

# ENEMIES OF THE STATE

# PERSECUTED WRITERS IN CHINA

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Human Rights Report Nr. 66 of the  
Society for Threatened Peoples

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society for  
threatened  
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### For human rights. Worldwide.

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Society for Threatened Peoples (STP) is an international human rights organisation which campaigns with and on behalf of threatened and persecuted ethnic and religious minorities, nationalities and indigenous peoples. STP has had an advisory status at the United Nations (UN) since 1993 and participant status at the Council of Europe (COE) since 2005.

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## Enemies of the State – Persecuted Writers in China

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### Synopsis

The new Society for Threatened Peoples (STP) human rights report, *Enemies of the State - Persecuted Writers in China*, documents the imprisonment of 54 writers and Internet authors in the People's Republic of China who are currently being held prisoner for political reasons, whether in secret prisons, work camps or in conventional prisons. The disproportionately high percentage of ethnic Tibetans, Uyghurs and Mongolians among these political prisoners is striking. Although these "national minorities" make up only 20 million of the 1.4 billion inhabitants of the People's Republic, 28 of the 54 jailed writers are of these "nationalities:" 16 Tibetans, 10 Uyghurs, and 2 Mongolians. The other 26 imprisoned dissident authors are Han Chinese.

The high percentage of "nationalities" among the arrested authors is an indication of how drastically political persecution has been stepped up, particularly in their regions. Other prominent exponents of the traditional cultures of Tibetans, Uyghurs and Mongolians are also targets of repression. This clearly contradicts the Chinese government's claim that they are making serious efforts to preserve the cultural assets of these minorities. In particular, writers and Internet authors who advocate reconciliation between minorities and Han Chinese are often the victims of arbitrary imprisonment. Tibetan Internet author Tsering Woeser, currently being held under house arrest, as well as Uyghur Gheyret Niyaz, who has been condemned to a prison sentence of many years, made huge efforts to ease the escalating tensions between the nationalities and the majority Han Chinese population. Internet author Gheyret Niyaz has been sentenced to 15 years in jail for describing in an interview his unsuccessful attempt to warn the Chinese authorities of an imminent outbreak of protests in Urumqi. More than 200 people were killed in the ensuing protests in July 2009. Niyaz's biggest mistake was stating publicly that the Chinese authorities knew in advance of the impending turmoil and intentionally failed to take any action to defuse the situation.

While the number of writers imprisoned has declined in recent years, it would be incorrect to conclude from this that persecution of dissident authors in China has abated. On the contrary; suppression of free speech has become far more subtle. Chinese state security forces are moving away from long prison sentences as an instrument of repression used against authors, because it has done lasting damage to the international image of the People's Republic. China's reputation around the world suffered severely from the incarcerations of writer Liu Xiaobo and artist Ai Weiwei. That is why security forces in China have instead begun using threats and intimidation much earlier and more decisively against writers who are critical of the government. The aim is to force authors to censor themselves in order to avoid harm to themselves and their families.

In the past two years, 55 of 70 honorary members of the *Independent Chinese PEN Center* have been released from prison. But the pressure on dissident writers continues to grow. The "cultural reform" announced by the Communist Party of China, or CPC, in October 2011

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only resulted in stricter controls for writers, Internet authors and bloggers. In the scope of this so-called "reform" the CPC has interfered in cultural affairs more than ever. The omnipotent state publishing houses, editorial boards, and propaganda departments have been subjected to political cleansing. More restrictive regulations are applied for the issuing of ISBN numbers for new books, and state publishers are unequivocally called upon to promote "socialist values." In numerous various internal directives, furthermore, the CPC proclaimed that in all cultural discussions the party must guide opinion, the "Marxist viewpoint" is the decisive viewpoint, and the "stability and unity of the country" as well as the "harmonious society" must not be endangered. In other words, writers must steer clear of any criticism relating to ethnic, social, constitutional or political topics to avoid getting into trouble with the state security forces. In the face of continuing intimidation, even after their release from prison, many authors are now adhering to these strict regulations in order to protect themselves and their families.

This report focuses on 25 writers as well as three artists and filmmakers who are not officially in prison, but who are under massive pressure from the state security forces and live in fear for their lives. There are dozens of similar cases that could be added to those detailed here, but only a few cases from the past five months are presented as an example. Meanwhile, state security forces continue use these tactics and are growing more brazen from month to month. The released dissidents, for example, regularly receive invitations to "tea" – but this is a form of code; in reality they are subjected to yet another interrogation. They are intimidated and threatened, their families are threatened, relatives lose their jobs, friends and relatives are not allowed to visit, friends are explicitly intimidated, police keep the writers' residences and activities under surveillance - either around the clock or just on so-called "sensitive occasions." Writers are arbitrarily restricted in their movements and placed under house arrest, their homes searched without warrant, communications (telephone, Internet, mobile phone) interrupted, and video cameras are installed to monitor all entrances to the residence. That is why dissident writers more and more frequently refrain from making public statements in China. Some become completely fed up, others worn down, by the unremitting pressure and seek refuge abroad. Others escape the pressure by censoring themselves, avoiding sensitive subjects, and not speaking about humiliating and illegal treatment suffered in prison. This is how freedom of speech is systematically violated and a climate created in which writers cannot practice their profession without the state exerting its influence. It engenders an atmosphere of intimidation and control that destroys all creativity.

When arrests are made, the family is not informed, or only much later. The prisoners on remand are held in solitary confinement up until their sentencing, often under inhumane conditions. During interrogations they are beaten, abused, tortured, and forced to sign blank confessions, or detailed confessions obtained through illegal means. In many cases they are prohibited from contacting an attorney. Attorneys, too, are intimidated to deter them from taking on dissidents as clients. Most of the trials held violate Chinese criminal procedure

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laws as well as international laws. Judgments are frequently handed down in secret trials without the defense attorney ever being allowed to access the files. The accused and their legal representation are often refused permission to make any statements at all before the court. Defendants are sentenced after just one or two hours of court proceedings. Again and again, the sentences pronounced are longer than those provided for by law. Many of those accused resign themselves to their fate and do not protest their sentences because they have been given to understand that the outcome had already been determined before the "trial" even began. In short, these are unfair trials held explicitly for the purpose of silencing dissidents.

This report also describes the dismal fates of 82 authors who were not only massively hindered from working, but whose personalities were systematically destroyed through the punishment they received for their dissident positions. One appalling example is the fate of poet Zhu Yufu, who was sentenced in late January 2012 to seven years of prison because of a single poem. Author Shi Tao was given a ten-year sentence for an e-mail. Uyghur Nurmuhemmet Yasin has been sentenced to ten years because Chinese leaders were enraged by a fable he had written. Tibetan Tashi Rabten spent four years in prison after protests in Tibet because he published a collection of essays about the background of the uprising. Another Tibetan, Kunchok Tsephel, was even more severely punished – he is being forced to serve 15 years because he wrote essays criticizing Chinese rule in Tibet.

The case of author and human rights lawyer Gao Zhisheng shows clearly how arbitrarily dissidents are locked up. Just a few days before his four-year probation period ended in late December 2011, he was informed that he had violated the terms of probation and now had to serve a 3-year prison sentence. That was after he had been illegally detained by state security forces for the previous 20 months, held in secret locations, and could not possibly have violated probation. But all too often Chinese authorities make an effort to seem as though they were acting within the law, as they did in the case of writer Chen Xi, who was sentenced at the end of December 2011 to ten years in prison for "incitement to undermine state authority." When his wife asked how it was possible that he could have endangered the existence of a government as powerful as China's, she was given no answer.

The writer Guo Quan was demoted from Professor of Literature to doorman because he had written many essays advocating the rule of law. When the demotions and all the other attempts at intimidation failed to silence him, he was sent to prison for ten years. The fate of author Liao Zusheng is even more dramatic: his 15-year-old son is presumed to have been intentionally driven to his death by state security forces and his teachers.

The fates of authors who belong to the Mongolian minority receive the least international attention. Author and book dealer Hada, for example, disappeared into a secret prison on Human Rights Day, December 10, 2010. As a political prisoner, he actually should have been released on that very day. His alleged crime was to have written and distributed books about Mongolian culture and history. But Chinese authorities simply did not release him. Instead,

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all of his nearest relatives were arrested as a preventative measure – to keep them from drawing attention to his plight. Fifteen months later, his wife Xinna is still being held in prison on the specious grounds that she refused to sign a confession. His son Uiles was placed under house arrest in November 2011 after he had spent eleven months in prison; other family members were viciously threatened. Another Mongolian author, Govruud Huuchinhuu, is considered missing since the end of January 2011. She is presumably being held in a secret prison.

The Communist Party of China makes no secret of the fact that they believe they must crack down relentlessly on dissident authors to deter "copycat criminals" and consolidate the party's power. Thus there is no reason to expect that the rulers in China will relax their censorship of, and systematic interference with, dissident writers. The only thing that can help bring about an early release of the imprisoned authors is international publicity. The imprisonment and release of Ai Weiwei showed that China's rulers carefully weigh the advantages and disadvantages of jailing dissidents if they feel that it might do lasting harm to China's image in the world.

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Nobody could have imagined that just a few lines of a poem could endanger the state authority of a huge and powerful country like the People's Republic of China. But for dissident poet **Zhu Yufu** it became a reality: In February 2012 he was condemned to seven years in prison because of the publication of one very short poem. His maxim, "It is time," was interpreted by zealous federal prosecutors as an acute "threat to the state." Accordingly, poets and writers have been declared by the Communist party to be enemies of the state. A bizarre development, and one that clearly shows how unsettling the recent upheavals in North Africa and the Arab world have been for China's rulers.

## The Communist Party's Cultural Offensive

At a plenary session of the Central Committee of the CPC on Chinese cultural policy, held in October 2011, President Hu Jintao spoke out against the "Westernization" of Chinese culture (*Frankfurter Allgemeine Zeitung*, 4 January 2012). Hostile international powers, he claimed, were trying to create a cultural and ideological schism in China. The cultural strengths of the People's Republic must be expanded and China must become a force for socialist culture, insisted Hu, who is also the General Secretary of the Communist Party of China. He called on all functionaries to take "the battle" seriously, and to initiate "strong measures." The session, held behind closed doors, primarily served the objective of having the Party exert more influence on culture, the media and social networks. It was decided that public opinion, for example, should be more firmly "guided," and broadcasting of television programs for entertainment should be curtailed. The media should in general concentrate more on supporting the "harmonious society" (*Frankfurter Allgemeine Zeitung*, 28 October 2011).

The head of the central propaganda department, Liu Yunshan, made it clear that the Communist Party was very serious about this new change of policy. In an article for the party organ, *Seeking Truth*, he briefly explained the outline of a new volume, in the highest office of censorship, concerning the planned cultural reform (*China Media Project*, 2 March 2012). It describes six guidelines for "continuing development of socialist culture." According to these principles, China needs more spiritual orientation and not merely material values; China must be built up into a nation of socialist culture; socialism must be the central orientation in every cultural development; the establishment of a socialist value system must be explicitly promoted; a spirit of reform and renewal is necessary to inspire cultural development, and every cultural reform must be in alignment with the leaders' party line.

At the October 2011 plenary session of the Central Committee, the Communist Party of China announced a "reform of cultural policy." But the phrase is misleading. "Reform" in this context does not indicate a liberalization of cultural policy; rather, it means a more intense instrumentalization of culture to permanently secure the CPC's position of power. While on the one hand party leaders explained that journalists should stand up for the right to "understand, participate, express one's opinion and to observe," on the other hand, they

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pointed out that journalists must also be guided by the "Marxist vision of journalism," must "guide public opinion in the population," and in the process must always keep the "stability and unity of the country as well as the positive propaganda" in mind as the guiding principle (*China Media Project*, 26 October 2011). This formulation should set off alarms, if nothing else does, as it is set in such broad terms that it leaves no room at all for pluralism and freedom of opinion. Most of the dissident writers are still today silenced with the accusation of endangering the "unity and stability" of the country and compromising the "harmonious society." The Communist Party's new guidelines for cultural policy are full of contradictions. There are numerous indications that the Party is not so much interested in reform as it is intent on perfecting the control of public opinion.

In its statements regarding cultural policy, the Central Committee also referred to the position of "correct leadership" that the Party must hold, for their own good and that of the people. This very conservative definition of the role of culture and the media is reminiscent of former president and hardliner Jiang Zemin. It signals a move toward more "control" by the Party and the state security forces, rather than an "opening up." This bodes ill for China's writers.

According to the *Frankfurter Rundschau*, on March 5, 2011 the Communist Party sent several pages containing detailed instructions on culture and media policies to 7,300 main functionaries of the People's Republic (*Frankfurter Rundschau*, 28 June 2011). In this missive, the party leadership urged:

"It is paramount to prevent the spreading of dangerous information or illegal political publications."

In the general public and especially abroad, however, they need to give the impression that China was developing into a free and democratic society under the rule of law, where writers can freely express dissenting opinions.

A directive sent in January 2011, on the topic of *Focal Points of Propaganda Work 2011*, explains:

"China's image must stand for peaceful development, progress with regards to human rights and an open society."

In other words, the work of the Party must be seen as always serving the interests of the people.

"All illegal and dangerous information on Chinese and foreign websites are to be blocked and erased completely. Methods of surveillance must be improved and all illegal means of circulation must be identified early enough."

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The Communist Party must retain and defend its monopoly on information. To this end, the reliability of all publishing houses, newspapers, printers and web site operators must be investigated. The distribution of dangerous information must be prevented at all costs.

Anyone who excessively criticizes the regime must be rapidly charged, sentenced and eliminated, to "deter imitators and win the approval of the people" (*Frankfurter Rundschau*, 28 June 2011).

The arrest of **Ai Weiwei** and the inordinate sentencing of **Zhu Yufu** show how nervous the Chinese leaders have become about writers and artists. Gone are the times when, for example, a student of Ai Weiwei could exhibit Weiwei's works publicly in Beijing, as one such student, Zhao Zhao, did during the 2008 Olympics. The 26-year-old artist took advantage of the throngs of foreign tourists to super-glue a paving stone to the ground on Tiananmen Square and then note the reactions of passers-by.

## Dissident Writers in Trouble

Today, more books than ever are being published in the People's Republic of China. According to official statistics, some 328,000 titles were published in 2010, roughly twice as many as in 2001 (*New York Times*, 6 November 2011). But the government still has extensive control mechanisms to continue widespread monitoring and regulation of the book market. Thus there has in fact been no appreciable growth in the publishing industry. Only 19 new publishing houses have been established since 2001. As of today, China has a total of 581 publishing houses, all of which are owned and operated by the state.

Writer and journalist **Zhou Qing**, who traveled to Munich in 2009 with the *Writers in Exile* program of the *German PEN Centre*, described in a recent interview the difficult conditions under which dissident writers live and work in China. Born in 1965 in Xian in the Shaanxi province, Zhou Qing was sentenced in 1989 to two years in prison for supporting the democracy movement. Due to an escape attempt, as well as to his refusal to comply with certain regulations, his sentence was extended by an additional eight months. Because persecution did not let up following his release from prison, Zhou Qing left the People's Republic in 2008.

In an interview with the American *PEN Center* ([www.penchinese.org](http://www.penchinese.org)) published in September 2011, he described a very telling incident in Beijing that had occurred in 2004. In the bathroom of a restaurant, he was beaten by a group of thugs armed with bottles. It took 32 stitches to sew up the cuts on his face. When he wanted to report the incident to the police, he was told very succinctly:

"You're not 'our' writer."

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What that meant was that as a dissident writer, he was not entitled to protection under the law, and nobody in the government had any obligation to protect him.

Zhou Qing:

"Their writers are members of the official writers' associations, and constantly under state supervision."

When asked why he does not write novellas, rather than writing essays that decry food scandals and social injustices, the author responded:

"The reality in China right now is far more absurd than any reality a novelist or filmmaker can invent. To write fiction in present-day China would be an act of careless extravagance. It would be a shame, for example, if an Auschwitz survivor decided to write only poetry. No matter which field you choose to investigate in China, once you delve in deeply, you'll butt up against horrifying realities. And too few people in China care to investigate social issues. But by just writing about China truthfully, you can change many. It's a hopeless task, but it's better to attempt it than not."

An example of how dangerous it can be to be a writer in China today is revealed in Zhou Qing's words on the search for truth:

"For both the government and the people, the first reaction to truth is fear. The government fears that truth will nullify their authority. The people have witnessed decades of CPC (Communist Party of China) rule and know that access to truth has cost many people their lives. They fear that truth will bring personal calamity. A society without truth is terrifying. Without truth, justice is impossible, and without justice there will be no fairness; the vicious cycle goes on forever. In China, possession of the truth has brought people endless grief. A normal citizen who knows the truth and speaks it might lose his or her family or job. A writer who reveals truth courts the danger of imprisonment. An official who insists on truth might lose his or her life." ([www.penchinese.org](http://www.penchinese.org), 16 September 2011)

## Perfecting Censorship

The censorship of authors in China has become much more subtle in recent years. For example, only one-third of Zhou Qing's book, *What Kind of God*, survived the censors.

Zhou Qing said:

"And even after that, it was immediately banned upon publication. China's censorship board has become more and more clever and sophisticated. There are no

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private publishing companies or newspapers in China. In Beijing, official publishers sell ISBN numbers to writers for 25,000 to 30,000 yuan a pop (approximately \$4,000 to \$4,500). Just for a row of numbers! In other provinces, an ISBN commands the price of 15,000 yuan (\$2,300). In the past, they'd ban books outright, but they have learned that bannings draw too much attention from the West. Now that they don't ban books outright, the department of publishing just calls bookstores and tells them to take certain books off their shelves. You're never really sure what's 'banned'."

In early November, 2011 a commentator at the state newspaper, *People's Daily*, called on the state publishing houses to develop into international companies, active on the worldwide culture market, to help spread "core socialist values."

The list of books that have actually been officially banned is not very long – there are other ways of intimidating and discouraging authors than by immediately banning whatever they write. Besides, banned books that are impossible to find in China can often be printed, or obtained in Hong Kong. Such activities are made very risky, however, by the fact that in China, smuggling books is punished as severely as smuggling drugs. But no other country, says Zhou Qing, has such a thriving trade in ISBN numbers – another state-held monopoly. Each publisher is permitted to sell only a certain number of ISBN numbers per year. A publisher who exceeds the permitted sales in one year is allotted fewer ISBN numbers in the following year.

Zhou Qing:

"You can't even dream of freedom of speech in this kind of publishing environment."

## Fear Leads to Self-Censorship

One of the biggest difficulties for Chinese authors is the self-censorship practiced by all publishing houses to avoid getting into trouble with the authorities. Every manuscript is edited at least three times by the publishers before it is forwarded to the state censors. The manuscript is then submitted to either *General Administration of Press and Publication (GAPP)* or to various other propaganda departments or ministerial authorities, depending on the book's topic.

The writer **Qiu**:

"I stay away from sensitive topics, because I don't want my work to go to waste, nor do I want to be forced to say what I don't intend."

To this end, for example, he refused to write a book about China's civil war.

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"I know quite a bit about both sides, but I can't write about it in a way I would approve of myself."

**Shi Kang**, author of numerous novels, said:

"It's not possible to comply with the rules and stay true to yourself. We are the mouth and throat of the government, have to be." (*China Digital Times*, 17 January 2012)

At an event put on by foreign correspondents living in Hong Kong, several writers described their experiences with censors in China. Originally, author **Murong Xuecun** wanted to hold his talk three months earlier in Beijing. But the organizers of that event had forbidden it. His words left no room for doubt as he paraphrased the state of mind of many writers in China. In the eyes of the state he is a "word criminal," while in his own opinion he is a "coward" because he practices self-censorship.

"This is castrated writing. I am a proactive eunuch, I castrate myself even before the surgeon raises his scalpel." (*New York Times*, 6 November 2011)

The worst part is the psychological effect of self-censorship:

"When I was working on my first book, I didn't care whether it would be published, so I wrote whatever I wanted. Now, after I have published a few books, I can clearly feel the impact of censorship when I write. For example, I'll think of a sentence, and then realize that it will for sure get deleted. Then I won't even write it down. This self-censoring is the worst." (*New York Times*, 6 November 2011)

He earns money on the censored editions of his novellas, while the Internet versions are more complete. Some 1.1 million readers regularly visit his blogs and microblogs. He places his novellas in the Internet a chapter at a time, often under one of his many pseudonyms. This is how the Internet enables a new diversity in Chinese literature and offers new possibilities for getting around state censorship. All new directions that have emerged in Chinese literature since 2005 have developed in the Internet. But even the Internet cannot offer complete freedom, because online monitors try to maintain control over the uploaded texts.

The phrase *defeat the imperialist stealth fighter jets*, for example, met with strong disapproval from the publisher, explained Murong Xuecun (*China Digital Times*, 25 February 2011). This is the pen name of 37-year-old Hao Qun, one of the most famous Internet authors in the country. Changing the term to *unmanned stealth drones* also failed to satisfy the publisher. Those were all military terms, and publishing them was out of the question. But because the passage was central to the text, the phrase *imperialistic stealth fighter jet* was changed to *the nomadic chieftain's cavalry of the Jin Dynasty from almost a thousand years ago*. Historical topics are not as great a problem for censors as contemporary themes.

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In his new book, the phrase "Chinese people" was often changed to "some people." Remarks on contemporary matters are often shifted by the publishers to times in the distant past, such as the Ming Dynasty (1368 to 1644), even though some readers would later have to ask themselves whether the author had taken leave of his senses. "Well, the reader would be not far wrong," Murong Xuecun remarked, "because at this time, in this place, Chinese writing does exhibit symptoms of a mental disorder."

The detective stories by Qiu Xiaolong, for example, were said to depict an unflattering image of Shanghai and its functionaries. For that reason, according to Murong, the publisher shifted the action to a fictional place called *H City*. Street names were changed as well, for fear that readers would recognize certain neighborhoods of the seaport city of Shanghai.

Necessity is the mother of invention, and some Internet authors make a game of confusing and making fools of the state censors. For example, the Internet page *boxun.com* called on people to replace the word "jasmine," which attracted the attention of censors due to the association with the Jasmine Revolution, with the words "two sessions." The term "two sessions" frequently refers to the annual *National People's Congress* and *Chinese People's Political Consultative Conference*. Rather than calling for protests in the street, the people were urged to "hold two sessions" in the street. This put censors in a difficult position: censoring "two sessions" would mean censoring the very phrase used by the Communist Party to designate their major events (*China Digital Times*, 25 February 2011).

## Misleading Figures

By November 2011, 55 of the 70 honorary members of the *Independent Chinese PEN Centre* had been released from prison, as the writers' organization announced in a press release on November 16, 2011. Dissident writer Zhou Qing noted that approximately 200 authors, artists, intellectuals and human rights attorneys had been released from prison during 2010 and 2011. But this does not mean that the situation of writers in China has improved, nor that the level of persecution has dropped. Exactly the opposite is the case. But the techniques of repression have become much more subtle.

Many of those released are under house arrest, are monitored by state security forces, or are subject to massive intimidation. Other dissident authors today are often systematically isolated from the outside world. Friends, supporters and family members are pressured to break off contact. Imprisoning the relatives of the accused is a widely used tactic to punish and intimidate dissentious authors. The entrances to their residences are equipped with video cameras so that nobody can visit them without the state's knowledge. Phone lines, Internet connections, and mobile telephone connections are randomly cut. With this so-called "gentler" style of persecution, the Chinese authorities avoid international headlines that could hurt China's image.

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But these techniques are as effective as the long prison terms that used to be more commonly applied. Because writers released from prison have been systematically subjected to intimidation, there are fewer and fewer writers today who publicly denounce the attacks carried out by state security forces: they are in fear for their lives and the lives of their family members. According to author Zhou Qing, of the 200 released prisoners, not one will speak of the abuse and humiliations suffered in prison ([www.penchinese.org](http://www.penchinese.org), 16 September 2011). The silence of the victims is a whole new challenge for the *Independent Chinese PEN Centre*, who up to now was always certain that the crimes the state security forces would be publicly denounced.

### (Han) Chinese Writers in Prison

For publishing a poem and making comments critical of the government on the Internet, author **Zhu Yufu** was sentenced to seven years in prison by a court in Hangzhou (Zhejiang Province) on January 31, 2012 (*Guardian*, 10 February 2012). In his poem entitled "It Is Time," the 59-year-old writer – and former property manager for the Hangzhou city housing bureau – did not explicitly mention the mass protests on Tiananmen Square in 1989, but for many readers, it brought back those memories. Federal prosecutors also accused him of criticizing the government during conversations over *Skype*. On March 1 and 3, 2011, Zhu Yufu allegedly published articles on the Internet expressing the hope that, in view of the growing disparities, the Jasmine Revolution would spread like wildfire throughout China (*BBC*, 8 March 2011). He was also accused of publishing the lyrics of a song called *Go Behind Enemy Lines* on the Internet, as well giving interviews to representatives of foreign media in which he welcomed the democracy movement and the overthrow of regimes in North Africa and the Arab world. The official charges of which he was convicted also included collecting money for the families of political prisoners and spreading dissident speeches on the Internet.

When he was picked up on March 5, 2011 the police confiscated his computer. He was formally arrested on April 11, 2011. His Internet communications over *Skype* were stored on the hard disk in his computer, and he had failed to delete these text passages before he was imprisoned. He was convicted of "inciting subversion of state power." What made matters worse for him, according to the judge, was the fact that Zhu was a repeat offender. The accused denied in court that he had widely distributed the poem, and that he had any desire to subvert state authority (*Washington Post*, 10 February 2012). His wife, Jiang Hangli, and their son Zhu Ang were the only family members allowed to attend the trial. After the sentencing his wife said:

"I am very surprised about the length of this sentence, it's very unfair." (*AFP*, 10 February 2012)

His attorney, Li Dunyong, said:

"This is politics, not law." (*Human Rights in China*, 10 February 2012)

The US government strongly condemned the severity of the penalty (*Associated Press*, 10 February 2012). On February 14, 2012 Zhu Yufu filed an appeal against the verdict (*China Aid Association*, 14 February 2012).

During the democracy movement in 1979, the author published *Yuekan*, a dissident monthly paper. Twice he spent long terms in prison for political reasons. For his support of the banned *Democratic Party of China* he served a seven-year sentence from 1999 to 2006. Following a verbal exchange in 2007 with a police officer who had interrogated his son, he was condemned to another two years in prison for "resisting state power."

