China Human Rights Briefing

May 9-14, 2012

Top News

- Harassment Rampant Against Individuals With Ties to Chen Guangcheng: The nephew of Chen Guangcheng has confirmed to be formally arrested, and lawyers, activists, and others are facing unabated harassment and rights abuses for even remote connections to the blind activist's case.

- CHRD Receives Updates on "Incitement" Prisoners: Hangzhou dissident Zhu Yufu was recently sent to a prison to serve a seven-year sentence after his “inciting subversion” conviction was upheld. Also, Sichuan activist Chen Wei, who is serving a nine-year sentence for “incitement,” has been moved to a new prison section after finishing a compulsory “training and guidance” period required of new inmates.

- Large Number of Tibetans Sentenced for January Protests: A total of 23 ethnic Tibetans, both monks and laymen, have been sentenced to terms ranging from less than two years up to life imprisonment for alleged roles in protests that took place in January in a Tibetan area of Sichuan Province.

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**Arbitrary Detention**

**Chen Guangcheng’s Nephew Criminally Detained, Lawyers Pressured to Stay Away From Linyi**

CHRD has learned from sources within China of the criminal detention of Chen Kegui (陈可贵), the nephew of Chen Guangcheng (陈光诚), as well as authorities’ intimidation of lawyers attempting to give legal aid to Chen Kegui and his wife. On May 9, officers from the Linnan County Public Security Bureau formally arrested Chen Kegui on suspicion of “intentional homicide” for his alleged actions during an altercation at his home in Linyi City on April 26. Chen Kegui was said to have grabbed kitchen knives to defend his family against officials and thugs who had barged into their residence. Chen Kegui’s mother, Ren Zongju (任宗举), was also detained on charges of “harboring a criminal” and later released on bail. It is unclear why Chen Kegui has been charged with “intentional homicide” since, although some of the officials who broke into his home were injured, nobody died due to the incident.

Authorities have pressured several individuals who have tried to provide legal assistance to Chen Kegui and his wife to cease their efforts, including an assembled group of about a dozen lawyers. Liu Weiguo (刘卫国), the lawyer authorized by Chen Guangcheng’s wife, was warned not to go to Linyi to help...
Chen Kegui and to not talk to foreign media. Another lawyer, Chen Wuquan (陈武权) of Guangzhou, who publicly announced that he would go to Linyi to assist Chen Kegui, was abruptly told by local judicial bureau officials that he did not go through the annual lawyers review last year, and hence his license has been “temporarily taken away” for “further investigation.” Hubei legal advocate Song Ze (宋泽), a volunteer with the Open Constitution Initiative (Gongmeng), was criminally detained on May 5 in Fengtai District in Beijing on suspicion of “creating a disturbance.” Song is said to have tried to help Chen Kegui’s wife reach Beijing after she went into hiding and was searched by police after she tried to hire a lawyer for her husband. (CHRD)

Dissident Zhu Yufu Transferred to Prison After “Incitement” Conviction Upheld

Hangzhou dissident Zhu Yufu (朱虞夫) was transferred to Zhejiang Provincial No. 4 Prison on May 10 to serve his seven-year prison sentence, shortly after his conviction for “inciting subversion of state power” was upheld. As he moved on to prison, Zhu has reportedly been in fair health, according to lawyer Li Dunyong (李敦勇), who visited Zhu for about two hours at the Shangcheng Detention Center on May 7. Four days earlier, Li had received a ruling by the Hangzhou City High People’s Court, which rejected Zhu’s appeal of his conviction after a second-instance hearing.

Zhu Yufu, 59, was tried on January 31 for “inciting subversion” and sentenced on February 10 by the Hangzhou City Intermediate People’s Court, which stated that Zhu had, among other alleged offenses, collected funds for prisoners who “endanger state security,” incited people to overthrow China’s socialist system, and expressed views that identified him as part of the illegal China Democracy Party. The court also cited a poem, “It’s Time,” that Zhu wrote and shared during online calls for “Jasmine Rallies” in early 2011, as well as interviews that he had given. Zhu was detained on March 5, 2011, during the “Jasmine Crackdown,” and formally arrested the following month. (See more information compiled by CHRD about individuals detained during the crackdown.) A veteran Democracy Wall activist in the 1970s, Zhu previously served two other prison terms, totaling nine years—seven years for “subversion,” from 1999, and two years for “beating police” and “hindering police duty,” a sentence Zhu served from 2007. (CHRD)

After Prison Visit, Family Reveals Current Conditions of Sichuan Activist Chen Wei

CHRD has learned more about the current circumstances of Sichuan activist Chen Wei (陈卫), serving a nine-year sentence for “inciting subversion of state power,” following a family visit to Chen in Jialing Prison. On May 8, his wife, Wang Xiaoyan (王晓燕), and younger brother, Chen Bing (陈兵), went to see
the activist, and indicated that Chen Wei in very good spirits and has stopped smoking and drinking alcohol. He also has been moved from a “training and guidance group” and is serving his sentence in a different location inside the prison in Nanchong City. According to the family, they have been able to bring books for Chen during every prison visit, and Wang told CHRD that she has been consistently writing to Chen.

The visit in early May yielded more positive news than one on March 21, which authorities delayed before tightly monitoring the visit in extremely secluded conditions. During the earlier visit, the family members had learned that he was being forced to get up at 5 a.m. and not return to his cell until 8 or 9 p.m., possibly due to the “training and guidance” requirements necessary for all new inmates. Chen Wei was transferred to the prison on February 14, nearly two months after the Suining Intermediate People’s Court convicted him of “inciting subversion” on December 23, 2011. (CHRD)

Tibetans Get Severe Prison Terms for Drango Protests, At Least One Sentenced to Life

A total of 23 ethnic Tibetans in Sichuan Province have reportedly been sentenced to prison, including one for life, for their alleged roles in the peaceful January protests in Luhuo (Tibetan: Drango) County in Ganzi (Tibetan: Kardze) Tibetan Autonomous Prefecture. On April 26, the Ganzi Prefecture Intermediate Court sentenced 16 of the Tibetans, who include both monks and laymen, and another seven protestors were given heavy sentences on a currently unknown date. The harshest term doled out was a life sentence to Sonam Lhundup (司郎论珠). Others given particularly lengthy sentences are Kuntho (昆托, 13 years), Jebay (几白, 12 years), Kundup (困助, 11 years), Sonam Dhargyal (索郎达结, 10 years), and Wangchen Tsering (旺庆次仁, nine years). Pema Woesel (白嘛伟色) was given five years’ imprisonment, while Choenam (确浪) and Azi Shopo (阿自小宝) were each sentenced to three years. Phurwa Tsering (普布次仁) was given two years’ imprisonment, Wangtse (旺次) was sentenced to 21 months, and Nyendak (念扎) was given 20 months. In addition, at the trial that took place on an unknown date, seven other Tibetans were issued heavy terms, ranging from 10 to 13 years. The charges against all the sentenced individuals are also unclear though Xinhua’s official news reports said these Tibetans were sentenced for “inciting social disorder” and “destroying public properties.”

Over 100 ethnic Tibetans in Drango County were reportedly detained or disappeared following unrest there on January 23, when two Tibetans were shot dead and dozens others wounded when Chinese state security forces opened fire. (Tibetan Centre for Human Rights and Democracy)
Activist Ma Liangfu Given 2-Year RTL Punishment for Rights-Defense Efforts

In retaliation for his rights-defense work, anti-corruption activist Ma Liangfu (马良福) of Inner Mongolia has been given a two-year Re-education through Labor (RTL) punishment, based on an alleged “fraud” charge and for representing others in their petitioning efforts. A decision issued by the Alxa League RTL Management Committee on April 26 stated that Ma had “incited” herdsmen to go to Beijing to petition, and also had established an “illegal” anti-corruption alliance in Hebei Province in December of last year. Ma was taken to the Tumuji RTL facility to serve his punishment on April 29.

On February 10, national security officers from Alxa League took Ma from his home without going through legal procedures and after he allegedly distributed leaflets in Beijing. In April—after Ma had already been detained incommunicado and without clear charges for two months—the chief of the Alxa PSB told his cousin that Ma was being held for supposedly organizing an “army,” and that his case was so “special” the chief himself was not allowed to view case documents. Founder of the China Anti-Corruption Alliance, Ma was beaten by thugs with alleged ties to government officials in December 1999 and lost his right eye as a result. He went on to engage in rights-defense activities after not getting proper redress, leading authorities to repeatedly summon and illegally detain him. (CHRD, HRCC)

Henan Activist Zhou Decai Case Sent to Court, Trial May Begin Soon

The case against Henan activist Zhou Decai (周德才), who has been detained on suspicion of “gathering a crowd to disrupt social order” in March, has reportedly been transferred to a court, indicating that Zhou may be tried soon. Zhou’s wife learned about this development on May 9, when she went to inquire about the case at the Gushi County People’s Procuratorate. An official there told her that she will be notified about when Zhou’s trial will open.

An independent candidate in his local People’s Congress election, Zhou Decai has been a grassroots organizer and activist for years. Henan authorities criminally detained him on February 20 and arrested him on March 10. Zhou was taken into custody as he was preparing to attend a labor rights defense seminar in Beijing that focused on tobacco industry workers bought out by their companies. (CHRD)

Hunan Activist Charged With “Subversion,” Had Led Campaign in Support of Political Reforms

Hunan activist Yin Weihe (尹卫和) has been charged with “subversion of state power” after allegedly spearheading a signature collection campaign to
support Chinese Premier Wen Jiabao’s call for political reforms, which Wen made at the end of the National People’s Congress in March. Yin’s parents received notification of the charges on May 7, when they went to the Xiangxiang City Public Security Bureau (PSB) to inquire about Yin, who was criminally detained on April 26 and has been held at the Xiangxiang City Detention Center.

