

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	286
Land:	Kina
Kilde:	Observatory for the Protection of Human Rights Defenders.
Titel:	Steadfast in Protest – Annual Report 2011.
Udgivet:	25. oktober 2011
Optaget på baggrundsmaterialet:	28. oktober 2011

CHINA

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS
ANNUAL REPORT 2011

In China, human rights activities and fundamental freedoms remained severely restricted throughout 2010 and 2011. In addition, the Chinese authorities increased their repression against any form of dissent in response to anonymous online calls for a “Jasmine Revolution” that started in February 2011 following the events in the Middle East and North Africa. In that context, human rights defenders, including the signatories of “Charter 08”, human rights lawyers as well as defenders working on HIV/AIDS, who denounced forced evictions, corruption and who questioned the Government’s role in various scandals, continued to be subjected to various acts of harassment and intimidation, including arbitrary detention and enforced disappearance. The authorities also continued to crackdown on defenders and restrict freedoms of expression, assembly and association on the eve of key sensitive anniversaries and events, such as the Shanghai World Expo 2010.

Political context

Following the events in the Middle East and North Africa in early 2011, Chinese authorities became increasingly concerned that the revolutions may have a spill-over effect in China as well. Their reactions especially intensified after an anonymous call online on February 19, 2011, urging people to start a “Jasmine Revolution-style uprising”, similar to those in Tunisia and Egypt. The online post urges protestors to chant slogans on February 20, 2011, in several cities across China. Although faced with a massive response from the police, another online post called on people to march peacefully on February 27 to certain central or symbolic places. Dozens of opposition activists, bloggers, lawyers, human rights defenders and artists were reportedly arrested, disappeared, put under house arrest or tight surveillance, had their movements restricted or were subjected to lengthy interrogations as part of the massive security counter-operation, a crackdown that is considered to be one of the most severe of the past decade. Some faced subversion charges for posting or re-posting calls for peaceful gatherings on Internet¹.

1/ See Human Rights in China (HRIC) Press Release, February 23, 2011 and Chinese Human Rights Defenders (CHRD). On April 8, 2011, the UN Working Group on Enforced or Involuntary Disappearances expressed serious concerns over the wave of disappearances over the preceding months, stressing that there is a pattern of enforced disappearances in China, where persons suspected of dissent are taken to secret detention facilities and are then often tortured and intimidated before being released or put into soft detention. See UN Working Group on Enforced or Involuntary Disappearances Press Release, April 8, 2011.

In 2010-2011, freedom of expression and access to information continued to be severely restricted. Journalists were jailed or dismissed from employment as a form of reprisal against reporting, which was considered inappropriate by the authorities. The use of Internet, in particular access to independent news and microblogging and social networking websites continued to be tightly restricted by the so-called Great Firewall of China. Bloggers and activists posting messages online that were considered threatening by the authorities, were facing increasingly severe consequences as a result, including lengthy jail sentences². On a positive note, in March 2010, *Google* announced that it had redirected *Google.cn* to the Hong Kong-based search engine *Google.com.hk*, where it now provides uncensored search results. This was done in response to cyber attacks on e-mail accounts of dissidents and human rights activists, which reportedly originated from Government-affiliated servers³.

Moreover, in October 2010, the amendments to the Law on Guarding State Secrets, adopted on April 22, 2010, came into effect. The revised law still does not contain a precise definition of what actually constitutes State secrets, which makes it possible that virtually any information, including maps or economic statistics, can be considered as State secrets. This is all the more worrying since authorities frequently resort to the law in order to avoid disclosing information. Additionally, the amendments bring electronic data under the scope of the law, by obliging Internet providers and telecommunications companies to provide information on persons leaking or simply sharing information considered to be State secrets. It is feared that the Government will use the new provisions of the revised law to tighten its crackdown on freedom of expression, and in particular on cyber-dissidents and human rights defenders exposing Government misconduct⁴.

In October 2010 also, the Fifth Plenum of the 17th Congress of the Chinese Communist Party appointed Vice-President Mr. Xi Jinping, the Vice-Chair of the Central Military Commission. The appointment of Mr. Xi Jinping into this position foreshadows that he will succeed Hu Jintao as the President of the People's Republic of China in 2012.

