



TAKE ACTION

IR2008

INCORPORATING
RESPONSIBILITY
BEIJING 2008

Human Rights in China’s **Incorporating Responsibility 2008 Take Action Campaign** (IR2008) highlights individuals in detention and systemic human rights challenges. Each month, the Take Action Campaign provides detailed background on a selected case, beginning in January with **Shi Tao** and press freedom. In February, the campaign focused on “barefoot” lawyer **Chen Guangcheng** and the rule of law, while March features **Mao Hengfeng** and the plight of petitioners. On the website, you can find more information about the human rights actions that the Chinese government and the international community can take for positive change. For additional updates and background, visit the website of the IR2008 Take Action Campaign at <http://www.ir2008.org>.



ABOUT THE INDIVIDUAL: SHI TAO

Shi Tao was a freelance writer, journalist, and head of the news division at the daily *Dangdai Shangbao* (Contemporary Business News) in Changsha, Hunan Province. On April 20, 2004, Shi attended a *Dangdai Shangbao* staff meeting that discussed a Communist Party Central Propaganda Bureau document about security concerns and preparation for the upcoming 15th anniversary of the June 4th crackdown. Shi used his Yahoo! e-mail account to send his notes about this meeting to a New York-based website. As a result, he was detained on November 24, 2004. On April 27, 2005, Shi was tried for “illegally providing state secrets overseas” under Article 111 of the Criminal Law. Because the document was certified a “top secret” state secret, he was sentenced to ten years’ imprisonment following a brief, closed-door trial. While in detention at Chishan Prison, Shi Tao was forced to provide labor for gemstone-processing, exacerbating his existing health problems. Shi Tao was transferred to Deshan Prison in June 2007.

Name

Shi Tao

Date of birth

July 25, 1968

Criminal detention

November 24, 2004

Formal arrest

December 14, 2004

Charge

Illegally providing state secrets overseas [Article 111 of the Criminal Law]

Conviction

April 27, 2005

Sentence

Ten years’ imprisonment and two years’ subsequent deprivation of political rights

Current location

Deshan Prison

Anticipated release

November 23, 2014

TAKE ACTION FOR SHI TAO

Visit “Take Action for Shi Tao,” January 2008, <http://www.ir2008.org/january-action.php>.

ABOUT THE ISSUE: OLYMPICS AND PRESS FREEDOM

Despite guarantees for freedom of expression in Chinese domestic law and promises for a “free and open” Olympics, the past few years have seen increasing crackdowns on press freedom in China. HRIC continues to receive reports of domestic Chinese journalists being denied access to stories, through physical harassment and even detention. There are also reports of foreign journalists being physically harassed by “unidentified thugs,” seemingly with the collusion of authorities. On the Internet, authorities close blogs, filter websites, and tighten controls on e-mails and text messages. Television is also censored with restrictions on content. The fear of censure and reprisals has resulted in a culture of self-censorship that may have an even more damaging effect on Chinese society.

TAKE ACTION ON PRESS FREEDOM IN CHINA

Visit: “Take Action on Press Freedom,” January 2008, <http://www.ir2008.org/january-issue-action.php>.

**Name**

Chen Guangcheng

Date of birth

November 12, 1971

Criminal detention

June 10, 2006

Formal arrest

June 21, 2006

Charge

Intentional damage of property [Article 275 of the Criminal Law] and organizing people to block traffic [Article 291 of the Criminal Law]

Conviction

August 24, 2006

Sentence

Four years' and three months' imprisonment

Current location

Linyi City Prison, Shandong Province

Anticipated release

September 2010

ABOUT THE INDIVIDUAL: CHEN GUANGCHENG

Chen Guangcheng, a blind, self-taught (“barefoot”) lawyer and activist, is serving a four year and three month prison term for “intentional damage of public property” and “gathering people to block traffic.” Since the late 1990s, Chen has fought for numerous rural causes, including farmers’ rights. Chen came under official scrutiny when he exposed abuses in implementation of the one-child policy in Linyi City, Shandong Province, and he was detained in 2005. He was convicted in 2006 following a trial marked with irregularities. Since his conviction, Chen has been abused in prison and is reportedly in poor health. Chen’s family is also barred from visiting him in prison, and was not informed when he was transferred to another prison. Chen’s health has suffered in prison, where he has been subjected to serious abuse. This abusive treatment extends as well to Chen’s family and legal counsel: both before and after his detention, Chen’s family was harassed as a means of intimidation, and his lawyers were harassed, detained, and even beaten.

TAKE ACTION FOR CHEN GUANGCHENG

Visit: “Take Action for Chen Guangcheng,” February 2008, <http://www.ir2008.org/02/action.php>.