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One of his poems:

### **It's Time!**

It's time, people of China! It's time.  
The Square belongs to everyone.  
With your own two feet  
It's time to head to the Square and make your choice.

It's time, people of China! It's time.  
A song belongs to everyone.  
From your own throat  
It's time to voice the song in your heart.

It's time, people of China! It's time.  
China belongs to everyone.  
Of your own will  
It's time to choose what China shall be.

On January 18, 2012 the Intermediate People's Court of Wuhan City, (Hubei Province) sentenced the writer and prestigious human rights activist **Li Tie** to ten years in prison, followed by a three-year deprivation of political rights (*New York Times*, 19 January 2012). Long-time democracy activist Li was taken into custody on September 15, 2010, officially arrested on October 22, 2010 and on April 18, 2011, prosecuted in a trial that was closed to the public (*Committee to Protect Journalists*, 20 January 2012). No verdict was announced, however, until January of 2012.

He was convicted of distributing thirteen essays and, in so doing, allegedly "subverting state power." The texts were published on the Internet as well as in magazines overseas. They included the essay entitled *Human Beings' Heaven Is Human Dignity*, in which he called for democratic reform. Another charge against him was that he had supported the banned Social Democratic Party of China. The 52-year-old Li denied all charges, saying that he had not subverted state power. The civil rights activist argued that he had done nothing in violation of the Chinese constitution; rather, in publishing his writings he had merely exercised his right to free speech, which is guaranteed by the constitution. The accused confided in a family member that he did not understand the charges, because he had always been an ardent supporter of Mao and "Mao Zedong Thought:"

"I'm using the language of the Communist Party, so why are they after me?" (*Reuters*, 19 January 2012)

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The guilty verdict was reached within half an hour, and the attorney of his choice was not allowed to take part in the proceedings. The attorney hired by his family, Jian Guanghong, never even managed to come into contact with his client. The People's Court in Wuhan curtly told the attorney that they did not know any Li Tie. The attorney was also sent away by the public security department (*Deutsche Welle*, 19 January 2012). In the end, the attorney was taken into custody by the authorities ten days before the trial began (*New York Times*, 19 January 2012) and released only after it had ended. The defense attorney assigned by the authorities refused to cooperate with the family, and also refused to give them a copy of the verdict.

This refusal to provide adequate legal protection violates Chinese criminal procedure law. The entire judicial procedure was unlawful because there were eight months between the trial and the sentencing, violating Article 168 of Chinese criminal procedure law which limits this period to two and a half months. Subsequently Li was prevented from filing an appeal against the verdict. Article 183 of the criminal procedure law states that an appeal must be filed within ten of the sentencing. His family and their lawyer had only three days in which to file, however, because all government offices were closed for a seven-day vacation immediately following the sentencing. In *City Prison 2* in Wuhan, meanwhile, where Li Tie was being held, the guards refused to allow conversations between the prisoner and his two attorneys. To make certain that his family did not appeal the verdict on his behalf, Li's younger brother was not permitted to leave his house (*China Human Rights Defenders*, 30 January 2012).

The author's family had no idea what to do about the illegal proceedings and unfair result:

"You can't understand it. Under these circumstances, you're helpless. But this is our reality. He sat in front of the computer subverting state power." (*Reuters*, 19 January 2012)

Rupert Colville, spokesperson for the *United Nations High Commissioner for Human Rights*, expressed his deep concern about the "harsh sentence" (*AFP*, 20 January 2012), saying:

"We are very disturbed by this trend of severe suppression of dissent in the country, which appears to be designed to intimidate." (*Reuters*, 20 January 2012)

As a writer and civil rights activist, Li had authored numerous pieces on the democratization of China in the past ten years, as well as on local elections and the legality of actions undertaken by state agencies and the Communist party. He had also repeatedly made public mention of the fate of Beijing student Lin Zhao, who was imprisoned in October 1960 as a "counterrevolutionary" and sentenced to serve twenty years. In 1968 she was executed. While in prison, Lin Zhao wrote hundreds of pages of critical commentary on Mao's politics with her own blood.

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While many governments in Europe were closing down for Christmas vacation, officials in the Chinese judiciary took advantage of the holiday season – a period during which they assumed the world would be paying less attention – to rid themselves of a pesky regime critic. On December, 2011 the People's Court in Guiyang City (Guizhou Province) condemned writer and civil rights activist **Chen Xi** to ten years in prison, to be followed by a three-year deprivation of political rights. This was the longest sentence meted out to anyone in 2011 for incitement to overthrow the state authority in China. Chen Xi was taken into custody by authorities on November 29, 2011. His house was searched by police officers and his computer confiscated. The 58-year-old author was charged with having published more than 36 dissident essays, and being a member of the *Guizhou Human Rights Forum*.

Chen Xi denied all charges in court:

"All the activities I have been engaged in are just and honorable, all in the open. Since I was released from prison on 2005, State Security has had communications with me on a weekly basis. They are aware of everything that I have been doing, and everything can be put on the table. So why had the law enforcement [authorities] not pointed out that I was committing a crime."

At the end of the proceedings, Chen Xi asserted once again:

"I am a law-abiding person. I respect the court's decision; I will not appeal." (*Human Rights in China*, 26 December 2011)

His wife Zhang Qunxuan showed less understanding in her remarks after the sentencing:

"That is utterly absurd. Chen Xi told the court it did not take into consideration the things he has written as a whole, and has interpreted his words out of context. But they have power and they don't listen." (*Associated Press*, 26 November 2011)

She also stated:

"If the government wants democracy and progression, you need people who speak out their negative opinions. This is not to say to overthrow you. To subvert you - can he do that? Does he have any army? Does he have a police force? Does he have courts? With a piece of paper and a pen, can he subvert you? Are you so fragile? So what they say is quite naïve, I'm telling you, it's unreasonable." (*Epoch Times*, 7 January 2012)

His family was informed of the trial just two days before it began, and were told they would be permitted to observe the proceedings. The court case took only three and a half hours. The brevity of the proceedings gives rise to the assumption that the verdict had been decided before the trial had begun, according to Joshua Rosenzweig, human rights expert at the Chinese University of Hong Kong (*AFP*, 26 December 2011). The court ignored all of the

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exonerating statements made by Chen Xi during the trial. Thus his wife Zhang Qunxuan also felt it would be useless to file an appeal against the verdict.

The UN High Commissioner for Human Rights, Navanethem Pillay, called the verdict "extremely harsh," saying it was an indication that "the curtailments on freedom of opinion already seen in the past two years continue to grow" (*BBC*, 26 December 2011).

It is already the writer's third prison sentence. After 1989 he served three years for having joined the democracy movement. In 1995 he was sentenced to a ten-year prison term for his efforts towards the democratization of China and for "counter-revolutionary activities." The author is one of the signatories of the *Charta 08*, which calls for an end to one-party rule, and for democratic reforms and freedom of assembly.

In vain his wife asked the judge at the end of the court proceedings for permission to speak with her husband for a moment.

Zhang Qunxuan:

"They are really heartless. The prosecution took his writings out of context. Actually, Chen Xi was calling for democracy and human rights. This wish was [his] whole crime!" (*Human Rights in China*, 26 December 2011)

So Chen Xi's family applied once again for permission to visit. His wife and daughter were allowed to spend only 20 minutes with the imprisoned writer, on 3 February 2012 at the prison in Xingyi (Guizhou Province). They had traveled six hours from Guiyang City for the visit. The wife reported that her husband was not dressed warmly enough for the chilly temperatures, and she saw the signs of frostbite on his hands and open wounds on his body from the cold. Chen Xi told her that he had no warm clothing. The wife later requested permission to send her husband warm clothes, but the prison guards refused her (*Asianews.it*, 7 February 2012).

After the publication of critical texts on the Internet, writer **Chen Wei** was sentenced on December 23, 2011 to nine years in prison, to be followed by a two-year deprivation of political rights, after less than two hours of proceedings before the People's Court in Suining (Sichuan Province) (*Daily Telegraph*, 23 December 2011). The 43-year-old author and civil rights activist had spoken out in various Internet-published essays for more freedom of opinion and for reform of the one-party system. The accusation that weighed most heavily against him was that of having published four dissident commentaries in foreign media in which he stressed the importance of non-governmental organizations (*BBC*, 23 December 2011).

His wife Wang Xiaoyan:

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"I think today's trial is just a show. It's a performance. The verdict had been decided in advance. They don't allow people to speak. There is no freedom of speech." (*BBC*, 23 December 2011)

Wang Xiaoyan did not deny, however, her husband's criticism of the state of things in the People's Republic:

"He is a very patriotic man. He did criticise the Communist Party, but that's stating the facts. That is not subversion." (*BBC*, 23 December 2011)

Civil rights activists Lu Gang, Ouyang Yi, Chen Yunfei, Huang Xiaomin, Duan Qixian and Zhang Wei, who are friends of the accused and wanted to observe the proceedings, were all prevented from attending by the police, who placed some under house arrest and took the others into custody to stop them from traveling to the trial location (*Human Rights in China*, 23 December 2011). Some two hundred police vehicles blocked off a wide area to cut off the courthouse from the outside world. Numerous friends of the accused were not only prevented from entering the building, but were held at the barrier and then taken away by police (*China Human Rights Defenders*, 27 December 2011).

In this trial, too, there were a great number of irregularities and violations of Chinese criminal procedure laws. The authorities put massive pressure on the attorneys, for example, to force them to resign from the case. The attorney Ma Xiaopeng did give up the case after that (*China Human Rights Defenders*, 29 November 2011). The one attorney left on the case, Zheng Jianwei, was permitted to speak with his client in person only twice during the entire eleven months of Chen Wei's pre-trial detention. This was a violation on the part of judicial authorities of Article 33 of the laws guaranteeing that the accused will have unrestricted contact with his or her attorney once investigation procedures have begun. The authorities refused to allow a second attorney who came from outside the local region to represent the interests of the accused. The criminal procedure laws, however, stipulate that the accused has a right to be represented by two attorneys. Authorities had instructed the family of the accused to either choose a second attorney from the city of Chengdu or from Chongqing, or do without. In the end, they managed to retain attorney Liang Xiaojun to represent Chen Wei. Liang was permitted to speak with his client in person only once before the trial. Both attorneys were repeatedly interrupted by the judge while they were addressing the court (*Human Rights in China*, 23 December 2011).

During the proceedings, the writer declared his innocence and pointed out that the Chinese constitution guarantees freedom of opinion. As he was being taken away at the end of the trial, Chen Wei called out:

"I protest, I am innocent. The governance of democracy must win, autocracy must die." (*The Telegraph*, 23 December 2011)

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The Ambassador of the European Union to the People's Republic, Markus Ederer, expressed his "deep concern" over the harsh verdict and called for the use of political dialog rather than criminal law to resolve differences of opinion on political matters (*Guardian*, 26 December 2011).

Chen Wei was taken into custody on February 20, 2011. It was not until more than 300 days later that his closest relatives were permitted to visit him in prison. His wife and daughter, along with his parents and his brother, were allowed to visit on January 14, 2012 for only half an hour (*China Human Rights Defenders*, 16 January 2012).

Chen Wei was studying mechanical engineering at the Beijing Institute of Technology when the student and worker protests broke out the spring of 1989. He was one of the leaders of the student movement during the protests at Tiananmen Square. After the democracy movement was put down, he was held at Qincheng prison until January 1991. In May 1992 he was imprisoned again, when he was planning, together with the banned *Chinese Liberal Democracy Party*, the *Chinese Alliance for Progress*, the *Free Union* and the *China Democratic Union*, to hold a public commemoration of those killed in the Tiananmen massacre. For that he was sentenced to five years in prison. Chen was one of the first signatories of the *Charta 08*.

Just a few days before the five-year probation period of Internet author and human rights lawyer **Gao Zhisheng** was to expire on December 22, 2011, the *Intermediate People's Court Number 1* in Beijing declared in December 2011 that he had violated the conditions of his probation, and officially took the writer into custody to serve his three-year sentence (*Frankfurter Allgemeine Zeitung*, 17 December 2011). The human rights organization *China Aid* called the judicial decree "preposterous and unacceptable," noting that the author had been almost constantly in the custody of security agencies since 2006 and had not had an opportunity to violate probation (*Epoch Times*, 17 December 2011). On January 1, 2012 Gao Zhisheng's family received a written communication informing them that lawyer was serving his prison term, starting immediately, in Shaya prison in Xinjiang (East Turkestan). When his relatives arrived on January 10, 2012 at the prison to visit him, they were not permitted to enter (*China Human Rights Defenders*, 16 January 2012).

The decision of the court was a clear indication that Gao Zhisheng had been illegally held by security agents at secret locations during the preceding 20 months, although this had always been officially denied. His elder brother, Gao Zhiyi, whom the attorney had last seen in April 2010 while in the custody of security personnel, feared for the life of the prisoner (*New York Times*, 16 December 2011). Gao Zhisheng has repeatedly been tortured in the past when in the custody of security forces.

His wife, Geng He, reacted angrily when told that the probation had been violated:

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"I have to say that Gao Zhisheng is innocent. Because he only said what any Chinese person with a conscience should say and did what a lawyer with a conscience should do, the Chinese government shut down his law office and revoked his license to practice. In these past two, three years, when we asked them where he was, they said they didn't know. Isn't he in their line of sight? They still say that they don't know. Now they're saying that he has violated the rules of his suspension, but just which ones? And even if he did violate them, why didn't they notify his family? We just don't get it. They didn't notify his family or follow any sort of legal procedure, nothing. They're just trying to fool us. At the end of March and the beginning of April 2010 [...] I spoke with him a few times by phone—I called him. I used the number that the China Human Rights Lawyers Concern Group in Hong Kong gave me that they said [they found] online. The first time I spoke with him, he said he was at home in Beijing. I told him, "I saw in your photo [in the news] that your teeth aren't good, you should get them looked at." He said nothing. I asked, "Why haven't you had them checked out?" and he said that he didn't have a phone number, so I helped him find a dentist's number. I said, "You need to make an appointment right away," and he replied, "Oh, I'll see a dentist when it is convenient." And then I knew that he wasn't free. He didn't have the option to see a doctor." (*Human Rights in China*, 22 December 2011)

She did not meet with him herself during the brief period in March/April 2010 when he was allowed to have contact with the outside world.

Geng He:

"Gao Zhisheng spent a few days in Xinjiang at that time, around early April last year, but he only spent one night there [at his parents' home]. The first day, Gao Zhisheng went to my mother's home. When he arrived, the whole family was so excited that they just talked with him the whole night and did not sleep. The public security officers from Beijing and the local police were also at my mother's home—they were everywhere, upstairs, downstairs, and in the yard. The family was under great pressure. Gao Zhisheng talked with the family for the whole night. At dawn, the public security officers wanted to take him away and Gao left with them. As he was leaving, Gao said this to comfort the family, "I will go with them." He meant to put my family at ease. In fact, Gao was forced to go with them, because the police did not want him to stay [at his parents'] home." (*Human Rights in China*, 22 December 2011)

The case caused a furor internationally as well, and governments around the world advocated for the release of the esteemed Internet author and attorney. EU Foreign Minister Catherine Ashton also pressed for a thoroughgoing clarification of the facts concerning his disappearance (*European Union*, Press Release, 9 February 2010). The President of the European Parliament, Jerzy Buzek, called on the Chinese government to release Gao Zhisheng immediately ([www.euractiv.de](http://www.euractiv.de), 15 August 2011).

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In March 2012 Gao Zhisheng was allowed to see his family for the first time in nearly two years. Gao Zhiyi, Gao's older brother only disclosed that he met his brother, but it would "not be convenient" for him to tell more. Geng He said that the 30-minute meeting took place at the Shaya County jail in Xinjiang province. Gao Zhisheng was not permitted by the authorities to talk about his treatment in prison or how had been treated the previous two years (*BBC*, 28 March 2012).

The nationally renowned attorney, who was once even named one of the ten best attorneys in the People's Republic by the Chinese Ministry of Justice, was attacked, beaten and abducted by a group of masked men – presumed to be state security agents – on August 15, 2006. A hood was drawn over his head so they could transport him to Beijing unchallenged. On December 22, 2006 he was sentenced to three years in prison. He was charged with having written letters to responsible parties in Communist Party calling for an end to the persecution of the *Falun Gong* meditation movement. As an attorney, part of his work included many years of advocacy for the rights of persecuted Christians and Falun Gong followers, which made him an enemy of numerous Party officers. He defended petitioners who had been turned away by government agencies; exploited miners; migratory workers who suffered discrimination, and impoverished peasants and city-dwellers who had lost their homes due to the housing boom or through abuse of power by local party functionaries.

Gao Zhisheng was born on April 20, 1962 in Shaanxi Province and grew up in poverty; but he worked his way up and in 1995 became an attorney. Both before and after he was admitted to the practice of law, he fought for the rights of the poor and the disenfranchised, for which he is highly esteemed in China. Out of disappointment with the Communist Party, he resigned his membership in December 2005, saying the party was "unjust and inhumane." For his social commitment and his incorruptibility, some call him the Martin Luther King of China.

The mistreatment he suffered during the 54 days he was held in prison are described in detail in a seven-page document he wrote in 2007, entitled *Dark Night, Dark Hood and Kidnapping by Dark Mafia* (2009; *Human Rights in China*, 8 February 2009). He was subjected to electrical shocks all over his body, toothpicks were inserted in his genitals and burning cigarettes were held to his face.

Later Gao Zhisheng said:

"That degree of cruelty, there's no way to recount it." (*Associated Press*, 11 January 2011)

The torture was so bad, and so humiliating, that he tried to kill himself by repeatedly slamming his own head against a table. He survived.

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On March 28, 2010 he telephoned the *Associated Press* news agency and explained that he was living in the northern part of the country and wanted his family to visit him there (*Focus*, 28 March 2010). He said could not, and did not wish to, give any interviews. In April 2010 he disappeared again in the custody of security forces.

His wife Geng He felt that her family's situation in China was hopeless. In January 2009, they began an adventurous flight from China, that ended well when she and her two children were permitted to enter the US on March 11, 2009.

Internet author **Fang Zushun** from Chongqing was sent to a work camp for one year because he allegedly ridiculed the Chongqing Communist Party Secretary, Bo Xilai, in a blog entry on April 21, 2011. He was accused of attacking "leadership figures" and threatening the "social order." Fang's son criticized the fact that the family was not informed when Fang was convicted (*China Human Rights Defenders*, 6 June 2011). The Internet author is employed in the forest agency of Chongqing. The blog entry in question comprised only 59 text characters.

Writer and long-time civil rights activist **Liu Xianbin** was convicted of "incitement to overthrow the government" on March 25, 2011 by the Suining People's Court (Sichuan Province) and sentenced to ten years in prison, to be followed by deprivation of political rights for another two years and four months (*Frankfurter Allgemeine Zeitung*, 26 March 2011). The author, a 41-year-old resident of the Sichuan Province at the time, was arrested on June 28, 2010 as he met with writer Chen Wei, who was later arrested as well. While he was being interrogated, fourteen police officers searched his house and confiscated hard drives, USB memory sticks, books, bank statements and other printed materials (*Human Rights in China*, 29 June 2010). His wife Chen Mingxian and his 13-year-old daughter were interrogated as well.

Liu Xianbin has written numerous articles, published on the Internet, about democratic reform. In one of his posts, he wrote:

"Protests are key to democratic movements, they are an inevitable stage of the evolution of a democratic society." (*Asianews.it*, 26.03.2010)

In another essay, entitled *Constitutional Democracy for China: Escaping Eastern Autocracy*, he expressed his views on the prospects for democratization in the country. Authorities were particularly displeased with his report called *100 Days Since Release from Prison*, in which he described his experience of the arbitrary exercise of power under Communist one-party rule.

The writer was convicted in March 2010 after only two hours of court proceedings. The only spectators were his wife, his elder brother, and nineteen representatives of the authorities

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and the Communist Party (*Chinaaid.org*, 25 March 2011). Friends of the accused were placed under house arrest or picked up near the courthouse and held in custody (*AFP*, 25 March 2011).

His attorneys were prevented from doing their job. None of their arguments made before the court were included in the court record. Each time he tried to say something in his own defense, he was interrupted by the judge. The accused denied the allegations and stated:

"I am innocent!"

His wife expressed her dismay:

"Today I saw how legal tools were used to convict someone who is not guilty." (*BBC*, 25 March 2011)

The author was first arrested in April 1991, and then in 1992 he was sentenced to two years in prison for his participation in the 1989 democracy movement. Following his release in October 1993, he continued to actively take part in the democracy movement and, together with civil rights activists Wang Dan and Liu Xiaobo, published a petition in May 1995 for the democratization of China. Shortly thereafter, state security agents searched his house and took him into custody for a short period. In March 1998, he addressed the National People's Congress in an open letter demanding that the human rights situation be improved and that the People's Republic of China sign on to human rights conventions.

In 1998 he was one of the founding members of the *Democratic Party of China*, which is not officially recognized by the state. On July 7, 1999 he was arrested again, and on August 8 of that year convicted of "subverting state power" and sentenced to thirteen years in prison, followed by three years' deprivation of his political rights. His sentence was reduced by three years and eight months, and he was released on November 6, 2008. Barely one year after his release, he once again received a summons from the police. Although he was released after the ensuing interrogation, it was clearly only a matter of time before he would be arrested again. It was on June 28, 2010 that he was once again taken into custody. Liu Xianbin was one of the first to sign the *Charta 08*. He has spent 14 of the past 22 years in prison, and at present is not scheduled to be released until June of 2020.

Internet author **Liu Yonggen** was convicted in June 2010 of "incitement to threaten national security" and sentenced to three years in prison. He had been taken into custody in September of 2009. According to official records, however, he was arrested in October 2009. The charge against Liu was that he had acted against the interests of the Communist Party and of the Chinese state by strongly criticizing the Communist Party in political essays published on foreign websites.

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The conditions he is subjected to in prison are catastrophic. He has repeatedly complained that his family members never receive the letters he writes them from prison. Reading material sent to him by his family does not reach him, either. In Prison Number 1 of Henan Province he is forced to work more than 10 hours a day, every day (*China Human Rights Defenders*, 16 January 2012). He is due to be released from prison in September 2012. The Internet author used to be a civil servant in Henan Province.

On December 25, 2009, the author **Liu Xiaobo** was sentenced to eleven years in prison by the *Intermediate People's Court* in Beijing for "inciting subversion of state power". His conviction was primarily based on six essays, on his activities as an online-author and on his participation in working on the *Charter 08*. On December 29, 2009, he filed an appeal that was rejected on February 9, 2010, by the *High People's Court* in Beijing. The author had been arrested at his home in Beijing on December 8, 2008. Between December 9, 2008, and June 23, 2009, neither his family nor his lawyers were informed about his whereabouts. He was formally arrested on June 23, 2009.

Although human rights organizations and governments from all over the world criticized the trial and the verdict against Liu Xiaobo to be arbitrary and unjust, the news agency Xinhua stated that the proceedings were correct and lawful by Chinese national law and also by international law (*Xinhua*, 25 October 2010). The United Nations *Working Group on Arbitrary Detention*, in which experts on international law from all over the world are organized, demanded Liu Xiaobo to be released immediately ([www.phayul.com](http://www.phayul.com), 2 August 2011).

In a commentary in the *Frankfurter Allgemeine Zeitung*, Herta Mueller – winner of the Nobel prize for literature – asked:

"Eleven years? The regime treats Xiaobo worse than others! Why? After imprisonment, re-education and confession, the Charter 08 is interpreted as an act of revenge by Liu Xiaobo, showing that his human core is still not destroyed. The authorities feel humiliated. Even if it's not admitted: this is pathetic! Therefore, the penalty is excessive." (*Frankfurter Allgemeine Zeitung*, 26 March 2011)

The author is considered to be one of the initial signatories of the *Charter 08*, a political manifesto demanding a democratization of the People's Republic of China. In June 2009, the Chinese authorities announced that Liu, former president and current board member of the *Independent Chinese PEN Center*, would be facing a trial. He was accused of "inciting subversion of state power".

Liu Xiaobo is one of the leaders of the Chinese democracy movement. More than 300 members of the *International PEN* – including Wole Soyinka, Salman Rushdie, Umberto Eco and Margaret Atwood – signed an appeal for his release on January 19, 2009. On December 10, 2010, he was honored in Oslo with the Nobel Peace Prize – in absentia. While many

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Chinese people also saw Liu's designation as an acknowledgment of free thought in their country, the Chinese government reacted harshly and adverse. The Chinese ambassador in Oslo demanded an official apology for the Nobel Peace Prize award (*Agence France Presse*, 6 May 2011). Before the award ceremony, the Chinese government had warned the Norwegian Nobel Institute not to award the prize. This decision would be interpreted as an "unfriendly act", impeding the relations between Norway and the People's Republic, said the Chinese Vice Foreign Minister Fu Ying (*The Telegraph*, 28 September 2010).

Liu Xiaobo was born in Changchun (Jilin province) on December 28, 1955. He studied literature at the Jilin University and completed his doctoral thesis at the University of Beijing, where he also taught later. From 2003 to 2007 he was president of the *Independent Chinese PEN Center*. In many of his 800 essays (of which 499 were written since 2005) he criticized the Chinese government.

He is married to the poet Liu Xia. Two weeks after the Nobel Peace Prize award was announced, his wife was put under house detention from October 22, 2010, until today. Visitors are kept away from her. The security officials also cut her off from the outside world by deactivating her cell phone connection (*South China Morning Post*, 2 June 2011). Liu Xia was only allowed to visit her parents for two hours once a week, escorted by the police. When his brother asked to be allowed to visit the imprisoned author, the request was denied. After the death of his father, Liu Xiaobo was allowed to pay a half-hour visit to his parent's home in Dalian (Liaoning province) on September 18, 2011 (*South China Morning Post*, 5 October 2011).

Liu Xiaobo already campaigned for democracy in China during the protest movement of 1989. On April 27, 1989, he prematurely returned to Beijing from a scholarship at *Columbia University*, New York, to support the democracy movement. At that time he belonged to a group of writers and intellectuals who joined the students and workers in their protests – and were therefore persecuted by the authorities. On June 6, 1989, he was arrested and taken to Qincheng prison in Beijing. He was declared to be a "counterrevolutionary" and was not released until January 1991. All together, the former philosophy professor at Beijing University spent about five years in prison for political reasons since 1989. In 1996, he was sentenced to three more years in prison, followed by another short imprisonment, house detentions around politically sensitive anniversaries, various threats, intimidation and censorship.