The Shanghai World Expo 2010 was held from May to October and was surrounded by a number of human rights-related controversies. It is indeed believed that approximately 18,000 families were displaced from their homes in order to provide space for the exhibition. To prevent victims of forced

2/ See CHRD, *Annual Report on the situation of human rights defenders in China 2010*, March 3, 2011.

3/ See HRIC, *China Rights Forum* No. 2, April 2010.

4/ See CHRD, *China Human Rights Briefing*, April 27- May 3, 2010 and HRIC Press Release, April 29, 2010.

evictions from drawing attention to their grievances during the Expo, police detained, harassed and threatened petitioners. Many were held under “soft detention” at home or received a notice warning them not to gather with others or petition on or near the Expo grounds for the duration of the Expo, threatening “strict punishment” for any who disregards the instructions⁵.

Ongoing crackdown on “Charter 08” activists

Signatories of “Charter 08”, an online petition calling for political reforms that promote human rights and democracy in the country⁶, continued to be judicially harassed and intimidated by the authorities in 2010-2011. In particular, as of April 2011, Mr. **Liu Xiaobo**, a prominent human rights activist and scholar, and co-author of the Charter 08, remained detained in Jinzhou, Liaoning province, after being sentenced on December 25, 2009 to eleven years of imprisonment and two years’ deprivation of political rights for “inciting subversion of State power”. On February 11, 2010, the Beijing Municipal High People’s Court confirmed Mr. Liu Xiaobo’s sentence. The court session lasted only a few minutes and the Judge gave his verdict without allowing the defence lawyers to take the floor. The Court was surrounded by security forces that prevented the media and a dozen of diplomats from accessing the courtroom. After Mr. Liu Xiaobo was awarded the Nobel Peace Prize “for his long and non-violent struggle for fundamental human rights in China” in October 2010, Chinese authorities censored all information concerning the award and blocked foreign broadcasters, including the *BBC* and *CNN*, and started an aggressive diplomatic campaign in order to discourage as many Governments as possible from attending the award ceremony in Oslo. Furthermore, during the months from the announcement leading up to the ceremony, in December, the crackdown on human rights activists, lawyers, intellectuals and dissidents intensified significantly as they were detained, interrogated, placed under house arrest or surveillance. Some of them were forced to leave or stay away from Beijing, while others were put under house arrest or “soft detention”. Internet and cell phone connections were also widely disrupted around the time of the ceremony⁷.

5 / See HRIC Press Release, April 1, 2010 and CHRD Urgent Action, April 28, 2010.

6 / Charter 08 was published on December 10, 2008, on the 60th anniversary of the Universal Declaration of Human Rights. Since its release over 10,000 people have signed it.

7 / The Special Rapporteur on the Situation of Human Rights Defenders, the Special Rapporteur on Freedom of Opinion and Expression and the Working Group on Arbitrary Detention expressed their serious concerns over the crackdown on human rights defenders since Liu Xiaobo was awarded the Nobel Peace Prize. In their statement the experts stated that since 8 October 2010, they had received reports of over 20 arrests or detentions of human rights defenders, and over 120 other cases of house arrests, travel restrictions, forced relocations, acts of intimidation, and blocking of means of communication, including removal of content on the Internet regarding the Nobel Peace Prize. See Special Rapporteur on the Situation of Human Rights Defenders, Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression and Chairperson of the Working Group on Arbitrary Detention Joint Press Release, December 13, 2010.

On October 10, 2010, Mrs. **Liu Xia**, Mr. Liu Xiaobo's wife, was placed under house arrest by Beijing municipal State security officers after a visit to her imprisoned husband. As of April 2011, she remained under house arrest. On June 28, 2010, Mr. **Liu Xianbin**, a human rights activist and signatory of Charter 08 who previously served two prison terms for his human rights and democracy activism, was detained on suspicion of "inciting subversion of State power" by police in Suining city, Sichuan province, after writing a series of articles and essays calling for democratic reform and human rights. The police raided his home, and the following day officers summoned, harassed and threatened his wife and thirteen-year old daughter. Mr. Liu also worked to increase public awareness of other persecuted democracy activists and human rights defenders. On March 25, 2011, he was sentenced to ten years in prison, on charges of "incitement to subvert State power". The sentence is the second longest handed down for inciting subversion after Mr. Liu Xiaobo⁸. Chinese artist Mr. **Wu Yuren**, a signatory of Charter 08, was detained on June 1, 2010 while reporting a theft to the police station, and was allegedly beaten while in detention. His detention relates to the protests he organised in February 2010 to draw attention to the forced demolition of the 008 Arts District. Mr. Wu is known to have been involved in other protests over land seizures that threatened art studios. On April 3, 2011, Mr. Wu was released on parole pending a verdict to be handed down in his case for "obstructing public affairs with violence"⁹.

