

PEOPLE'S REPUBLIC OF CHINA

Torture - A Growing Scourge in China

Time for Action (excerpts)

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1. INTRODUCTION

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Torture and ill-treatment are prevalent during high profile political campaigns such as the crackdown on the banned Falun Gong organization. On the few occasions when officials have responded to the detailed testimonies provided by victims and their families, they have issued contradictory statements or absolute denials of wrongdoing. There is little indication that allegations have been thoroughly investigated. Such indifference may be interpreted as official acquiescence in torture and ill-treatment when it is undertaken during national priority campaigns. It calls into question the government's sincerity in the fight against torture. All citizens deserve and must be provided with protection against torture.

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2. PATTERNS OF TORTURE: PERPETRATORS, LOCATIONS AND VICTIMS

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2.2) Torture During "Strike Hard" And Other Campaigns

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Torture and ill-treatment is prevalent during high profile political campaigns such as ongoing crackdown on the banned Falun Gong organization. Reports continue of deaths of detained practitioners following torture and extreme ill-treatment (see below, section 3, Death in Custody). Whereas officials responsible for deaths in custody during normal police operations may be investigated and prosecuted, in all cases where the victims were Falun Gong practitioners, the government has denied any wrongdoing, even in the face of multiple eye witness testimonies. On 7 October 1999 in reply to an urgent action by the UN Special Rapporteur on Torture, the Government reported that "no beatings or ill-treatment had occurred as a result of the coercive measures taken" against the Falun Gong and that allegations of beatings, ill-treatment, torture and house arrests were "sheer fabrications unrelated to the facts" ⁽⁴⁾. In May 2000 Chinese government representatives told the UN Committee against Torture that: "In the course of dealing with Falun Gong practitioners engaged in illegal activities, the people's police and judicial officers have acted in strict accordance with law. There is no such question as extensive arrests and torture". Such blanket denials of wrongdoing, with no indication that allegations have been thoroughly investigated, are unconvincing, particularly when practitioners who have sought to publicize cases of torture have suffered severe reprisals, including detention for "re-education through labour" (see below, Section 7.4).

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2.3) Torture By A Growing Range Of Part-time Police "Defence" And "Security" Teams

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Mutual Defense Teams were frequently reported to be the perpetrators of torture and ill-treatment against members of the Falun Gong (FLG), in the immediate aftermath of the ban on the spiritual group in July 1999. For example, in Hunan Province on 25 July in Anhua county, Ms. Li Juhua, a FLG practitioner at the Meicheng Town practice site, was allegedly apprehended by the local Mutual Defence Team and raped by members of the team, suffering severe mental trauma as a result. On 26 July in Xiangtan city, Mr. Yang Junhua, the contact person of the FLG Shaoshan practice site in Xiangtan City, was allegedly beaten and injured by members of the No. 7 Joint Defence Team of Xiangtan City. There is no indication that these serious allegations have been properly investigated.

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2.8) Torture of the Mentally Ill and Misuse of Psychiatric Hospitals

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Many cases have also been reported in which Falun Gong practitioners, alone or in groups, were taken by police to mental hospitals where they were detained for periods varying from a few days to many months. Reports indicate that they did not have a psychiatric examination before being detained and were often forced to take drugs against their will. On 20 January 2000, Yang Yong, a spokesman for the Changguang police station in Fangshan district in Beijing, confirmed to a foreign journalist that around 50 practitioners, mainly women, were being held at the Zhoukoudian psychiatric hospital near Beijing. He said they "are not patients, they are there to be re-educated ... Most of them are Falun Gong extremists who have been to Beijing to protest at least 10 times".⁽¹³⁾

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3. DEATH IN CUSTODY - THE ULTIMATE FAILURE TO PROTECT

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3.3) Falun Gong Examples⁽²⁷⁾

By mid January 2001, at least 120 Falun Gong practitioners (62 women) were reported to have died since the beginning of the crackdown on the group in July 1999.⁽²⁸⁾ In Shandong province alone, 24 practitioners died, nearly half in Weifang city, and 15 people died in Heilongjiang province. All had died in official custody, or shortly after release, in circumstances that remain unclear and most following reports of torture and ill-treatment. Active attempts by officials to coverup or destroy evidence were alleged in over one third of the cases.

Of these practitioners, 17 (4 women) according to an official reports "jumped" to their deaths whilst being transported or interrogated by police; and 15 (8 women) "fell" whilst in detention, the majority in provincial representative offices in Beijing.

Twenty six (16 women) of those who died had reportedly engaged in hunger strikes during their detention, with 10 (9 women) allegedly dying after attempts to force-feed them. Many reports indicate that force feeding was carried out by people with no medical training or experience, resulting in damage to the windpipe and other reportedly fatal complications.

An additional 8 practitioners (5 women) are confirmed to have committed suicide whilst at liberty, although several were reportedly still under police surveillance.