During the preparations of the *Olympic Games* in Beijing, 2008, Liu Xiaobo wrote an essay accusing the Chinese leadership of embellishing the situation:

"For the Chinese government, the Olympic Games are less about "harmony" than about promotional opportunities and huge financial gain. The slogan is "One World One Dream"- but the "dream" is that China will be recognized and accepted as a world player, with the world's attention focused on spectacular sports events rather

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than the continuing human rights abuses which every day cause suffering to thousands of ordinary Chinese citizens." (*Authoritarianism in the Light of the Olympic Flame*, Reprinted by *Human Rights Watch*, 8 October 2010)

While members of the *Politburo* praised the Olympic Games as a "big event for the party", Liu Xiaobo painted a gloomier image in his essay:

"[T]o ensure social stability during the Olympics, the government is nipping any emerging sign of dissent in the bud. Law enforcement organs continue to abuse their power by tightly controlling the media—particularly domestic outlets—and Internet, constraining nongovernmental organizations as well as individual petitioners, and imprisoning people for merely exercising their inherent right to free speech. This of course is in complete contradiction with the second point mentioned above, whereby the authorities are seeking to create the image of a government genuinely concerned with human rights. In fact the main international human rights organizations released reports, as the one-year countdown to the Olympics began, alerting the world that the Chinese government has not honored its pledge to improve its human rights records." (*Authoritarianism in the Light of the Olympic Flame*, Reprinted by *Human Rights Watch*, 8 October 2010)

Below, one of his poems:

### **You Wait for Me with Dust**

*for my wife, who waits every day*

Nothing remains in your name, nothing

but to wait for me, together with the dust of our home

those layers

amassed, overflowing, in every corner

you're unwilling to pull apart the curtains

and let the light disturb their stillness

over the bookshelf, the handwritten label is covered in dust

on the carpet the pattern inhales the dust

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when you are writing a letter to me  
and love that the nib's tipped with dust  
my eyes are stabbed with pain  
you sit there all day long  
not daring to move  
for fear that your footsteps will trample the dust  
you try to control your breathing  
using silence to write a story.

At times like this  
the suffocating dust  
offers the only loyalty  
your vision, breath and time  
permeate the dust  
in the depth of your soul  
the tomb inch by inch is  
piled up from the feet  
reaching the chest  
reaching the throat

you know that the tomb  
is your best resting place  
waiting for me there  
with no source of fear or alarm

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this is why you prefer dust  
in the dark, in calm suffocation  
waiting, waiting for me  
you wait for me with dust  
refusing the sunlight and movement of air  
just let the dust bury you altogether  
just let yourself fall asleep in the dust  
until I return  
and you come awake  
wiping the dust from your skin and your soul.  
What a miracle – back from the dead.

(translated by Zheng Danyi, Shirley Lee and Martin Alexander)

Another text by Liu Xiaobo:

### **If the policemen are posted outside my door**

"Didn't they say that China was in a golden moment of historical peak, and that the state of human rights is at the very best? Didn't they say that the present government wants to treat "the people as the foundation" in order to build a 'harmonious society'? Then why is the government which has built the golden and almighty China so panicky? Why in this 'harmonious society' in which "the people are the foundation" are I and other dissidents treated like trash to be stomped upon? Why must the "harmonious society" be constructed only with police officers posted at stations?"

On December 11, 2009, the author **Wen Yan** was sentenced to six years in prison by the *People's Court* in Wuhan (Hubei province) – followed by a two-year deprivation of political rights. The author, who was 28 years old when convicted, published numerous essays under his pseudonym Sun Buer, criticizing the political situation and the lack of democracy in the People's Republic. He was convicted for "inciting subversion of state order." In addition to

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his critical publications, the court accused him of having founded political organizations via the internet and to have planned illegal travel abroad.

His health is worrying. Wen Yan suffers from high blood pressure and the consequences of abuse and torture. He is also psychologically hurt. It was not his first arrest. In the years 2007/2008, the civil rights activist and author was arrested five times for political reasons and put under house detention once.

The online-author **Zhang Qi** was sentenced to four years in prison on July 7, 2009, for "inciting subversion of state power" – followed by a two-year deprivation of political rights. Zhang Qi was born in Chongqing on March 30, 1983, where he lived until his arrest. He studied at the medical faculty of his hometown's University and worked as a freelance author. He wrote eight articles about the democracy movement which were published on various websites. He was also a regional coordinator for the Internet-forum Pan-Blue Alliance. He was taken into custody on May 16, 2008, and officially arrested on June 20. In prison, he is held in solitary confinement.

On February 9, 2010, the author **Tan Zuoren** was sentenced to five years in prison by the *People's Court* in Chengdu for "inciting subversion of state power". After a devastating earthquake in southwestern China, during which at least 87,000 people had died in May 2008, Tan investigated the deaths of thousands of schoolchildren. They had been killed, because school buildings had collapsed like card-houses due to construction errors. The authorities tried to conceal the scandal, but they didn't manage to keep the 55-year-old author from investigating and documenting the schoolchildren's deaths.

He was taken into custody on March 28, 2009, under suspicion of "inciting subversion against the state". The online-author, environmental activist and former editor of a literary magazine was formally arrested on April 30, 2009. During a search of his apartment, the police confiscated numerous documents and DVDs.

No verdict was spoken so far. An initial court hearing at the *Intermediate People's Court* in Chengdu (Sichuan province) on August 12, 2009, ended after two hours with an adjournment. The conceptual artist **Ai Weiwei**, who had come all the way from Beijing to Chengdu to testify as a witness, was overpowered and beaten by 30 police officers who kept him detained in his hotel room for eleven hours. On September 14, 2009, Ai had to undergo a brain surgery because he was suffering from headaches and a haematoma caused by the police brutality.

Tan Zuoren was born in Chengdu on May 15, 1954, and lived there until his arrest. He learned to be an anaesthetist at the *Huaxi Medical University*, but became more known for his commitment as an environmental activist. In the years 1996/1997 he worked for the

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local authorities as a chief designer of the *Fenghuang Mountain Park* recreational area in the vicinity of Yan'an. In 1998 he developed a talent search project for the *Sichuan Academy of Social Sciences*. A year later, he was involved in the planning of environmental memorials along the Yangtze River. In 2001, the official daily newspaper in Chengdu honored him as the city's most notable citizen. He repeatedly contributed environmental considerations to urban development projects in Chengdu.

Tan Zuoren also campaigned for democratic reforms in China. The state prosecutors accused him to have spread the critical essay *1989: A Witness to the Last Beauty: An Eyewitness' Tiananmen Square Diary* via the internet on May 27, 2007. He was also said to have called for protests on the occasion of the commemoration day of the Tiananmen Square-massacre via the internet. Also, Tan had suggested a blood donation campaign in Chengdu and other cities – to make people aware of the fate of those who got killed during the bloody suppression of the peaceful protests.

His most renowned commitment was to help the victims of the earthquake in Sichuan in May 2008. During 23 research-visits to the earthquake area, he found out that 5,335 students were killed in the disaster and that their deaths were mainly caused by construction defects. The author was planning to publish a list with the names of the killed children on the first anniversary of the earthquake.

On March 4, 2009, the online author **Yuan Xianchen** was sentenced to four years in prison by the *Intermediate People's Court* in Jixi City (Heilongjiang province) for "inciting subversion of state power" – followed by a five-year deprivation of political rights. He was mainly accused for having distributed a text titled *Save China, Implement Constitutional Democracy!* and for having "attacked" Socialism in 20 published articles (*China Human Rights Defenders*, 14 January 2009). His family members were supposed to be excluded from the trial, but his lawyers – Li Fangping and Li Xiongbing – managed to convince the authorities otherwise and to constrain their attendance. He might be released from prison on May 28, 2012.

The journalist was born on February 2, 1964, in Jixi (Heilongjiang province) where he lived until his arrest. After his studies he worked as a solicitor and human rights activist. He gathered extensive knowledge of legal issues and worked as a "barefoot lawyer" from 1995 onwards, advising impoverished farmers and migrant workers on legal matters. He successfully supported miners of the *Didao*-mine in Jixi City who were afraid to lose their jobs because of a privatization of their workplace.

In 2005, he was detained for 37 days for investigating the mysterious death of a petitioner in Inner Mongolia. The man had been run over by a train in Beijing's southern railway station when he was running away from his followers. Regularly, petitioners travel from the provinces to the capital in order to express their concerns – but the police relentlessly

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obstructs them: They are often arrested and locked up in secret prisons for several days or weeks.

Yuan Xianchen has published numerous essays and articles on the Chinese democracy-movement and has frequently been interviewed by international media. On May 29, 2008, he was taken into custody and officially arrested only a day later. In *Jixi City's Prison No. 1*, he was repeatedly tortured to extort a confession. He was repeatedly beaten on the head by prison guards – leading to recurring headaches as a result of the abuse he suffered from in prison. He was denied medical help for months. Despite repeated requests, his family was not informed about the seriousness of his afflictions. His health-situation is alarming.

On October 16, 2009, the online-author and literature professor **Guo Quan** was sentenced to ten years in prison by the *Intermediate People's Court* of Suqian (Jiangsu province) for "subversion of state power" – followed by a three-year deprivation of political rights. An appeal by the author was denied by the *Higher People's Court* of Jiangsu province on December 25, 2009. After years of intimidation and exclusion, his wife Li Jing sought refuge in the United States together with their son. They were accepted in late January 2012 (*China Aid*, 15 February 2012). Just three weeks later, she spoke about the prosecution of Guo Quan in front of the U.S. Congress. She did not only report about her husband being humiliated because of his commitment to democracy and about his disbarment – Li Jing also described what consequences his commitment towards democracy had for the other family members: Repeatedly, her apartment was searched by the police in the middle of the night. Locks were broken and the whole place was ransacked without any search warrant. Computers and manuscripts were confiscated and never returned.

In their housing complex, state security officials had installed surveillance cameras in the hallways and the elevator to be able to control every movement and every visitor. Telephone lines, the Internet, mobile phones and the mail were monitored by the state security. Prior to "politically sensitive days" or large events and anniversaries, the phone lines and the Internet connection were cut off completely (*China Aid*, 15 February 2012).

But her life had not only become a living hell at home – her work-life was no longer normal either. She was confronted with her husband being a regime critic every day and the security officials forced her employers to hire additional staff only to keep her under surveillance. Her colleagues avoided her – and she was repeatedly skipped when it came to promotions. In October 2009, she was forced to give up the job she had been doing for many years. Since no employer wanted to hire her under these circumstances, her only possibility was to work independently. Of course, the State Security also made sure that her self-employed work would turn out to be unsuccessful. She was shunned by customers and was then unemployed for a year.

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Because of this officially arranged ostracism she saw no prospects in China and sought refuge in the United States.

His father's commitment towards democracy caused the eleven-year-old son to be discriminated against in school. He was teased and harassed by teachers and by fellow pupils alike. Before his father's human rights activities became known, he had been class representative. This assignment – and other privileges – were canceled and the formerly outgoing and adventurous child became more and more insecure and lonely.

On November 13, 2008, Guo Quan was arrested for "subversion of state power". Since January 12, 2010, he is locked up in *Pukou prison* in Nanjing and will presumably be released on November 12, 2018.

Guo Quan was born on May 8, 1968, in Nanjing (Jiangsu province) where he lived until his arrest. At the city's university, he graduated in law studies in 1996 and in philosophy in 1999. Later, he worked as a literature professor at Nanjing University until he was relieved from his office because of the commitment toward the democratic movement.

The persecution of dissidents didn't even stop at the University of Nanjing. Guo, associate professor of the *Nanjing Normal University (NNU)*, was degraded to being a case worker on December 6, 2007, after he had sent four open letters to the Chinese government, pleading for more democracy and a multi-party system in China (*Human Rights in China, Monthly Brief, Human Rights Defenders*, December 2007). Officially, his demotion was based on accusations that he had violated the constitution and educational laws. In addition, he was accused of giving interviews to "reactionary foreign websites" and of writing critical reports.

On the morning of December 14, 2007, the chairman of the *Democratic League*, and his deputy at the *Nanjing Normal University* visited him and explained that the NNU was under great pressure since his open letters had been published. He was asked to leave the Democratic League on his own accord, because an exclusion procedure would have negative political consequences – but the professor refused to resign himself as demanded by the authorities (*The Epoch Times*, 21 December 2007).

On November 14, 2007, the member of the government-supported Democratic League published a third open letter to the government, criticizing that China's leadership was refusing to democratize the country under the justification that the population is not yet ready for democracy. China's leaders should stop treating their own people as "idiots" and finally show confidence in their own citizens, as they should well know what would be good for the country (*The Epoch Times*, 22 November 2007). Guo Quan accused the Chinese government of lacking consistency, because announced reforms were not implemented and corruption had grown to be a real plague throughout the People's Republic. The professor suggested abolishing the one-party system. The taxpayers and citizens should be given political rights to freely vote for their representatives.

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Guo Quan was finally and officially excluded from China's Democratic League on December 14, 2007. He was asked to take over the presidency of the newly established *Chinese New People's Party* (CNPP) shortly afterward (*The Epoch Times*, 21 December 2007). With his new party, the former professor wanted to put an end to the "one-party dictatorship" and introduce a multiparty system to the country (*Financial Times*, 26 December 2007). On December 17, 2007, the author published the Charter of China's *New Democratic Party* on the internet and announced its foundation. Within less than a year, he published a collection of 347 articles emphasizing the importance of democracy, the rule of law, good governance and criticizing the one-party rule.

On February 2, 2008, Guo Quan joined a lawsuit against the Internet service provider *Google*, because the company refused to distribute information about his person and his activities within the People's Republic (*Financial Times*, 2 February 2008). For years, human rights organizations worldwide had criticized Google for supporting China's strict censorship regulations. Later, the proceedings ended in an out-of-court settlement with the service provider.

On June 9, 2011, two weeks before the end of a four-year prison sentence, the online-author and journalist **Qi Chonghuai** was sentenced to eight more years in prison by the *People's Court* in Tengzhou City (Shandong province) (*New York Times*, 29 July 2011). He was accused of "embezzlement" and "blackmailing". The reason for the new conviction is probably to be seen in the fact that he had fought against the unjust verdict of June 2008. When Tengzhou's local party secretary asked him about his plans for after the release, he had told the official that he would continue to proceed against his wrongful conviction. An appeal against the judgment of June 2011 failed at the People's Court in Zhaozhuang on July 25, 2011.

His wife, Jiao Xia, was horrified about the new conviction:

"How can we accept this? This cannot stand. He hasn't committed new crimes in prison, why are they sentencing him again and bringing up the charges again? They're clearly trying to take revenge against him, with the goal of not letting him out." (*The Epoch Times*, 29 June 2011)

He had initially been sentenced to four years in prison for "blackmailing" on May 13, 2008 and is now supposed to be released on June 25, 2019. The online-author complained about being mistreated during his detention. In April 2009, a jail guard found his notes (300,000 characters long) in which the inmate described the prison's terrible conditions. A fellow inmate had even been ordered to "eliminate" him, said Qi Chonghuai (*Die Zeit*, 10 December 2009). In a mine operated by Tengzhou prison, he was knocked unconscious – at a depth of 130 meters – on May 3, 2009. The author stated that his face had been beaten bloody and that he had suffered bruises.

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"My entire face was mangled and bloody, and I lost consciousness. Two fellow inmates found me and dragged me out of the mine, narrowly saving my life. He did not regain his consciousness until six days later." (*Die Zeit*, 10 December 2009)

He had already complained about frequent mistreatment as early as in August 2008. On March 9, 2009, he started a hunger strike to protest against the abuse in custody.

Officially, the recent sentencing is based on four incidents that are said to have taken place before 2007. At that time he allegedly embezzled funds from his commissioned work for newspapers – a confession that was most probably extracted under torture during an interrogation in 2007. In the proceedings of 2008, the forced "confessions" were not considered – but were now re-used in order to silence the dissident author (*China Human Rights Defenders, Briefing*, 15 June 2011).

Before his arrest, the now 47-year-old Qi Chonghuai worked as a journalist for various papers for 13 years. In 2006, he was editor for the *Legal System Morning Post*. From December 2006 onward he worked on the weekend edition of the legal newspaper and as a special correspondent as an observer for the Hunan legal news weekly paper. He worked for numerous other media as a self-employed author and is an honorary member of the *Independent Chinese PEN Center*.

In an interview, Qi Chonghuai stated:

"Journalists should feel obligated to uncover the truth and publicize it." (*The Epoch Times*, 12 June 2007)

In foreign media, he also criticized the strict censorship regulations of the governmental propaganda department. The dedicated journalist revealed several scandals and cases of corruption and repeatedly reported on the situation of the underprivileged people in Chinese society. He enraged the administration of the city Hezhe by reporting on forced evictions and the demolition of houses in the city. Following the publication of the article, the magazine was forced to stop publications. The staff revealed that the city council had tried to bribe journalists to remain silent.

When he offered a report on the sudden death of a hostess in the bed of the mayor to various media, he felt the limits of press freedom and self-censorship. For fear of trouble with the City Council, all the media refrained from publishing the scandal. A similar scandal-publication was rejected by the editor of a magazine in Beijing – however, he tried to extort money by the affected municipality for keeping silent. In his work, Qi Chonghuai reported on the lives of ordinary people, on social injustice and the widespread corruption in the province of Shandong. As he made many enemies, it was only a matter of time before attempts to silence him by means of false accusations.

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On June 26, 2007, he was arrested at home in Jinan (Shandong province). His press card and his computer were confiscated. At first, the authorities accused him of falsely representing himself as a journalist. Later, these allegations were dropped in favor of an alleged fictitious identity he is supposed to have taken to file a report on blackmailing. For one and a half months, the author was kept in solitary confinement and it was not until after his official arrest on August 02, 2007, that his lawyer was allowed to visit him.

He became a target of official investigations, when he published an article about corruption within in the Communist Party in Tengzhou, which was also published by the official news agency Xinhua in June 2007. He reported about repeatedly being threatened and intimidated at the police station after his arrest. His assistant He Yanjie and his photographer Ma Shiping – who had taken the photos for the questionable article – were also arrested. The investigation files were sent back to the police in February 2008 for lack of evidence. Even so, the author (who was born in 1965) was sentenced to four years in prison by the People's Court of Tengzhou. In an appeals procedure, the *Intermediate People's Court* in Xuzhou (Shandong province) confirmed the sentence on July 24, 2008, in the first instance.

In May 2011, the two historians and authors **Lu Jiaping** and **Jin Andi** – and also **Yu Junyi**, Lu Jiaping's wife – were sentenced to ten, eight and five years in prison by the *First Intermediate People's Court* in Beijing for "inciting subversion of state power" (*South China Morning Post*, 9 February 2012). The three of them were arrested by the Hunan police in September 2010. 71-year-old Yu Junyi has since been released but is under house detention. The two convicted men are still in custody (*BBC*, 9 February 2012).

The 70-year old historian Lu Jiaping – a former soldier – published many articles on military history. All three are experts on the history of World War II. Recently, the author had published online-articles calling the former president Jiang Zemin a "traitor." In the judgment, he himself, his wife and his 58-year-old colleague Jin Andi are accused of having written at least 13 "provocative articles" between 2000 and 2010, focusing on the Communist Party and the one-party rule in China. These articles were distributed by mail, by e-mail and on various websites. In 2003, they had published an article criticizing Jiang Zemin's position in the Communist Party.

In secretly held proceedings on December 18, 2006 – that lasted only 90 minutes – the professor and writer **Lu Jianhua** was sentenced to twenty years in prison for "leaking state secrets" and will now be in jail until April 2025. He was born in Shanghai on July 3, 1960, and lived in Beijing until his arrest. He graduated in Chinese literature at the *Fudan University* in 1982 and earned a degree in sociology at the *Nankai University* in 1987. Later, he earned a doctorate in sociology at the *Chinese Academy of Social Sciences* and also became a professor there. He was deputy director of the *Public Policy Research Center* and the *China*

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*Development Strategy & Policy Research Institute*. He gave several expert-interviews for national television broadcasting.

The journalist published around 60 articles about the development in China in the prestigious Southeast Asian newspaper *Straits Times*. He also regularly exchanged opinions on the situation in the People's Republic with journalists and researchers from abroad. Security officials interpreted this as a "betrayal of state secrets". The public was excluded from his trial on December 18, 2006, since which Lu Jianhua is being held in solitary confinement in Beijing.

On May 16, 2006, the writer and journalist **Yang Tongyan** from Nanjing was sentenced to twelve years in prison for "subversive activities" by the *Intermediate People's Court* in Zhenjiang – followed by a four-year deprivation of political rights. Yang also writes poems, essays, novels and short stories under his pen name Yang Tianshui. Many of his texts were written in prison. Before his conviction in 2006, the writer, who was born in 1962, had already spent twelve years in prison for criticizing the Chinese government's politics. He also published numerous critical texts via the online portal *Boxun* or in the newspaper *Epoch Times*.

In 1982, Yang Tongyan completed his studies of history at the University of Beijing, after which he worked as an author, a teacher and as an office clerk. Because he criticized the brutal crackdown of peaceful protests on the Tiananmen Square in Beijing in June 1989, he was charged for "counterrevolutionary activities" and was imprisoned for ten years from 1990 to 2000. After his release, he was detained twice for a short time before 2005, because he had continued to advocate for a democratization process in China.

As a member of the *Independent Chinese PEN Center* – which was founded in 2001 and in which about 200 Chinese writers have joined forces – he was arrested by the security authorities on December 24, 2004, on suspicion of "inciting subversion". On January 24, 2005, he was released on bail until his trial. Even after he was released from prison, he continued to publish texts demanding a democratization of the country and the release of imprisoned writers.

Without a warrant, local security officials had taken Yang into custody at his front door on December 23, 2005. He was officially arrested later on. He was detained for weeks without any contact to the outside world. His family was informed about his arrest on January 27, 2006, in a written notice by the security agencies of the City of Zhenjiang, which was dated January 20. His lawyer was not allowed to visit him because he was accused of "leaking state secrets".

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In a three-hour trial on May 16, 2006, he was finally sentenced to twelve years in prison by the *Intermediate People's Court* in Zhenjiang for "subversive activities", followed by a four-year deprivation of political rights.

The verdict stated:

"Defendant Yang Tongyan posted numerous articles on overseas-hosted websites, attacking the leadership of the Chinese Communist Party and the socialist system."

Yang was said to have published essays on the internet about a "velvet revolution" in China and to have tried to "overthrow the existing political order and the socialist system". The court also accused him of collecting money from abroad to help the families of imprisoned dissidents (*National Public Radio, Poetry Mind*, 30 April 2008). In addition, he was accused of having founded a local group of the banned *China Democratic Party* (CDP) and of subverting China's state order by joining a *transitional government* of a democratic China. During his trial, his supporters outside the courthouse and dozens of dissidents throughout the country started a 24-hour hunger strike. The prisoner refused to submit an appeal against the court ruling, because he thought that the entire lawsuit was illegal.

Yang Tongyan is considered to be one of the most famous critics of the Chinese government. His articles on corruption, unemployment and abuse of detainees in prisons – published on the online information service *boxun.com*, which is banned in China – drew attention worldwide. On April 28, 2008, the International PEN Center honored him with the Barbara Goldsmith *Freedom to Write Award* (*PEN American Center, Press Release*, 12 April 2008). His lawyer accepted the award in representation of his client.

The health-situation of the author, who suffers from diabetes, high blood pressure and arthritis, has become worse during his imprisonment. But despite his poor health condition, he is not properly treated. Also despite his health problems, a suspension of his imprisonment was denied in 2010. In 2007, he was forced to manufacture footballs and basketballs for eight to ten hours a day under adverse health conditions. At the end of 2007, his lawyer managed to cut him free of this hard labor, so he is now able to work in Nanjing prison's library. In early 2010, he spent at least 50 days in the prison infirmary because he suffered from fever and intestinal inflammation. His official release date: December 22, 2017.

Following are some of Yang Tongyan's poems:

### **Climbing Mount Qixia**

The sky-high huge waves rush to the east,  
where heroic Qixia Peak has thousands of trees.

The vast golden wind clears the jade sky;

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The huge green darkness enters one's chest.

Half-inch red heart holds the world;

A piece of royalty dare to face the grave.

The innumerable sleeping lions will rise,

And battle flags will set up everywhere in China.

(Fall 1989)

### Fall View

Having a view at the fall plain in dark twilight, The mountains cannot help but let fog heavy  
Next morning Jade Emperor will drive away night, And hand out a red wheel of rising sun when ready.

(November 1999)

### My Affection (Opening Words)

The high-walls insensitive and indifferent

And electrical fences across sky regardless of day and night

Cut off the viewing of rivers, green willows and grains in the spring field

As well as the hovering of free swan geese to deliver letters.

However, the bright moon refused to be manipulated and monopolized

By offering its light of affection equally to people all over world

It is its gently and amiably loving face that is

Drawing innumerable lovesickness and dreams

(Spring 1999)

### Spiritual Tours over Land of China (excerpt)

The electrical fence and high wall

Quietly guard around it against all—

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The wilderness, far mountain and cloudy sky,

In a prisoner's heart the constant universes lie.

The benefactions from spring rain and summer dew Often moisten the quiet hearts  
to grow. The smelting trials of autumn frost and winter snow The praised singing  
always draw.

In looking afar, in dream, and in longing I went all over the vast land of China

Beauty of mountains and rivers, and compassion for every thing Expelled the worries  
that had disturbed public feeling.

The Creator's immeasurable grace Offered China largesse Such as painting and poetry  
Such as brocade and embroidery.

(14 January 1997)

Xu Pei – a Chinese author who lives in Germany – writes about Yang Tongyan:

"While younger writers critical of the regime only heard about the Chinese resistance against the Communist regime, Yang Tongyan personally joined the resistance. In June 1990 Yang was arrested – despite the terror – for having the courage to condemn the Beijing Massacre and for founding a federation. He was tortured in prison for ten years. But that didn't prevent him from caring about the people and the country, just like a traditional-minded Chinese intellectual."

On December 23, 2005, the online-author **Xu Wanping** was sentenced to twelve years in prison by the *Intermediate People's Court* in Chongqing for "inciting subversion of state power" – followed by a four-year deprivation of political rights. He was accused of publishing critical texts about the government on the Internet. He is imprisoned in Chongqing (Jiangbei district).

