

out that these periods are much higher than minimum penalties under the Criminal Law and have raised serious concerns about the unchecked power of the police in imposing such punishments.

New legislation has been proposed to substantially reform or replace RTL, but this remains at draft stage within China's legislature, the National People's Congress, and it is unclear whether or when it will be passed. Amnesty International continues to urge the authorities to abolish the system altogether and ensure that decisions on detention are no longer exclusively in the hands of the police.

Amnesty International is concerned that the forthcoming Olympic Games may be an incentive for the authorities to retain the system in the name of maintaining public order in Beijing. In May 2006, the Beijing authorities reportedly approved the use of RTL to target vagrants and petty criminals in their attempts to "clean up" the city before it hosts the Olympics in 2008.

ACT NOW

Please use your voice and send polite letters to Wen Jiabao, Prime Minister of the People's Republic of China, expressing concern that Bu Dongwei has been detained as a prisoner of conscience in violation of his human rights to freedom of expression and religious belief and calling for his immediate and unconditional release.

- Urge Prime Minister Wen Jiabao to ensure that Bu is not subjected to torture or other ill-treatment while he remains in custody and that he is given access to his family, lawyers and any medical assistance he may require.
- Ask the Prime Minister to end the use of Re-education through Labour, and other forms of punitive administrative detention imposed without charge, trial or judicial review, ensuring that decisions on detention are no longer exclusively in the hands of the police.
- Call on his administration to take measures to bring all forms of detention in China into conformity with international human rights law and standards, including measures to ensure fair trial and prevent torture.

WRITE TO:

Prime Minister of the People's Republic of China
WEN Jiabao Guojia Zongli
The State Council General Office
2 Fuyoujie
Xichengqu
Beijingshi 100017
People's Republic of China

Salutation: Your Excellency

Amnesty International,
International Secretariat,
Peter Benenson House,
1 Easton Street,
London WC1X 0DW,
United Kingdom

