but guards refused her request to seek medical treatment. On March 19, guards blindfolded Liu, tied up her hands, and returned Liu to her home. At the time of writing, none of Liu's possessions have been returned to her. Besides this recent horrendous incident, Liu has faced myriad forms of harassment since running as an independent candidate in her local election. Authorities installed surveillance cameras at the entrance to her home, and her family members have also been negatively affected by authorities' retaliation against her. (CHRD)<sup>vii</sup>

### **Chengdu Petitioner Beaten, Deprived of Medical Care While Under “Soft Detention”**

Since being forcibly returned from Beijing on March 24, Chengdu petitioner **He Aiqin** (何艾芹) has been beaten and threatened while under 24-hour monitoring in her home, confinement that has prevented her from seeking medical care for a worsening illness. On March 25, He requested that her guards allow her to go to a hospital to get treatment. But they reportedly punched and kicked He, and warned her that she would be beaten far worse if she asked to leave her residence again. He Aiqin has petitioned over compensation related to a home eviction and demolition, and has been beaten and subjected to detention in black jails, besides facing other repercussions. (CHRD)<sup>viii</sup>

### **Harassment of Human Rights Lawyers**

#### **Lawyer Liu Xiaoyuan's Law Firm in Licensing Limbo After One Year**

The Qijian Law Firm, which is headed by Beijing human rights lawyer **Liu Xiaoyuan** (刘晓原), still has not passed the annual assessment of Chinese law firms nearly a year after the process began. Although the firm's lawyers ended up getting their licenses renewed after much correspondence with authorities, the Beijing Bureau of Justice (BOJ) has continued to delay making a decision on the Qijian Law Firm. First, the BOJ office said the firm's office “did not meet official requirements.” In July, after the firm had relocated, the BOJ continued to delay the renewal of the firm's license. Recently, when Liu approached the Beijing BOJ about the firm's status, an official told Liu the matter is under the jurisdiction of judicial authorities in Chaoyang District, where the firm is located, and that he should ask them. On March 19, Liu went to inquire at the Chaoyang District Bureau of Justice; however, security guards blocked him from entering the bureau's office, and he also could not contact the bureau by phone.

The annual assessment process for lawyers begins anew in April, which means that, as of next month, the Qijian Law Firm will have effectively been in legal limbo for a year. A longtime rights

defense lawyer, Liu was called in for questioning by police last April and soon after went missing for five days. Police have also prevented him from leaving China, alleging that his departure would “endanger state security.” (CHRD)<sup>ix</sup>

## **Freedom of Peaceful Assembly and Association**

### **Gansu Authorities Seize Monks From Bora Monastery After Peaceful March**

On March 22, security forces from Gansu Province dragged away four monks from Bora Monastery two days after a peaceful march against the Chinese government, and the fates and whereabouts of the detained monks remain unknown. One day earlier, security officers from the Public Security Bureau and the People’s Armed Police of Sangchu County temporarily took into custody 40 other monks for participating in the march on March 20. During the march, more than 100 monks from the monastery carried portraits of the Dalai Lama and Tibetan flags, and called for human rights, religious freedom, and language rights in Tibet as they walked to Bora Township in Gannan (Tibetan: Kanlho) Tibetan Autonomous Prefecture. The released monks and others who participated in the march have reportedly been required to make personal statements expressing that they have made a “mistake” which they will not repeat. They have been warned that the protest was “illegal” and that strict measures will be taken if such an incident happens again. In addition, officials have demanded monks turn over the portraits of the Dalai Lama and the Tibetans flags, and security officers are reportedly keeping strict watch over movements around the monastery. (Tibetan Centre for Human Rights and Democracy)<sup>x</sup>

## **Special Notice**

### **CHRD Makes UN Submissions on Behalf of Petitioners in RTL**

In recent months, CHRD has submitted allegations of human rights violations to the Special Procedures of the United Nations Human Rights Council on behalf of petitioners [Ma Lijun](#) (马丽君) and [Li Hongwei](#) (李红卫), who are serving Re-education through Labor (RTL) punishments of 18 and 21 months, respectively. Each submission alleged arbitrary detention, torture, and a violation of their freedom of expression. CHRD sent the submission on Ma Lijun on December 15, 2011, while the submission on Li Hongwei was sent on January 9, 2012.

Ma Lijun was taken into custody in August 2011 when she was petitioning in the capital. She first served a 10-day administrative detention for “disrupting order of a public place” before authorities in Shijiazhuang, Hebei Province issued her an 18-month RTL punishment for the same offense. Police officers in Beijing beat Ma after they seized her, and she suffered several injuries. Before Ma was sent to the Hebei Provincial Women’s RTL facility, a local hospital advised police that Ma remain in its care. However, police instead sent Ma to the RTL facility; due to Ma’s condition, the facility initially refused to accept her but ultimately relented. A recent CHRD [report](#) on Ma Lijun indicated that her health has worsened during her detention.