The author was born in Chongqing on April 11, 1961. After high school, he worked as a freelance writer and published critical essays on the Internet. He is an honorary member of the *Independent Chinese PEN Center*. He was taken into custody on April 30, 2005, but was not officially arrested until May 24, 2005.

On April 27, 2005, the poet and journalist **Shi Tao** was sentenced to ten years in prison for "leaking state secrets", followed by a two-year deprivation of political rights. The ten years in prison were based on an e-mail he had written to an American NGO. In the e-mail, he stated that the Chinese authorities had warned journalists not to publish any report about the brutal crackdown of the 1989 protests before the Tiananmen Massacre anniversary.

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Shi Tao is a member of the *Independent Chinese PEN Center*, honorary member of the *German PEN Center* and of numerous other *PEN* centers. After completing his studies at the *East China Normal University* in Shanghai in 1991, he worked at the *Fushun Institute of Technology* and – several years later – in Canada. The poet converted to Christianity in 1998.

In 2004 he was director of the news department of *Dangdai Shangbao (Contemporary Business News)* in Changsha (Hunan province). On April 20, 2004, the government's propaganda department sent a confidential note to journalists, warning them that protests of dissidents were to be expected on the 15<sup>th</sup> anniversary of the Tiananmen massacre. The *Central Office of the Communist Party of China, National Affairs*, had distributed *Document No.11* (a notice concerning the work for maintaining stability) which listed more than a dozen measures to prevent public protests. The journalists were urged to immediately report any suspicious contacts with foreigners and foreign journalists to the authorities. In addition, the media were asked to "influence public opinion" and were not allowed to "publish opinions that differ from the official policy."

Shi Tao sent a transcript of a meeting held in his paper's office about this warning via his private *Yahoo*-account to Hang Zhesheng, chief editor of the website *Democracy Forum* and the *Democracy Newsletter* – which is operated by the New York-based *Asia Democracy Foundation* ([www.asiademo.org](http://www.asiademo.org)). To stay anonymous, he forwarded the Communist Party's notice by the numerical alias-code 198964. This code was then used as a pseudonym to publish the message on the *Democracy Forum* and on the critical websites of *Boxun* and the *Chinese Democracy and Justice Party*. The note drew a lot of attention.

In May 2004, Shi Tao quit working for the business newspaper and moved to Taiyuan (Shanxi province) to work as a freelance journalist. But the e-mail should change his whole life: By checking the IP, his Internet provider *Yahoo Holdings Limited* (Hong Kong) found out that the controversial message had been sent abroad from his computer. Yahoo chose to inform the Chinese authorities about his address and is therefore directly responsible for the dissident's arrest and conviction.

Shi Tao was taken into custody from his home on November 24, 2004, by officials of the State Security Bureau of Changsha. His apartment was searched, computers and notebooks were confiscated. During the subsequent interrogation, he admitted to have sent an e-mail, but denied the alleged "leaking of state secrets." The journalist justified himself by explaining that he had not been aware that the directive of the Communist Party was subject to confidentiality. The newspaper-editor had explained the directive to the entire editorial staff without any further restrictions. Nevertheless, the authorities insisted that the directive had been rated top secret.

On December 14, 2004, Shi Tao was formally arrested and subsequently charged for "leaking state secrets" on January 28, 2005. The public was excluded from the trial on April 27, 2005, which ended with a conviction. An appeal submitted in June 2005 was rejected. In the

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request, he protested against the denial of freedom of expression and press freedom, saying:

"The original judgement argued that the appellant transmitted overseas was a top secret central government document, a serious crime that warranted a sentence of ten years. In fact, the serious circumstances can be judged by the consequences. What consequence worthy of notice resulted from this case? What diplomatic or national defense intelligence was leaked? What technical or economic intelligence was lost? None at all. On what basis was then ten-year sentence passed? There is only one explanation, which is ignorance of the law and a wish to threaten and wreak revenge against independent intellectuals."

(<http://hrichina.org/sites/default/files/oldsite/PDFs/CRF.2.2005/2.2005-RL-ShiTao.pdf>, accessed 10 March 2012)

Shi Tao's wife could not bear being hassled by police and security authorities. She filed a divorce during her husband's time in prison.

After protest by international human rights organizations and the filing of an action for damages by Shi Taos mother, *Yahoo* was willing to try and find an out-of-court settlement with the relatives of dissidents who were arrested in China because of the company's cooperation. In November 2007 for example, Yahoo announced to provide financial support for Shi Taos family and to set up a relief fund for persecuted Chinese dissidents and their relatives (*Der Spiegel*, 19 November 2007). Leading company representatives apologized to his mother Gao Qinsheng for the incident.

In the years of 2005/2006, Shi Tao won several international awards for his commitment to democracy and freedom of expression – including the *2005 International Press Freedom Award* by the prestigious *Committee to Protect Journalists* in New York. In 2006 he was awarded the *Vasyl Stus Prize*, followed by the *Golden Pen of Freedom* award of the *World Association of Newspaper Publishers* in 2007.

Shi Tao was born on July 25, 1968, in the region Yanchi (Ningxia province). He took part in the Chinese student protests of 1989. In his poem *June* (published in June 2004), he expresses his deep compassion for the victims of the massacre on the Tiananmen Square in Beijing on June 3 and 4, 1989. During the preparations for the Olympic Games in Beijing in the summer of 2008, the International PEN Writers' Union translated this poem to 100 languages and organized a poem-relay around the world to draw attention to the situation of persecuted writers, poets and journalists in China ([www.penpoemrelay.org](http://www.penpoemrelay.org)).

At the same time as the Olympic torch went around the world, Shi Tao's poem was forwarded from his hometown Taiyuan to the *PEN Center* in Athens and from there to more than 70 *PEN Centers* and cities worldwide to Beijing. 127 translations of the poem relay were then sent to China's President Hu Jintao – together with a request to release all persecuted

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writers, to end Internet censorship and to refrain from censoring the media coverage during the Olympic Games.

Especially at the beginning of his detention, his lawyer Li Jianqiang reported on the catastrophic conditions in *Chishan Prison* (Hunan province). He was forced to fabricate jewelry, which led to skin and respiratory irritations because of the dust. Before his arrest, he already suffered from a chronic gastritis and a heart disease – and his health deteriorated even further. Finally, he was transferred to *Deshan Prison* in June 2007.

Shi Taos case attracted international attention. On September 1, 2006, the *United Nations Working Group on Arbitrary Detention* declared his arrest to be unlawful as Shi Tao had only made use of his right to freedom of speech. His court proceedings were found to be non-compliant with international standards.

Below is his poem *June*:

### June (The sixth moon)

My whole life

Will never get past "June"  
June, when my heart died  
When my poetry died  
When my lover  
Died in romance's pool of blood

June, the scorching sun burns open my skin  
Revealing the true nature of my wound  
June, the fish swims out of the blood-red sea  
Toward another place to hibernate  
June, the earth shifts, the rivers fall silent  
Piled up letters unable to be delivered to the dead

On September 16, 2004, the online-author and factory worker **Kong Youping** was sentenced to fifteen years in prison for "inciting subversion of state power", followed by a four-year deprivation of political rights. The sentence was reduced to ten years in prison by means of an appeals-procedure. Kong is supposed to be released from prison on December 12, 2013. In numerous poems and essays, he criticized the widespread corruption. Kong Youping, who was born in Anshan (Liaoning province) in 1959, became a freelance writer and factory worker after attending grammar school. Kong was a leader of the labor union in a state-owned enterprise in Liaoning. He had to give up his job and his position in the union after he had supported protests of the workers and criticized governmental policies. Since the late

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1990s, Kong was committed to build up the *China Democracy Party* in the province of Liaoning, which was then banned in 2002. He had already been sentenced to one year in prison for "inciting subversion of state power" in 1999. Kong was also in trouble with the authorities for publishing an appeal on the Internet demanding a reevaluation of the 1989 protest movement.

Kong Youping was last arrested on December 13, 2003, for publishing an appeal for the release of the imprisoned human rights activist Liu Di, who had criticized the government in an online-chatroom.

In prison, his health deteriorated significantly. He suffers from high blood pressure and his vision continues to decline.

On July 25, 2003, the author and online-essayist **Wang Xiaoning** was sentenced to ten years in prison for "inciting subversion of state power" – followed by a two-year deprivation of political rights. The honorary member of the *Chinese Independent PEN Center* is supposed to be released on August 31, 2012.

The author was born on January 7, 1950, in the city of Shenyang (Liaoning province). He moved to the capital Beijing with his family in 1953. His parents were high-ranking functionaries of the Communist Party, so he did not have to join the *Red Guards* during the Cultural Revolution. From 1970 to 1973 he worked in a machine factory in Shaanxi province. At that time, he had almost been persecuted as a "counter-revolutionary" for criticizing Lin Biao – a former companion of Mao Zedong – but the Military Committee left it at an admonition.

In 1973, he began his studies at the *Huadong Engineering High School*, where he earned his degree in 1977. During his studies, he submitted essays to the official newspaper *People's Daily* and publicly denounced the officially disgraced *Gang of Four*.

In 1986, Wang proposed a strategy paper on the "Development of China's Energy Sources," but his suggestions were not accepted by Vice Premier Li Peng, who at that time was president of the Chinese energy industry and Minister of Electric Power and Water Conservancy. The essay was never published. He actively took part in the peaceful student protests of 1989 and was shot and injured during the crackdown of the protests. He was summoned by the police after Chinese soldiers had found a letter written by Wang on another protester. After his interrogation, he was labeled to be a "reactionary." Later he worked as an editor for several electronic news services and as a freelance author under the pseudonyms Shi Cheng, Chen Ping, Tiandi Pingsu.

Wang continued to express his increasingly critical view on the situation in China. After his interrogation, he wrote an essay entitled *A Political Manifesto of Democratic Ideology in*

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*China*, which was also received abroad. In May 1999, he published his own magazine that contained numerous contributions towards democratization and environmental protection, campaigning for an end to large dam-construction projects. Three months later, security officials confiscated Wang's possessions without any warrant on the pretext of "violation of administrative laws."

Wang was not intimidated. He continued to publish essays on democratic reforms on internet-sites in China and abroad and even established critical Internet services himself. In his texts, he sharply criticized the persecution of committed trade unionists and farmers. On September 1, 2002, the security authorities searched his home and took him into custody. The official arrest warrant was issued on September 30, 2002. Once again, the U.S. Internet provider *Yahoo* had helped the Chinese authorities to track his e-mail-traffic.

Wang was also accused of keeping contact to the exile-*Chinese Democratic Party* and of advocating for the establishment of a *Third Road Party* in China.

He was sentenced to a long prison sentence in July 2003. An appeals procedure at the Supreme People's Court (opened in May 2004) unsuccessfully ended in December 2004. He had been tortured several times in order to make him take back his appeals proposal. To increase the pressure on him, he was kept in solitary confinement.

On February 10, 2003, the medical doctor and author **Wang Bingzhang** was sentenced to prison for life because of "espionage" and "terrorist activities". The *Independent Chinese PEN Center* is campaigning for his release. Wang Bingzhang was born on December 30, 1947, in the region Foucheng (Hebei province). After studying at the *Medical Faculty of the University of Beijing*, he graduated in 1971 and specialized in pathology at the *McGill University* in Montreal (Canada) from 1982 onward. For many years he supported the Chinese democracy movement from his permanent residence in the U.S., where he founded the magazine *China Spring* and served as a consultant for exile members of the *China Democratic Party*, which is banned in China. During a trip to Vietnam, he was kidnapped and taken to China where he was taken into custody by the police on July 16, 2002. He was officially arrested on December 5, 2002. The prisoner, who is detained at the *Beijiang Prison* in Shaoguan (Guangdong province) is seriously ill.

On May 30, 2002, the online-author **Hu Mingjun** was sentenced to eleven years in prison for "subversion of state power" – followed by a four-year deprivation of political rights. He is supposed to be released from prison on May 28, 2012. Hu was born in Leshan (Sichuan province) on June 28, 1963. After studying at the *Panzhuhua School of Technology*, Sichuan province, he owned a small company and became known as an online-author. Under the pen-names *Jiudaohe*, *Heishan*, *Riyue*, *Zeng Minquang*, *Wei Minquan* and *Wei Minjun*, he

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published numerous articles on the Internet, criticizing the regime. He also founded a regional association of the *Democratic Party of China* in Sichuan. On May 29, 2001 Hu Mingjun was taken into custody. The warrant was issued on July 6, 2001.

The Internet author and website administrator **Cao Haibo** was arrested by police officials in Kunming on October 21, 2011. When his home was subsequently searched, three telephones, a computer, a laptop, a USB-stick and two credit cards were confiscated (*Laogai Research Foundation, 13 December 2011*). His then pregnant wife Zhang Nian (who has given birth to a child since) was not informed about his arrest until 35 days later – on November 25, 2011. He is accused of "inciting subversion of state power". The online-author founded the website *Zhenhua Wang* which campaigns for a Chinese democratization movement. Cao Haibo is locked up in the detention center of Shanxi (Kunming). His wife is neither allowed to visit him nor does she receive any messages from him (*China Human Rights Defenders, 3 May 2012*).

### Tibetan Writers in Prison

On February 3, 2012, several websites in Tibetan language were shut down by the Chinese authorities. Most committed Tibetan websites were taken off the internet by orders of the Chinese authorities also in the years before. For example, a blog from the website *AmdoTibet* and the very popular online diary *sangdhor.com* were removed from the net. In October 2011, the poem *mourning* – about self-immolations in Tibet – was published on the *Sangdhor* blog. It was immediately removed from the website by the authorities. The blog *Randgrol.net* was also blocked by Chinese Internet censors.

On February 15, 2012, the popular Tibetan writer **Gangkye Drubpa Kyab** was arrested by a team of 20 police officers at his home in the district Serthar (Sichuan province). The police searched the apartment of 33-year-old author. Neither were they able to present a search-warrant for the apartment, nor were they willing to give any information on his whereabouts to his wife Wangchuk Lhamo (*Radio Free Asia*, 18 February 2012).

Drubpa Kyab worked as a teacher in Serthar for ten years. Among the Tibetans, he is well known for his writings “Call of Fate”, “Pain of This Era” and “Today’s Tear of Pain”. His relatives suspect that his arrest is to be seen in connection with the protests by Tibetans against the Chinese reign, during which at least six demonstrators were killed and 60 injured at the end of January 2012. A representative of the provincial government denied the author's arrest (*AFP*, 18 February 2012).

On February 3, 2012, the author and cultural scientist **Dawa Dorje** was taken in custody when he arrived at the Gonggar Airport in Lhasa, the capital of the Tibet Autonomous Region. (*Tibetan Review*, 15 February 2012) He was on his way back from a trip to the city of Chengdu, Sichuan province. He had organized a 1-day seminar with Tibetan singers to promote Tibetan culture, during which he had encouraged the Tibetans to write song lyrics in Tibetan, saying that Tibetan songs are a powerful tool to win the hearts of the people and influence their thoughts.

Shortly before being arrested, he had told a friend that his deepest concern was that the Tibetan Buddhist monasteries in Driru, Tibet Autonomous Region, might get closed down. After repeated interference of the Communist Party and local authorities, many nuns and monks left the monasteries of Driru in the beginning of 2012. Above all, he feared that Tibetan neighbors might protest against the expulsion of the monks, giving the China even more reason to take action against the Tibetans.

The author studied at the *Tibet University*, Lhasa. Most recently, he worked as an investigator in the office of the District Attorney of Nyanrong in the prefecture of Nagchu. He wrote several books on the protection of the Tibetan language, the importance of school attendance for children and about correct religious exercise. He held regular lectures and

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seminars on the subject and advocated for the promotion of Tibetan culture (*Radio Free Asia*, 13 February 2012).

The writer, filmmaker and monk **Kalsang Tsultrim** was sentenced to four years in prison in the end of 2011 by the *Intermediate People's Court* of Kanlho, Gansu province. The exact time of the trial and the verdict were kept secret. Family members who wanted to visit him at the Tsoe City detention center on December 30, 2011, were only then informed about his imprisonment by the prison authorities. Neither were his relatives allowed to speak to him, nor did they receive any information on his whereabouts (*Tibetan Centre for Human Rights and Democracy*, 6 January 2012).

In his book *Sharing the Inner Thoughts in My Heart*, the author had expressed the concerns of many Tibetans and had painted a dark image of the situation in Tibet. Less than a month after the book was published, the author – who is better known by his writer-pseudonym *Gyitsang Takmig* – was subpoenaed and interrogated for a long time by the police on December 16, 2010. He has not been set free since then.

For fear of being arrested, he had regularly changed his location in the year before. He was afraid because of a one-hour video he had recorded on July 18, 2009, in which Tibetans had expressed their wishes, their dreams and their concerns of being persecuted. (*Tibetan Centre for Human Rights and Democracy*, 23 August 2010) With his film, Kalsang Tsultrim wanted to set a counterpart to the "daily dose of government propaganda". The video was especially made to inform the impoverished rural population about the background of Tibetan history and the current situation under Chinese occupation. In fact, the video caught a lot of attention. About 2,500 copies of the film were publicly distributed.

Kalsang Tsultrim is a monk of the monastery Gaden Gyitsang Choekhorling in Sangchu, Autonomous Tibetan Prefecture Kanlho, Gansu province. Following a first arrest in October 2009, the national security warned the Tibetan that he would be arrested again if he'd continue to criticize the regime (*www.phayul.com*, 5 January 2012).

**Joleb Dawa**, author and editor of the journal *Dhusrab kyi Nga (Modern Self)*, was sentenced to three years in prison by a court in Barkham (Ngaba) in October 2011. The Tibetan, who was 39 years old when arrested, also works as an author for a Tibetan language magazine and coordinates various Tibetan cultural symposia (*The Tibet Post International*, 05 October 2010).

The teacher of the *School for National Minorities* in Ngaba was arrested on October 1, 2010 in Chengdu. Before his conviction, he was locked up in the detention center of Jinchuan County for one year (*Tibetan Centre for Human Rights and Democracy*, 29 October 2011).

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After his arrest, his wife's book- and CD-hire business was searched. The police confiscated his laptop, his diary and some of his literary works. Only a year after his arrest, he was allowed to see his wife and two children for a short while. However, he was not allowed to talk to them. (*Radio Free Asia*, 28 October 2011)

Joleb Dawa had been arrested on several occasions before. After the Dalai Lama had spoken out against the wearing of animal skins, Dawa Joleb engaged in a protest against the burning of animal skins and furs – and was taken into custody for one month in 2006. After protests against the Chinese reign in Tibet, the police searched his wife's business and arrested the author on March 16, 2008. He was held in custody for three months.

The writer **Chopa Lugyal** (pseudonym: *Meycheh*) was arrested in Lando (Gansu province) on October 19, 2011. His home was searched by the police, his computer and a banned literature magazine were confiscated. The police offered no information about the allegations against him (*Tibetan Centre for Human Rights and Democracy*, 27 October 2011). Until his arrest, the young writer worked at the People's Publishing House of Gansu.

On June 2, 2011, the writer **Tashi Rabten** was sentenced to four years in prison for "inciting to split the nation" by the *Ngaba Peoples Court*, Aba prefecture (*phayul.com*, 04 June 2011). His family and friends were not allowed to attend the trial. The verdict was published a month later. Tashi Rabten was mainly accused of having published a collection of essays and articles about the riots in Lhasa in March 2008, titled *Written in Blood*. Shortly after its publication, the book was banned by the authorities and the remaining 600 copies of the first edition of 1,000 copies were confiscated.

From the introduction to his collection of essays *Written in Blood*:

"Given my (young) age and (lack of) qualifications, the appearance of this little book may be premature. After an especially intense year of the usual soul-destroying events, something had to be said, and after pondering on whether to speak out, I finally produced this humble little book between 2008-09, shed like a drop of blood."

He is co-editor of the banned literary magazine *Eastern Conch Mountain*. He often published his poems, essays and articles under the pseudonym *Theurang*. His conviction is to be seen as a breach of Art.19 of the *International Covenant on Civil and Political Rights*, which was also signed by the Chinese government.

Tashi Rabten was born in Dzorge (Aba prefecture) in the western Sichuan province. The 25-year-old author was arrested on April 6, 2010. Before his arrest, he was a student at the *Northwest University of Minorities* in Lanzhou. He would have earned his university degree in 2010.

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### My Tibet

Is it you, the flame that burns in the middle of a storm?  
Is it you, the boat that rocks in the sea?  
Is it also you, who offers the torch of life in the darkness of night?

Is it you, where there is no freedom?  
Is it also you, who is chained and shackled?  
Is it you, who writes history in blood?

Are you a warrior?  
Where are your battlefield and the weapons?  
Are you a prisoner?  
What crimes have you committed?

Is it your sky that the sun shies away from?  
Is it your vow to let yourself be silent?  
Are these your border guards, the long guns surrounding you?

Freedom is different from restrictions  
Because of which you move,  
Because of which they tie and bind you, isn't it?

Isn't it you who is being murdered?  
Isn't it you who is being arrested?  
Isn't it you who is being tortured?  
Why is it that you still want to move?  
Do you want to move amidst shadows of guns?

No.

Isn't it you who can never be cowed down?  
Isn't it you who fiercely burns with passion?  
Isn't it you who marches ahead into history?

Don't you need to move even more?  
Don't you need to move till the time runs out and the life ends?

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### Lhasa-Gormo Railway

This is a road  
A recently-completed road  
A road that is well traveled  
A road of rock mixed with steel, men with demons  
A road connecting Beijing and Lhasa

Holy Lhasa is at one end of the road having old dreams  
At the other end is Beijing, reading an incomplete plan of action  
Between Lhasa and Beijing, this road  
Runs like a tongue of a poisonous snake

On this road  
The life-soul of Lhasa and its wealth  
Is being transported, day and night  
Nearby this road  
Are terrified wild animals of Tibet  
Running, running, dying, dying

This road, like the butcher's knife,  
Drills through the hearts of the mountains  
This road, like an axe in the robber's hand,  
Cuts across the chest of Tibet's grassland

On this road they come, the guests with greedy minds  
On this road they run away with the hosts' wealth  
At the end of this road are the satisfied faces of the bosses in Beijing  
At the other end are dusty faces of the people of Lhasa

In the night this road kills my quiet dreams and my sleep  
In the daytime it murders my thoughts and drives me restless  
Every so often this road boils my heart with anger

Suddenly I Remembered Lhasa

The sound and the vibration of the train  
Suddenly shakes the computer  
And the fingers do not have control over the words

At such times I suddenly, suddenly

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At the end of the railway track  
With a moving train  
I remember Lhasa  
The statues and butter lamps of Tsuglakhang  
The golden roofs of the Potala Palace  
Even the faces of the old women on the road  
Flashes like the computer facing me  
Anyone remembers them  
With sounds of trains coming and going

Ah how remembering Lhasa suddenly  
Is like remembering to get up  
And shout out in freedom.

### **A Secret Petition to the Government Penned in a Computer**

One dead body, ten dead bodies, one hundred dead bodies, one thousand dead bodies  
One news, ten news, one hundred news, one thousand news  
truth – 0, false – 9, truth – 20, false – 900  
Red hands that take out the innards  
If you are not on our side punish us  
Black boots that crush heads  
If you don't understand then just imprison

freedom, harmony, equality, democracy  
open the door, open the constitution and look inside  
freedom? harmony? equality? democracy?

My government, if you suspect that your faces will burn with brightness  
Accuse me of everything and punish me  
Because I am your citizen,  
Like a bird that flocks to the cliffs  
I am a loyal citizen who will say 'yes' to everything you say.

### **Monologue in Hell**

First  
Today, if the radiant hands scratch the face of darkness

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Tomorrow, will the world of dawn lift from amidst the darkness

Two

If a few ready-to-gallop horses

Went missing along with their saddles and reins

Is there any horse owner who is ready to point at the thief?

Three

If a well-planned wolf jumps onto the shepherd's dog

The unarmed shepherd, of course, can loudly shout out everywhere

Four

Don't lie when the ears are listening to the truth

When the able eyes are watching do not create disharmony

The people are watching you, even the natural world is sighing at you

Fifth

Even though I do not own the five physical senses

And the five meanings and six vessels are stolen

I permanently own the five pure visions of the senses

Sixth

Long live freedom, long live nationality

Long live truth, love live democracy

Long live the blood that runs in my veins

Long live! Long live!

### **Prisoner in Hell**

Hell is a fortress made from iron and steel

A doorless fortress of shackles and handcuffs

Freedom-loving people are the prisoners of this fortress

Or they are criminals seeing the darkness of the hell

These people have fallen to the darkness of hell wanting to see freedom

They are the ones who blew vapour from their mouths outside the door

They are the ones who raised their fists up in the air

However, according to the decree from the hell

Each of them are considered criminals in prison shackled and handcuffed

The crime they are accused of is 'love for freedom'

Mother says amongst the prisoners is

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A very young kid brother of mine  
The youngest prisoner in the world

If the crime that this kid has committed is not made  
When he was piling stones to play with  
Then this kid is truly an innocent kid

Freedom, equality, democracy, livelihood  
One prisoner, two prisoners, three prisoners, four prisoners

Hell is really a hell  
Freedom, equality, democracy, livelihood  
Will there come a time when everyone will be free from the fortress of hell

### News from Hell

Because of intense cold wind in hell  
Those in hell experience disturbance in the temperature  
Many in hell suffer from diseases

Yet, the news from hell is always fine and good

The news from hell is a newspaper  
A newspaper that has lost the word 'democracy'  
A newspaper filled with secret numbers and —

Under the volatile weather of the hell  
The hell's news comes as a medical prescription to those who are suffering from cold  
Prescription that charges money but gives no medicine  
A prescription with stamp of approval from the authorities

News from the hell is contagious  
That is transmitted through people's mouths and ears  
Those who suffer from this disease are servants in the hell

The hell is basically a sick person carrying his shit in his pants  
Isn't the newspaper in hell that paper which one uses to wipe one's bottom?

The 28-year-old writer **Tsering Norbu** was sentenced to two years in prison by the *People's Court* in Lhasa in December 2010. He was accused of writing and publishing a book about the protests in Tibet in 2008. The book was titled: *If You Have That Inhuman Act And Violent*

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*Crackdowns, I Have The Truth of Compassion* (*The Tibet Post*, 15 February 2012). He was arrested by the police while distributing the book in public in his hometown Palyul.

Tsering Norbu has written many essays on Tibetan history and culture. He was born in the town of Rachab (Dege Palyul) in eastern Tibet. He was very young when he joined the monks. He studied with the monks in the monastery of Rachab.