Increased repression of human rights defenders working on HIV/AIDS

Human rights defenders promoting and protecting the rights of persons living with HIV/AIDS continued to face serious obstacles and to be harassed by judicial and tax authorities. In particular, as of April 2011, Mr. **Hu Jia**, an HIV/AIDS activist, co-founder and former Director of the Beijing Aizhixing Institute of Health Education¹⁰ as well as winner of the 2008 Sakharov Prize for Freedom of Thought, remained detained in Beijing municipal prison. His health gradually deteriorated while he was in detention and he was suspected of suffering from liver cancer. Yet, the authorities rejected applications for medical parole¹¹. Furthermore, on

8 / See CHRD, *China Human Rights Briefings*, June 22-30, 2010 and HRIC Press Releases, June 29, July 6, 2010, February 1 and March 25, 2011.

9 / See CHRD, *China Human Rights Briefings*, November 16-23, 2010 and January 25-February 1, 2011 and HRIC.

10 / A grassroots organisation that aims at educating the public about HIV/AIDS and at advocating for the rights of persons suffering from AIDS.

11 / Mr. Hu Jia was arrested on December 30, 2007 and charged with "inciting subversion of State power", and was sentenced on April 3, 2008 to three years and six months in prison. On June 26, 2011, he was released after completing his sentence. Yet, he remained subjected to a one-year deprivation of his political rights. See HRIC Press Release, June 27, 2011.

May 19, 2010, two inspectors from the Beijing Local Taxation Bureau arrived at the offices of the Aizhixing Institute. They questioned employees and left a note that the Institute should produce tax records dating back to 2002. Given the fact that according to the Law on the Management of Tax Collection, an organisation cannot be punished for tax violations not discovered within five years, the actions of the tax inspectors might be illegal and aimed at pressuring the Institute into closing down. On September 7, 2010, the Institute received a notice from the Beijing Local Taxation Bureau, informing that the authorities had resumed their inspection of the NGO's tax compliance status. On March 15, 2011, the municipal information office of Beijing issued an order to shut down the website of the Aizhixing Research Foundation, after it published an open letter in December 2010 about the trade in blood plasma and its role in spreading HIV. Mr. **Wan Yanhai**, Founder of the Aizhixing Research Foundation and Director of the Aizhixing Institute of Health Education, received several requests from the authorities to remove the letter, which was written by Mr. **Chen Bingzhong**, a former head of the China Health Education Research Institute. In this letter, Mr. Bingzhong accused two former party leaders of covering up the link between the Government-supported sale of blood for transfusions and an epidemic of HIV. On February 11, 2011, Mr. **Tian Xi**, a Beijing-based AIDS activist, was sentenced by the Xincui County People's Court in Zhumadian city, Henan province, to one year in prison for "intentional destruction of property". In recent years, Mr. Tian, who contracted AIDS as a result of a tainted blood transfusion when he was nine years old, has campaigned for the granting of compensation to thousands of people infected with HIV/AIDS through contaminated public blood supplies. He also worked for the Aizhixing Institute. On August 2, 2010, Mr. Tian was arrested after an argument with the Director of the Government hospital, who had dismissed him. Mr. Tian had visited him in order to obtain more medicine and request compensation from the hospital both for himself and for others similarly infected. Prior to his detention, Mr. Tian Xi was reportedly subject to frequent police harassment and monitoring as a result of his campaigning¹².

