



## Chinese Human Rights Defenders (CHRD)

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Promoting human rights and empowering grassroots activism in China

### China Human Rights Briefing

May 4-8, 2012

#### *Top News*

- **Concerns Abound Even After Chen Guangcheng Deal Struck:** While the Chinese government has promised to allow the activist **Chen Guangcheng** and his family to go to the United States, concerns still exist for their future safety while they remain in China. In addition, Chen's supporters continue to face harassment, the situations of his nephew and mother in Shandong remain uncertain, and it is unknown whether any violations against Chen, his family, and others linked to them will be investigated.
- **Activist Feng Zhenghu Held Under Soft Detention for Past 10 Weeks:** Shanghai authorities have illegally restricted activist **Feng Zhenghu's** movements since late February, having issued no criminal charges nor explaining the exact reason for his "soft detention." While his residence is being guarded, Feng has relied on friends and families for his daily needs.
- **Activists Taken into Custody for "Inciting Subversion" and "Subversion" Crimes for Distributing Leaflets in Universities in Two Provinces:** Young activist **You Minglei** has reportedly been arrested for "inciting subversion of state power" in connection to his distributing leaflets that expressed opposition to Communist Party rule and called for democracy and human rights in universities in Jiangxi. In a separate incident, a Hunan activist was taken into police custody reportedly for "subversion" after police caught him en route to Guangzhou University to distribute democracy leaflets.

#### *Contents*

- Arbitrary Detention
  - Concerns Persist After Deal Struck for Chen Guangcheng to Go Abroad

- Shanghai Activist Feng Zhenghu Held 10 Weeks Under Soft Detention
  - Hunan Activists Imprisoned for Blocking Dam Over Resettlement Funds Dispute
  - Youth Arrested for “Inciting Subversion” in Jiangxi for Distributing Leaflets in Universities
  - Activist Taken into Custody for “Subversion” for Planning to Distribute Democracy Leaflets
  - Blind Shanghai Man Given Detention for Pursuing Disability Benefits
  - Harassment of Activists
    - Police Block, Detain Individuals Trying to See Chen Guangcheng
  - Harassment of Human Rights Lawyers
    - Beijing Police Question Lawyers Looking Into Jiang Tianyong Beating; Jiang Warned to Stay Away From Beijing Until After Party Congress
  - Law & Policy Watch
    - Sichuan Government’s Rule on NGO Registration Jeopardizes Civil Society Work in Tibetan Area
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## Arbitrary Detention

### **Concerns Persist After Deal Struck for Chen Guangcheng to Go Abroad**

Following Chinese officials’ most recent promise to allow activist Chen Guangcheng (陈光诚) and his family to go to the United States, where Chen would study law, serious concerns still exist about the path they will take to leave China as well as ongoing violations against Chen’s relatives and supporters. According to media reports, Chinese authorities have promised to issue passports to Chen, his wife Yuan Weijing (袁伟静), and their two children. However, it is possible that the Chinese authorities may delay their exit process, or decide to prevent them from travelling abroad, given the authorities’ track record for brazenly mistreating Chen and his family members.

Surrounded at all hours by police, Chaoyang Hospital, where Chen has been recuperating and receiving medical care, has been far from a haven of freedom since American diplomats brought him there on May 2. He and his family are not allowed to leave the hospital. Police have turned away Chen’s supporters, including one—human rights lawyer Jiang Tianyong (江天勇)—who was taken into police custody, severely beaten, and told to stay away from Beijing for the next several months (see below). US officials have reportedly

not been permitted to regularly visit Chen, and journalists have also been blocked from entering the hospital. In addition, police have prevented many petitioners from seeing Chen and administratively detained several of them (see below).

In Chen's hometown of Linyi City, it is believed that one relative—nephew Chen Kegui (陈可贵)—remains in police custody, and media reports indicate Chen Guangcheng is worried that local authorities may be torturing him. The situation of Chen's elderly and ailing mother, who had also been under house arrest in Linyi, remains unknown. Currently, there is no clear sign that authorities will investigate the rights violations that Chen and his family has endured, or the ongoing retaliation and harassment faced by Chen's supporters and family members. (CHRD)<sup>i</sup>

