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PEOPLE'S REPUBLIC OF CHINA

Detained and Imprisoned Labour Rights Activists

April 2002

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“Persevere till Victory”¹

This report describes the cases of labour activists who have been detained or imprisoned since the late 1980s for attempting to defend workers' rights or set up independent trade unions. It is being published in conjunction with another AI report entitled *“People's Republic of China: Labour unrest and the suppression of the rights to freedom of association and expression”*, April 2002, ASA 17/015/2002.

Background

Independent trade unions are not permitted in China. The All China Federation of Trade Unions (ACFTU) is the national body which governs trade union activity. It is meant to look after and control the interests of “primary” trade unions throughout China which are either regional official unions or one of the 16 official national industrial trade unions. In recent years there have been several attempts to create independent trade unions to give an independent voice to the needs and grievances of the workers. All these have been short lived and repressed, often violently and with their leaders detained. Labour activists who publicize strikes or organize protest or attempt to form free unions are harassed, detained and imprisoned. Those who appear to be outspoken, including journalists and lawyers, who speak out in defence of the oppressed, are also targeted by the authorities and often face intimidation and arrest.

¹ One of the slogans reportedly chanted by demonstrating workers at the Daqing Oilfield, Heilongjiang province during March 2002 protests.

Labour unrest in China continues to be widespread. Workers are demonstrating against layoffs, redundancy terms, wage arrears, illegal working conditions, management corruption and delayed welfare payments. Some protests have been met with excessive use of force by police, and many protesters have been detained. Often such demonstrations go unreported as the local authorities attempt to conceal the severity or extent of the protests.² Protests are often repressed with the use of force by public security personnel, and labour activists, workers' leaders and those who appeared to be outspoken face detention and imprisonment. For further background information, see ASA 17/015/2002, cited above.

The struggle for an independent Trade Union movement

There is a long history of labour disputes in China and the existence of an active labour movement is not a new phenomenon despite the recent upsurge in disputes.

In May 1989, during the pro-democracy movement, groups of workers in various cities formed Workers Autonomous Federations (WAFs) as an alternative to the ACFTU. The WAFs were short-lived: they were banned by the authorities following the 4 June 1989 crackdown and their organizers arrested and prosecuted on "counter-revolutionary" charges. Many other workers who had taken part in the protests were also prosecuted on ordinary criminal charges. Since 1989 there have been other attempts to form independent trade unions or labour rights groups. Again, the organizers have been jailed.

In January 1992, for example, a group of people who had formed the *Preparatory Committee of the Free Labour Union of China (PCFLUC)*, distributed leaflets in Beijing encouraging workers to form free trade unions. The group was soon suppressed in May 1992 with the arrests of its founding members. Some of them are still imprisoned. See below the cases of Liu Jingsheng and of the "Beijing Sixteen".

In 1994 another group who attempted to set up the *League for the Protection of the Rights of Working People (LPRWP)* were arrested in Beijing. Liu Nianchun, one of the founding members, was assigned three years of "Re-education Through Labour". He has since been released. According to its provisional charter, the LPRWP was to be a "corporate social body established according to law" devoted to protecting the rights of working people.

In 1998, Zhang Shanguang, a labour activist, tried to establish the "Shu Pu Association for the Protection of the Rights of Laid-Off Workers" in Hunan province. He was arrested after applying to the local government for permission to register the association.

In 1999 Yue Tianxiang and Guo Xinmin established the "China Workers Monitor" in Gansu province, exposing corruption among officials and mis-management of the company that had laid them off.

² In March and April 2002 for example, mass protests in Liaoyang city, Liaoning province and protests by several thousands in Daqing city over corruption, wage arrears and benefits have been largely ignored in national media which instead has focussed on other events including a lot of topical football stories.

Detained and Imprisoned Labour Rights Activist ³

The following is a small selection of people who are currently detained or imprisoned throughout China for their involvement in defending the rights of workers.