Crackdown on human rights lawyers

Lawyers working on human rights cases, in particular those who are taking on cases that are deemed "sensitive" by the authorities, such as the defence of political prisoners, human rights defenders, Uyghurs and Tibetans, as well as Falun Gong practitioners, continued to face serious

12 / See CHRD, *China Human Rights Briefing*, February 9-14, 2011 and HRIC.

repression by the authorities and frequently had their licences cancelled or revoked. The authorities apply different approaches to the licences of human rights lawyers. In most cases the licences are cancelled, which still leaves open the possibility of reapplying for a licence at a later date. However, the administrative punishment of revocation is more severe than denying renewals, since this decision permanently bars lawyers from practicing¹³. For instance, Mr. **Tang Jitian** and Ms. **Liu Wei**, two Beijing human rights lawyers, were subjected to judicial harassment and saw their licenses definitively revoked in May 2010, by the Beijing Bureau of Justice (BBJ)¹⁴. Both were accused of “disrupting court order and interfering with the normal conduct of litigation activities”, on the basis of Article 49 of the Lawyers’ Law¹⁵. On the day of the hearing, on April 22, 2010, about twenty supporters who had gathered outside the building of the BBJ in a show of strong support along with 200 lawyers, activists and petitioners, were taken away by the police and at least eight other lawyers and activists were prevented from attending the hearing by Beijing police, including Ms. Liu Wei’s representative. In June 2010, Mr. Tang and Ms. Liu appealed for administrative reconsideration of the revocation of their licenses; and on September 3 and August 27, 2010, respectively, they received written notice that the original decisions were upheld. Chinese human rights lawyers also faced restrictions on their freedom of movement. Mr. Tang Jitian faced restrictions on travel and, in January 2011, Mr. **Jiang Tianyong**, a Beijing human rights lawyer, was prevented from leaving China to attend a seminar on human rights in the United States.

Lawyers were also subjected to arbitrary detentions and assaults as reprisals to their human rights activities. Mr. **Chen Guangcheng**, a prominent self-taught human rights lawyer, was finally released from prison on September 9, 2010 after having served over four years of imprisonment for his work exposing human rights abuses in Linyi city, Shandong province¹⁶. However, despite having served his full sentence, Mr. Chen and his family

13/ See CHRD Urgent Action, April 22, 2010.

14/ Mr. Tang and Ms. Liu are two of about 20 lawyers whose licenses were not renewed by their local bureaus of justice in June 2009 in reprisal for taking on some of these “sensitive” cases.

15/ The accusations refer to the trial of a Falun Gong practitioner that took place on April 27, 2009 where Mr. Tang Jitian and Ms. Liu Wei, representatives of the defendant, had walked out the courtroom after pointing out the repeated interruptions by the Presiding Judge and court officials. See HRIC Press Release, April 20, 2010.

16/ Mr. Chen, a lawyer involved in denouncing the extensive use of violence by the authorities of Linyi in relation to birth planning policies, had been arbitrarily detained since March 2006. In December 2006, he was sentenced to four years’ and three months’ imprisonment for “intentionally disrupting traffic” and “inciting material destruction”. While in detention, he was denied appropriate medical care and would reportedly be in very poor health. See HRIC profile, “Incorporating Responsibility 2008: Chen Guangcheng”.

were subjected to extrajudicial house arrest under very harsh conditions. On February 8, 2011, Mr. Chen Guangcheng and his wife were beaten by national security officers from Linyi city and police from Shuanghou town at their home and were subsequently prevented from seeking medical treatment. The beating was reportedly related to the release of a videotape detailing the illegal house arrest and the abuses he and his family suffered during this period¹⁷. Moreover, as of April 2011, the whereabouts of Mr. **Gao Zhisheng**, Director of the Beijing-based Shengzhi Law Office, who took on high-profile human rights cases, remained unknown. Mr. Gao, who had been under constant police surveillance, along with his family, since receiving a suspended sentence for “inciting subversion” in 2006, was last heard on April 20, 2010. He had only reappeared on March 28, 2010 following a 14-month detention during which he had been subjected torture. The authorities subsequently denied that Mr. Gao was in custody and the police refused to register him as missing¹⁸. Likewise, Mr. **Li Fangping**, a Beijing-based human rights lawyer, working as a legal advisor with the health rights NGO Beijing Yirenping Centre, was kidnapped by unknown individuals on April 29, 2011, outside of his NGO’s office. He returned home after a few days of disappearance¹⁹. Finally, in September 2010, Beijing Public Security Bureau (PSB) dismissed the case of suspected “tax evasion” against Beijing NGO Gongmeng (also known as the Open Constitution Initiative) because the “company has paid its fines”. The police also removed the bail measure against Gongmeng’s Director, Mr. **Xu Zhiyong**, and staffer **Zhuang Lu**, who had been out on bail awaiting trial since they were released from detention in August 2009. The PSB also returned the company’s account books as well as other confiscated items²⁰.