ABOUT THE ISSUE: OLYMPICS AND THE RULE OF LAW

An independent bar—lawyers who can do their job without harassment, detention, or fear of reprisal—is vital to ensuring the protection and promotion of human rights in China. But the work of lawyers in China is not easy, to which many Chinese lawyers can attest.

Those working to promote human rights in China, including land rights activists, religious rights activists, journalists seeking to expose rights abuses, petitioners, and others, are regularly harassed, beaten, and detained. A group of lawyers and legal advisors has emerged in China as the defenders of these human rights defenders: ensuring that detainees’ rights are protected, communicating between detainees and the media, and providing a strong defense for them in court. In recent years, these defenders themselves have come under increasing attack, including surveillance, intimidation, harassment, personal assault, and criminal charges. Chinese laws passed in recent years have also made it more difficult for lawyers to do their work. It remains to be seen whether the changes to the Lawyers Law,

going into effect on June 1, 2008, will result in more independence and greater ability for lawyers to represent their clients effectively. However, because there will be conflicts between this new law and existing laws, the way in which the law is implemented may not provide greater protections.

TAKE ACTION ON BEHALF OF LAWYERS IN CHINA

Visit: “Take Action to Support Lawyers,” February 2008, <http://www.ir2008.org/02/issue.php>.



Name	Mao Hengfeng
Date of birth	December 9, 1961
Criminal detention	May 30, 2006
Formal arrest	June 30, 2006
Charge	Intentional damage of property
Sentence	Two years' and six months' imprisonment
Current location	Shanghai Women's Prison
Anticipated release	November 29, 2008

ABOUT THE INDIVIDUAL: MAO HENGFENG

Mao Hengfeng, an activist and petitioner, is currently serving two years and six months in prison for “intentional damage of property.” Mao has been a petitioner for 20 years. She was dismissed from her soap factory job in 1988 when she refused to abort a second pregnancy, and since that time has petitioned the government for redress on that dismissal and subsequent abuses, including forcible eviction. As a result of her petitioning, she has been forcibly admitted to a psychiatric hospital three times, detained multiple times, and served a one-and-a-half year sentence of Reeducation-Through-Labor (RTL). In the first half of 2006, Mao was twice placed under residential surveillance in guest-houses. During her detention, she broke two table lamps and other objects, damage for which she is now serving prison time. She is currently held at Shanghai Women’s Prison, where, reportedly, she has been tortured. She is due for release in early December 2008.

TAKE ACTION FOR MAO HENGFENG

Visit: “Take Action for Mao Hengfeng,” March 2008, <http://www.ir2008.org/03/action.php>.

ABOUT THE ISSUE: THE OLYMPICS AND THE RIGHT TO CRITICIZE

China’s petitioning system is a historical, cultural, and legal tradition dating back to the beginning of the Chinese empire. Today the right to criticize the government is enshrined in Article 41 of the PRC Constitution. The petitioning or *xinfang* system, technically the system of “letters and visits,” is a primary means for Chinese citizens to seek accountability for abuse. Petitioning, now codified by the Regulations on Letters and Visits, is critical for directing the complaints of ordinary people throughout the country

to the authorities. Most government departments have their own divisions to handle petitions.

Individuals turn to petitioning for a number of reasons. In the absence of other options, the petitioning system remains critical for individuals seeking to address corruption, environmental pollution, or forced evictions. Far more petitions are handled than formal legal cases. Petitioners who submit complaints at the local level are increasingly unhappy with the (lack of) response and pursue the matter at higher levels. Petitioners away from home often settle in “petitioners’ villages” on the outskirts of Beijing that are routinely and often violently cleared by authorities, particularly in advance of international events or national meetings. In January 2005, new petitioning regulations curtailed the ability of individuals to appeal directly to higher authorities.

TAKE ACTION ON BEHALF OF PETITIONERS IN CHINA

Visit: “Take Action to Support Petitioners,” February 2008, <http://www.ir2008.org/03/issue.php>.

CALL TO ACTION!

Here are some suggestions for action on these cases and issues, which you can follow up on by visiting the IR2008 website.

Write a Letter

- Continue to write letters to relevant officials to call for the release of these imprisoned activists (templates available online).

Join a Campaign

- Join campaigns for the release of these individuals by nongovernmental organizations and on social networking sites like Facebook.

Are you a member of a business or professional association?

- If you are a member of your local business or professional association, encourage your organization and its committees to support Chinese activists in the same profession (such as journalists and lawyers) and learn more about restrictions on those individuals.

Do you write, publish or blog?

- If you blog, download the banners created by HRIC and link back to the Take Action website (<http://www.ir2008.org>) to encourage others to help make a difference.