### **Shanghai Activist Feng Zhenghu Held 10 Weeks Under Soft Detention**

Shanghai authorities have held activist Feng Zhenghu (冯正虎) illegally in his home for the past 10 weeks since first restricting his movements on February 27. Relying on friends and families for his daily needs, Feng has been using a rope to pull food and household supplies up to the balcony of his third-story home, a scheme that he devised as he is guarded by 16 plainclothes officers and guards and not allowed to go out even for basic supplies. During Feng's soft detention, his home has reportedly been searched on two occasions, and petitioners have consistently been blocked from meeting him. Police have not indicated criminal charges against Feng nor produced documentation to legally justify his restricted freedom. It is believed, however, that Feng's treatment stems from his activism, which involves organizing Shanghai petitioners to go to the Supreme People's Court to demand their cases be heard in courts. (CHRD)<sup>ii</sup>

### **Hunan Activists Imprisoned for Blocking Dam Over Resettlement Funds Dispute**

CHRD has learned that six Hunan activists were recently sentenced to prison after being convicted of "disrupting work unit order" in a case where displaced residents blocked a dam after not receiving resettlement funds related to an electropower station project. After 2006, funds for displaced residents of Xupu County were supposed to be doled out in the amount of 600 RMB (nearly US\$100) per affected person per year. The county government, however, did not release any money to residents, who eventually went to the electropower station to demand money and grain. As officials refused to budge, more than 500 displaced residents blocked a dam in August of 2011, an incident that led to the arrests of Zhang Xuehua (张学华), Zhang Yunsong (张云松), Zhang Junwu (张军武), Yang Guolong (杨国龙), Chen Kaipeng (陈开鹏), and Lu

Jiawen (陆家稳). On April 25, the Xupu County People's Court sentenced the six activists to between six months and three-and-a-half years in prison. Zhang Xuehua was given a three-and-a-half sentence, Zhang Yunsong was issued a three-year sentence, and the other four are set to serve six to seven months each. (CHRD)<sup>iii</sup>

### **Youth Arrested for “Inciting Subversion” in Jiangxi for Distributing Leaflets in Universities**

On May 5, You Minglei (游明磊), a young man from Fujian Province, was formally arrested for “inciting subversion of state power” for distributing leaflets that expressed opposition to Communist Party rule and called for democracy and human rights in universities in Jiangxi Province on April 27. You's father was notified of the arrest on May 6 by police in Nanchang City, Jiangxi Province. You is believed to be held in Nanchang City No.2 Detention Center in Jiangxi Province, though friends who visited the facility said they could not locate him. The arrest of You, who has been active in a wide variety of rights activities in Fujian and Jiangxi, has received a lot of attention among activists in both provinces. (CHRD)<sup>iv</sup>

### **Activist Taken into Custody for “Subversion” for Planning to Distribute Democracy Leaflets**

CHRD learned on May 5 that Hunan activist and netizen Zhang Shengyu (张圣雨) was taken into police custody reportedly for “subversion of state power” for planning to distribute leaflets in Guangzhou. On May 1, Zhang, who uses the screen name “Ghost Sage” (鬼圣), was one of three Hunan activists taking a public bus toward Guangzhou University, around where they planned to distribute flyers about democratic freedoms and in support for netizens who were earlier detained. Authorities forced them off the bus, handling them very aggressively. Zhang resisted the rough treatment and screamed out “Down with the Communist Party!” before he and the other activists were taken to the Shibi Police Station in Panyu District to be interrogated. National security officers from Hunan's Zengcheng City subsequently took Zhang into custody, but it is unclear where Zhang is held. After being questioned, the activists seized with Zhang, Tang Haiding (唐海丁) and Wang Yanglin (王阳临), were released and forced to take a train back to Hunan. According to Tang, who briefly saw the legal notice presented to Zhang, Zhang was taken away for “subversion” but Zhang's family is yet to receive a formal notification from the authorities. (CHRD)<sup>v</sup>

### **Blind Shanghai Man Given Detention for Pursuing Disability Benefits**

A blind man from Shanghai has been given a 10-day administrative detention in retaliation for petitioning in Beijing over disability benefits that he is reportedly owed. In his late 50s, Chen Yongcheng (陈永诚) went to the capital around the

May 1 holiday, where he was seized and sent back to Shanghai. Reliant on disability insurance to support himself, Chen has taken to petitioning since he has not received his rightful benefits for years. In response to his petitioning, police in Shanghai have detained Chen several times, including handing him administrative detentions in October and November of 2011. (CHRD)<sup>vi</sup>

