



Chinese Human Rights Defenders (CHRD)

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Promoting human rights and empowering grassroots activism in China

China Human Rights Briefing

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Arbitrary Detention

Villagers Detained and Tortured for Not Giving Back Demolition Compensation, One Given 10.5-year Sentence

A man in Anhui Province who refused to give back compensation from a home demolition has been convicted of "fraud" and handed a 10-and-a-half-year prison

sentence. A Xuancheng City court heard the case against Xia Chuibing (夏垂兵) in May and sentenced him on July 17, also ruling that he give back more than 100,000 RMB (nearly US\$ 15,800) and pay a fine of 20,000 RMB (approx. US\$ 3,150). Facing local resistance to a development project launched in 2008, Xuancheng officials pressured a number of families to agree to the demolition. But after their homes were razed, officials reassessed property values and demanded some of the money back, accusing the demolition victims of fraud. More than 30 villagers have been taken into custody and interrogated; at least six of them were tortured. It is unclear how many of them remain detained.¹

Harassment of Activists' Family Members

Chinese Authorities' Familiar Tactic: Threaten, Investigate Self-Immolator's Family

In an all-too-common act of harassment, Chinese authorities have threatened and investigated family members of a lay Tibetan who died after setting himself ablaze, according to the Tibetan Centre for Human Rights and Democracy (TCHRD). Originally from the Tibet Autonomous Region (TAR), 21-year-old Ngawang Norphel passed away on July 30 in the Aba (Tibetan: Ngaba) Tibetan and Qiang Autonomous Prefecture in Sichuan Province after he self-immolated on June 20. Chinese security officers investigated many of Norphel's family members over the incident, and particularly his father, who was forcibly taken to the hospital where his son had been admitted and then questioned after Norphel had died. Ngawang Norphel is among more than 40 individuals—nearly half of whom are lay people—known to have self-immolated in Tibetan areas since February 2009. The vast majority have died from their injuries, and all but one of these self-immolations has occurred since March 2011, when the behavior became a more widespread form of protest against Chinese government policies.²

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

Forced Sterilizations, Lack of Accountability Underline Excessive Power of Local Officials

Forced sterilizations of women on government orders exemplify the well-documented brutality of some family planning officials and their brazen lack of accountability, as seen in two recent reports. Zhang Julan (张菊兰), an activist from Jiangxi Province, was beaten and forced to have a tubal ligation in May of 2011 for opposing a government land reclamation plan and instead representing a project favored by villagers. After the vicious attack, which left her with crippling injuries, a family planning official tried to get Zhang to sign a form saying that she had consented to the procedure, but she vehemently refused. Zhang's tragic fate led her earlier this month to write a letter to Chinese President Wen Jiabao appealing for help. In another case, local cadres in Yunnan Province forced Luo Zhishu (罗志淑) to be sterilized after she gave birth to a second child in 1995. Luo suffered severe injuries and persistent pain that became expensive to treat, but the government shirked responsibility even after it was found by several authorities—including a Yunnan court and central officials—that the procedure had indeed caused her health problems. Instead of compensating Luo, local officials sent her to

Re-education through Labor in retaliation for her actions, among other measures taken to try to intimidate her into silence.³

Law & Policy Watch

Supreme People's Court Expands Scope of Railway Courts, Might Further Undermine Judicial Independence

In part to help lighten the heavy dockets of courts, the Supreme People's Court (SPC) is widening the scope of courts run by the Ministry of Railways to hear more criminal and civil cases, including those unrelated to the railway system, according to a recent [article](#) in Caixin. SPC guidelines stipulating the changes took effect on August 1, over a month after the SPC completed the transfer to local government jurisdictions of more than 70 railway-run courts that deal with transportation, safety, and property disputes tied to railways. According to the article, legal experts see the reform as a positive step toward transparency in the railway court system, but there is also concern that the use of local government funds and staff for judicial purposes might lead to official interference that will further undermine judicial independence. The transfer of police, procuratorates, and courts within state-owned railway companies began in 2009, when more than 50,000 police officers under the railway court system were re-assigned to local law-enforcement work.⁴

Wuhan Establishes First Armed *Chengguan* Unit

On August 1, the first armed *chengguan* unit in Wuhan City was formed with 40 "city administration and law enforcement" officers, according to an official Chinese news [report](#), a worrying move since such officers are known for their use of violence against street vendors and other marginalized citizens. The article indicates that the unit of "special troops" in Hanyang District is responsible for, among other duties, "maintaining social stability," supporting the "combat readiness" of other "militia" units, and helping with rescue missions in case of disasters. A district representative observes in the media report that armed officers have rarely been used in Wuhan, and that the new unit, whose officers have undergone military training and who are younger than those in other *chengguan* units, will be able to bring "more energy" to their work.⁵

Special Notice

CHRD Submits Updates on Prisoner Cases to UN Special Procedures

In July, CHRD submitted updates on three prisoners to Special Procedures of the United Nations Human Rights Council, providing information on Beijing dissident [Liu Xiaobo](#) (刘晓波), Sichuan activist [Liu Xianbin](#) (刘贤斌), and Beijing human rights lawyer [Gao Zhisheng](#) (高智晟). CHRD had previously submitted appeals in behalf of the prisoners—all serving sentences for “inciting subversion of state power”—after each had been detained. Liu Xiaobo, the 2010 Nobel Peace Prize laureate serving an 11-year sentence, was taken into custody in late 2008, one day before the issuance of “Charter 08,” which he co-authored and helped promote. As noted in Liu’s update, his wife, Liu Xia (刘霞), has been under house arrest since her husband was detained. Convicted last year, Liu Xianbin is serving a 10-year prison sentence for, among other alleged activities, supporting “Charter 08” and publishing articles about human rights and democracy. Gao Zhisheng, who has endured extended disappearances and police torture since 2007, is serving a three-year sentence in Xinjiang Uyghur Autonomous Region after allegedly violating terms of his probation.^{vi}

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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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¹ “Xuancheng Government in Anhui Re-evaluates Property Values, Some Demolition Victims Charged With Fraud, Punished” ([安徽宣城政府秋后算账，拆迁户被控诈骗多人获刑](#)), August 6, 2012, WQW

² [“Tibetan self-immolator dies of burn injuries, family gets investigated.”](#) August 2, 2012, TCHRD

³ “Xinyu, Jiangxi Rights Activist Zhang Julan Beaten by Cadres, Undergoes Crippling Forced Tubal Ligation” ([江西新余维权人士张菊兰遭镇干部群殴后强制结扎致残的血泪控诉](#)), August 8, 2012, WQW; “Yunnan Petitioner Luo Zhishu Detained, Sent to RTL After Forced Sterilization” ([云南访民罗志淑被强](#)

[行节育上访遭拘留劳教](#)), August 7, 2012, WQW

⁴ ["Railway Courts to Hear Civil Cases,"](#) August 2, 2012, Caixin online

⁵ "Wuhan Establishes First Armed Chengguan Unit, Fit to Participate in Battle During Wartime" ([武汉成立首个城管武装部 战时可参军参战](#)), August 2, 2012, Chang Jiang Net

^{vi} [Update to UN on Cases of Liu Xiaobo & Liu Xia – July 25, 2012; Update to UN on Case of Liu Xianbin – July 13, 2012; Update to UN on Case of Gao Zhisheng – July 23, 2012](#)