Arbitrary detention and judicial harassment of those denouncing the harassment of other human rights activists

Human rights defenders expressing their opposition to the judicial harassment of prominent human rights activists were in return targeted by the authorities. For instance, on February 23, 2010, Ms. **Mao Hengfeng**, a Shanghai activist who has been active in defending housing rights, opposing forced evictions and also promoting women’s reproductive rights, was arrested at her hotel in Beijing by Beijing and Shanghai police officers

17/ See CHRD, *China Human Rights Briefing*, February 9-14, 2011 and HRIC Press Release, February 11, 2011.

18/ See HRIC Press Releases, February 4, 10, 17 and April 8, 2010

19/ See CHRD Urgent Action, April 29, 2011.

20/ On August 17, 2009, Gongmeng had been shut down for providing “false data” when it registered as a company, and for having public interest activities inconsistent with its commercial enterprise designation. 305

and placed under administrative detention for ten days for “disturbing social order”. She was arrested and detained because of the slogans she shouted outside the Beijing Municipal No. 1 Intermediate People’s Court on December 25, 2009 to denounce the arbitrary sentencing of Mr. Liu Xiaobo. On March 4, 2010, Ms. Mao Hengfeng, who had already been detained several times and subjected to ill-treatment in the past years due to her human rights activities, was ordered by the Shanghai Municipal Committee for the Management of Re-education Through Labour (RTL) to serve one and a half year of RTL. Likewise, on February 13, 2010, Mr. **Tong Guojing**, another Shanghai protester who shouted slogans outside the Beijing Court on December 25, 2009, was also ordered to serve one and a half year of RTL, though his RTL decision cited his participation in a gathering of more than 100 people in Shanghai in January 2010 – not the Beijing court incident – as the basis for the punishment²¹. While detained at the Anhui RTL facility, Ms. Mao was subjected to ill-treatments, including beatings by the RTL guards and by the persons in charge of the facility. On February 22, 2011, Ms. Mao Hengfeng was granted medical parole because of her very high blood pressure. Yet, on the morning of February 23, 2011, more than ten police officers blocked the entrance of her home and did not allow her to leave. The police officers stayed in front of the house until February 24, 2011, when the Head of the Anhui RTL facility, along with a dozen Shanghai and Anhui police officers, entered Ms. Mao’s home and took her away and announced that her medical parole had been rescinded²². It is not until June 9, 2011 that Ms. Mao’s husband received official notice regarding Ms. Mao’s whereabouts, when he was informed that she had been kept in the Shanghai prison general hospital from February 24 for treatment of her high blood pressure²³. In February 2011, Messrs. Jiang Tianyong, Tang Jitian and **Teng Biao**, a human rights legal scholar²⁴, disappeared after a meeting in a restaurant with several other lawyers and human rights activists from Beijing to discuss the case of Mr. Chen Guangcheng, on February 16, 2011. During the meeting, the restaurant had been surrounded by police officers from the Beijing Municipal PSB, who stayed until the end of the meeting. The police then arrested Mr. Jiang Tianyong, who was interrogated at the police station of Haidian district, before being released five hours later. During his

21/ See HRIC Press Release, March 9, 2010.

22/ The Anhui RTL facility authorities cited Ms. Mao Hengfeng’s “illegal activities inconsistent with [the stipulations of] medical parole” as the basis of the decision, but did not specify what those activities were.

23/ Ms. Mao was released from RTL on July 28, 2011, one month before the completion of her 18-month RTL order. The decision to release her early was based on the prison hospital’s suggestion that she get hospital treatment outside of prison. See HRIC Press Release, July 28, 2011.