On April 25, officers from the Xiangxiang PSB went to Yin Weihe’s home and seized him and a friend, Xu Guangdi (许光第) of Hubei Province. Police reportedly did not present legal documents when they took them away and also confiscated property from both men. According to Xu’s wife, an officer from the Xiangxiang PSB has confirmed that her husband also is in police custody, and said that she will receive notification about his situation at a later date. Yin’s family has indicated that, besides the campaign to collect signatures, he and Xu have also been detained in part for rights-defense activities they have engaged in recently in the area. (CRLW)

Netizen You Minglei Freed After 8 Days, Had Been Arrested for "Inciting Subversion"

Fujian netizen You Minglei (游明磊), who had been formally arrested on suspicion of “inciting subversion of state power” in early May, was freed after serving just an eight-day administrative detention. You was released from the Nanchang City No. 2 Detention House on May 12 when his case status was reportedly changed from a criminal detention to an administrative detention, though the reasons behind this development are unclear. You, who has been involved in a wide variety of rights activities in Fujian and Jiangxi, is among several activists who have recently been released after facing criminal charges and potentially stern punishments, including Li Biyun (李碧云), an independent People’s Congress candidate from Guangdong, and Xiao Yong (肖勇), a Hunan netizen.

Criminally detained on May 4, You Minglei was formally arrested the next day on an “incitement” charge for allegedly distributing leaflets in universities in Jiangxi Province that spoke out against Communist Party rule and called for democracy and human rights on April 27. On May 6, Nanchang police notified You’s father of the arrest, which was widely decried by activists in both Fujian and Jiangxi. (CHRD)

Harassment of Activists

Shandong Netizen Has Passport Invalidated for Chen Guangcheng Ties, Fellow Netizen Under Interrogation As Wife Miscarries Baby
Shandong netizen Zhao Wei (赵未) has learned that his passport was invalidated by the Exit-Entry Administration Department of the Liaocheng City Public Security Bureau. The department and a national security unit told Zhao that his passport had been invalidated because of Chen Guancheng's (陈光诚) flight to the US Embassy and the ongoing investigation of Chen’s nephew, Chen Kegui (陈可贵) (see above). Zhao has expressed confusion about this explanation, as he has never met Chen Guangcheng or Chen Kegui and could not understand his relationship to the investigation. The only linkage he has with Chen Guangcheng is related to an activity last December 7, when Zhao and three other netizens carried banners in support of the blind activist in Linyi People’s Square, for which they then served 10-day administrative detentions. Zhao is the second person believed to have had a passport declared invalid due to some relationship with Chen’s case; the other is Liu Guohui (刘国慧), an activist who had gone to Linyi City several times in an attempt to seek out Chen and his family.

Zhao was told that his passport had not simply been revoked, and that the move to instead invalidate the document may mean Zhao will be unable to ever obtain a passport again. Another netizen who took part in the December activity, Lu Haitao (卢海涛) of Beijing, has faced incessant police interrogation of late. And in a tragic turn of events, Lu’s wife, Yang Lanlian (杨兰连), reportedly suffered a miscarriage on May 12 after being harassed and summoned by police for days and feeling extreme fatigue and fear. The aggressive retaliation against individuals with even quite marginal ties to Chen Guangcheng and his family is evidence that authorities are casting a wide net of investigation and harassment following Chen’s escape, and that more activists are likely to be punished for supporting the blind activist. (CHRD)

Jiangsu Activist Zhang Jianping Among Several Beaten, Detained for Protesting

On May 9, disabled Jiangsu activist Zhang Jianping (张建平), head of the advocacy group Human Rights Campaign in China, was beaten and taken into custody along with other petitioners after protesting against unreasonable fees charged by taxi companies. More than 50 petitioners went to the government building of Changzhou City that day, and more than 100 policemen and security officers responded by beating members of crowd, many of whom suffered injuries as the situation spiraled out of control. Police pulled Zhang, who is paraplegic, out of his wheelchair and beat him. Police also beat Zhang’s wife, whose thumb was injured and whose arm was sprained, and Zhang’s brother-in-law, who reportedly may have suffered a broken left arm. Authorities also snatched cameras and video recorders from people around the scene. After the violent episode, Zhang was among about 10 activists who were seized and taken to the Sanjing Police Station in Xinbei District, they have since been
released. **Yin Wenlong** (印文龙), who was also detained, reportedly experienced a severe spike in his blood pressure in part due to his medicine being seized. While denying medical attention for some detainees, police took Yin for treatment at a hospital.