These cases include labour activists and others such as lawyers, who have been detained for attempting to defend activists and workers, as well as transport, paper, printing and other workers. Some of them are veteran activists imprisoned since 1989. Others have been tortured and are in ill-health. Amnesty International wishes to highlight these cases although many more remain nameless and unreported.

Amnesty International believes that most of the individuals listed below are prisoners of conscience detained solely for the peaceful exercise of their rights to freedom of expression and association and calls for their immediate and unconditional release. Amnesty International also calls for the release of people who received extremely harsh sentences imposed during summary trials in the aftermath of the 4 June 1989 crackdown, whose cases have never been reviewed.

BEIJING MUNICIPALITY

Liu Jingsheng is one of the "Beijing Sixteen", a group of activists who were tried in the early 1990s for their attempt to promote labour rights and democracy. Others sentenced in the group include **Hu Shigen** (20 years' imprisonment); **Kang Yuchun** (17 years); **Wang Guoqi** (11 years); Zhang Chunzu, Chen Wei, Lu Zhigang and Wang Tiancheng each received five-year terms; Rui Chaohuai, three years; and Li Quanli was given two years' supervision. Arrested in 1992, the group spent two years in incommunicado detention until their trial in July 1994. Their trial had been postponed twice before, in September 1993 at the time of Beijing's bid for the 2000 Olympic Games, and in April 1994. Upon hearing their verdict, they chanted "Long live free trade union in China" and "Long live democracy" in the court. They appealed but their sentences were upheld in July 1995.

Liu Jingsheng

Kang Yuchun

Wang Guoqi

Free Labour Union of China (FLUC)
China Progressive Alliance (CPA)
Liberal and Democratic Party of China (LDPC)

Liu Jingsheng

Liu Jingsheng, a worker at the Tongyi Chemical Plant in Tong county, Beijing municipality, was detained on 28 May 1992. Four months later on 27 September 1992, he was charged

³All the following cases have also been raised by The International Confederation of Free Trade Unions (ICFTU), <http://www.icftu.org>, except Lu Wenbin and Cai Guangye

with “organizing and leading a counter-revolutionary group” and “carrying out counter-revolutionary propaganda and incitement”. He was accused of being one of the founding members of the **Preparatory Committee of the Free Labour Union of China (FLUC)** and of allegedly helping to print and distribute copies of FLUC’s political charter, encouraging workers to form free trade unions. He was also accused of having drafted the “counter-revolutionary” leaflet “Propaganda Material on the Preparatory Committee of the Free Labour Union of China” and then helping to distribute it to factories and mines in Beijing. It is said that Liu Jingsheng joined another organization, the China Progressive Alliance (CPA).

Liu Jingsheng was tried at a closed trial on 4 July 1994 and sentenced on 16 December 1994, over two and a half years after his initial apprehension Liu Jingsheng was sentenced to 15 years’ imprisonment and four years’ deprivation of political rights.

He is reportedly in poor health, has lost his teeth and suffering from hypertension.

He is currently detained in Beijing Prison No.2.

Liu Jingsheng had his sentence reduced twice in May 2000 and in July 2001 for a total of one year and three months “for good behaviour”.

He is due to be released in February 2006.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Liu Jingsheng, detained solely for the peaceful exercise of his right to freedom of expression and association.**
- **expressing concern at Liu Jingsheng’s medical problems, which appear to have been acquired in prison, and urging the authorities to ensure that Liu Jingsheng is given all necessary medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.**

Hu Shigen

Hu Shigen, 46, a lecturer at the Beijing Foreign Languages Institute, was arrested in 1992 for establishing the Liberal and Democratic Party of China (LDPC) together with Wang Guoqi, in January 1991. He was sentenced in June 1995 to 20 years’ imprisonment and five years’ deprivation of political rights.

He was also accused of having planned with others, in late 1991, the establishment of the FLUC, and of the drafting documents about it and the issue of free trade unions.