On October 3, 2010, three Tibetan writers were sentenced to prison terms by the *Ngaba People's Court* for "inciting to split the nation". **Yangtze Dhonkho** and **Buddha** now face four years of imprisonment while **Kalsang Jinpa** was sentenced to three years in prison (*Reporters without Borders*, 4 January 2011). The judge said he had been urged to punish hard by "higher authorities" (*Radio Free Asia*, 25 January 2011).

The three essayists were accused of having published critical articles about the crackdown of protests in Tibet – in spring of 2008 – in the literary journal *Eastern Conch Mountain*. 34-year-old Buddha is a doctor by profession and writes in his leisure time. On June 26, 2010, he was working in the hospital, when he got arrested (*phayul.com*, 4 January 2011). He has a three-year-old child and has written several poems for the literary magazine.

Together with friends, Yangtze Dhonkho – who was born in 1978 – runs a daycare-facility in the district Khyungchu in Aba. On June 21, 2010, the father of two children was arrested at home.

The poet and writer Kalsang Jinpa is from Sangchu (Tibetan Autonomous Prefecture of Gannan, Gansu province). The 33-year-old father of two children was arrested by members of the security authorities in Aba on July 19, 2010.

All the defendants emphasized their innocence in court. Neither the defendants nor their family members were allowed to speak up during the proclamation of sentence. Although the judge had asked them to stand up for the verdict, the writers remained seated to show their protest against the unjust proceedings. When Yangtze Dhonkho was sentenced to four years in prison, he sarcastically applauded (*Radio Free Asia*, 31 December 2010). During the court proceedings, Buddha had already stated – in fluent Chinese – that the three would only be charged based on their ethnic origin and that the authorities would be guilty of demonstrating an "injustice among different nationalities" (*Voice of America*, 5 January 2011).

Given the unfair trial, they renounced to lodge an appeal, being sure this would be of no effect. Obviously, their condemnation was arbitrarily controlled by higher instances, so there would be not much hope for an appeal. Meanwhile, they have been relocated to a detention center in Chengdu (Sichuan province), which is known for the inmates having to work very hard.

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**Dokru Tsultrim**, author and monk of the monastery Gomang (Ngaba, Sichuan province), was arrested in April 2009 because he had written several critical articles on the Chinese government's policy towards Tibet. The magazine he published – *Khawai Tsesok* – was banned and remaining copies of the publication were confiscated. The author comes from the Tibetan Autonomous Prefecture Tsolho (Qinghai province). He studied Buddhist literature and philosophy at the monasteries Lutsang, Ditsa and Gomang.

On November 12, 2009, the author **Kunga Tseyang** – a Buddhist monk, photographer and environmental activist – was sentenced to five years in prison in a secret trial held by the *People's Court* of Kanlho, Tibet Autonomous Prefecture, Gansu province, for "leaking state secrets". Kunga Tseyang was only 20 years old when he was arrested on March 17, 2009, during a nightly raid in the monastery Labdrang (Sangchu region, Tibet Autonomous Prefecture, Gansu province). After the arrest, his whereabouts were unknown for eight months. Even his family did not receive further notice until the court trial against him was reopened.

The writer was born in the district Chikdril (Juizhi, Golog Tibetan Autonomous Prefecture, Qinghai province). He learned at the *Institute for Buddhist Dialectics* of the Labrang Monastery and in Beijing. He is a popular author, blogger and photographer. Under the pen name *Gangnyi* (Son of the Land of Snow) he published many essays and articles on ecology, Buddhism and about Tibetan art and culture. He traveled extensively in Tibet and published texts and pictures on the internet about Tibetan culture, the landscape, the religion and way of life. He also became involved as an activist in the environmental movement *Nyenpo Yutse Kyekham*. During his many trips to Tibet, he photographically documented the extent of environmental degradation and the consequences of over-exploitation for the Tibetan people.

Since the riots of spring 2008 in Tibet, he was under surveillance by the Chinese State Security. It is believed that his arrest is to be seen in connection with political essays, which he had spread on the website *Jottings*. In his essay *Who are the real separatists?* he accused China's state television to treat all Tibetans as separatists. This massive disinformation had led to severe tensions between Han Chinese and Tibetans and also to forms of "racial hatred". Even the smallest incident would be exaggerated in order to stir up hostility. Thus, the Tibetans found themselves in an extremely difficult situation. They could not move freely. Roadblocks, checkpoints and a massive military presence severely cut down the Tibetan people's freedom. Kunga Tseyang also publicly criticized that Tibetans were even being arrested for the possession of photographs of the Dalai Lama.

On November 12, 2009, the online-author **Kunchok Tsephel** was sentenced to 15 years in prison in non-public court proceedings for "leaking state secrets" according to Article 111 of

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the Chinese Criminal Code by the *People's Court* in Kanlho, Tibetan Autonomous Prefecture, Gansu province (*International Campaign for Tibet*, 16 November 2009). The founder and editor of the Tibetan-language website '*Chodme*' ('*Butter Lamp*'), which supports arts, culture and language in Tibet, was arrested on February 26, 2009 in Machu (Gannan, Tibetan Autonomous Prefecture, Gansu province). His house was searched and his computer, his mobile phone and his camera were confiscated.

In 2005, he founded the website for Tibetan art and literature together with the Tibetan poet **Kyabchen Dedrol**. In the years 2007/2008, the website was repeatedly blocked by the authorities, but could always take up operation again. After the outbreak of protests in Tibet in 2008, he published several essays on his website, criticizing the oppression and persecution of Tibetans. His family was not allowed to contact him during the investigations and they were denied any information about his whereabouts. At the trial, he was unlawfully denied the assistance of a lawyer. His health was said to be critical.

Until today, it has not been made clear, what kind of "state secrets" the online-author may have revealed. As there is no clear definition of "state secrets" in Chinese law, judges and members of the Communist Party can arbitrarily decide which documents are to be seen as "state secrets". Chinese courts have even considered documents that were publicly available and widely spread to be "state secrets". The extremely vague definition of this offense enables the authorities to arbitrarily convict dissidents to long prison terms.

Kunchok Tsephel, who was born into a nomadic family in 1970, went to India in 1989 after attending middle school in his home district of Machu. There he spent three years the Tibetan school in Suja (Bir). After his school-education, he returned to Tibet in 1994. He is fluent in Tibetan, English and Chinese. In 1995, he was detained by the authorities for two months and interrogated under torture. He was accused of being involved in protests against the Chinese reign, but he claimed innocence and was eventually released. He started to study English and Chinese at the *Beijing University for Nationalities* in 1996. From 1997 to 1999 he studied English at the *Northwest University for Nationalities* in Lanzhou. In 2004 he took a job as an English teacher at Middle School in Machu. At the same time he also worked for the Chinese Ministry of Environmental Protection.

In November 2008, the then 81 year old printer and publisher **Paljor Norbu** was sentenced to seven years in prison in a secret trial. He was accused of "inciting separatism" because he had allegedly printed publications that were distributed during the protests of spring 2008. His family neither received any information on his whereabouts nor about the court proceedings. During the lawsuit, he was not permitted to get a lawyer to represent his interests. Another serious procedural error lies in the fact that the sentence was never published (*Human Rights Watch*, 05 December 2008). His business was closed by the authorities, several dozen of his employees were dismissed and the special letter-cases for

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printing were confiscated by the state security. For many years his family had printed Buddhist texts for monasteries.

In April 2009 he was honored – in absentia – with the *Jeri Laber-Prize* for freedom of the press by the *Association of American Publishers*. When he was led away by security forces on October 31, 2008, this was the fourth time that Paljor Norbu was detained by the Chinese police. In the 1990s he was arrested twice for having printed illicit literature. Both times, he managed to avoid an indictment and was released after a short time.

Paljor Norbu is one of the old masters of traditional Tibetan printing art. In addition to religious texts, he also printed books, paper rolls for prayer cylinders and prayer flags. He was born in the village of Nyemo, west of Lhasa – and started an apprenticeship as a printer at the age of eleven. Later, he worked for various Buddhist monasteries and for the Tibetan government in Lhasa. He was also responsible for the reprint of 224 volumes of the "Tengyur" – one of the main parts of the Buddhist canon. When China occupied Eastern Tibet in 1949, he was 21 years old. When the Chinese government took action against dissident Tibetans after the uprising in March 1959, he was 31 years old and was considered to be an "insurgent" because of his job as a printer. He spent some time in prison. During the Cultural Revolution of the 1960's and 70's, he was not allowed to work as a printer. Monasteries were systematically destroyed or desecrated – and only political texts were allowed to be printed. It was only until after Mao's death in 1976 that he was able to take up his profession as a printer again.

On September 16, 2005, the writer and teacher **Dolma Kyab** was sentenced to ten and a half years in prison by the *Intermediate People's Court* in Lhasa in a secret trial. In an appeals procedure the ruling was confirmed on November 30, 2005. The author, who published under his pen name Lobsang Kelsang Gyatso, was arrested on March 9, 2005, in Lhasa for "endangering state security". Dolma Kyab is an honorary member of the German and English PEN Centre.

After secondary school education in his home district, the author – who was born 1976 in the village of Ari (Chilen district, Qinghai province), studied history and geography at the University of Qinghai. After his graduation in 1999, he joined the University of Peking and reached his doctorate in 2002. In 2003, he left China to study English and Hindi in Dharamsala (India). Finally, he returned to Lhasa in 2004 to work as a history teacher at a local middle school.

Dolma Kyab prepared the publication of a book titled *Restless Himalaya*, which was supposed to focus on various aspects of Tibetan history and geography. When he was arrested, he had written about 57 essays on issues of faith, of democracy, about Tibet under the communist rule, on colonialism and other aspects. In his geographical statements he planned to deal with environmental issues and with Chinese military bases in Tibet.

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In the introduction to his book, Kyab wrote:

"I remember when China's Mr. Deng Xiaoping said to a Western leader 'There are people who want to split Tibet from China, to take Tibet away, but I don't think they are able'. We were so simple in those days, and we too firmly believed that there was no one to take Tibet away. But today, my generation of Tibetans who have grown up in a colony firmly believe in another truth, that Tibet will always belong to Tibetans; and if China believes an 'ability' is needed to take Tibet away then our generation of Tibetans has that ability and then our next generation will have that ability too." (*The Restless Himalayas, Like gold that fears no fire: New writings from Tibet, International Campaign for Tibet*, October 2009)

The Chinese authorities denied his arrest. On August 17, 2006, a spokeswoman for the State Information Office – which reports to the State Council – declared, that no young man named Dolma Kyab had been convicted in Tibet, at least not according to her research. Only in the province of Gansu had a Tibetan by this name been convicted to a long prison sentence – for robbery. (*Press release by the International Society for Human Rights, Adelheid Dönges*, 6 November 2006) When Manfred Nowak, the *UN Special Rapporteur on Torture*, visited Tibet on November 27, 2005, the Chushul Prison (Chinese: Qushui), where the author was detained at that time, had moved the prisoner to a secret location. In a letter that was smuggled out of prison and that was addressed to the world cultural organization UNESCO and the Human Rights Commission of the United Nations, the author wrote on November 30, 2005:

"I have been sentenced to 10 years in prison and the main reasons are: I have written an unpublished book titled 'Restless Himalayas' about issues such as democracy, autonomy [Not freedom as translated in the background info text] and Tibet. This was the primary basis of the sentence. Since, according to the law of China, this book does not constitute the crime of incitement of splittism, so they wanted to charge me under the crime of espionage, and without any proofs and facts they hastily announced that it constituted the crime of espionage." (*Tibetisches Zentrum für Demokratie und Menschenrechte, Newsletter*, August 2006)

Dolma Kyab is being accused of having fought for an independent Tibet by asking the Tibetan government in exile to advocate for the protection of the environment and to improve health care for women. In the vicinity of his home, the author experienced the disastrous consequences of uranium mining for the people in Tibet – and had repeatedly commented critically on the matter. He also showed great pity for the demise of the traditional nomadic society, which is acutely threatened by assimilation- and resettlement projects of the Chinese government.

In 2009, the *United Nations Working Group on Arbitrary Detentions* investigated on the case and came to the conclusion that the Chinese judiciary had violated the Articles 13, 19 and 20

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of the *Universal Declaration of Human Rights* by convicting the author. The Commission urged the Chinese Government to renounce these human rights violations.

Since 2007, Dolma Kyab's health is known to be catastrophic. In the autumn of 2005, he fell ill with tuberculosis. Released inmates had reported that his medical treatment was not sufficient. After his detention, where he became seriously ill, he was transferred to the Chushul prison in Tibet in March 2006. Other prisoners stated that he was transferred to a prison in Xining (Qinghai province, about 400 kilometers from Lhasa) on July 19, 2007, where the prisoners are supposed to be "re-educated by labour". After being released, a fellow prisoner said that Dolma Kyab was emaciated at the end of 2007 and could not eat much as his body didn't tolerate the prison food. He also complained about memory loss.

In May 1996, the author **Dawa Gyaltzen** was sentenced to 18 years in prison because of "separatist activities". The *Tibetan P.E.N. Center* has campaigned for his release for years. Dawa Gyaltzen, who was born in 1960 near Nagchu, north of Lhasa, completed an apprenticeship as an accountant and banker in Beijing. After returning to Tibet, he worked in a bank.

His younger brother Nyima was a monk at the monastery in the district Shabten Nagchu. When the stately religious authorities started forced re-educations of the monks in the region's monasteries, the brothers decided to protest against the brainwashing. Dawa published a short history of independent Tibet and made posters and leaflets with slogans such as *freedom for Tibet* and *Tibet belongs to the Tibetans*. After monks had distributed these posters all over the country in April 1995, the authorities began to search for the ones who were thought to be responsible for the protests. In autumn 1995, the banker and author fell under suspicion. Although Dawa was able to escape to Lhasa, he was arrested there by the police in November 1995.

The author was tortured in prison several times. Inmates reported scars and stated that he hadn't received any medical care – despite his injuries. Dawa stated that he was not given any food for ten days after his arrest and that he was also kept in solitary confinement later. He was denied food regularly. His brother Nyima was sentenced to thirteen years of imprisonment. Dawa's prison sentence was shortened by a year and two months in 2002, and in 2004 his sentence was again reduced by nine months.

### Uyghur Writers in Prison

The Uyghur internet author and website operator **Tursunjan Hezim** was sentenced by the People's Court in Aksu in July 2010 to seven years' imprisonment. Aged 38 years at the time of his sentence he was arrested a few days after the outbreak of the July 2009 Uyghur protests in Urumqi. His family was not allowed to attend his trial. They were informed about the punishment handed down but not about the charges laid against him.

Tursunjan Hezim was in charge of the Uyghur-language website *Orkhun*, which was closed down by the authorities at the same time as his arrest. *Orkhun* published mainly articles about Uyghur culture and history and was an important source of information for Uyghur intellectuals and students. In its three years on line the site became one of the most popular Uyghur websites worldwide. Tursunjan Hezim has published numerous essays and other articles on Uyghur history (*Radio Free Asia*, 6 March 2011). Hezim was also an active contributor to internet discussion fora and other websites and commented on articles at the websites *Bostan* and *UyghurOnline* under the pseudonym Yawuz.

From 1991 to 1996 he studied history at the University of Xinjiang. He then went on to work as a history teacher in a Uyghur-language high school in his home city of Aksu. In 2006 he was relieved of his teaching responsibilities following criticisms of the school's directors and he subsequently worked as the high school janitor.

On 23 July 2010 the People's Court in Urumqi found the internet author and journalist **Gheyret Niyaz** guilty of "endangering national security" and sentenced him to 15 years imprisonment. Up until June 2009 Niyaz was administrator and editor of the Uyghur economics professor Ilham Tohti's internet information service *Uyghurbiz*. Ilham Tohti himself was detained for six weeks in July/August 2009 and questioned about the content of his website. Because Tohti, whose views are considered particularly moderate, has contacts with many foreign governments who made representations on his behalf following his arrest he escaped criminal prosecution (*newswatch.in*, 31 October 2009).

It is believed that Niyaz had provoked hostility as a result of giving background briefings on the discontent in Xinjiang/East Turkestan to foreign newspapers following the bloody suppression of the Uyghur protests in Urumqi in July 2009. He had also told the news agency *Associated Press* on 9 July 2009 that:

"In China, sometimes even if you are just defending human rights, if you say something a little bit extreme, you'll be in trouble." (*Guardian*, 1 November 2009)

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He was also accused of having giving interviews to foreign media prior to 4 July 2009 in which he spoke about increasing unrest in Xinjiang/East Turkestan (*China Human Rights Defenders Briefing Weekly*, 26 July 2010).

In particular he was accused of giving an interview to the Hongkong weekly *Yazhou Zhoukan* on 2 August 2009 in which he spoke of his attempts ahead of the Uyghur protests in Urumqi in July 2009 to warn the Chinese security authorities of the danger of an impending escalation of the violence (*Human Rights in China*, 23.07.2009). Around 8 p.m. on 4 July 2009 he called a friend in the government and warned him:

"Something is going to happen tomorrow. You should take some measures."  
(*siweiluozi.net*, Blog, 26.07.2009)

His friend assured him that he would pass this warning on to his superiors. The following morning he contacted the authorities again. At around 10 a.m. he and a friend called on a senior figure in the regional government in person. As a responsible individual he was anxious to give a warning that unless prompt action was taken there would be bloodshed that day, Niyaz said. He offered three recommendations aimed at averting the impending escalation of violence - for the president of the regional government, Nur Bekri, to issue a public statement, for Han Chinese businesses in Uyghur areas of the city to be instructed to close their shops, and most importantly, for a state of emergency to be declared and riot police and soldiers sent to seal off residential areas. None of these recommendations were implemented and the initially peaceful protests ended with the security forces being deployed and radical elements of the Han Chinese population causing a bloodbath.

The Chinese security authorities viewed the interview with the Hongkong weekly as compromising: it confirmed suspicions that the Chinese security authorities had been fully aware of the impending Uyghur protests in Urumqi and for their own political reasons chose not to intervene in a timely manner. Foreign experts and human rights organisations have on a number of occasions expressed suspicion that the Chinese authorities knowingly allowed the situation to escalate with the aim of fostering tension between Han Chinese and Uyghurs. This allowed them to portray the Uyghurs to the international community as violently inclined and gave more legitimacy to the regime's increasingly severe repression of its Uyghur critics. As far as Han Chinese migrants were concerned it allowed the regime to be seen as the guarantor of their interests and security.

The one-day trial of the 51 year old internet author was held in secret; Niyaz was not even allowed a lawyer to represent him (*China Human Rights Defenders Briefing Weekly*, 26.07.2010). The Hongkong-based human rights organisation *China Human Rights Defenders (CHRD)* said:

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"This is an extremely harsh and unjust action on the part of the Chinese court, and a clear violation of rights guaranteed by the Chinese constitution." (*asianews.it*, 24 July 2010)

Niyaz was arrested on 1 October 2009. His family was told on 4 October 2009 that he was under investigation for "endangering national security" (*Guardian*, 1 November 2009).

On 30 July 2010 23 Chinese, Tibetan and Uyghur intellectuals published an open letter protesting against Niyaz's trial and conviction. The letter drew attention to his efforts as a Uyghur intellectual to promote understanding between Uyghurs and Chinese and to his many Chinese followers and supporters. His conciliatory attitude was even said to have resulted in many Uyghurs accusing him of sympathising with the Chinese government. Han Chinese as well as Uyghurs expressed their concern at the harsh sentence handed down by the court. In the interviews Niyaz had merely sought to exercise the right to freedom of opinion guaranteed by the Chinese constitution. The signatories of the open letter called for Niyaz to be released along with other imprisoned internet authors who had done nothing more than exercise their basic rights (*China Human Rights Defenders*, 30 July 2010).

Gheyret Niyaz was born in Qoqek in Xinjiang/East Turkestan. He studied at *Minzu University of China* in Beijing and subsequently became editor-in-chief of the state newspaper *Xinjiang Legal Daily*, assistant director of the publishing house *Fazhi Zongheng*, which published articles about prospects for good government leadership, and an employee of the state newspaper *Xinjiang Economic Daily*.

The internet author and web administrator **Dilshat Perhat** was sentenced by the People's Court in Urumqi on 23 or 24 July 2010 to five years in prison for "endangering state security". Perhat, a Uyghur, 28 years old at the time of being sentenced, was the owner and operator of the Uyghur website *Diyarim*. According to his brother Dilmurat Perhat, who lives in the United Kingdom, the sentence was imposed following a secret trial (*Radio Free Asia*, 28 July 2010). Dilshat Perhat was arrested on 7 August 2009. He and Obulkassim, the website's administrator, along with seven other employees, had been taken into custody for questioning between 24 July and 2 August 2009 on the grounds of their suspected involvement in the July 2009 Uyghur protests in Urumqi (*Radio Free Asia*, 15 December 2009).

Concerned for the safety of his brother, Dilmurat for some time refused to talk to the media. In April relatives still in China were visited and threatened by state security officials. The officials told them to encourage Dilshat to remain silent, otherwise he was "lost". Dilshat and Dilmurat had already lost their father, who died at the time of his son's arrest in August 2009. After his brother was sentenced Dilmurat broke his silence and declared:

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"I have already lost my father and my brother, so now I will speak with the media."  
(*Radio Free Asia*, 28 July 2010)

Several times Dilshat deleted calls to attend the 5 July 2009 demonstration in Urumqi from the homepage of the *Diyarim* web service, even informing the police about it (*Uyghur American Association*, 29 July 2010). The police assured him there was no need, they were already aware of the planned demonstration. The website is visited by tens of thousands of visitors every day. Dilmurat, who also works for the Uyghur website, has said:

"I want the world media and other human rights organizations to call on the Chinese government to free all Uyghur webmasters and journalists." (*Radio Free Asia*, 28 July 2010)

Dilshat Perhat served out his sentence in a prison some 40 kilometres from Urumqi. During the six weeks he spent in prison his relatives were allowed to see him for only 20 minutes.

In autumn 2009 the Chinese authorities systematically closed down the internet connections into and out of Xinjiang/East Turkestan. At the end of October 2009 approximately 85 per cent of all Uyghur, Chinese and English-language websites used by Uyghurs were blocked, censored or otherwise inaccessible, according to *Reporters without Frontiers* (*Reporters without Frontiers*, press statement, 29 October 2009).

On 23 or 24 July 2010 the People's Court in Urumqi sentenced the internet author and website operator **Nureli Obul** to three years in prison for "endangering state security". The public were excluded from the trial. Relatives were only told about the trial the day before the proceedings. Nureli founded the popular Uyghur website *Salkin*. This was another site accused of publishing Uyghur calls to attend the demonstrations on 5 July 2009.

According to Nur Bekri, head of the regional government in Xinjiang:

"These websites publish so much bad news about what happened at the Shaoguan Toy Factory between Uyghur and Chinese workers." (*Radio Free Asia*, 28 July 2010)

The influential Communist Party politician accused the websites of "spreading rumours" and promoting unrest as well as circulating propaganda. He neglected to add that the censored state media had remained silent for days about the excesses perpetrated by Han Chinese in serious rioting against Uyghurs in the Shaoguan toy factory in Guangdong. The silence of Chinese officials and media concerning the murder of Uyghur workers in Guangdong was a major factor in the July 2009 Uyghur protests in Urumqi.

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On 23 or 24 July 2010 the internet author **Nijat Azat** was sentenced by the People's Court in Urumqi to ten years in prison for "endangering national security" (*New York Times*, 30 July 2010). He operated the Uyghur website *Shabnam*. Like the websites *Salkin* and *Diyarim*, *Shabnam* was accused of publishing calls to attend a Uyghur demonstration in Urumqi on 5 July 2009. The website was closed down by the authorities (*Committee to Protect Journalists*, 2 August 2010).

The internet author **Memetjan Abdulla** was sentenced to life imprisonment by the People's Court in Urumqi on 1 April 2010 for "assisting the incitement of fatal ethnic unrest". He was arrested in August 2009 after publishing an article on an internet site about how Uyghur workers in a toy factory in Guangdong had been attacked by Chinese work colleagues in June 2009 and many Uyghurs killed. This incident is considered to have been the catalyst for the larger scale conflicts between Uyghurs and Han Chinese that took place in Urumqi in July 2009. The public were excluded from Abdulla's trial held on 1 April 2010 (*Congressional – Executive Commission on China, Political Prisoner Database, Abdulla*).

Memetjan Abdulla was born in 1977 in the city of Karamay in Xinjiang/East Turkestan. In 2001 he completed his studies in journalism at Beijing Broadcasting Institute, now the University for Communications of China. After graduating he stayed on in the Chinese capital and for eight years worked as a radio journalist and head of the Uyghur Service of China National Radio.

Abdulla worked in his spare time as web administrator for the Uyghur information services *Uyghur Online* and *Salkin*. The Chinese security authorities accused him of translating foreign-language texts describing the torture of Muslims in China and publicising demonstrations organised by the *Uyghur World Congress* into Chinese and posting them on the *Salkin* homepage (*Radio Free Asia*, 21 December 2010).

According to the prosecutors these postings encouraged demonstrations by Uyghurs that led to the subsequent ethnic clashes in Urumqi in July 2009 in which more than 200 people were killed. These accusations were made by the Chinese authorities to support their claim that the protests in Urumqi had been controlled from outside the country, in particular by the Munich-based *Uyghur World Congress*. Human rights organisations, however, responded with detailed evidence that the protests were organised by local people and the escalation had been the result of the authorities' irresponsible actions. They made it clear that it was not foreign agitators who were responsible for the escalation of the violence (*Uyghur Human Rights Project, Report, A City ruled by fear and silence: Urumchi, two years on, 2011, S. 20 / Uyghurs Human Rights Project, Can Anyone hear Us? Voices from the 2009 Unrest in Urumchi, 2010 / Society for Threatened Peoples, Human Rights Report July 2010, After the disturbances in Urumqi – Persecution of Uyghurs in China continues*).

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Abdulla was accused of giving interviews to foreign journalists about the background to the Uyghur protests (*New York Times*, 24 December 2010). He was found guilty and sentenced after a secret trial.

On 1 April 2010 the internet author **Gulmira Imin** was sentenced in secret by the People's Court in Urumqi to life imprisonment for "separatism, betrayal of state secrets and organisation of an illegal demonstration". She worked for the local government authorities in Aksu and in her spare time contributed stories and essays to the Uyghur-language internet information service *Salkin* while also acting as a moderator at the website. In her articles she was critical of the policies of the Chinese authorities in Xinjiang/East Turkestan. She was allowed to speak to her lawyer only twice during her trial. Her appeal against the verdict was rejected. She is currently allowed visits from relatives once every three months only.