24/ On June 3, 2008, Mr. Teng Biao, who represented AIDS activists, Falun Gong practitioners, Tibetan protesters, and farmers fighting land seizures, he was denied the renewal of his license.

detention, Mr. Jiang Tianyong was allegedly ill-treated. On the evening of February 16, 2011, two police officers entered Mr. Tang Jitian's home and dragged him away. On the morning of February 21, 2011, Mr. Tang Jitian's wife went to the Guang'anmenwai police station to ask about her husband. She was told that he would return home "within four or five days". On February 19, 2011, men identified by Mr. Jiang Tianyong's family as Beijing policemen took him from his brother's home, where he was temporarily staying. That same evening, the Beijing police returned to Mr. Jiang Tianyong brother's house and confiscated a computer. On February 19, 2011, Mr. Teng Biao was also called by the police and on February 20, policemen from the Beijing Municipal PSB's National Security Unit searched his home, confiscating two computers, a printer, articles, books, DVDs and photos of Mr. Chen Guangcheng. Messrs. Tang Jitian and Teng Biao were released respectively on April 5 and April 29, 2011, but remained under house arrest, while Mr. Jiang Tianyong returned home on April 19, 2011, after two months of enforced disappearance.

Ongoing repression against defenders who questioned the Government's role in various scandals and corruption

Although more than two years had passed since the devastating earthquake in Sichuan in May 2008, activists providing assistance to victims, or merely publicising information on the number of casualties and the irregularities in construction, continued to face judicial harassment throughout the reporting period. On February 8, 2010 the Chengdu City Intermediate Court rejected the appeal lodged by Mr. **Huang Qi**, a cyber-dissident and Director of the Tianwang Human Rights Centre, who remained detained in Chengdu as of April 2011. On November 23, 2009, Mr. Huang had been sentenced to three years in prison for "illegal possession of State secrets". Mr. Huang was not given any oral appeal hearing before the decision was made and Mr. Huang's wife and his lawyer were not formally notified of the decision. Mr. Huang was arbitrarily arrested on June 10, 2008, after he visited the Sichuan earthquake zone numerous times, provided aid to victims of the disaster and published information on his website about the plight of parents who had lost their children. He also provided reports and interviews to foreign journalists about the protests carried out by the families of children who died in the Sichuan earthquake²⁵. On June 9, 2010, the Sichuan Provincial High People's Court upheld Mr. **Tan Zuoren**'s previous sentence to five years in prison, with an additional three years' deprivation of political rights, issued on February 9, 2010 by the Chengdu Municipal Intermediate People's Court, on the charge of

25 / On June 10, 2011, Mr. Huang Qi was released after completing his three-year term. See HRIC Press Releases, December 26, 2010 and January 2 and June 11, 2011.

“inciting subversion of State power”. Mr. Tan Zuoren, an environmental activist based in Chengdu, Sichuan province, was detained in March 2009, three days after the online release of a report entitled *Independent Investigation Report by Citizens*, which presented findings of his investigation into the causes of the widespread collapse of school buildings during the May 2008 earthquake in Sichuan. However, he was tried on the basis of attempting to organise commemorative activities for the 20th anniversary of the Tiananmen Massacre and conducting interviews with “hostile foreign forces” such as the exiled student leader Wang Dan. On August 12, 2009, his trial took place before the Chengdu Municipal Intermediate People’s Court but the verdict was only announced on February 9, 2010²⁶. The court session in June reportedly lasted only a few minutes. The court was surrounded by security forces that prevented supporters, the media, and diplomats from accessing the courtroom. At least four of his supporters, including Mr. Tan Zuoren’s daughter, Mr. **Chen Yunfei**, a Chengdu activist, and Mr. **Li Tinghui**, a petitioner, were taken away by the police.

Likewise, although more than two years had passed since the tainted milk scandal, activists and relatives of victims trying to establish accountability and raise awareness of the violations and irregularities committed continued to face severe consequences for their activities. Mr. **Zhao Lianhai**, a children’s rights activist and founder of the website *Kidney Stone Babies*, was sentenced to two and a half years in prison on November 10, 2010, on charges of “causing a serious disturbance” and “disturbing social order”, for organising a victims’ association in connection with the 2008 tainted milk scandal. He announced his intention to appeal the sentence. However, on November 22, 2010, the final day on which he could file an appeal, Mr. Zhao’s lawyers received a note stating that he no longer needed their services. It is feared that he was pressured by authorities to fire his lawyers and drop his plan to appeal his conviction. On December 28, 2010, Mr. Zhao was released on medical parole²⁷.