He is reported to be seriously ill with swollen lymph nodes.

Hu Shigen is reportedly held in Beijing Prison no. 2.

In February 2001 more than 100 dissidents demanded the freedom of other imprisoned political and labour activists, including Hu Shigen, in a letter addressed to the International Olympic Committee.

He is due to be released on 26 May 2012.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Hu Shigen, detained solely for the peaceful exercise of his right to freedom of expression and association.**
- expressing concern at Hu Shigen's medical problems, which appear to have been acquired in prison, and urging the authorities to ensure that Hu Shigen is given all necessary medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.

Kang Yuchun

Kang Yuchun, 37, a doctor in the psychiatry department at Beijing's Anding Hospital, was sentenced in June 1995 to 17 years' imprisonment with four years' deprivation of political rights for "organizing and leading a counter-revolutionary group" and "conducting counter-revolutionary propaganda and incitement".

He was accused of being one of the founders, in June 1991, of the China Progressive Alliance (CPA), a pro-democracy group, and of being instrumental in the drafting of various CPA organizational documents. According to the indictment, Kang Yuchun recruited members into the CPA and also joined the Liberal Democratic Party of China (LDPC). Among the accusations against him was that he commissioned people to write articles and set up "Freedom Forum", the magazine of the CPA.

While in prison Kang Yuchun was reportedly ill-treated. He was last reported to be in poor health, with heart problems and has allegedly been denied medical treatment. For further information please refer to the *AI Medical Letter Writing Action: People's Republic of China – Dr Kang Yuchun (ASA 17/023/1997)*.

He is held at Beijing No.2 Prison (also known as Yanqing Prison).

Kang Yuchun had his sentence reduced twice, in 1998 and 1999, by a total of one year and seven months. Following the reductions he is now due to be released in October 2007.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Kang Yuchun, detained solely for the peaceful exercise of his right to freedom of expression and association.**
- **expressing concern at Kang Yuchun's medical problems, which appear to have been acquired in prison, urging the authorities to independently investigate any allegation of torture and to ensure that Kang is given all necessary medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners, and is allowed access to his family.**

Wang Guoqi

Wang Guoqi, 39, a printing worker at the Beijing Institute of Languages, was sentenced in 1994 to 11 years' imprisonment with three years' deprivation of political rights for "organizing and leading a counter-revolutionary group".

Wang was one of the leaders of the Free Labour Union of China (FLUC) along with Liu Jingsheng, Hu Shigen and Kang Yuchun.

He is reportedly held at Beijing No. 2 Prison, Tongxian, near Beijing city.

In August 1997 family visits to the prison were reportedly suspended for an unknown length of time, because he failed to memorise prison regulations.

According to his family Wang Guoqi is ill with scabies all over his body.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Wang Guoqi, detained solely for the peaceful exercise of his right to freedom of expression and association.**
- **expressing concern at Wang Guoqi's medical problems, which appear to have been acquired in prison, and urging the authorities to ensure that Wang Guoqi is given all necessary medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners, and is allowed access to his family.**

ADDRESSES for Liu Jingsheng, Hu Shigen, Kang Yuchun and Wang Guoqi

Mayor of Beijing Municipal People's Government: LIU Qi Shizhang - Beijingshi Renmin Zhengfu - 2 Zhengyilu - Dongchengqu - Beijingshi 100744- People's Republic of China
Telegram: Mayor, Beijing, China
Salutation: Dear Mayor

Director of the Beijing Municipal Justice Bureau: WANG Chongxun Juzhang - Beijingshi Sifaju-199 Haihutuncun - Yongdingmenwai- Beijingshi 100075- People's Republic of China
Telegram: Director of the Municipal Justice Bureau, Beijing, China
Salutation: Dear Director

Beijing Workers Autonomous Federation
Liang Qiang

Liang Qiang, a cadre at the Beijing Light Vehicle Company, was sentenced in January 1990 to 15 years' imprisonment with three years' subsequent deprivation of political rights for "counter-revolutionary propaganda and incitement", following the 1989 pro-democracy protests.