www.amnesty.org/thechinadebate

February 2008

AI Index: ASA 17/013/2008

LEGACY OF THE
BEIJING OLYMPICS
AMNESTY
INTERNATIONAL

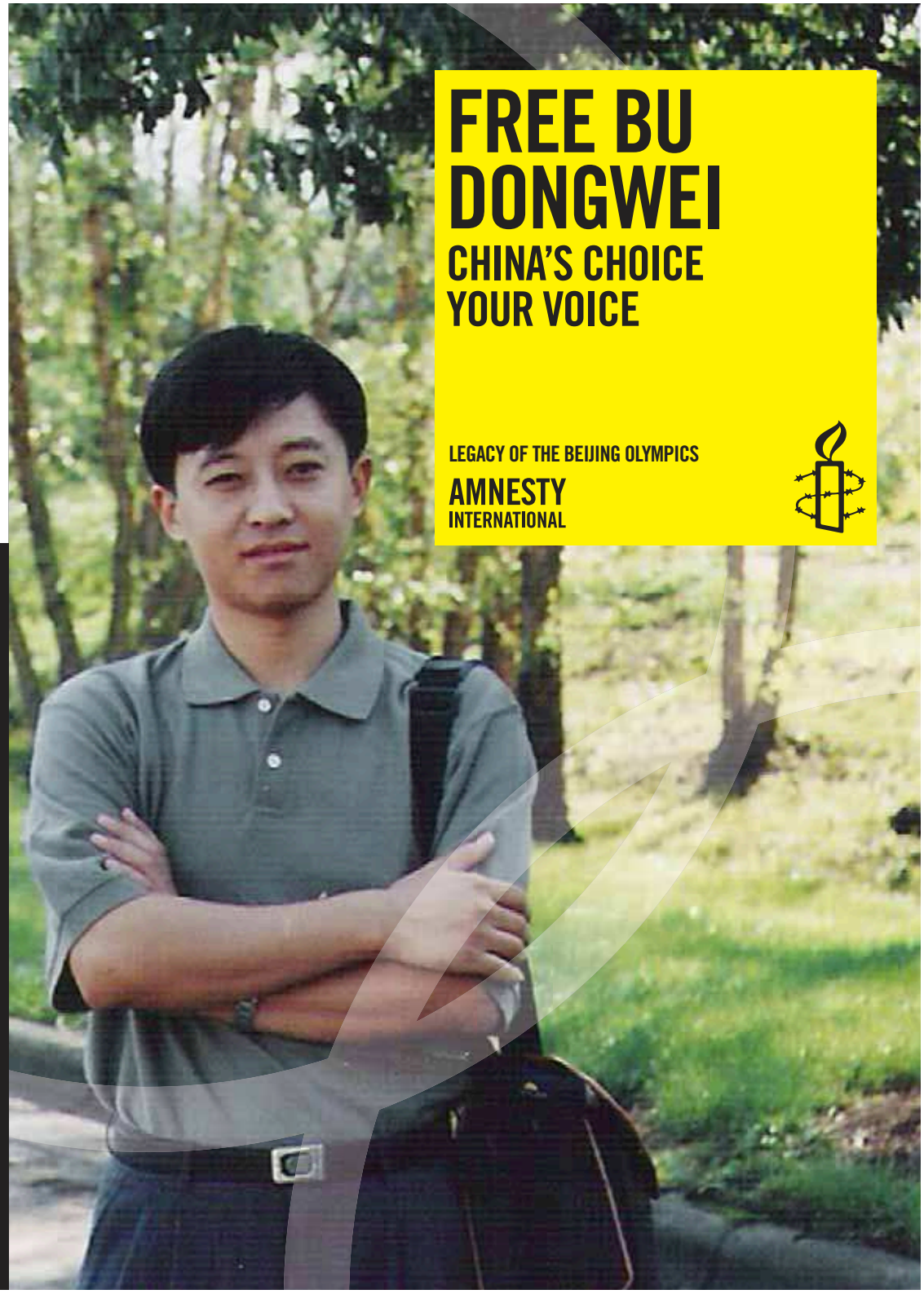


FREE BU DONGWEI

CHINA'S CHOICE YOUR VOICE

LEGACY OF THE BEIJING OLYMPICS

AMNESTY
INTERNATIONAL



BU DONGWEI FALUN GONG PRACTITIONER ASSIGNED TO 'RE-EDUCATION THROUGH LABOUR'

Bu Dongwei (卜东伟), also known as David Bu, was assigned to two-and-a-half years' Re-education through Labour (RTL) on 19 June 2006 in connection with his activities as a member of the Falun Gong movement, which is banned in China. The authorities claim that he has decided not to appeal against his assignment, but his family dispute this. He is due to be released on 18 November 2008.

Bu Dongwei had been working in Beijing for the US aid organization, the Asia Foundation, before he was detained by around seven police officers at his home in the Haidian district of Beijing on 19 May 2006. He was accused of “resisting the implementation of national laws” and “disturbing social order”.

The evidence cited was a verbal confession he made to police, and 80 copies of Falun Gong literature that the police discovered in his home. Bu Dongwei's family has disputed the evidence against him, saying that the police discovered no more than eight Falun Gong books when they detained him.

Sources suggest Bu Dongwei was first taken to Qinghe detention centre, Haidian district, and transferred to Tuanhe RTL facility in Beijing on 21 August 2006. For the first three months of his incarceration, his family was not told where he was. Officials from Tuanhe RTL facility have reportedly asked Bu Dongwei's family to contribute money towards his living expenses – around 400 Yuan per month (approx. US\$52).

Bu Dongwei had previously served a term of 10 months' RTL from August 2000 to May 2001 in Tuanhe RTL facility for “using a heretical organization to disrupt the implementation of the law” after he petitioned the authorities asking them to review their ban on Falun Gong. During this period, he was reportedly subjected to torture and other ill-treatment – including being made to sit all day in a small chair, being beaten and deprived of sleep – all aimed at forcing him to renounce his belief in Falun Gong.

Amnesty International considers Bu Dongwei to have been detained for peacefully exercising his fundamental human rights to freedom of expression and religious belief. The organization considers him to be a prisoner of conscience and calls for his immediate and unconditional release.

Officials have reportedly asked Bu Dongwei's family to contribute money towards his living expenses



BACKGROUND

Re-education through Labour has been used since the mid-1950s in China as a form of punitive administrative detention, imposed without charge, trial or judicial review. The vague language used to define the types of behaviour liable to punishment by RTL allows police to impose detention on those peacefully exercising their fundamental human rights.

Amnesty International continues to receive regular reports of torture and other cruel, inhuman or degrading treatment taking place in RTL facilities.

Despite repeated calls from both inside and outside China for the system to be abolished, hundreds of thousands of people are believed to be held in China's RTL facilities. Under the current system, people can be detained in a RTL facility for up to three years, which can be extended by a further year when “necessary”. Chinese legal reformists have pointed