Activists exposing the abuse of power of local authorities were also repressed and received harsh prison sentences ostensibly in retaliation of their activities. As of April 2011, Mr. **Qi Chonghuai**, a reporter and former Shandong Bureau Chief for the *Fazhi Morning Post*, remained detained in Zaozhuang prison, Tengzhou city, Shandong province. Mr. Qi was arrested

26 / The appeal decision was handed down four months after the appeal, in violation of Article 196 of the Criminal Procedure Law, which stipulates that an appeal trial should be concluded within one and a half months after the filing of the appeal.

27 / See HRIC Press Releases, March 10 and 30 and November 10, 2010 and CHRD Urgent Action, December 15, 2010 and *China Human Rights Briefing*, December 28, 2010 - January 3, 2011.

on June 25, 2007 and sentenced to four years in prison in May 2008 for “extortion and blackmail” after reporting on corruption in Tengzhou city²⁸. As for Messrs. **Chime (Jigme) Namgyal** and **Rinchen Samdrup**, two Tibetan environmental activists in their village of Gonjo county, Chamdo prefecture, Tibetan Autonomous Region (TAR), they have been in detention in Tibet since August 2009 for running an environmental group in their village and accusing local officials of poaching endangered species²⁹. In addition, their brother, Mr. **Karma Samdrup**, also a Tibetan human rights activist and philanthropist, was arrested on January 3, 2010 after he tried to protest their detention. On June 24, 2010, he was sentenced to 15 years in prison and fined for 10,000 yuan (about 1,100 euros), on charges of “robbing graves” in Yanqi county, in the Xinjiang Uighur Autonomous Region, dating back to 1998, and “trading in looted artefacts”. On July 3, 2010, the Chamdo Intermediate People’s Court sentenced Mr. Rinchen Samdrup to five years in prison on charges of “incitement to split the country”, reportedly for posting an article about the Dalai Lama on his website. As of April 2011, they all remained detained³⁰.

Increased repression of human rights defenders on the eve of key sensitive anniversaries and events

The authorities continued in 2010-2011 to repress defenders and restrict freedoms of expression, assembly and association on the eve of key politically sensitive events. The authorities reacted particularly harshly to peaceful gatherings commemorating politically sensitive anniversaries, such as the Tiananmen Square massacre. For instance, as the Guizhou Human Rights Symposium was planning to hold a meeting on June 4, 2010 to commemorate the 21st anniversary of the Government crackdown on the 1989 democracy movement, many of its members were detained by the police, summoned for questioning, or suffered ill-treatment during their detention in Guiyang, Guizhou province, before being subsequently released. For instance, on May 28, a large number of police officers prevented the group’s weekly meeting, scheduled to take place at Hebin park. A few days before, on May 24, the police had detained Messrs. **Mo Jiangang**, **Xu Guoqing** and **Du Heping** for 72 hours. Several members of the group were also summoned by the PSB. On May 9, the police had already prevented a meeting of the Guizhou Human Rights Symposium,

28 / Although Mr. Qi was to complete his four-year term on June 25, 2011, he was sentenced on June 9, 2011 to eight additional years in prison for “extortion and blackmail and embezzlement”. On July 25, 2011, his appeal was rejected by a court in Shandong. See HRIC Press Releases, May 30, 2010 and June 11 and July 28, 2011.

29 / In November 2009, Mr. Chime Namgyal received a sentence of 21-months of RTL for “harming social stability”.

30 / See Tibetan Centre for Human Rights and Democracy (TCHRD) Press Release, July 9, 2010.

stopping the participants in front of their homes and arresting some of them, including Mr. Mo Jiangang, who was severely beaten while in detention at the police station.