### Harassment of Activists

#### **Police Block, Detain Individuals Trying to See Chen Guangcheng**

Several individuals have reportedly been issued administrative detentions after trying to see Chen Guangcheng (陈光诚) in Chaoyang Hospital in Beijing, and police have turned away many others in a continuing wave of harassment faced by Chen's supporters. On May 4, Zhao Guangjun (赵广军), from Liaoning Province, was among a group of petitioners who went to the hospital, where they encountered layers of policemen guarding the building. Zhao was seized and taken to the black jail at Jiujingzhuang. Interceptors from Liaoning then brought Zhao back to his hometown of Panjin and issued him a 10-day administrative detention, which he is reportedly serving at the Panjin City Detention House.

Activist Ning Jinxia (宁津霞), seized after failing to see Chen on May 4 and forcibly returned to Tianjin, was given a 10-day administrative detention the next day. The Nankai District branch of the Tianjin Public Security Bureau reportedly indicated that Ning was being detained for going to the diplomatic district in the capital. On May 5, police also prevented Li Mingcui (李明翠) of Henan and other petitioners in her group from seeing Chen, and took Li away after she reportedly spoke to a foreign journalist at the hospital entrance. Police and guards subsequently took her to the black jail at Jiujingzhuang. (CHRD, HRCC)<sup>vii</sup>

*More recent news:*

“Liaoning Petitioner Liu Li Seized by Local Interceptors, Whereabouts Unknown” ([辽宁访民刘丽被地方截访后下落不明](#)), May 7, 2012, CHRD

### Harassment of Human Rights Lawyers

#### **Beijing Police Question Lawyers Looking Into Jiang Tianyong Beating; Jiang Warned to Stay Away From Beijing Until After Party Congress**

On May 4, police in Beijing took away and questioned Shenzhen lawyer Pang Kun (庞坤) and Beijing lawyer Wang Yu (王宇), both of whom intended to take up the beating case of lawyer Jiang Tianyong (江天勇) with the police. Pang

told CHRD that officers held him in a small hostel, where they interrogated them. Wang was held in the same location, but Wang and Pang were not allowed to see each other.

On May 3, police blocked Jiang Tianyong from seeing Chen Guangcheng (陈光诚) in Chaoyang Hospital and then dragged him away, when at least five national security officers beat him, damaging Jiang's hearing. CHRD has learned that Jiang was eventually forced to leave Beijing and return to Zhengzhou in Hebei Province, where he is originally from, and national security officers told him to stay away from the capital until after the 18<sup>th</sup> Party Congress, expected to take place later this year. Also, Jiang reportedly will get further medical opinions on his left ear, since national security officers chose the doctors in Beijing to evaluate Jiang and did not allow him to see other physicians. (CHRD)<sup>viii</sup>

### Law & Policy Watch

#### **Sichuan Government's Rule on NGO Registration Jeopardizes Civil Society Work in Tibetan Area**

Authorities in Sichuan Province issued a notification on April 26 that aims to restrict the activities of non-governmental organizations (NGOs) in Ganzi (Tibetan: Kardze) Tibetan Autonomous Prefecture by requiring they formally register—if they meet the government's requirements—or else face dissolution or legal repercussions. Authorities in Ganzi will investigate NGOs to determine if they are eligible for registration, which must be done by the end of May through the prefectural Bureau of Civil Affairs, and take legal action against NGOs that continue operations without being registered. The notice comes at a time of significant growth in locally-founded Tibetan NGOs in Ganzi, where such organizations largely focus on educational, religious, environmental, and welfare activities, or mediate conflicts between ethnic Tibetans. With Chinese authorities tending to be particularly sensitive to activities organized by Tibetans, several NGOs have recently been declared illegal and forcibly closed in Ganzi, and some of their members have been detained. (Tibetan Centre for Human Rights and Democracy)<sup>ix</sup>

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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.

*Chinese Human Rights Briefing* (CHRB) is a newsletter providing the latest information on China's human rights developments. Our information originates from Chinese human rights defenders and groups at the grassroots. CHRD is responsible for all information published in CHRB. A compilation of each week's CHRBs, updated daily, is available on our website.