Official sources have confirmed many of these deaths, rejecting outright all allegations of torture and ill-treatment. Amnesty International is not able independently to verify these reports of torture resulting in death. It is however extremely concerned at the inadequate, contradictory response of the authorities to mounting credible evidence. In the face of numerous corroborating testimonies, blanket denial of official wrongdoing will

not be convincing, especially when accompanied by evidence of official cover up, including reports of hasty cremation before autopsies can be performed, and the continuing detention of those who seek to publicize their experience of ill-treatment (see Section 7.4). The organization calls on the Chinese government to ensure all allegations are thoroughly and independently investigated and the results publicized.

On 8 November 1999, Li Bing, deputy head of the information office of the State Council, citing police reports, confirmed that three female Falun Gong practitioners had died after being detained for their Falun Gong activities. He denied they had been tortured. His statement that two had died of a "previous heart condition" has been used in numerous cases since. Such assertions also call into question the functioning of Detention Centre regulations which bar the detention of those with potentially life threatening medical conditions.

Chen Zixiu (f), a 59 year-old practitioner from Weifang in Shandong province, reportedly died under torture on 21 February 2000. She had been detained for four days in a "Falun Gong transformation centre" (*Falun Gong Zhuanhua Kanguan Zhongxin*) organized in a residential building by the local police and Chengguan Street Committee. Practitioners held with her testified in detail about the torture she was subjected to, and her final hours as she lost consciousness. Chen's family viewed her body on 21 February and found it covered with bruises, with her teeth broken and her ears bloody and swollen. They also found her clothing, covered in faeces. Chen Zixiu had reportedly been detained on 17 February on suspicion she was planning a second visit to Beijing to petition the central authorities against the ban on Falun Gong.

Several times, on 18 February officials reportedly demanded Chen's family pay a fine of 1,000 Yuan for her release, but they refused on the grounds it was an illegal levy, and threatened legal action. On 19 February, warned that Falun Gong practitioners were being beaten in the building, and telephoned by a fearful Chen, the family attempted to reach her to pay the fine, but were not successful.

Local police reportedly later claimed that she had "died of a heart attack". On 28 February 2000, the Information Office of the State Council denied there had been any fine or mistreatment. It stated that Chen had not been detained but taken to an office for "helpful education", and when her health worsened she had been sent to hospital where she died of a heart attack. In May 2000 Chinese diplomats appeared to contradict the State Council account, telling the UN Committee against Torture that Chen had "never been held in custody in a detention house". They stated she had not been "beaten, subjected to corporal punishment" but on 21 February had been "sent to hospital directly from her home because she didn't feel well" and died of a heart attack. This account is undermined by the testimony of Chen's daughter, Zhang Xueling. (See 7.4). At the end of 2000, after many months of petitioning, Zhang had still not obtained a copy of her mother's death certificate.

In the following cases, Amnesty is not aware of any official response or thorough investigation. In most cases there does not appear to have been any autopsy to establish the cause of death, with police acting swiftly to have bodies cremated before full external investigation was possible.

Liu Jiankun (m), 31, from Liaoyuan city, Jilin Province was assigned to one year Re-education through Labour in February 2000 in Baiquan labour camp. Reports allege that, when Liu continued practicing Falun gong exercises in prison, his fellow prisoners, instigated by the guards, beat him ferociously many times. In May 2000 he reportedly complained of pains in his chest, and by July 2 he was unable to eat. He was required to continue with heavy labour until 5 July officials notified his family to collect him for medical treatment at home. City and district hospitals confirmed that his ribs were fractured and fluid had accumulated in his chest. He reportedly died in hospital on 27 August 2000.

Wang Xingtian (m) 44, from Dayang Ningjin County, Hebei Province. On 21 February 2000, Wang was reportedly detained with other practitioners in the "legal education centre" of his village to prevent him travelling to Beijing to appeal against the Falun Gong crackdown. They were transferred to government offices in Beiquanli Village around 23 March, where they were denied food and were each required to pay 1000 Yuan fine and 1000 Yuan deposit and to write a pledge to recant. Wang refused to do this. At noon on 25 March his

friends visited him suggesting he comply. Later that day Wang was reportedly beaten by hired workers using batons and iron rods. Wang's family reportedly had to pay the money and sign the pledge before they could take him, unconscious, home. He died that day. Subsequent reports alleged that local government officials had paid money to the family, to "resolve the matter in private".

Mei Yulan (f) 44, was arrested on 13 May 2000 while practicing Falun Gong exercises outside her house. She was detained in Chaoyang District Detention Centre, Beijing. She joined cellmates in a hunger strike, and on May 17 was force-fed saltwater and soya bean milk through her nose. Cellmates allege this was performed by a fellow inmate with no medical skills who guards claimed was a nurse. They heard Mei Yulan screaming in pain during the procedure, and shortly after returning to the cell she began spitting blood. Guards who were alerted did not send her for treatment until the next day. She was then returned to the cell with an unbearable headache and had difficulty breathing. Cellmates reported "her hands and feet became-cold and her eyeballs stopped moving" at which point she was transferred to the Minghang hospital, where she reportedly never regained consciousness. Hospital authorities confirmed she died on 23 May, citing "hunger strike" as the reason.⁽²⁹⁾

Dong Buyun (f), 36, a Falun Gong practitioner and school teacher from Lanshan district, Linyi city, Shandong province, reportedly died on 21 September 1999 while being held in custody in her school. She had been arrested earlier in Beijing and sent back to Lanshan under police escort. According to Falun Gong sources, following her death, local officials in Langshan claimed that Dong Buyun was killed when she jumped out of a building at night, but gave no further details. Her body was reportedly cremated the same day. There has been no official report on her case.