In July 2011, Li Hongwei was issued a 21-month RTL punishment in Shandong Province for “openly attacking government and Communist Party leaders and the socialist system,” “inciting subversion of state power,” and “endangering state security.” According to the RTL decision, Li was punished for speaking in Hero Mountain Square in Jinan about the forced demolition of her

home and abuses suffered in retaliation for her petitioning. However, it is believed that Li, being held at the Shandong Provincial No. 1 Women's RTL facility, is also being punished for a lawsuit she filed against the Lixia District government in the fall of 2010 for detaining her in a black jail earlier that year. The lawsuit, one of the first black jail-related suits to be heard by a Chinese court, was rejected on October 30, 2011, after a third hearing. (CHRD)<sup>xi</sup>

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### [News updates from CHRD](#)

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<sup>i</sup> “Dissident Xue Mingkai Sentenced to Four Years on Charges of “Subversion of State Power” ([异议人士薛明凯被控“颠覆国家政权罪”获刑4年](#)), March 26, 2012, CHRD; “Mother of Shandong Dissident Xue Mingkai Again Taken Away” ([山东异议人士薛明凯的妈妈再次被抓走](#)), August 27, 2011, CRLW; “Parents of Shandong Dissident Xue Mingkai Are Beaten While Petitioning in Beijing” ([山东异议人士薛明凯父母北京上访遭多次殴打](#)), July 2, 2011, CRLW; “Wenzhou Police Ready for Emergency, Summon and Search ‘Citizens’ Inspection Team” ([温州警方荷枪实弹对“公民观察团”成员传唤查抄](#)), January 9, 2011, Peace Hall

<sup>ii</sup> “Family Visits Imprisoned Democracy Rights Activist Chen Wei” ([系狱民主维权人士陈卫会见家属](#)), March 22, 2012, CHRD; “Sichuan Activist Chen Wei Transferred to Jialing Prison in Nanchong City to Serve Sentence” ([四川维权人士陈卫被送往南充嘉陵监狱服刑](#)), February 14, 2012, CHRD; “Rights Activist Chen Wei Allowed to Meet Family Members” ([人权捍卫者陈卫获准与家人会见](#)), January 14, 2012, CHRD; “Rights Activist Chen Wei Transferred to Prison, Family Not Told Location” ([人权捍卫者陈卫被转往监狱, 家人不知关押地点](#)), January 9, 2012, CHRD; “Alert: Chen Wei Gets Sentenced to 9 Years in Prison” ([紧急关注: 陈卫案当庭宣判, 获刑九年](#)), December 22, 2011, CHRD

<sup>iii</sup> “Fuzhou RTL Committee Again Does Wrong, Punishes Several Petitioners For Airing Grievances to Foreigners” ([福州劳教委又作恶, 告洋状冤民集体被劳教](#)), March 18, 2012, HRCC

<sup>iv</sup> “Zhangjiakou Petitioner Tian Chunling Sent to One Year of RTL” ([张家口女访民田春玲被处劳教一年](#)), March 20, 2012, CHRD

<sup>v</sup> “Happy Buddha of Wuxi: Save Two Generations of Xiao Jinmei’s Family” ([无锡开心佛: 救救两代军属肖金妹](#)), March 27, 2012, HRCC; “Police Illegally Hold Wuyi Petitioner Xiao Jinmei for Over 20 Days” ([无锡访民肖金妹被公安非法扣押已超过20天](#)), March 18, 2012, HRCC

<sup>vi</sup> “Hongjiang, Hunan Activist Xiang Songmei Freed, Police Block Her From Seeing Other Activists” ([湖南洪江市维权人士向松梅出狱, 警察阻止她与维权民众见面](#)), March 23, 2012, CHRD; “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

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vii “Liu Ping: Encounters Horrible Treatment in ‘Black Jail’ During ‘Two Meetings’” ([刘萍：“两会”被关“黑监狱”遭虐经过](#)), March 25, 2012, CHRD

viii “Chengdu Petitioner He Aiqin Placed Under Soft Detention, Beaten After Being Intercepted in Beijing” ([成都访民何艾芹被截访后遭软禁殴打](#)), March 26, 2012, CHRD

ix “Rights Defense Lawyer Liu Xiaoyuan’s Qijian Law Firm Still Has Not Passed Annual Registration After Nearly One Year” ([维权律师刘晓原的旗鉴律师事务所年检被卡近一年](#)), March 26, 2012, CHRD

x “[Update on Bona Monastery Siege.](#)” March 21, 2012, Tibetan Centre for Human Rights and Democracy; “[Bora Monastery Under Siege After Protests.](#)” March 20, 2012, Tibetan Centre for Human Rights and Democracy

xi [Submission to UN on Li Hongwei – January 9, 2012, CHRD](#), [Submission to UN on Ma Lijun – December 15, 2011, CHRD](#)