Furthermore, ahead of the opening of the 2010 Shanghai World Expo on May 1, 2010, officials in Shanghai detained, placed under surveillance, or threatened activists, dissidents, and petitioners across the city and in surrounding areas. Police in other cities also warned activists not to travel to Shanghai. Police sought out high-profile local activists and made it clear that any efforts to criticise the Government were to be met with swift and serious retaliation. For example, Mr. **Feng Zhenghu**, a veteran Shanghai activist who for years has sought to draw attention to the failures of the Shanghai judicial system, had planned to set up a “Shanghai Expo of Unjust Court Cases” during the Expo. Around midnight on April 19, 2010, Shanghai police raided his home, confiscated his computer equipment and took him away for a four-hour interrogation. Police threatened that if he spoke out during the Expo they would “make him disappear like Gao Zhisheng”. Other activists were placed in detention to ensure that they will be out of sight for the duration of the Expo. A number of activists in the provinces surrounding Shanghai, such as Messrs. **Wen Kejian** and **Zou Wei** in Zhejiang province, and **Zhang Lin** in Anhui province, were warned by local police against travelling to Shanghai during the Expo. Activists in cities as far away as Guangzhou, Xi’an and Beijing were warned not to travel to Shanghai or speak out during the World Expo. Several Shanghai activists were sent to RTL for reasons related to the World Expo. Finally, some veteran Shanghai petitioners were detained as a warning to others ahead of the event. For example, Ms. **Shen Peilan**, who has been petitioning since the forced demolition of her home in 2003, was administratively detained for 15 days in the Minhang district detention centre in late March and early April 2010. Ms. Shen, who was beaten during her detention, was subsequently released, and went into hiding in Shanghai³¹.

In that context, human rights defenders denouncing forced evictions continued to be victim of judicial harassment. For instance, in August 2010, Mr. **Liu Zhengyou**, a Sichuan activist who has provided continued assistance to petitioners and victims of forced evictions and reported on human rights abuses in his hometown of Zigong city, was sentenced to two years in prison. Mr. Liu was arrested on November 11, 2009 and shortly thereafter criminally detained on suspicion of “fraud”. Eight officers also searched his apartment and copied the contents of his computer.

Urgent Interventions issued by The Observatory from January 2010 to April 2011

Names	Violations / Follow-up	Reference	Date of Issuance
Mr. Liu Xiaobo	Sentencing / Arbitrary detention	Urgent Appeal CHN005/0809/OBS 126.2	January 4, 2010
		Urgent Appeal CHN005/0809/OBS 126.3	February 12, 2010
		Press Release	October 8, 2010
Mrs. Liu Xia	House arrest / Ongoing arbitrary detention	Urgent Appeal CHN004/1010/OBS 124	October 11, 2010
Mr. Huang Qi	Ongoing arbitrary detention / Judicial harassment	Urgent Appeal CHN004/068/OBS 105.3	February 8, 2010
Mrs. Mao Hengfeng, Mr. Liu Xiaobo and Mr. Tong Guojing	Arbitrary detention / Judicial harassment	Urgent Appeal CHN001/0310/OBS 034	March 10, 2010
Mrs. Mao Hengfeng	Release on medical parole / Re-arrest / Ill-treatments in detention	Urgent Appeal CHN001/0310/OBS 034.1	March 2, 2011
Mr. Hu Jia	Ongoing arbitrary detention / Critical health condition / Judicial harassment	Urgent Appeal CHN009/1107/OBS 141.7	April 13, 2010
Mr. Tang Jitian and Ms. Liu Wei	Judicial harassment	Urgent Appeal CHN002/0410/OBS 051	April 26, 2010
Guizhou Human Rights Symposium / Messrs. Mo Jiangang, Xu Guoqing and Du Heping	Obstacles to freedom of assembly / Arbitrary detention / Harassment	Press Release	June 3, 2010
Mr. Tan Zuoren	Sentencing in appeal / Arbitrary detention	Urgent Appeal CHN003/0610/OBS 074	June 10, 2010
Messrs. Jiang Tianyong, Tang Jitian, Teng Biao and Chen Guangcheng	Enforced disappearances / Fear for safety	Urgent Appeal CHN 001/0311/OBS 028	March 1, 2011
Aizhixing Research Foundation	Censorship / Obstacles to freedoms of expression and association	Urgent Appeal CHN002/0311/OBS 050	March 25, 2011