Along with many other Uyghur women she also took part in the Urumqi protests on 5 July 2009 against the failure by the Chinese authorities to take action in response to the attacks on Uyghurs in Guangdong. Since calls to attend the demonstration had remained posted on the net for days without being deleted by the Chinese censors, she assumed that the authorities had decided to allow the protests to take place and were not planning to take action against them. She watched as demonstrators were shot and arbitrarily arrested. In several telephone conversations with her husband, who lives in Norway, she told him how the protests were bloodily suppressed (*World Uyghur Congress, Violation of Freedom of Expression in East Turkestan, Report, 2011, S.20*).

Immediately following the protests Gulmira Imin was detained and for three months relatives and friends were had no information about what had become of her. The first news they had of her was in October 2009 when she was identified in a documentary about the 5 July 2009 disturbances produced by the Chinese state television broadcaster China Central Television (CCTV) as being one of six men and women responsible for organising the protests (*The July 5 Riot from Start to Finish, CCTV, documentary film*). She was alleged to have attended three planning meetings and disclosed state secrets in telephone conversations with her husband abroad. What was meant by "state secrets" the Chinese authorities refuse to say. Were these secrets the information that significantly more people had been killed in suppressing the protests than the authorities had been willing to announce publicly? Gulmira Imin would have had no knowledge of any other "state secrets".

Her case is of particular interest to the security authorities because they are able to use her contacts with her husband in Norway to suggest that the Uyghur protests were sponsored from abroad. The Chinese security authorities are keen to encourage this interpretation, so that they can accuse Uyghurs of international terrorist activity and deny that the problems in

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Xinjiang are domestic in origin and so far at least have had little to do with Al-Qaeda and other radical Islamist organisations operating at an international level.

During her trial Gulmira Imin accused the security authorities of inhumane treatment, blackmail and intimidation. She alleged that while in police custody she had been forced to drink salty water and had been beaten. She was not allowed to use the bathroom and she received no medical treatment for her injuries. She was forced to sign what was purported to be a confession, even though she had no idea of what it said.

Gulmira Imin was born in 1978 in the city of Aksu. In 2000 she completed her studies as a Chinese–Uyghur translator and interpreter at the *University of Xinjiang*. In September that year she became responsible for the administration of a subdistrict with a population of 40,000 people. Several times she was commended for her work in the subdistrict's administration.

The Uyghur internet author and journalist **Mehbube Ablesh** was sentenced to three years imprisonment for inciting separatism. She disappeared in August 2008 after being taken into custody by the security authorities. For a long time there was no news of her. It was assumed that she had been tried and sentenced. In theory she should have been released from detention in autumn 2011. However there has been no information about her possible release. She shares the same fate as the Mongolian writer Hada, who has continued to be held in detention since his scheduled prison sentence ended in December 2010.

A few days before she disappeared she was dismissed from her job with the state radio broadcaster in Xinjiang. Following her dismissal all of her broadcasting colleagues were summoned to attend a meeting at which they were told that she had lost her job because of comments critical of the regime. The intention was to intimidate the members of the editorial staff.

The disappearance of the journalist, born in 1979, appears to be linked to her work as an internet author. In articles posted on the internet she had been critical of government policy and in particular its policy concerning bilingual education. Uyghurs and international human rights activists see the aim of Beijing's policy being to replace the Uyghur language in the education system with the Chinese language.

In addition to her critical essays and analyses Mehbube Ablesh has also published stories on the internet. Speaking on behalf of its 3,300 members, the *American PEN Center* has appealed to the local authorities to release her, but without success.

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The Uyghur author and story-teller **Nurmuhemmet Yasin** was sentenced by the People's Court in Kashgar on 2 February 2005 to ten years in prison for incitement to separatism. Yasin, an honorary member of the *English, American and independent Chinese PEN Centers*, is due to be released from prison on 28 November 2014.

He was born on 6 March 1974 in Maralbesh Region (East Turkestan/ Autonomous Region of Xinjiang) where he continued to live, with his wife and two sons, up to the time of his arrest. After taking his high school leaving examinations he worked as a freelance writer, poet and journalist. Critically acclaimed as a writer and nominated for various prestigious international literary awards, in recent years he had caused a stir with the publication of three collections of stories (*First Love, Cry from the Heart, Come on Children*) in addition to numerous short stories and essays.

A few days after the publication of his short story *Wild Pigeon* in the Uyghur-language *Kashgar Literary Journal*, on 29 November 2004 he was arrested by the police in Kashgar. The police seized 2,000 copies of the relevant edition of the Journal and also confiscated his computer, containing more than 1,600 stories, short stories, essays, commentaries and an unfinished novel. What appears to have triggered his arrest was the publication of the short story, which the authorities saw as an allegorical criticism of Chinese government policy in the Autonomous Region of Xinjiang. At the heart of the short story is the first-person narrator, a young pigeon captured by humans and held captive in a cage. He chooses to commit suicide rather than give up his freedom. The nameless pigeon states:

"The poisons from the strawberry flow through me like the sound of freedom itself, along with gratitude that now, now, finally, I can die freely. I feel as if my soul is on fire—soaring and free."

The short story caused a considerable stir in Xinjiang/East Turkestan. It was nominated for a literary prize and translated into English by the Uyghur-language service of the broadcaster *Radio Free Asia*. Writers reported that after the publication of *Wild Pigeon* the Chinese authorities tightened their control of the Uyghur press and publishers in Xinjiang/East Turkestan to such an extent that many of them gave up hope of ever seeing their works being published.

One year after Nurmuhemmet Yasin's arrest the Chief Editor of the *Kashgar Literary Journal*, Korash Huseyin, was arrested and sentenced to three years imprisonment.

On 2 February 2005 after a secret trial by the People's Court of Maralbesh Region (in Chinese: Bachu, Xinjiang Region) Nurmuhemmet Yasin was sentenced to ten years in prison. He was refused access to a lawyer. The United Nations *Special Rapporteur for Torture* Manfred Nowak, who visited Nurmuhemmet Yasin in prison in November 2005, said that the writer had been beaten and threatened during police questioning in November 2004. He had

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also been beaten up in prison by fellow detainees for not speaking to them in Chinese (*Amnesty International – Maine/USA*, Autumn 2011). The UN *Special Rapporteur* called on the Chinese government to release him without delay.

The verdict was confirmed at an appeal hearing before the Intermediate People's Court in Kashgar. Little is known about Yasin's conditions of detention as his family has not been allowed to visit him.

Below one of his poems:

### **The Call of Nuzugum**

Where are you our heroic men?

Let us go to the desert,

The brave hunter finds freedom there,

It flows in his spirit and his blood.

The reeds sing a desert song,

Horses neigh on the horizon.

The heroic people who once lived by the sword,

Now lie quiet beneath the earth.

The floating moon becomes a beautiful girl,

Telling a story in the blue sky,

Oh the reed bed fiercely burns,

And with it the hopes of a whole nation.

We are listening to it silently, Not only with our ears but in our hearts, The sand encroaches on the fertile lands, But we are the real sandstorms.

Let us go to the desert, There the delicate moon is telling a tale, Perhaps it is a book of warriors, Containing many beautiful myths.

It would be not strange to meet, Freedom's son, heroic chintomur Let us live in a free world, Singing desert songs all our lives.

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(Translated by Aziz Isa und Rachel Harris)

The teacher, translator and freelance writer **Abdulghani Memetemin** was sentenced on 14 June 2003 to nine years imprisonment for "betrayal of state secrets", followed by three years loss of political rights. Rightfully he should have been released from detention on 15 July 2011. However no information has been forthcoming about his release. He is an honorary member of the *Independent Chinese PEN Centre*, the *Uyghur PEN* and the *German PEN Centre*.

Memetemin, born in 1964, is the author of numerous articles about the Chinese authorities' oppression of Islam, denial of press freedom and freedom of opinion and the impoverishment of Uyghur farmers. Since 1999 he has sent numerous reports to the formerly Munich- based East Turkestan Information Centre (ETIC), which were then circulated via the internet. Since December 2003 ETIC has been classified by the Chinese authorities as a "terrorist organisation" but the Centre is well regarded by journalists because it often circulates information that would otherwise attract little attention abroad. Abdulghani Memetemin has translated many talks describing the situation of the Uyghurs into Chinese in order to provide Chinese readers with more information about the true situation and the background to the conflict. On 26 July 2002 he was arrested in Kashgar and subsequently convicted and sentenced by the Intermediate People's Court in Kashgar. During his time in detention he has frequently been tortured. While in prison he has not been allowed visits from a lawyer or from his relatives.

### Mongolian Writers in Prison

The writer and publisher **Hada** should rightfully have been released from prison on Human Rights Day, 10 December 2010, after serving a 15 year prison sentence. However immediately after completing his prison sentence he was rearrested and is currently being held in unlawful secret detention without trial. It is assumed that he is being held in a secret prison near the city of Hohhot. His health is giving cause for concern. He is in such severe pain from vascular disease of the legs that he can only walk with considerable effort (*Southern Mongolia Human Rights Information Center*, 7 March 2012). Hada has not been convicted and in the event of his release he intends to sue the Chinese government for illegal detention. Some prison privileges granted to him a few months ago, such as reading the newspapers and watching the official Chinese television service, have very recently been withdrawn. Because of his unwillingness to cooperate with the authorities he is now classified as "a common criminal".

On 6 December 1995 he was detained and a year later convicted of "spying" and "incitement to separatism" and sentenced to fifteen years imprisonment followed by four years loss of political rights. As he approached the end of his sentence in December 2010, a dozen or more relatives, friends, human rights activists and political sympathizers were taken into custody in order to prevent any protests or demonstrations of support. Some of the people arrested are still detained or remain under house arrest.

They include Hada's son **Uiles** who has been under house arrest since November 2011, after being detained for a year in the Inner Mongolia Number 3 Detention Centre. He was accused of "being in possession of drugs", an implausible charge levied against a young man whom state security officials feared because he had spoken to foreign journalists and human rights organizations on several occasions about the difficult situation of his father and his mother. Uiles's home was kept under constant surveillance. Two state security video cameras film the entrance to his house and state security personnel keep the young man under round the clock surveillance. During the Mongolian New Year celebrations at the start of 2012 he was obliged to have an escort of four security personnel when he was allowed to see his father for a few hours at the secret high-security prison where he is detained. He was not however allowed to spend New Year's Day with him (*Southern Mongolia Human Rights Information Center*, 7 March 2012). This was only the second family visit that Hada, an ill man, had received since February 2011.

Hada's wife **Xinna** was also arrested ahead of the end of his sentence at the beginning of December 2010, since when she has been detained in the Inner Mongolia Number 1 Detention Centre. Xinna has been allowed one brief visit by her brother Khas. She was accused of being involved in "illegal business activities". She had continued to run her husband's bookshop selling books on Mongolian language and culture. She was been

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charged in connection with selling Mongolian books and music. Xinna refuses to sign a confession. The authorities have accused her of violating copyright legislation by copying music CDs. Because no authentic Mongolian music has ever officially published on CD, she insists that it was impossible for her to have violated any copyright laws. The authorities are said to have assured her that all the charges would be dropped and she would be released if she signed a confession (*Southern Mongolia Human Rights Information Center*, 7 March 2012).

Other members of Hada's family, such as Xinna's sister Naraa, have also been subjected to routine intimidation and threats by state security personnel. In particular they have been threatened with consequences if relatives spoke to foreign contacts or journalists about what had happened to the missing individuals. They have been promised several times that the detainees will be released on the grounds of good conduct. However despite relatives being cautious about speaking out publicly, the disappeared detainees have not been released. Hada's 85 year old mother-in-law Hanshuulan has no more hesitation speaking out:

"One thing is clear. Neither Hada, Xinna, Uiles, Naraa nor myself have committed any crime. Therefore, none of us believe what the authorities say. Rule of law is completely ignored here." (*Southern Mongolia Human Rights Information Center*, 7 March 2012)

Hada was born on 3 February 1955 in Horching Right Wing Front Banner, in the Autonomous Region of Inner Mongolia. Up to the time of his arrest he lived in Hohhot (Inner Mongolia). In 1983 he completed his studies in Mongolian Language and Literature at the Teachers Institute of the University for Nationalities and worked for three years as an editor at the Inner Mongolian People's Publishing Company. In 1986 he enrolled at the Inner Mongolia University for Teacher Education as a student of Political Science and Philosophy and he was awarded a master's degree in Philosophy in 1989. In October 1989 he opened a Mongolian-language academic bookshop in Hohhot. Since the 1980s he has worked clandestinely with banned Mongolian cultural organizations to secure the preservation of traditional Mongol culture and religion and social and political rights for Mongols in China. Notionally Inner Mongolia, like Tibet and Xinjiang/East Turkestan, enjoys regional autonomy, but for a long time Mongols have been a minority in their own country. The provisions of the autonomy statutes are systematically ignored. While Tibetans and Uyghurs continue to resist their progressive assimilation, the assimilation of the Mongolian minority has already gone a long way. Nevertheless Mongols have been attempting at least to secure specific rights for their ethnic group. In May 1992 Hada and a group of students founded the *Mongolian Culture Rescue Committee* – later renamed the *Southern Mongolian Democratic Alliance (SMDA)* - whose president Hada became.

With several other comrades in arms, he produced the clandestinely published and distributed newspaper *The Voice of the Southern Mongolians*. He also published a book *The*

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*Way Out for Southern Mongolia*, in which he denounced the human rights abuses perpetrated by the Chinese government in Inner Mongolia and demanded increased rights for the Mongols. In 1995 the SMDA organized a number of demonstrations to draw attention to their demands. In December 1995 Hada, his wife Xinna and his brother Has were arrested together with ten or so other intellectuals in Inner Mongolia. Xinna was released on bail on 12 January 1996 but on 28 January 1996 she was rearrested after speaking to a number of foreign journalists. Although not formally charged with any offence, she was held in detention again until 12 April 1996.

Large numbers of books, manuscripts and notes were seized from Hada's home. The police also took away a cordless telephone used by Xinna to give regular interviews to the US radio broadcaster Voice of America. Following her release from detention Hada's wife was kept under close surveillance by the security authorities. She was repeatedly been called in for police questioning. Ahead of the 50th anniversary celebrations of the founding of the Autonomous Region of Inner Mongolia in July 1997 Xinna and her son were taken into custody for four days by the authorities. She applied regularly for official permission to reopen the bookshop but without success.

In 2004 it was reported that Hada's conditions of imprisonment in Chifeng, 300 kilometres northwest of Beijing, were appalling. He was not allowed to speak to other prisoners. His family was not allowed regular visits. Eye witnesses reported numerous attacks on Hada by prison warders. According to former fellow inmates he was frequently beaten up and subjected to other forms of abuse (*Human Rights in China*, 20 April 2004). Sometimes he was detained in isolation and sometimes he was chained to a metal table.

Despite heavy pressure by the authorities, up until the time of her arrest Xinna continued to campaign for her husband's release and an improved human rights situation in China. When Chinese intellectuals published *Charta 08* in December 2008 and called for reforms, she joined the appeal. She nevertheless believed that Mongols in Inner Mongolia were too intimidated to demand concessions from the Chinese government publicly. She also believed that *Charta 08* supporters should not just be calling for more rights for the majority Han population but should also be trying to safeguard the rights of minorities.

The writer **Govruud Huuchinhuu** was arrested on 11 November 2010 at her home in the city of Tongliao. She was later placed under house arrest. She has not been seen since 27 January 2011. It is assumed that she is being held by the security authorities at a secret location.

Her arrest in November 2010 was probably linked to her announcement of a demonstration to greet the writer Hada on his release after 15 years imprisonment.

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Following police questioning she was placed under house arrest on 11 November 2010. Her telephone line and internet connection were disconnected. She was kept under surveillance day and night by more than 20 police officers with two police vans (*Southern Mongolian Human Rights Information Center*, 8 February 2011). She was said to have tried unsuccessfully to get in touch with friends and relatives from an internet café in order to tell them about her house arrest. The authorities gave no explanation for their arbitrary action (*Southern Mongolia Human Rights Information Center*, 18 November 2010).

The author had published many essays on internet websites in which she has severely criticized Chinese government policy in Inner Mongolia. She regularly publishes at the three websites *www.ehoron.com*, *www.nutuge.com* and *www.mongolger.net*. Her two books *Quiet Stone* and *The Petrified Tree* have been banned by the authorities and book-sellers' remaining stocks have been seized.

At the end of December 2010 Govruud Huuchinhuu was admitted to hospital because of her serious health problems. While in hospital she remained under constant police supervision. Following her discharge from hospital in Tongliao on 27 January 2011, she disappeared. Human rights activists subsequently obtained photographs, dated between 20 and 30 July 2011, that showed the writer with injuries to her head. There were swellings that had clearly been caused by physical abuse inflicted on her in police custody (*Southern Mongolia Human Rights Information Center*, 29 September 2011).

The writer is a former activist member of the Mongolian student movement, which she joined in 1981. A critic of the regime, she is an active campaigner with the *Southern Mongolian Democratic Alliance (SMDA)*, which campaigns for greater autonomy for Inner Mongolia and greater protection for Mongolians' language, culture and identity.

In August 2007 she applied to the local security authorities in Tongliao for a travel permit but was refused on the grounds that she was "a potential threat to China's national interests and national security". She was informed in writing that for the next five years she would be considered a person not permitted to travel abroad (*Southern Mongolian Human Rights Information Center*, 29 September 2011).

### Writers subjected to harassment

The home of the internet author, blogger and human rights activist **Hu Jia** was raided by police on 11 January 2012. Eight police officers from Zhongcang police station in the Tongzhou district of Beijing forced their way into his home with a search warrant and confiscated two computers belonging to Hu Jia and his wife Zeng Jinyan. They also announced that they wanted to question Hu Jia. Hu was accused of breaching the conditions of his release from detention (*China Human Rights Defenders*, 16 January 2012).

Regime critics and civil rights activists had been warned by state security officials that every day between 1 February 2012 and November 2012 was a so-called "sensitive" day, Hu Jia reported (*Daily Telegraph*, 19 January 2012). On "sensitive" days dissidents could be placed under house arrest or taken into custody by the police. China's rulers were panicking at the prospect of protests taking place while the regime was deciding the succession of power and would take immediate action in response, the writer maintained.

Hu Jia was only just released from prison on 26 June 2011 after serving a three and a half year prison sentence. His prison sentence was accompanied by loss of his political rights for one year. It was alleged that he had breached the terms of his release by giving interviews, attending meetings and speaking publicly on political issues.

Hu Jia was sentenced by the Intermediate People's Court in Beijing on 3 April 2008 to three and a half years' imprisonment for "incitement to overthrow the national government". Hu, the recipient of the European Parliament's *Sakharov Prize* in 2008, was found guilty of circulating articles criticizing the human rights situation in the People's Republic at home and abroad, via the internet, during the run up to the Olympic Games. Following his arrest on 27 December 2007 his telephone line and internet connection were cut. His wife Zeng Jinyan and his daughter Hu Qianci were placed under house arrest. For months Hu Jia was not allowed any visits from his family.

Hu Jia's health in prison was a cause of great concern because he has cirrhosis of the liver. His trial, a few months ahead of the opening of the Beijing Olympic Games, attracted attention worldwide.

Since 29 February 2012 the entrance to the home of internet author and regime critic **He Depu** has been under police surveillance (*China Human Rights Defenders*, 5 March 2012). The aim is to ensure that He will not be able to disrupt the holding of the National People's Congress with protests. He was only released from detention on 24 January 2011. He was sentenced on 6 November 2003 to eight years' imprisonment followed by two years loss of

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political rights for "incitement to undermine the national government"; he served his sentence in Beijing's Number 2 Prison.

He Depu was born in Beijing on 28 October 1956 and until the time of his arrest he lived in his city of his birth. He worked at the Academy of Social Sciences in Beijing and was one of the most prominent members of the banned Democratic Party of China. He has published numerous essays and articles on domestic and foreign internet websites and has signed open letters to Chinese politicians that have attracted attention at home and abroad. He was arrested on 17 January 2003 and the order for his arrest was issued on 31 January 2003. Eleven months after his arrest he was convicted by the Intermediate People's Court in Beijing. On 20 December 2003 the Higher People's Court in Beijing confirmed the court of first instance's verdict. He was tortured on a number of occasions and his health deteriorated significantly as a result. He lost a considerable amount of weight and experienced problems as a result of liver damage and loss of teeth.

Since 29 February 2012 the author and scholar **Hu Shigen** has also been under close surveillance ahead of the National People's Congress. The entrance to his home is permanently monitored by the state security authorities (*China Human Rights Defenders*, 5 March 2012).

Hu Shigen was sentenced by the Intermediate People's Court in Beijing on 16 December 1994 to twenty years Imprisonment followed by five years loss of political rights for "counter-revolutionary propaganda and leading a counter-revolutionary group". The honorary member of the *English and Canadian PEN Centres* was released from detention on 26 August 2008 after having his sentence commuted to three years and nine months.

Hu Shigen, born on 3 September 1954 in Nanchang (Jiangxi Province), was living in Beijing at the time of his arrest on 27 May 1992. After completing his studies in Chinese Literature at Beijing University in 1986 he taught as a lecturer at Beijing Languages Institute. He is a founding member of the Liberal-Democratic Party of China and the Free Trade Union of China. He was punished for his articles and essays recalling the fate of the victims of the Tienmen Square massacre and for writing constitutions for the new political party and trade union. He was tortured several times while in prison. One of his fingers that was broken is still crooked. He also suffers from heart, stomach, eye and liver problems.

In February 2012 the internet author **Qin Yongmin** was severely intimidated and threatened by the police in Wuhan (Hubei Province). Police officers telephoned him and threatened that he would be punished for giving interviews to journalists and publishing essays critical of the

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regime on foreign websites, an offence under Article 82 of the National Security Law which he was summoned to explain (*Radio Free Asia*, 20 February 2012). Police officers later visited him at his home and suggested that he abandon his plans to set up a new website for peaceful change in China. Qin had been planning to set up a website outside China. The police officers threatened that the morning he embarked on such venture, he would find himself under arrest by midday and facing severe punishment.

As he left a computer company he was surrounded by police officers and taken to a police station for questioning. The police officers asked him about a meeting he had had with a representative of the *Independent Chinese PEN* and civil rights activist in a restaurant in Wuhan on 14 February 2012. The police had taken over the entire third floor of the restaurant in order to monitor the meeting between the writer and the civil rights activist on the second floor. They knew everything that had been discussed, Qin was told by the police officers conducting his interrogation.

Other civil rights activists and writers were advised by the authorities to avoid any contact with him and not to visit him at home. The civil rights campaigner Shi Yulin from Wuhan was arrested by the police after visiting Qin Yongmin and forced to confess his error in writing and apologise. When Shi protested and asked what was the legal justification for the police officers' action, he was given no information but merely told that he was no longer allowed to visit Qin Yongmin.

Qin, an honorary member of the *Independent Chinese PEN Center* was set free only on 29 November 2010. Following his release he was kept under 24-hour surveillance by the security authorities. His home was regularly searched and on several occasions keys and computer equipment were confiscated. On 21 December 1998 he had been convicted and sentenced to twelve years imprisonment followed by three years loss of political rights for "incitement to undermine the national government". Qin Yongmin was born on 11 August 1953 in Wuhan (Hubei Province) and until his arrest lived in the city of his birth. After being expelled from a technical high school he went to work in a factory. Later he edited a human rights newsletter. He was arrested on 30 November 1998 after applying to have the banned Democratic Party of China registered in Hubei Province.

Qin Yongmin's health deteriorated significantly in Hanyang Prison in Wuhan. His sight has worsened considerably in prison and he also has heart, liver and stomach conditions. He has not received any medical treatment during his time in detention.

### Harsh parole conditions

Political prisoners released prematurely from prison on medical or other grounds or deprived of their political rights for a temporary period are subject to harsh conditions. According to Article 12 of the "Order on the Surveillance and Supervision by Security Agencies of Criminals placed under surveillance, whose political rights have been suspended, or who are released on parole or on medical grounds", the following conditions must be observed:

- They are required to comply with national laws and regulations, in particular Orders issued by the Ministry of Public Security,
- They may not vote in elections or stand for election,
- They may not organize or take part in assemblies, protest marches or demonstrations. Nor may they form any association.
- They may not give any interviews or make speeches,
- They may not publish or distribute any discussions, books or other recorded materials that serve to discredit the honour of the state, harm national interests or otherwise pose a danger to society at home or abroad,
- They may not occupy any position in any state body,
- They may not hold a leading post in any undertaking, state establishment or other civil society organization,
- They must comply with monitoring by security bodies and instructions issued by those security bodies must be strictly complied with.

The internet author **Wu Yilong** was taken into custody by police officers on 7 February 2012 at Hangzhou South railway station and the next day forcibly taken to Anhui Province. The only explanation given was that the situation in Hangzhou was very difficult (*China Human Rights Defenders*, 13 February 2012). After his arrest five police officers took him to the police station at Xiaoshan, where he was presented with a sheet of paper on which was a blank police questionnaire for him to sign. The officers intended to complete the questionnaire later, after he had signed it. Wu refused to provide his signature. During police questioning he was asked about charitable donations intended for the relatives of political prisoners and internet articles he had written. He was held overnight at the police station and the next day he was taken by force to his brother's home in Zongyang District in Anhui Province.

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A similar incident had already occurred in December 2011. Because of his contact with the writer and critic of the regime Zhu Yufu on 26 December 2011 he was taken for questioning to Hangzhou police station and subjected to intimidation. The Hangzhou police threatened him with imprisonment if he met Zhu Yufu again. The next day he was taken forcibly to Anhui Province, where he was again threatened with arrest by police officers (*China Human Rights Defenders*, 3 January 2012).

Wu was released in September 2010 after serving a lengthy prison sentence. On 8 November 1999 he had been sentenced to eleven years imprisonment followed by three years loss of political rights for "incitement to undermine the national government". Since he was released his home has been searched on a number of occasions. He has been summoned for police questioning. He has also been kept under close surveillance by the police.