The activists went to the city government to protest what they view as unjust fees taxi drivers and owners have to pay to taxi companies, which are often monopolies or duopolies owned by local government officials. Activists feel the expenses are a form of extortion orchestrated by local government officials and businesspeople. Zhang became an advocate for those who operate taxis after his family bought one as a source of income to support him, and as they found it increasingly difficult to earn a decent living from the taxi due to the fees charged by the taxi companies. (CHRD, HRCC)

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

**Activist Brothers Xie Fulin, Xie Shulin Go On Hunger Strike to Protest Shulin’s Beating, Solitary Confinement**

Activists **Xie Fulin** (谢福林) and **Xie Shulin** (谢树林), brothers serving terms in Changsha Prison in Hunan Province, both recently went on hunger strikes to protest treatment against Xie Shulin, according to Xie Fulin’s wife, **Jin Yan** (金焰), who visited her husband on May 8. Xie Shulin was reportedly watching a basketball game on the prison grounds on April 27 when he was struck by the ball and said a few words in reaction, leading to a violent beating by prison guards. The assault caused Xie Shulin to lose consciousness, and he was doused with cold water to rouse him. Xie was then dragged into solitary confinement and locked up for three-and-a-half days. When Xie Fulin found out about his brother’s treatment, he went on a three-day hunger strike as a form of protest, and Xie Shulin also refused to eat while he was held by himself. When Xie Fulin’s wife inquired about the beating and solitary confinement, the prison director denied that the incidents occurred. The prison officer who reportedly ordered the guards to beat Xie Shulin is the same person who has beaten up Xie Fulin in the past. The brothers are serving six-year sentences after being convicted of “larceny”—for allegedly stealing electricity—in 2010. (CHRD)

**Citizen Actions**

**Farming Boycott Held to Protest Detentions in Tibetan Village in Sichuan**

Tibetan villagers in Aba (Tibetan: Ngaba) County in Sichuan Province have refused to farm their fields to protest the ongoing detention of villagers who had expressed outrage last month after county officials publicly honored two
officials in Adhue Village who residents believe embezzled funds meant for building homes. At the April 14 incident, 10 truckloads of armed police move quickly once the ethnic Tibetans began to voice their disapproval, beating individuals in the crowd and reportedly taking 15 to 20 Tibetans into custody. On May 1, about 200 Tibetan women from villages in Aba, including Adhue, marched to the county government office with the intention of demanding the detainees' release. However, security officers from the county people’s armed police and public security bureau stopped the marchers. The standoff nearly led to a clash between officers and the marchers, but violence was averted after the heads and lamas of Adhue Monastery intervened and convinced the Tibetan women to disperse.

After the march, Tibetan villagers in Aba decided not to farm their fields or to collect expensive medicinal herbs as a way to reflect their anger about the police response in April and the continued detentions. On May 5, seven Tibetans were released from police custody, but they were reportedly made to attend “patriotic re-education” sessions for three days before returning home. The authorities have said that the remaining Tibetans will also be released soon, an assurance that has persuaded some farmers to resume farming, though Tibetans in Adhue, most of whom are farmers, have kept up their boycott. (Tibetan Centre for Human Rights and Democracy)xii

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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.

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i “Hubei Activist Song Ze Accused of ‘Creating Disturbance,’ Lawyer Gets Permission to Visit” (湖北维权人士宋泽被控“寻衅滋事罪”，律师获准会见), May 15, 2012, CHRD; Chen Guangcheng: A Special Bulletin - Updates on Situation of Chen Guangcheng & His Family Members, Relatives & Supporters Since Chen’s Flight for Freedom, May 14, 2012 (updated),

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China Anti-Corruption Alliance Founder Ma Liangfu Given Two Years' RTL for "Fraud" (《中国反腐联盟》发起人马良富被以"诈骗罪"劳教两年), May 14, 2012, CHRD; “Anti-Corruption Alliance Founder Ma Liangfu Given Two Years of RTL” (反腐联盟发起人马维权被当局处以劳教两年), May 6, 2012, HRCC; “Inner Mongolia Rights Activist Ma Liangfu Held for 74 Days, Authorities Press Him to Admit to Crimes” (内蒙古维权人士马良富被羁押74天，当局逼其认罪), April 24, 2012, CHRD; “Civil Anti-Corruption Alliance Founder Ma Liangfu Illegally Held Over 10 Days” (中国反腐联盟网站版主马维权被扣十余天), February 20, 2012, CRLW; “Inner Mongolia Rights Defender Ma Liangfu Blocked From Going to Beijing” (内蒙古维权人士马维权进京受阻), February 9, 2012, CRLW


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