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PEOPLE'S REPUBLIC OF CHINA

APPEAL FOR DISSIDENTS DETAINED IN ZHEJIANG

17 July 1998

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Ten pro-democracy activists have been detained in Hangzhou city, Zhejiang province, in the past two weeks, after trying to legally register a political party, the Chinese Democratic Party. This was the first known attempt in several decades to legally register an opposition political party in China since 1949.

Five of them remain in police custody. They are **Wang Donghai**, **Wang Youcai**, **Zhu Yufu**, **Zhu Zhengming**, and **Lin Hui**. The five others - Cheng Fan, Wang Qiang, Fang Xiaohuang, Wang Peijian and Wu Guoxing - were released after being detained for a few hours for interrogation. All except Lin Hui were detained on or around 10 July 1998. Lin Hui was detained by police on 15 July after reportedly going into hiding when the others were arrested.

Wang Donghai, Wang Youcai and Lin Hui had lodged an application to register the Chinese Democratic Party on 25 June 1998, just hours before the start of President Bill Clinton's visit to China. The application was lodged at the provincial Civil Affairs Department which later told them to come back the following Monday, 29 June. One member of the group, Wang Donghai, subsequently said that they had chosen to make this application during President Clinton's visit as "everything is very calm and safer than usual"¹. However, he also said that members of the group were "mentally prepared to go to jail". Another member of the group, Zhu Yufu, later said in an interview that their action was a way of testing the tolerance of the Chinese Communist Party; "If they are tolerant, democracy moves one step forward."²

¹ See Agence France Presse (AFP), Beijing, 28 June 1998.

² See Reuters, Beijing, 2 July 1998.

On 29 June, Wang Youcai was taken away from his home by plain-clothes police and detained for interrogation for eight hours. Before releasing him, the police reportedly warned him that they would take further action if the group did not drop its plan to register the party. Two days later, Zhu Yufu was detained after reportedly handing out copies of the party manifesto in the streets of Hangzhou. Following Zhu's release on 2 July, a prominent member of the group, Wang Donghai, announced that the group had temporarily "suspended its activities" to register the party.³

Eight days later, however, Wang Donghai and eight other members of the group were detained by police. Police reportedly searched the homes of Wang Youcai and Wang Donghai and confiscated some of their papers, without producing a search warrant. Both of them and three other members of the group remain in detention. It is feared they may be charged under the Criminal Law or held for a long period without charge.

According to dissident sources, the wives of **Wang Donghai** and **Zhu Zhengming** were told by police on 15 July that both men were under "supervised residence" (*jiانشi juzhu*) and that their whereabouts could not be disclosed. If indeed this is the case, their detention at an undisclosed location would appear to be illegal under Chinese law, as well as a violation of international standards. Under China's Criminal Procedure Law (CPL - revised in 1996), supervised residence is a form of restriction or detention which can be imposed on people suspected of a crime for up to six months, without charge and without judicial review, and the suspects should normally be restricted "at home". It is only in cases where the suspects do not have a "fixed residence" that they can be detained in a "designated place of residence". The law does not specify what these "designated place of residence" might be. This in itself contravenes international standards which require governments to hold people only in recognized places of detention.⁴

It has also been reported that the families of **Wang Youcai** and **Zhu Yufu** were informed by the police to bring clothing and daily necessities to the Mishixiang Detention Centre in Hangzhou where they are being held. This suggests that they may be detained for a long period and that they may be either charged under the Criminal Law or given an administrative punishment of re-education through labour. The whereabouts of **Lin Hui** are unknown.

Background:

Wang Donghai, 51, a veteran pro-democracy campaigner from Hangzhou, had issued several petitions to the authorities in the past few months and was detained on 6 February 1998 and held for a few days for questioning in connection with the return to China of exiled dissident Wang Bingzhang. **Zhu Yufu**, 45, is a veteran pro-democracy campaigner who was involved in the 1978-79 Democracy Wall movement. **Wang Youcai**, a former student leader in Beijing in 1989, had been detained by police for questioning on 23 February 1998 after co-signing a petition to the NPC arguing against the appointment of Premier Li Peng as National People's Congress (NPC) chairman. He was subsequently reported to have been placed under tight police surveillance during the annual session of the NPC in March and to have been briefly detained for questioning in April after co-signing an appeal for the release of two dissidents. He was reportedly briefly detained again in late April. Wang Youcai had served three years in prison for his role in the 1989 protests.

Cheng Fan and **Wang Peijian** were reportedly apprehended by police while they were visiting the house of Wang Youcai on 10 July 1998 in the evening. Wang Youcai was also taken away at this time. Cheng Fan was held initially at the Public Security Detention

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Centre in Hangzhou and transferred to Wenzhou city on 12 July, then released on 13 July at 6pm.

³ See Reuters, 2 July 1998.

⁴ See Amnesty International's report, *People's Republic of China: Law Reform and Human Rights*, ASA 17/14/97, March 1997, pp.6-8.

- ◆ *that Wang Donghai; Wang Youcai, Zhu Yufu, Zhu Zhengming and Lin Hui be immediately and unconditionally released unless they have been charged with recognizably criminal offences in accordance with international standards;*
- ◆ *that the authorities disclose their whereabouts and legal status, as well as any charges made against them;*
- ◆ *that the harassment of activists who peacefully exercise their right to freedom of expression and association be stopped.*

Acting Governor of the Zhejiang Provincial People's Government

CHAI Songyue Daishengzhang
Zhejiangsheng Renmin Zhengfu
Shengfulu, Hangzhoushi 310025
Zhejiangsheng
People's Republic of China

Telegram: Acting Governor, Hangzhou, Zhejiang Province, China

Salutation: Dear Governor

Chairman of the Zhejiang Provincial People's Congress Standing Committee

LI Zemin Zhuren
Zhejiangsheng Renmin Daibiao Dahui
Changwu Weiyuanhui
Shangfulu, Hangzhoushi 310025
Zhejiangsheng
People's Republic of China

Telegram: Chairman of the Provincial People's Congress Standing Committee, Hangzhou, Zhejiang Province, China

Salutation: Dear Chairman

Director of the Zhejiang Provincial Department of Public Security

SI Daxiao Tingzhang
Gong'anting
66 Minshenglu
Hangzhoushi 310009
Zhejiangsheng
People's Republic of China

Telegram: Director of the Provincial Department of Public Security, Hangzhou, Zhejiang Province, China

Salutation: Dear Director

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INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM