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<sup>i</sup> ["Chen Guangcheng: A Special Bulletin - Updates on Situation of Chen Guangcheng & His Family Members, Relatives & Supporters Since Chen's Flight for Freedom,"](#) May 7, 2012 (updated), CHRD; "Beijing Human Rights Lawyer Jiang Tianyong Taken Away, Severely Beaten by Police" ([北京维权律师江天勇遭警方带走后殴打](#)), May 4, 2012, CHRD; ["The Chinese Government Must End Persecution of Chen Guangcheng, His Family & Supporters, Seek Accountability."](#) April 27, 2012, CHRD; "Chen Guangcheng Escapes, Several Relatives Seized" ([陈光诚出逃多名亲人被抓](#)), April 27, 2012, CHRD

<sup>ii</sup> "Shanghai Rights Activists See Feng Zhenghu, Held Under Soft Detention for More Than 70 Days, From House Window" ([上海维权人士隔窗看望被软禁 70 余天的冯正虎](#)), May 7, 2012, CHRD; "Feng Zhenghu Illegally Held Under House Arrest for 71 Days, Shanghai Petitioners Put Out Call of Concern" ([冯正虎被非法拘禁 71 天, 上海访民呼吁各界关注](#)), May 7, 2012, CHRD; "Shanghai Rights Activist Feng Zhenghu Under Soft Detention for Over 20 Days, Petitioners Blocked From Seeing Him" ([上海维权人士冯正虎被软禁 20 余天, 访民看望被阻拦](#)), March 16, 2012, CHRD; "Petitioners Go Visit Feng Zhenghu, Feng Taken Away to Police Station" ([访民看望冯正虎, 而主人却被国保带到派出所](#)), March 16, 2012, HRCC; "Shanghai Rights Activist Feng Zhenghu Has Home Searched" ([上海维权人士冯正虎被抄家](#)), March 1, 2012, CHRD

<sup>iii</sup> "Xupu County, Hunan Rights Defender Zhang Xuehua, Others Harshly Sentenced Over Reservoir Area Situation" ([湖南溆浦维权人士张学华等人因库区维权遭重判](#)), May 3, 2012, CHRD

<sup>iv</sup> "Netizens from Fuzhou, Nanchang and Xinyu in Jiangxi Express Deep Concern for You Minglei 'Inciting Subversion' Case" ([福州、南昌、新余等地网友密切关注游明磊“煽颠”案](#)), May 8, 2012, CHRD; "Spirited Justice-Seeker, Young You Mingcai, Arrested Yesterday by Nanchang, Jiangxi Authorities" ([热心公义的阳光青年游明磊昨日被江西南昌当局逮捕](#)), May 7, 2012, CHRD

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- v “Hunan Activist-Netizen Zhang Shengli in Police Custody for Days, Feared to Already Be Arrested” ([湖南维权人士张圣雨被警方带走多日恐已遭拘捕](#)), May 5, 2012, CHRD
- vi “Blind Shanghai Petitioner Chen Yongcheng Administratively Detained for Petitioning in Beijing Around May 1 Holiday” ([上海盲人访民陈永诚五一进京上访被拘留](#)), May 7, 2012, CHRD
- vii “Tianjin Authorities Mistake Embassy Area for Hospital, Administratively Detain Ning Jinxia for 10 Days” ([天津当局错把医院当使馆，宁津霞无辜被拘留 10 天](#)), May 6, 2012, HRCC; “Liaoning Petitioner Zhao Guangjun Detained After Going to Hospital to See Chen Guangcheng” ([前往医院探望陈光诚的辽宁访民赵广军被遣送拘留](#)), May 7, 2012, CHRD; “Henan Petitioner Li Mingcui Seized for Speaking to Foreign Journalist at Chaoyang Hospital” ([河南访民李明翠在朝阳区医院与外媒记者说话被抓](#)), May 5, 2012, HRCC; “Henan Petitioner Li Mingcui Seized After Going With Group of Petitioners to See Chen Guangcheng” ([河南访民李明翠同访民到医院看望陈光诚被抓](#)), May 5, 2012, CHRD
- viii “Shenzhen Lawyer Pang Kun Discusses Jiang Tianyong Beating Case, Taken Away by Police For Questioning” ([深圳律师庞琨交涉江天勇被打案遭警方带走传唤](#)), May 4, 2012, CHRD
- ix [“Chinese Government Notification Restricts Tibetan NGOs in Kardze.”](#) May 2, 2012, Tibetan Centre for Human Rights and Democracy