Liang was accused of having written "reactionary" articles for the Beijing Students Autonomous Federation and the Beijing Workers Autonomous Federation with the aim of inciting students and workers to rebel.

He is reportedly held in Beijing's Yanqing Prison (Beijing No.2 Prison) and is due to be released in May 2004.

TAKE ACTION

Please write to the Chinese authorities:

— **calling for the immediate and unconditional release of Liang Qiang detained solely for the peaceful exercise of his right to freedom of expression and association, and expressing concern that he received a harsh prison sentence after an unfair trial.**

ADDRESSES for Liang Qiang

Mayor of Beijing Municipal People's Government: LIU Qi Shizhang - Beijingshi Renmin Zhengfu-
2 Zhengyilu-Dongchengqu - Beijingshi 100744- People's Republic of China
Telegram: Mayor, Beijing, China
Salutation: Dear Mayor

Director of the Beijing Municipal Justice Bureau: WANG Chongxun- JuzhangBeijingshi Sifaju-
199 Haihutuncun -Yongdingmenwai-Beijingshi 100075-People's Republic of China
Telegram: Director of the Municipal Justice Bureau, Beijing, China
Salutation: Dear Director

GANSU PROVINCE

Driver at the Tianshui Auto Transport Company
Yue Tianxiang
"China Workers Monitor"

Yue Tianxiang, 47, a laid-off driver at the state-owned Tianshui City Transport Company, was arrested in January 1999 and sentenced to ten years' imprisonment in July 1999 for 'subverting state power' after setting up a labour rights journal to defend the rights of laid-off workers. Two colleagues, Wang Fengshan and Guo Xinmin, were also sentenced to two years' imprisonment but have since been released.

In January 1999 Yue Tianxiang set up the newsletter "China Workers Monitor", along with Guo Xinmin and Wang Fengshan, with the intent of exposing alleged mismanagement and corruption at their former transportation company. Yue and Guo also organised workers into taking legal action to secure the payment of wage arrears from the Tianshui Transport Company.

Yue Tianxiang and Guo Xinmin had been laid-off in 1995 while being owed three months back pay. The company allegedly refused to negotiate a settlement regarding the unpaid wages and living allowances. Yue and Guo decided to take the case to the Tianshui Labour Disputes and Arbitration Committee (LDAC).

The LDAC's decision stipulated that the company could put off paying the wage arrears until it could afford to pay and that the laid-off workers should still pay their monthly contributions to the pension scheme out of their own means, despite the fact that they had not been reallocated work at the company. The LDAC's decision also stipulated that the company should reinstate the two workers, but the Management refused to comply.

Yue Tianxiang and Guo Xinmin were arrested just after writing a petition to President Jiang Zemin asking for an official intervention. The petition was also sent to international news agencies.

Yue Tianxiang, Guo Xinmin, also a driver at the Tianshui Transport Company, and Wang Fengshan, a top-ranking engineer at the Tianshui Minshan Machinery Factory, were also members of the banned China Democracy Party (CDP).

Yue Tianxiang is believed to be held in Tianshui No 2 prison, Gansu province. He is due to be released in January 2009.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Yue Tianxiang, imprisoned solely for the peaceful exercise of his right to freedom of expression and association.**

ADDRESSES for Yue Tianxiang

Governor of the Gansu Provincial People's Government: LU Hao Shengzhang- Gansusheng Renmin Zhengfu-1 Zhongyang, Guangchangqu-Lanzhoushi 730030-Gansusheng-People's Republic of China

Telegram: Governor, Lanzhou, Gansu Province, China

Salutation: Dear Governor

Fax: 0086 931 8465489

Director of the Gansu Provincial Department of Justice:ZHANG Zhong Tingzhang-Sifating-12/F, Yi hao lou-Dongfanhonglu, Guangchangqu-Lanzhoushi 730000-Gansusheng-People's Republic of China