Zhang Zhenggang (m), a 36-year old from Huai'an city, Jiangsu Province, was detained on 2 March 2000 for interrogation and was transferred to the Huai'an City Detention Centre. He was reportedly brutally beaten on or around the 25 March, suffering severe head injuries. He was sent to the First Hospital of Huai'an city for emergency treatment including an operation to his head, but never regained consciousness. His relatives were brought to the hospital to look after him but the police monitored the ward and refused to give them detailed information about his condition and treatment. Zhang's family testified that on the evening of 30 March, after doctors found Zhang's pulse very weak, about 40 police officers arrived to cordon off the ward and corridor. The relatives were forced into a waiting room and claim that police intervened with the doctor to shut off Zhang's oxygen supply and blood transfusion. Police officers immediately removed Zhang's body to the City crematorium. The next day, onlookers reportedly intervened forcing the police to abandon their attempt to bar the family from the crematorium. Instead they reportedly controlled the whole funeral process, setting condition that no floral tributes be sent or appeals made to higher authorities.

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7. INVESTIGATION AND PROSECUTION OF TORTURE IN PRACTICE

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7.4) Retaliation Against Those Who Expose Torture

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Liang Qing (f), from Dalian city, Liaoning province, was reportedly sentenced without trial to three years of "re-education through labour" for having sent information about the torture of fellow Falun Gong practitioner Zhang Chunqing (f) to the foreign media.⁽⁶⁶⁾ Liang Qing was reportedly first detained for 26 days from 20 July 1999 at the Yaojia detention centre in Dalian, and detained again on 24 October. Zhang Chunqing (f), who had given an account of her ill-treatment at the Yaojia detention centre in September, was also re-arrested in late October and sentenced to three years of "re- education through labour". She is held at the Mashanjia labour camp.

Four Falun Gong practitioners from Zhaoyuan county in Shandong province, Li Lanying, Chen Shihuan, Liu Jinling and Chi Yunling, were reportedly detained in November 1999 for disclosing details of the October 1999 death due to torture of Zhao Jinhua (f) (See Section 3 above). In December 1999, Li Lanying and Chen Shihuan were reportedly assigned to three years' "re-education through labour" to be served in a labour camp in Zibo

county, Shandong province. Liu Jinling and Chi Yunling were reportedly still in custody in January 2000. It is not known whether they too have been sentenced.

On 17 April 2000, Zhang Xueling, the daughter of Chen Zixiu, a Falun Gong practitioner who died in custody in Shandong in February 2000 (see Section 3.3) was administratively detained, accused of "distorting facts to undermine social order". Zhang Xueling was not a Falun Gong practitioner but had petitioned the State Council for justice and had publicized to Chinese and foreign media her own testimony and that of eye witnesses to her mother's detention, ill-treatment and death. In May 2000 Chinese diplomats confirmed to the UN Committee Against Torture that Zhang Xueling had been subjected to 15 days administrative detention. They claimed that she had "distorted the fact of her mother's death and spread the rumours, disturbing social order". On her release, Zhang Xueling told foreign reporters she had not changed her attitude. She then published an account of her numerous unsuccessful appeals to police, legislative and government departments for forensic reports, investigation and prosecution stating: "Even now I still don't know how I distorted the facts or what facts I distorted. What are the facts supposed to be?".⁽⁶⁷⁾

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(4) E/CN.4/2000/9 para.231, 2 February 2000.

(13) Agence France Presse 20.1.99.

(21) See Amnesty International, "P.R.C: The Crackdown on Falun Gong and other so-called "heretical organizations", ASA 17/11/00, 23.3.00, Section 2.2.

(27) See Amnesty International: People's Republic of China: "The Crackdown on Falun Gong and other so-called "heretical-organizations", 23.3 2000, AI Index: ASA 17/11/00; "Reports of Torture and Ill-treatment of Followers of the Falun Gong", 22 10.99, AI Index: ASA 17/54/99.

(28) Information from numerous press, public, individual and unofficial sources including Falun Gong sources: <http://www.minghui.cc>; <http://www.faluninfo.net>; and the Information Center for Human Rights and Democracy: <http://www.89-64.com>.

(29) See: http://www.clearwisdom.net/eng/2000/Jun/16/POI061600_4.html, AFP 26 May 2000.

(67) See Falun Gong website: Http://www.minghui.ca/gb/0001/Aug/23/chenzixiu_daughter3_1.html.