Wu Yilong was born in Congyang (Anhui Province) on 1 May 1965. After graduating from the Faculty of Literary Studies at the University of Anhui he worked as a teacher. At the same time he was a pro-democracy activist, publishing numerous articles on the internet at home and abroad. He also set up the banned Democratic Party Of China's newspaper. On 15 September 1999 he was arrested for his journalistic activities. Only a few weeks later in November 1999 he was convicted and sentenced by the Intermediate People's Court in Hangzhou. His appeal before the Higher People's Court in Zhejiang on 18 December 1999 was unsuccessful.

Since 17 January 2012 there has been no sign of the writer and internet author **Liao Zusheng** from Fujian Province. Liao, whose criticisms of the regime had already brought him into frequent conflict with the Chinese security authorities, spoke with a friend for the last time on 17 January and on 16 January posted on his blog for the last time (*Epoch Times*, 8 February 2012). It is assumed that Liao Zusheng is being held in isolation at an undisclosed location. He has several times previously been placed under house arrest as well as being sent to a labour camp under an administrative detention order.

His internet articles about social and economic issues, and in particular his articles criticising shortcomings in the areas of health care, education and housing, have made him many enemies.

On 1 July 2008 he resigned publicly from the Communist Party of China and announced that he intended to sever all connections with the Party (<http://quitccp.org>). In his resignation from the Communist Party he expressed his opinion as follows:

"We have never invited or voted for any particular organization to enslave ourselves, what right does the CCP have to treat people like that again and again? People have

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the freedom and rights to refuse deceit by lies, and resist slavery by a brutal government. Moreover we have the freedom and rights to stand against murder and persecution! Every person is the master of a nation, not the slave of any group in power!"

The writer had become embittered against the Communist Party. He was convinced that the arbitrary exercise of Party authority had been responsible for the death of his son. His 15 year old son Liao Mengjun died in unexplained circumstances on 16 July 2006 at his school in the Nanhai district of Guangdong. The true circumstances of his death were never fully investigated by the authorities and the facts were not made public. Eye-witnesses reported that the son had been thrown from the third floor of the school building. They believed that he was already dead because there was no sound from him as he fell. The family later heard how three teachers and a security officer had chased their son through the school building. Many observers believed that the young man was beaten by the teachers and then thrown unconscious from the third floor so as to feign a suicide (*China Human Rights Defenders*, 31 January 2012).

A lawyer and journalists were not allowed to visit the scene after the boy's fall. All traces of what had happened at the school were rapidly removed. The post mortem report was classified a state secret. The local police authorities described the son as a thief and without conducting further inquiries declared that the boy had committed suicide. The school was absolved of all responsibility for his death. Despite numerous petitions the authorities have never carried out any thorough new inquiry into the death.

The writer **Zheng Yichun** was released on 19 December 2011 from Nanshan Prison in Jinzhou (Liaoning Province) after serving seven years in prison for "incitement to endanger national security". His political rights were suspended for three years. His relatives were told by state security officials that he should not give any interviews to the foreign media during that period (*Human Rights in China*, 20 December 2011).

Zheng Yichun had previously worked as an English teacher. As a result of campaigning in 1989 for the democracy movement in Shenyang, he lost his post as a Lecturer at the *Economic Management Training Institute* in Liaoning. In December 2004 he was arrested and in September 2005 he was given a prison sentence by the *Intermediate People's Court* in Yinkou (Liaoning Province). In 2005 he was awarded the *Rainer Hildebrandt Human Rights Medal* by the *International Society for Human Rights (ISHR, German: Internationale Gesellschaft für Menschenrechte, IGFM)*.

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The internet author and newspaper publisher **Wang Rongqing** was taken into custody by the police in Hangzhou on 7 December 2011 and detained for several days. After visiting the town hall to inquire about problems with the payment of his pension, he was detained by police officers and taken to a police station. The police officers accused him of failing to report on his activities and going outside his home (*China Human Rights Defenders*, 13 December 2011).

Wang was released from detention prematurely on 12 January 2010 because of serious health problems. Since then he has remained under house arrest. He suffers from kidney disease and has spent much of his time in prison in the prison hospital in Hangzhou. He was arrested on 26 June 2008 because of his journalistic activities. The official arrest warrant was issued on 31 July 2008. He was eventually sentenced on 8 January 2009 to six years' imprisonment followed by two years loss of political rights for "incitement to undermine the national government".

Wang Rongqing was born on 9 December 1943 in Shaoxing (Zhejiang Province) and most recently lived in the city of Hangzhou in the same province. After attending high school he became a freelance publisher. Following the banning of the opposition Democratic Party of China in 2002 he worked as its coordinator and published the party's newspaper. He has written numerous articles for internet portals in China and abroad reporting the party's activities and the need for democratic reform in China.

The internet author **Lu Gengsong** was placed under house arrest in his home city of Hangzhou in January 2012, in order to prevent him attending the trial of another critic of the regime in Hangzhou, the writer Zhu Yufu. Lu Gengsong was only released from Xijiao Prison in Hangzhou on 23 August 2011 after serving a prison sentence. On 5 February 2008 he was sentenced to four years imprisonment followed by one year's loss of political rights for "incitement to undermine the national government". The Court cited 19 articles he had published on foreign websites. The judge criticized 470 words in these articles and essays. In total the writer has written and published more than 226 articles containing in excess of one million words (*Human Rights in China*, 24 August 2011).

Lu Gengsong was born on 7 January 1956 in Hangzhou (Zhejiang Province), where he lived until his arrest. After studying history at the University of Hangzhou and graduating in 1983, he became a freelance writer. He lost his position as a Lecturer at a police training school in 1993 because of his criticisms of the regime. He wrote a book on the subject of corruption in the Communist Party of China that was published in 2000. He has also written numerous articles on the subject of corruption and organized crime.

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He was arrested on 24 August 2007. The official arrest warrant was issued on 29 September 2007. Lu's wife was threatened with losing her job if she travelled to Beijing in order to campaign publicly and petition for his release.

Lu is a member of the outlawed *Democratic Party of China*. In his articles he has written about the need for political reforms in China. A petition published in August 2008 calling for his release was signed by over 1,000 Chinese intellectuals.

The internet author and former journalist **Li Jianjun** was taken in custody for police questioning on 26 October 2011 when he attempted to visit the blind human rights activist Chen Guangcheng, under house arrest in Shandong Province (*China Human Rights Defenders*, 26 October 2011). Only two days beforehand the authorities had assured Li Jianjun that Chen Guangcheng was receiving medical treatment and able to receive visitors without restriction. The authorities maintained that claims that visitors to the human rights activist had been beaten and refused admission to his home were simply rumours.

At the police station Li, a former employee of the business newspaper *Chengdu Business Times*, had his mobile telephone taken from him. A woman companion was hit in the face. They were eventually released but warned not to try to visit the human rights activist under house arrest again. Li submitted a written protest complaining about their treatment by the security authorities.

The writer **Yu Jie**, formerly resident in Beijing, attempted to flee to the USA with his wife and son on 11 January 2012. He has given interviews describing the brutal treatment he received while in Chinese police custody. As former vice-president of the Independent Chinese P.E.N.Clubs and a friend of Liu Xiaobo he was arrested by state security officials on 9 December 2010, shortly before the official award of the Nobel Peace Prize, and subjected to physical abuse over a period of four days (*Radio Free Asia*, 18 January 2012).

A dozen or so police officers turned up in front of his home and eventually used subterfuge to persuade him to come out. Two police officers then knocked his glasses off, put a black hood over his head and forced him to get into a car that took him away to a secret location. Speaking after his arrival in the USA Yu said:

"This was the start of the darkest period of my life." (*Frankfurter Rundschau*, 20 January 2012)

He was kept hooded for about eight hours. The hood was only removed when the beatings began:

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"Several police officers in civilian clothes came into the room and hit me repeatedly round the head and in the face. Then they removed my clothes. They pushed me to the ground and began kicking me like people out of their minds. They took photographs and mocked me and they said that they were going to publish photos of me naked online." (*Frankfurter Rundschau*, 20 January 2012)

He was also made to kneel on the ground, slap himself around the face and abase himself. The police officers called Yu a traitor to the state and the Chinese people and told him he was scum (*BBC*, 19.01.2012). If he didn't do as he was instructed, the police officers beat him again and kicked him even harder. One of the police officers threatened:

"We can dig a pit to bury you alive in half an hour, and no one on earth would know. Right now, foreigners are awarding Liu Xiaobo the Nobel Peace Prize, humiliating our Party and government. We'll pound you to death to avenge this." (*Laogai.org*, 19 January 2012)

At some point he lost consciousness. He came to in a small hospital where he had been taken for treatment of the serious injuries he had received from his abusers. The doctors in the small hospital were hesitant whether they could save his life, so he was transferred by the authorities to a larger hospital under a false name. The police told the doctors there that he suffered from epilepsy (*Radio Free Asia*, 18 January 2012). When he regained consciousness and a doctor wanted to file a report concerning his mistreatment, a policeman stationed beside his bed threatened him.

On 13 December 2010 he was finally released on condition that he told no-one anything about what had happened and made no attempt to contact foreign journalists or embassies (*Los Angeles Times*, 18.01.2012). He was kept under constant surveillance by state security officials. According to the 38 year old author:

"After over a year of inhumane treatment and painful struggle, I had no choice but to leave China." (*BBC*, 19 January 2012)

"After Hu Jintao and Wen Jiabao took power in 2004, I was totally blocked. Since that time, no media in mainland China would print a single word by me, and articles by others which mentioned my name would be deleted. Though I was physically in China, I became an 'exile at heart' and a 'nonexistent person' in the public sphere." (*Los Angeles Times*, 18 January 2012)

Yu Jie had caused a stir in August 2010 when he published his controversial book *China's Top Actor* about Prime Minister Wen Jiabao in Hongkong. In the book he portrayed the government leader as a cynical hypocrite. The book was a bestseller and identified the writer as an undesirable person in the eyes of the state security apparatus.

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Yu Jie had been placed under house arrest previously on 31 May 2009. From 27 May onward police officers had kept his home and everyone living in it under round the clock surveillance. Yu, a former member of the management committee of the *Independent Chinese PEN Centre*, had also been kept under watch day and night during the Olympic Games in Beijing and the Paralympics.

The Beijing-resident Tibetan writer and internet author **Tsering Woeser** and her husband, the writer **Wang Lixiong**, have been kept under close surveillance by the state security services (*China Human Rights Defenders*, 05.03.2012) since the beginning of February 2012. They have needed police permission to leave their home and whenever they have left the house they have been accompanied by police officers. At the end of February 2012 Tsering Woeser was officially placed under house arrest.

The authorities were anxious to prevent her attending a ceremony at the Netherlands Embassy to receive the Prinz Claus Prize awarded to her. After being called on by state security officers, Woeser said:

"They (State Security police) said I could not go to the Netherlands Embassy tomorrow. They also said: for the month of March I would not be able to go out. If I wanted to go out it would have to be with them following along." (Phayul.com, 1 March 2012)

Tsering Woeser has been systematically prevented by the Chinese security authorities from travelling abroad and in recent years has been placed under house arrest on a number of occasions. Her internet blogs have been hacked several times and one of her books banned. She is regarded as the most important contemporary Tibetan writer and blogger. In 2007 she was awarded a Norwegian Writers Association prize for defending freedom of opinion.

Born in Lhasa in 1966, Woeser comes from a Tibetan-Chinese family. Her father was a high-ranking officer in the Chinese People's Liberation Army. When she was a child her family moved to live in a Tibetan-inhabited part of Szechuan Province. She studied Chinese literature at South-western Nationalities University in Chengdu, from where she graduated in 1988. She subsequently worked as an editor at the Chinese-published journal *Tibetan Literature* in Lhasa. She is the most prominent Tibetan woman publishing articles in Chinese.

The publication of her anthology *True Heart of Tibet* was greeted with international acclaim. Her political problems began when her second book *News about Tibet* was published. This collection of 38 short stories was published in Guangzhou in January 2003. Nine months later the book was banned by the authorities on the grounds that the author lacked "social responsibility and political commitment to social progress", as the state-controlled *Literary*

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*Union of the Autonomous Region of Tibet* put it. She was also accused of generally failing to demonstrate a correct political attitude.

In 2004 Woesser was dismissed from her job and went to live in Beijing, where she posted regularly on her internet blog and had a number of books published in Taiwan, including a history of the Cultural Revolution in Tibet. When her blog was closed down by the Chinese authorities in 2006 she started a new blog hosted on a foreign internet server. However the new blog was also the subject of repeated attacks by hackers. Tsering Woesser has been placed under house arrest and threatened on a number of occasions. 13 of her friends have been arrested by the police and some were sentenced to lengthy prison terms. When she visited her mother in Lhasa in 2008, the house and her laptop were searched. She was also summoned for questioning at a police station. No a single month goes by without the authorities trying to intimidate her and prevent her publishing her blog.

Tsering Woesser has considerably angered the Chinese government with her reflections on Tibetan history. In March 2009 she accused the Chinese authorities of misrepresenting and demonizing the old Tibet:

"If old Tibet was 'Hell on Earth' and the reformed Tibet is Heaven on Earth, why is it that in the past 50 years under Beijing's rule, protests and riots never cease?" Last year the number of protests reached a record high and they were all over Tibet, even intellectuals and students stood up." (*Voice of America*, 29 March 2009)

On 21 January 2012 the internet blog of the writer **Yang Hengyun** was closed down by the Chinese authorities. Yang, who was born in Hubei Province, has an Australian passport and lives part of the time in Australia as well as in southern China. His essays are enjoyed by millions of readers (*China Human Rights Defenders*, 23 January 2012).

The writer and internet author **Zuo Xiaohuan** was released from detention on 11 November 2011 but remains under house arrest. He was arrested on 26 April 2010 and on 28 May 2010 was formally arrested in the city of Mianyang (Sichuan Province) for criticizing the government in numerous essays and articles and giving Interviews to foreign journalists. He was accused of "undermining the national government".

Following his release he gave an account of the mistreatment he had experienced at Santai District detention Centre. Soon after his arrest in November 2010 he was attacked by a fellow prisoner who hit him on the head. When he reported the incident to a member of the prison staff and asked him to look at the incident on the closed circuit video recording, his request was refused. When he protested, the guard hit him around the face, knocking a

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tooth out. He was punished by being shackled by his wrists for four days (*China Human Rights Defenders*, 13 December 2011).

In summer 2011 the assaults escalated. In July 2011 he was refused food and his eating bowl was confiscated when he protested. Prison warders ordered seven or eight fellow prisoners to beat and kick him. One prisoner was encouraged to smash his head against a wall. He was kept chained to his bed for eleven days. This torture left him unable to stand and even ten days later he was still barely able to walk. Zuo went on a three-day hunger strike in protest against the inhumane treatment he had received.

Born on 29 March 1969 in the city of Mianyang (Santai District, Szechuan Province), Zuo Xiaohuan studied agriculture at the *University of Yunnan*. He subsequently taught at *Leshan High School*. Because of articles he had published on the internet in September 2006 criticizing the regime he was sent to a labour camp for two years. He was also dismissed from his job at the high school. Intervention by the police a number of times prevented him finding a new job during the months that followed.

The writer and internet author **Li Yu** was taken into custody by police officers in Luojiang District (Szechuan Province) on 9 December 2011. He was detained by the police for ten days. It is believed that his detention was linked to his support for Chen Guangsheng, a human rights activist under house arrest. Li Yu used Skype to call for support for the human rights activist and set up a website for him (*China Human Rights Defenders*, 13 December 2011).

On 23 July 2011 the writer **Ma Jian** who lives in exile was prevented from returning to China for a visit (*The Guardian*, 29 July 2011). Since leaving the People's Republic in 1986 Ma, who now has a British passport and has a residence permit to live in Hongkong, had been allowed back into China under his own name hundreds of times without being challenged. On 23 July 2011 when he tried to enter the country from Hongkong again, he was refused admission without being given any reason.

"The fact that I was refused entry is an indication how repressive the regime has become. It is vitally important for me, for personal reasons as well as for the purposes of my work as a writer, for me to be able to go back to China when I choose, so I am very concerned and upset at being refused entry ... I was afraid that I might face difficulties travelling to Beijing this summer because of the increasingly harsh political climate in China. And so for the first time in my life I have not been allowed to enter the country."

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Now aged 59, Ma first moved to Hongkong in 1986 and later to Germany and Great Britain after a number of his works were banned by the authorities. His novel *Beijing Coma*, published in 2008, caused particular displeasure in senior ranks of the Communist Party. The 928 page novel tells the story of the June 1989 Tiananmen Square massacre in Beijing from the perspective of a fictitious demonstrator Dai Wei, now in a coma. The book is banned in China and has fallen victim to the People's Republic internet censor's red pencil which prevents any searches on the subject.

Despite the sensitive theme of his most recent book Ma Jian is not seen as a representative of the democracy movement in China and he is not a regular critic of human rights abuses in the People's Republic. He had no concerns about engaging with the official Chinese Writers' Delegation at the Frankfurt Book Fair in autumn 2009 and did not make use of the extensive media interest to defend the human rights of men and women authors in prison in China (*Handelsblatt*, 17 October 2009).

The writer **Liao Yiwu** was refused permission by the Chinese authorities to attend the Sydney Literary Festival in May 2011 (*Frankfurter Allgemeine Zeitung*, 10 May 2011). The author criticized this latest refusal to allow him to travel abroad:

"I have absolutely no idea what I have done. I am simply a writer, writing about people on the margins of society."(*Berliner Zeitung*, 12 May 2011)

After 14 previous unsuccessful applications for a foreign travel permit, the first time he was able to leave the country was in 2010 when he travelled to Germany. At the beginning of July 2011, after coming under increasing pressure from the Chinese security authorities, he left his homeland indefinitely and travelled via Hanoi and Warsaw to Berlin, where he now lives in exile.

Born in 1958 in Sichuan Province, Liao was one of China's best-known writers in the 1980s. Following the publication of his story *Massacre* in 1989, he spent four years in prison.

In exile in Berlin he describes in detail the extent of the torture and humiliation that writers criticizing the regime are liable to face in prison:

"I first learned what solitary confinement means when I found myself in prison. It is important to remember that there are different types of imprisonment in China. There is prison itself, which is bad enough, but some latitude still exists, and then there is the other kind, where you are under total control. Among other places I was in prison in Chongqing. That certainly falls into the second category. When you first arrive in prison, you are first of all forced to adopt a squatting position. Like a dog. The warders look down on you. You are forced to remove your clothes. Stark naked.

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Your body is examined square centimetre by square centimetre. Finally they take a chopstick and insert it in the anus, in order to check whether you have anything concealed there. Now your old life is over. You are no-one now. You are nothing. When you go to your cell, you are forced to lie on the ground. The other prisoners beat you and torture you. They treat you like a dog. Each method of torture has its own special name. These are like the names of special dishes. Almost fifty of them. Your torturers call out the names of the methods of torture as if they were ordering from a menu." (*Frankfurter Rundschau*, 16 July 2011)

Police vans were regularly stationed outside the writer's house. Police officers would frequently inquire about Liao Yiwu's whereabouts. He was often invited to come and "take tea", an expression that the state security officials used in order to intimidate him. The authorities were aware that a German publishing house was planning to publish his eye-witness account of life in a Chinese prison. His internet connection was regularly disrupted and his mobile telephone connection cut off. His freedom of movement was often restricted. Sometimes he was not allowed out of his home for two weeks on end, other times he was not permitted to leave his own neighbourhood. He had to inform the police if he wanted to visit another area nearby (*Hamburger Abendblatt*, 12 July 2011).

The internet author **Ran Yunfei** was arrested by the police in Chengdu on 19 February 2011. On 25 March 2011 he was officially charged with "incitement to undermine the national government" (*Human Rights in China*, 28 March 2011). He was suspected by the authorities of being involved with the Jasmine Revolution movement which, following the example of the countries of North Africa and the Arab world, is calling for greater democracy in China. He was released again on 9 August 2011 but placed under house arrest for six months. The house arrest order was lifted only in February 2012.

Shortly after his house arrest ended he gave the *New York Review of Books* (NYRB) an in-depth interview in which he described the opportunities open to writers in China, the difficulties they face, and life in prison (*NYRblog*, 2 March 2012).

Some excerpts from the interview. Ian Johnson is the interviewer:

*"Since you were detained last year, the word on the street has been that police thought you were involved in the Jasmine Revolution here in China. Of course there was no revolution here—not even really a protest movement inspired by North Africa. So what were they worried about?"*

They're worried about networks. But the thing is, I'm not someone who's often in touch with others. They asked if I was in touch with Wang Juntao (the famous Tiananmen uprising leader) and other (leading dissidents). I said: none. I really am

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not in contact with anyone. I'm just me with my views. I think the *guobao* (State Security agents) eventually believed me but at first they couldn't. They think everyone is linked up.

*What did you do in jail?*

Mostly I read. Books like the Bible are banned because they think it's against the government. But they allowed me to read all the classical Chinese literature I wanted. What they didn't realize is that classical Chinese also has some (subversive) ideas. But they can't understand classical Chinese so they let me read what I wanted.

*It's interesting that despite all these troubles you still have a job with a government-run publication. How can that be? Do the authorities see it, in effect, as a way of paying you off?*

No, the money is almost nothing and I rarely go to work. It's a management technique. If something happens, then they don't have to deal with you directly; they let your relationships and obligations put pressure on you. Let's say you have a good boss, you like him and then he's under pressure. They ask him to deal with you and then he asks you...well, what do you do? So they say, "Hey, what's up with Ran?" Then they ask you and then chat with you about how [whatever you are doing] is going to hurt your boss and then you feel, well, do I want to hurt him?

*Can't you just quit?*

No! They keep sending you your salary and saying you're part of the system.

*Are you a believer? Buddhism? Christianity?*

No, no, no. but I do have ties with Christianity. My wife is a Christian. I've been influenced by Christian thought through her and a friend who is a pastor of a local church. I'm not a believer but nor am I an atheist; I know the value of spirituality. I don't deny the value. The communists really destroyed religion. They don't understand it at all. Look at Tibet. I told the *guobao* that, "you guys have gone too far. You don't allow them to hang pictures of the Dalai Lama. You don't have faith so you don't understand. So the Tibetans get very angry and depressed. And then you go into temples and instead hang pictures of Mao and Jiang (Zemin) or Hu (Jintao). You've gone overboard! This isn't right. Think about it. No wonder they set themselves on fire."

*You're working on a new book about education in China. What's the link between belief and education?*

You have a society where the educational materials are all about loving the party—of course it leads to a spiritual crisis.

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*How?*

Everything they teach you to admire is *jiade* (fake). Right now they're pushing Lei Feng (the Communist hero who was a model of selflessness) again. But everyone knows that Lei Feng is made up. All of their model heroes are false: Wang Jie, Liu Wenxue, Lai Ning: fake fake fake. So when they teach morality their teaching tools are fake. Completely fake. After a while the students learn that Lei Feng is a fake. He existed but all the stories are made up. It's destructive—it destroys everything you've been taught. You feel that nothing is real. How can they teach virtues? It's impossible. The problem is they don't have a bottom line. There is no bottom line in society. You find out that the things you're supposed to admire the most are untrue. So it seems nothing is real. So the only way the party can succeed is by cheating you. That becomes their biggest success. That's who you're ruled by.

*People are saying that this year might be a year of reform. The leadership will change in the autumn and there seems to be more recognition about the need for reform in official thinking. There was a widely read People's Daily editorial last week calling for more reform.*

I saw it but you have to understand that *People's Daily* always has some articles like this to give intellectuals false hope. They are talking about reform. Even *Global Times* talks about it. They see there are problems but I'm doubtful it will lead to political reforms. Maybe some more economic reforms.

The good news is that blogging and the Internet have damaged the CCP's monopoly on information. So change is happening slowly, from the grassroots. But the damage of years of living under this system is profound. You, as a foreigner, can live here and learn to use chopsticks and learn Chinese perfectly but you might not know how Chinese people think, especially in sensitive areas. If you ask ordinary people about a sensitive thing, how they react is different than how you'll react. It's hard for you to imagine their sense of fear. You might be expelled but it's not like being here. The system of language has to be analyzed. The CCP created a parallel language system (of untruth) that is on an equal basis with the language of truth. You have to analyze what it's like to grow up in this kind of an unfree country. This is the only way to really know this country."

Ran Yunfei, who was born on 13 April 1964 in Tujia autonomous district, graduated from his literary studies course at the *University of Szechuan*. He is the editor of the state-published *Szechuan Literary Review*. He is a member of the Tujia ethnic minority, one of 55 official nationalities in the People's Republic. He was one of the signatories of *Charta 08* and considered one of China's foremost intellectuals. His internet articles criticizing the regime have commanded considerable respect in the People's Republic for many years.

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The writer **Erden-uul**, best known in Inner Mongolia by his pen-name of **Unaga**, was arrested in Hohhot on 16 December 2010. His family was not told of his arrest. After lengthy inquiries his brother Hasbaatar succeeded in locating him at a detention Centre but he was not allowed to see him (*Southern Mongolian Human Rights Information Center*, 23 January 2011).

The author comes from Uushin Banner in Ordos District in Inner Mongolia. He has written several dozen books and hundreds of stories under a variety of pseudonyms (*Haliun, Shivree, Uulen, Chavidar*).

In 1992 he and two other Mongols were arrested while trying to enter the neighbouring country of Mongolia illegally. All three were sentenced to eight months detention in a labour camp. Erden-uul had previously been arrested a number of times for publishing books critical of the regime. One particularly difficult episode was in 1999 after he included a Mongolian translation of a 2003 European Parliament resolution on the situation in the region in his new book *Prisoners outside Prison*.

Because publishing is subject to strict censorship in the People's Republic, in 2003 he had his book *On the Front Line for Independence* published in Hongkong. The same year he published his fourth collection under the title *Writers Always Have Their Eyes Wide Open*.

Following his release on 8 December 2010 at the end of a three year prison sentence the prominent writer and internet author **Du Daobin** was also placed under gagging restrictions by the authorities. He was deprived of his political rights for two years and not allowed to give interviews, make speeches or publish anything. According to the human rights organization *Human Rights in China*:

"Stripped of the right to publish or speak publicly for two years, freedom for Du Daobin is in fact an extended prison term in disguise. Equally regrettable is that even Du's family has been intimidated into silence." (*Human Rights In China*, 8 December 2010)

The family refused to speak to the organization, fearing further persecution.

Du Daobin took part in the Democracy Movement protests in Wuhan in 1989. During the 1990s and the early years of the following decade he wrote numerous essays. He spoke out repeatedly on human rights issues in China, the persecution of the meditation movement *Falun Gong* and the unequal burden of taxation falling on rural areas and the towns and cities. He openly criticized the former state president Jiang Zemin in his essays, attracting considerable interest throughout China.

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On 28 October 2003 he was arrested and his computer seized. On 11 June 2004 he was sentenced to three years imprisonment for "incitement to undermine the national government". The prison sentence was initially suspended for four years. However on 21 July 2008, shortly before the four year period ended, he was taken back into custody. He was accused of very serious breaches of the conditions of his probation as a result of which his prison sentence would be enforced.

The author **Xie Chaoping** was detained for 29 days in August/September 2010 after publishing a book about forcible resettlement in connection with a dam project in the 1950s. His book, *The Great Migration*, deals with the forcible resettlement of several hundred thousand people to make way for the construction of the Sanmen Dam on the Yellow River. It accuses the authorities in Shaanxi Province of misappropriating funds that were intended to compensate the people affected. The authorities investigated the former journalist, born in 1955, for "illegal business practices" (*The Guardian*, 2 September 2010). Xie was eventually released on bail on 17 September 2010 as the authorities clearly had insufficient evidence to detain him.

The Mongolian author **Sodmongol** (Chinese name **Cao Du**) was arrested on 20 April 2010 and detained for four months by public security officials (Office of Public Safety) in the city of Chaoyang in Liaoning Province (*Amnesty International*, 1 May 2010). Since his release he has remained under house arrest. His freedom of movement and most importantly his ability to make contact with people abroad have been severely restricted.

In a letter dated 30 April 2010 James Anaya, United Nations *Special Rapporteur for Indigenous Peoples*, and various other UN *Special Rapporteurs* wrote to the Chinese government expressing their concern over the fate of the author and Mongolian human rights activist. On 5 July 2010 the Chinese government replied that Cao was in prison and under investigation for falsification of book registration numbers. He had published and sold books illegally and was suspected of involvement in "unlawful criminal activities". This terminology is suggestive of the possibility that there might also be "lawful criminal activities" in China. The UN Special Rapporteur's intervention had some effect as shortly afterwards Sodmongol was released from detention (*Southern Mongolia Human Rights Information Center*, 15 September 2010).

Born in January 1965, Sodmongol was a member of the academic staff at the *Teacher College for Minorities* in Liaoning Province. Prior to his arrest he was living in Chaoyang. He was arrested on 20 April 2010, shortly before he planned to fly to New York to address the United Nations Permanent Forum on Indigenous Peoples on the subject of the problems

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facing Mongolian nomads, in order to increase public awareness. He was the administrator of two websites campaigning for the preservation of the Mongolian language and culture. The websites have since been shut down by the authorities. Sodmongol also organised workshops, seminars and other events for the preservation of the Mongolian language and culture.

The Chinese security authorities have been concerned by the sharp increase during 2010/2011 in the number of protests by Mongols against the destruction of their culture and traditional nomadic way of living (*US Congress, Executive Commission on China, 20 October 2010*). On 13 June 2009 Sodmongol was summoned for questioning by state security officers about one of the websites and asked whether it was his intention to campaign for the independence of Tibetans, Uyghurs and Mongols (*Southern Mongolia Human Rights and Information Center, 22 June 2009 / Amnesty International, 15 July 2010*).

The writer **Tumenulzii Buyanmend** is considered one of Inner Mongolia's most distinguished authors. He has published four collections of essays on the decline and destruction of Mongolian culture in China. In 2005, after his fourth book was banned in China, he spent a year as a visiting scholar in neighbouring Mongolia. Following his departure police searched his home. After completing his period as a visiting scholar, he decided not to return to China because he was afraid for his life. He applied for political asylum in Mongolia and after being granted political refugee status he applied to travel on to a third country since as long as he remained in Mongolia he was in constant fear of being abducted by the Chinese state security authorities and taken back to China to spend years in prison. He was only once able to visit his wife who was still living in exile in Inner Mongolia. This meant having to endure a humiliating body search which involved him being stripped naked by Chinese border officials. He was finally granted entry to the US in June 2011. His wife still lives in Inner Mongolia.

The Mongolian author, journalist and civil rights activist **Naranbilig** was detained for 20 days in March/April 2008 in order to prevent him attending the United Nations Permanent Forum on Indigenous Peoples in New York and reporting on the problems facing Inner Mongolia's indigenous inhabitants. Following his release he spent one year under house arrest. His passport was withdrawn. He is still not allowed to travel abroad (*US Congress, Executive Commission on China, 20 October 2010 / Amnesty International, 1 May 2010*).

### Persecuted Artists, Comedians and Filmmakers

Increasing repression by the Chinese security authorities is affecting not just writers, but film-makers, comedians and artists as well. The following provide just a few examples of how figures from cultural life are subject to political persecution and illustrate how the cultural freedom that the Communist Party and the Chinese authorities abroad frequently allege is enjoyed by film-makers, artists and comedians is in reality subject to very close constraints. Censorship, intimidation and arbitrary action dominate the lives of many artists who are never permitted by the Communist Party to forget how they are supposed to think and conduct themselves in public.

The Tibetan comedian **Athar** was arrested by Chinese security forces in Lithang District in Szechuan Province on or around 10 February 2012, according to eyewitness reports (*Radio Free Asia*, 24 February 2012). After nightfall Chinese riot police in combat gear came to his small supermarket, searched the premises and took him away. He has not been seen since. According to friends the 33 year old comedian who lives in Tibet was planning to produce and distribute a DVD version of a video film critical of Chinese rule in Tibet.

Relatives who tried to obtain information about his whereabouts from the authorities were told that he had been arrested, on orders from above, by a special task force that was used only in serious political cases. The relatives were not informed of the accusations against the comedian.

On 28 December 2009 the Tibetan documentary film-maker **Dhondub Wangchen** was sentenced to six years imprisonment by the People's Court in Xining for "separatist activity" (*Radio Free Asia*, 6 January 2010). He was arrested on 26 March 2008 in Tongde District in Hainan Tibetan Autonomous Prefecture in Qinghai Province. His assistant, the monk **Jigme Gyatso**, was detained on 23 March 2008 in the city of Linxia in Gansu Province. After Jigme Gyatso was released in October 2008, it was learned that he had been tortured while in prison and subjected to humiliating questioning and physical abuse.

The two were accused of clandestinely filming material in Tibet for the documentary film *Leaving Fear Behind*. In the film 108 Tibetan men and women are interviewed about the ongoing repression and persecution of Tibetans by the Chinese security authorities. The two film-makers recorded approximately 40 hours of video material which were smuggled abroad to be edited by them into a documentary film. Dhondub Wangchen told the Tibetan reporter Dechen Pemba in an interview prior to his arrest that he first had the idea of making the documentary film in 2006 (*Committee to Protect Journalists*, 10 December 2009).

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He had been working on the project for a year and a half. He moved his parents, his wife and his four children abroad to live in exile in India because he was afraid that after he was arrested they would become the target of severe persecution.

After meeting Dhondub Wangchen Dechen Pemba wrote:

"I was impressed by his determination and his drive to accomplish something that meant a lot to him. He wanted to depict the injustice that is a daily experience for Tibetan men and women under Chinese rule."

One of the interviewees in the documentary aptly observed:

"As Tibetans in the People's Republic of China we are like stars on a sunny day, we are invisible."

All the recordings were made using a cheap video camera. After they finished editing the material the two film-makers returned to Tibet where large-scale protests by Tibetans against Chinese rule were taking place. The film material was put together in exile to make the 25 minute long film *Leaving Fear Behind*, which has been translated into a number of foreign languages and is scheduled for public screening in more than 50 countries. The film is a unique visual documentation of Chinese oppression in Tibet that makes it clear that the issue of Tibet remains unresolved.

On 13 July 2008 Dhondub Wangchen escaped from the custody of the security authorities and telephoned his cousin Gyaljong Tsetrin in Switzerland. He told his cousin that he had been tortured in prison. His interrogation had lasted over several weeks during which time he had been subjected to beatings. He had been punched around the head and deliberately deprived of sleep while kept tied to a chair. He was frequently denied food. Although he suffers from hepatitis B, he received no medical treatment while in detention. The day after his escape the film-maker was rearrested (*Amnesty International, Letters against Forgetting, 2010/3*).

Dhondub Wangchen's trial opened in September 2009. It was not until the end of December 2009 that the court gave its verdict. Dhondub Wangchen was held in secret detention for months and his relatives still in China were unable to obtain any information about his whereabouts. His sister in Xining only learned of his arrest at the beginning of 2009, when a prominent human rights lawyer from Beijing took up his case. However the lawyer, Li Donyong, was forced by the Chinese authorities to withdraw from the case so that the film-maker was only represented by a local lawyer at the trial (*New York Times, 30 October 2009*).

Dhondub Wangchen was born in 1974 into a farming family in the Tsoshar Region of Eastern Tibet. He later moved with his family to the Tibetan capital of Lhasa. His political awareness

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and commitment increased after the experience of attending public demonstrations by Tibetan men and women. In 1993 he and his cousin undertook an exhausting long march into exile to the Dalai Lama's headquarters in Dharamsala in India. He later returned to Tibet.

The conceptual artist and sculptor **Ai Weiwei** was reported by dissident sources to have been detained by the security authorities on 3 April 2011 and taken to a secret location. The internationally renowned artist was prevented from boarding a flight to Hongkong at Beijing airport and taken away by the border police (*Der Tagesspiegel*, 3 April 2011). On the way back from the airport to the city he was told by police officers:

"You always give us trouble, now it's time for us to give you trouble." (*New York Times*, 12 August 2011)

A short while previously the artist had announced his intention to set up a second home and studio in Berlin, because the pressure he was under from the authorities made it almost impossible to continue working as an artist in Beijing. 30 computers were seized from his studio by the police. His wife and his colleague were questioned for hours by state security police. While his house was being searched by the authorities the power supply to the entire neighbourhood was cut off in order to prevent news of what was happening being communicated over the internet (*Hamburger Abendblatt*, 5 April 2011). During the days prior to his arrest police officers visited the studio several times under the pretext of checking the fire safety precautions or registering the artist's foreign assistants (*Frankfurter Rundschau*, 4 April 2011).

Two of the artist's employees were also arrested, his accountant Hu Mingfen and the designer Liu Zhenggang. They were released on 24 June 2011 after more than two months in detention. Ai Weiwei's driver and cousin, Zhang Jinsong was released on 23 June 2011 (*Frankfurter Rundschau*, 25 June 2011).

Officially the 1957 born artist was accused of tax evasion, a charge often brought against critics of the regime who have not been silenced by accusations of political offences (*Associated Press*, 21 May 2011). Two of the sons of the regime's Uyghur critic Rebiya Kadeer were sentenced to lengthy prison sentences for similar alleged tax offences. Human rights organizations have expressed the suspicion that the charges were intended simply to silence the smeared artist.

Ai spoke about his situation in the People's Republic shortly before his arrest. When asked if he had ever considered moving abroad he said:

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"No, that's the last thing I want to do. Certainly that's what state security officials questioning me have advised me to do. I would perhaps do better to go abroad, they said. It would allow me to become an artist of influence, and it is becoming increasingly dangerous for me here. However that would be my very last choice." (*Sueddeutsche Zeitung*, 4 April 2011)

He also viewed the prospects facing writers in China critical of the regime as very difficult:

"I am aware of the risk of remaining here. What my country's history tells me is that when people challenge the authorities, there is never a happy outcome ... As far as the Chinese public is concerned I have almost ceased to exist. If you enter my name in an internet search engine, you get an error message. I have been "airbrushed out". However on *Twitter* at least, which can be accessed inside China if you know how, I have 70,000 followers. I comment on social problems so that people can see that the fire has not been completely extinguished. There is still at least a spark there. If even that was extinguished it would be simply too tragic." (*Sueddeutsche Zeitung*, 4 April 2011)

Germany's Foreign Minister Guido Westerwelle and the other EU Foreign Ministers condemned the artist's arrest (*Agence France Presse*, 4 April 2011/5 April 2011). Westerwelle had only just returned from a three-day trip to China the day before the artist and sculptor was arrested. During the course of his trip to China Westerwelle had on several occasions criticized the human rights situation in the People's Republic, so that the prominent sculptor's arrest was regarded as a deliberate rebuff. In 2007 Ai Weiwei caused a sensation in Germany when he brought 1001 Chinese compatriots to take part in an installation-event at the Kassel *Documenta* art show. He also contributed to the design of the Bird's Nest Stadium for the Olympics in Beijing. The Chinese government was angered by foreign criticism of the artist's arrest (*Spiegel online*, 6 April 2011).

This was not the first time Ai Weiwei had posed problems for the Chinese state security apparatus. Shortly before the release of the Nobel Peace Prize winner Liu Xiaobo in December 2010 the authorities stopped him from travelling abroad. In February 2011 his Shanghai studio was demolished despite some imaginative protests. An exhibition of his work in Beijing was cancelled as a result of pressure by the authorities. His telephone and his activities on *Twitter and other* websites have been subject to blanket surveillance. Monitoring cameras have been installed by the state security outside his Beijing studio. However Ai is resourceful and not easily intimidated. He set up a camera to observe the security monitoring camera (*Frankfurter Rundschau*, 6 April 2011). Again and again he has used the crude and often clumsy actions of state security officials to turn the tables on them and draw public attention to their arbitrary actions. He filmed himself in his sickbed after he needed emergency surgery in Germany when he was beaten up by agents of the state security authorities in order to prevent him giving evidence at the trial of a persecuted

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writer. He uploaded the film clip to the internet and publicized it via social networks. Thus, opposition becomes art and effective defiance of the visibly over-stretched state security officials. This vivid proof of the arbitrary behaviour of the Communist Party of China was more damaging to them than any evidence given in mitigation at a trial.

The Chinese leadership's response was a smear campaign against Ai Weiwei, in which he was depicted in the official media as a "lackey of the West", "traitor to the Fatherland" and a tool of China's Western enemies (*Neue Zuercher Zeitung*, 19 April 2011). He was "the scum of the earth" and deserved to be severely punished. However this heavy-handed campaign proved counter-productive and simply helped to endear Ai Weiwei to his compatriots even more. They admire the honesty and creativity with which he confronts injustice in the People's Republic.

The artist's acquaintances and friends also came under pressure. The Chinese rock musician Zuoxiao Zuzhou was detained briefly in April 2011 after displaying a banner at a folk music and literature festival bearing the slogan *Free Ai Weiwei* (*Reuters*, 29 April 2011). The sports reporter Zhang Xiaozhou was taken away by police officers after taking part in the Solidarity with Ai Weiwei concert (*BBC*, 30 April 2011). Both of the artist's supporters were released by the security forces after being kept in custody for twelve hours. On 13 November 2011 13 petitioners who wanted to make a donation to the artist at his Beijing studio to help towards his fine for alleged tax evasion were taken away by the police to a secret prison (*China Human Rights Defenders*, 14 November 2011). Three of the petitioners succeeded in escaping. On 2 January 2012 seven other petitioners from Fujian Province who wanted to visit the artist at his studio were taken away by police to a secret prison facility (*China Human Rights Defenders*, 3 January 2012).

Following large-scale protests at home and abroad, on 22 June 2011 Ai Weiwei was released on very restrictive bail conditions. He was required to sign a paper that the authorities treated as an admission of guilt that he had engaged in tax evasion in relation to his art business. When he was questioned in detention the allegations of tax fraud were hardly mentioned. His wife Lu Qing, the registered director of the art business *Beijing Fake Cultural Development Ltd.*, the subject of the accusations of tax evasion, was never once questioned on the subject by investigators. The investigators did not allow themselves to be swayed by Ai's medical condition:

"[T]hey told me: 'If the country says you have evaded taxes, then you must have evaded them. Why don't you lose hope? This country will never change its ways.'  
(*Reuters*, 1 November 2011)

The prison conditions in which Ai was detained were inhumane. For 81 days he was held in a windowless cell only four square metres in size in a secret prison. He was never allowed to leave this cell except for questioning (*BBC*, 11 August 2011). The artist described these

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prison conditions as "the worst possible situation a human being could experience". He repeatedly felt himself close to death. There were always two soldiers stationed in his cell who kept constant watch on him. The cell became a "form of mental torture that was very effective", Ai Weiwei declared after his release (*New York Times*, 12 August 2011).

Ai Weiwei's detention proved a public relations disaster for the Chinese leadership. The action-artist is increasingly seen as a symbol of opposition in China. Ai has been able to act as an intermediary between the West and Eastern Asia because he knows both cultures well. No other repressive action by the Communist Party of China since the Tiananmen Square Massacre in June 1989 has attracted so much negative publicity worldwide.

When he was released, the authorities said that the artist had "shown a positive attitude by acknowledging his guilt" (*Berliner Zeitung*, 24 June 2011). He agreed to pay back any outstanding tax that he owed. His release was also attributed to humanitarian considerations, since he suffers from diabetes and elevated blood pressure. However he has in effect been gagged. For a period of at least one year he is not allowed to leave the city without official permission or give interviews or communicate via *Twitter* or upload photographs to the internet. The case against him has not been formally closed and can be reopened at any time should Ai Weiwei breach the strict conditions of his release. So the notion of due legal process is reduced to an absurdity and the over-riding principle of arbitrary authority is made clear.

Ai Weiwei was ordered to pay approximately 1.7 million Euros to clear the outstanding tax and two fines within 15 days following his release (*Frankfurter Allgemeine Zeitung*, 2 November 2011). It was a slap in the face for Chinese authorities when 30,000 Chinese men and women expressed their support for the hard-pressed dissident artist with donations to help him pay off enormous sum within the time allowed. Hundreds of unknown fellow citizens threw donations over his garden fence or found other, in some cases highly imaginative, ways of demonstrating their support. 770,000 Euro was donated within a matter of days and there was even one donation of 103,000 Euro.

Ai Weiwei commented:

"I am overwhelmed by all this support. We never reckoned on this, even though there are always people who support us." (*ARD Tagesschau*, 17 November 2011).

Once again the full extent of the arbitrary exercise of authority by a repressive state has been successfully demonstrated and its unlawful nature made publicly visible. The donations are an important sign that times are changing in the People's Republic and there are many Chinese men and women who are no longer prepared to tolerate every abuse of power and arbitrary exercise of authority by state officials. It has been an encouraging

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demonstration how the sense of citizenship and desire for freedom of many Chinese continues to flourish in the face of everyday repression.

### **The Independent Chinese PEN-Center**

The Independent Chinese PEN Center is a nongovernmental organization founded by a group of Chinese in exile and in China. The Center is especially active in the area of freedom of speech, help writers under arrest with legal fees, getting grants or awards in human rights in order to support these writers or humanitarian help. To fulfil its mission in defending imprisoned Chinese writers, ICPC set up a Writers in Prison Committee (WiPC) in 2003, corresponding to the worldwide network of International PEN's WiPC headquarter. WiPC documents the cases of imprisoned Chinese writers, reports their cases to the WiPC headquarter, writes petition letters to the relevant authorities, provides information about these imprisoned writers to other international organizations.

Contact: [www.penchinese.org](http://www.penchinese.org)

### **The International Uyghur PEN-Center**

Uyghur PEN was founded in Stockholm, Sweden, in 2006 by Uyghur folk musician Kurash Kosen - also known as Kurash Sultan - and other Uyghur writers in exile. Eleven days later, Kurash passed away. Kurash believed in peaceful dialogue in the face of ethnic tension, suspicion and hatred, and this remains the core of Uyghur PEN's philosophy

It is one of 145 International *PEN* centers across the globe dedicated to promoting freedom of expression, thought and information for all. It stands in solidarity with writers everywhere who have been forced into silence by censorship. It also campaigns for the release of imprisoned writers, for free media, for the right to one's mother tongue, and for other rights related to freedom of expression. Uyghur PEN's focus of expertise is on western China and Central Asia.

Contact: [www.uyghurpen.org](http://www.uyghurpen.org)

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### List of Writers in Prison

Name / Ethnicity	In Prison since	In Prison until
Kong Youping (Han)	2004	2014
Wang Bingzhang(Han)	2003	Lifelong
Shi Tao (Han)	2005	2015
Lu Jianhua (Han)	2005	2025
Xu Wanping (Han)	2005	2017
Hu Mingjun (Han)	2002	2013
Nurmuhemmet Yasin (Uyghur)	2005	2015
Wang Xiaoning (Han)	2003	2013
Qi Chonghuai (Han)	2008	2020
Guo Quan (Han)	2009	2019
Liu Xiaobo (Han)	2009	2020
Zhang Qi (Han)	2009	2013
Yuan Xianchen (Han)	2009	2013
Tan Zuoren (Han)	2009	2014
Dilshat Perhat (Uyghur)	2010	2015
Nureli Obul (Uyghur)	2010	2013
Nijat Azat (Uyghur)	2010	2020
Li Tie (Han)	2011	2021
Memetjan Abdulla (Uyghur)	2009	Lifelong
Gulmira Imin (Uyghur)	2009	Lifelong
Chen Wei (Han)	2011	2020

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Jangtse Donkho (Tibetan)	2010	2014
Buddha (Tibetan)	2010	2014
Kalsang Jinpa (Tibetan)	2010	2013
Dokru Tsultrim (Tibetan)	2009	?
Wen Yan (Han)	2009	2015
Chen Xi (Han)	2011	2021
Gao Zhisheng (Han)	2006	2014
Kunchok Tsephel (Tibetan)	2009	2024
Kunga Tseyang (Tibetan)	2009	2014
Gheyret Niyaz (Uyghur)	2010	2025
Tursunjan Hezim (Uyghur)	2010	2017
Hada (Mongole)	1995	2010 (not released)
Jolep Dawa (Tibetan)	2011	2014
Fang Zhushun (Han)	2011 (Labor Camp)	2012
Lu Jiaping (Han)	2010	2020
Yang Tongyan (Han)	2005	2017
Choepa Lugyal (Tibetan)	2011	?
Jin Andi (Han)	2010	2018
Liu Xianbin (Han)	2010	2020
Zhu Yufu (Han)	2011	2018
Abdulghani Memetemin (Uyghur)	2002	2011 (Release not confirmed)
Mehbube Ablesh (Uyghur)	2008	2011 (Release not confirmed)
Dolma Kyab (Tibetan)	2005	2015
Paljor Norbu (Tibetan)	2008	2015

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Dawa Gyaltzen (Tibetan)	1995	2011 – 2013
Tashi Rabten (Tibetan)	2010	2014
Tsering Norbu (Tibetan)	2010	2012
Dawa Dorje (Tibetan)	2012	?
Gangkye Drubpa Kyab (Tibetan)	2012	?
Liu Yonggen (Han)	2009	2012
Govruud Huuchinhuu (Mongolian)	2010	?
Kalsang Tsultrim (Tibetan)	2010	2014
Cao Haibo (Han)	2011	?

## List of Persecuted Artists

Athar

Dhondub Wangchen

Ai Weiwei

## List of Writers Subjected to Harassment (House Arrests, Threats)

Hu Jia

Qin Yongmin

Wu Yilong

Wang Rongqing

Lu Gengsong

Yu Jie

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Tsering Woesser

Wang Lixiong

Zheng Yichun

Du Daobin

Li Jianjun

Ran Yunfei

Tumenulzii Buyanmend

Liao Yiwu

Ma Jian

Li Yu

Zuo Xiaohuan

Yang Hengyun

Liao Zusheng

Xie Chaoping

Erden – uul

Naranbilig

Sodmongol / Cao Du

Yu Junyi

He Depu

Hu Shigen

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### List of Released writers

Du Daobin	2008-2011
Ouyang Yi	2004-2006
Luo Yongzhong	2003-2006
Guo Qinghai	2001-2005
Yan Jun	2003-2005
Yang Zili	2001-2009
Zhang Honghai	2001-2009
Xu Wei	2001-2011
Jin Haike	2001-2011
Zhao Changqing	1997-2000/2002-2007
Huang Qi	2003-2005/2008-2011
Wu Yilong	1999-2010
Chen Shaowen	2002-2005
Mu Chuanheng	2001-2004
Jiang Weiping	2000-2006
Gao Qinrong	1998-2006
Xu Zerong	2000-2011
Yu Dongyue	1989-2006
Chen Yanbin	1991-2006
Liu Jingsheng	1992-2004
Zhang Yuhui	2000-2010
Wu Shishen	1992-2004
Tao Haidong	2002-2009
Jiang Lijun	2003-2007

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Luo Changfu	2003-2006
Cai Lujun	2003-2006
Tohti Tunyaz	1999-2010
Sang Jiancheng	2003-2007
He Depu	2002-2011
Wang Youcai	1990-1991/1998-2003
Yang Jianli	2002-2007
Qin Yongmin	1998-2010
Yu Huafeng	2004-2008
Li Minying	2004-2007
Liu Shui	2004-2005
Li Zhi	2003-2011
Mao Qingxiang	1999-2007
Xu Guang	1999-2004
Hu Shigen	1992-2008
Zhao Yan	2004-2007
Zhang Ruquan	2004-2005
Zhang Lin	2005-2009
Wang Jinbo	2001-2005
Zheng Yihun	2004-2011
Ma Yalian	2004-2005
Yue Tianxiang	1999-2008
Yan Zhengxue	2006-2009
Ching Cheong	2005-2008

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Cai Zhuohua	2004-2007
Li Jianping	2005-2007
Yang Maodong	2006-2011
Li Changqing	2006-2008
Li Yuanlong	2005-2007
Guo Qizhen	2006-2010
Zhang Jianhong	2006-2010
Chen Shuqing	2006-2010
Lu Gengsong	2007-2011
Hu Jia	2007-2011
He Yanjie	2008-2010
Chen Daojun	2008-2011
Sun Lin	2007-2011
Wei Zhenling	2008-2010
Wang Rongqing	2009-2010
Wu Baoquan	2008-2010
Deng Yonggu	2008-2009
Zhang Peng	2009-2010
Fan Yanqiong	2009-2010
Luo Yongquan	2009-2011
Huang Xiaomin	2009-2011
Zuo Xiaohuan	2010-2011
Tang Cailong	2010-2011
Huang Jinqiu	2004-2011

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### Overview

**54 Writers in Prison:** 26 Han-Chinese

16 Tibetans

10 Uyghurs

2 Mongolians

**25 Embattled Writers:** 20 Han-Chinese

1 Tibetans

4 Mongolians

**3 Persecuted artists, filmmakers:** 1 Han-Chinese

2 Tibetans



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