Telegram: Director of the Provincial Department of Justice, Lanzhou, Gansu Province, China

Salutation: Dear Director

Fax: 0086 931 882 5910

HENAN PROVINCE

Worker at the Zhengzhou Paper Factory
Li Jiaqing
Workers' leader

Li Jiaqing, 57, was detained in August 2000 and later charged with "gathering a crowd to disrupt social order," for organizing a protest by workers at the Zhengzhou Paper Factory. The offence carries a sentence of three to seven years imprisonment, under Article 290 of the Chinese Criminal Law.

The Zhengzhou Paper Factory, where Li worked as chief engineer, was a state-owned factory which halted production in 1995 and merged with a local enterprise in 1997. The workers have been protesting ever since against the merger with the new company which allegedly embezzled the money and the assets of the paper factory.

In 1998 Li Jiaqing organized a workers' congress at the paper factory and in January 2000 led workers to submit a petition to the local government to demand the arrears of salaries and to protect the assets of the paper factory. Because no response was given, the workers occupied the factory in June 2000. After two months of occupation in August 2000, the police intervened, and 20 workers, including Li Jiaqing, were detained.

All were released a few days later except Li and another worker, Li Guangquan, who was sentenced to four months in prison for "obstructing traffic" and has since been released. Li Jiaqing was charged with "disrupting social order". His trial is reported to have started before the Zhengzhou Municipal Court on 13 February 2001, while about 200 workers were protesting outside of the court, appealing for the release of Li Jiaqing. No verdict has been announced.

He is reportedly being held at Zhengzhou No. 2 Detention Center .

TAKE ACTION

Please write to the Chinese authorities:

— **calling for the immediate and unconditional release of Li Jiaqing, detained solely for the peaceful exercise of his right to freedom of expression and association.**

Governor of the Henan Provincial People's Government: Shengzhang- Henansheng Renmin Zhengfu-10 Weierlu-Zhengzhoushi, Henansheng-People's Republic of China
Telegram: Governor, Zhengzhou, Henan Province, China
Salutation: Dear Governor
Fax: 0086 371 595 4897

Director of the Henan Provincial Department of Justice: XU Guohong Tingzhang-Sifating-8 Jingsilu-Zhengzhoushi 450003-Henansheng-People's Republic of China
Telegram: Director of the Provincial Department of Justice, Zhengzhou, Henan Province, China
Salutation: Dear Director
Tel./Fax. It also works as Fax off office hours: 0086 371 593 4433

HUNAN PROVINCE

Shaoyang Workers' Autonomous Federation
Li Wangyang

Li Wangyang, 51, a veteran labour activist in Shaoyang, Hunan province, was sentenced on 20 September 2001 to ten years' imprisonment on charges of "incitement to subvert state power". He was apprehended in May 2001 after campaigning to demand compensation for the ill-treatment he received in prison while serving 11 years of a previous 13-years' imprisonment for "counter-revolutionary crimes".



Li was sentenced to 13 years' imprisonment in 1989 for his attempts to establish the **Shaoyang Workers' Autonomous Federation**, during the 1989 pro-democracy movement. He organized strikes and demonstrations, gave speeches and was a popular figure in Shaoyang.

He was reportedly severely ill-treated while in prison, being forced to spend many periods in solitary confinement and suffering severe beatings from prison guards.

He was released on medical parole in July 1996, but eight months later he was taken back to prison in the middle of his treatment. He is now thought to be seriously ill with heart problems and goitre as a consequence of his ill-treatment in prison.

Li Wangyang was released early in June 2000 because of his poor health but was subsequently harassed and finally re-arrested in May 2001 after he went on hunger strike demanding compensation for his ill-treatment.

Since May 2001 he has not been able to walk unaided.

His sister Li Wanglin was assigned on 7 July 2001 to three years' "reeducation through labour" (laojiao) for her part in helping publicise her brother's case.

Amnesty International has appealed for Li Wangyang's release on several occasions. For Further information, please refer to *AI Update on Medical Letter Writing Action -Conviction and continuing ill-health: Li Wangyang -China (ASA 17/031/2001)*.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Li Wangyang, detained solely for the peaceful exercise of his right to freedom of expression and association.**

- **expressing concern at Li Wangyang's medical problems, which are reported to be related to his ill-treatment in prison.**

- **urging the authorities to impartially investigate allegations that he was tortured and to ensure that Li Wangyang is given all necessary medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.**

ADDRESSES for Li Wangyang

Acting Governor of the Hunan Provincial People's Government:ZHANG Yunchuan
Daishengzhang -Hunansheng Renmin Zhengfu - 69 Wuyizhonglu - Changsashi
410011-Hunansheng - People's Republic of China
Telexes: 98182 CSPG CN (Please forward the governor)
Telegram: Governor, Changsha, Hunan Province, China
Salutation: Dear Governor
Fax: 0086 731 221 3765
email: WebMaster@hunan.gov.cn

Director of the Hunan Provincial Department of Justice: WU Zhenhan Tingzhang - Sifating -
2 Shaoshanlu - Changshashi 410011- Hunansheng- People's Republic of China
Telegram: Director of the Provincial Department of Justice, Changsha, Hunan Province,
China
Salutation: Dear Director

Liao Shihua
Worker in the Changsha Electronics Factory
Labour organizer and CDP member

Liao Shihua, 53, a veteran labour activist in Changsha, Hunan province, was sentenced in December 1999 to six years' imprisonment with one year's deprivation of political rights.

Liao was detained in June 1999 after organizing a protest against corruption and cuts in housing and medical benefits for workers of the Changsha Automobile Electrical Equipment Factory. Over 100 laid-off workers demonstrated in front of the Hunan provincial government headquarters, demanding a resolution to the area's unemployment problems.

Liao had also organized a mass protest against corruption within the factory in October 1998, demanding proper health care coverage and housing benefits for retired and laid-off workers.

An activist during the 1989 democracy movement, Liao was also a member of the China Democracy Party (CDP), and helped producing the political journal "Opposition Party".

Because of his involvement in the CDP as well as his labour activities, Liao was found guilty of "conspiring to subvert state power" and "assembling a crowd to disrupt traffic"

He was last known to be held at Changsha City No. 1 Detention Centre.
He is due to be released in June 2005.

TAKE ACTION

Please write to the Chinese authorities:

– **calling for the immediate and unconditional release of Liao Shihua, detained solely for the peaceful exercise of his right to freedom of expression and association.**

ADDRESSES for Liao Shihua

Acting Governor of the Hunan Provincial People's Government: ZHANG Yunchuan
Daishengzhang - Hunansheng Renmin Zhengfu - 69 Wuyizhonglu - Changsashi 410011 -
Hunansheng- People's Republic of China
Telexes: 98182 CSPG CN (Please forward the governor)
Telegram: Governor, Changsha, Hunan Province, China
Salutation: Dear Governor
Fax: 0086 731 221 3765
email: WebMaster@hunan.gov.cn

Director of the Hunan Provincial Department of Justice: WU Zhenhan Tingzhang - Sifating -
2 Shaoshanlu - Changshashi 410011 - Hunansheng - People's Republic of China
Telegram: Director of the Provincial Department of Justice, Changsha, Hunan Province,
China
Salutation: Dear Director

“Shu Pu Association to protect the Rights and Interests of Laid-Off Workers”



Zhang Shanguang, in his late 40s, is a former teacher and labour activist from Xupu county in Hunan province. He was detained on 21 July 1998 and sentenced on 27 December 1998 to ten years imprisonment for "illegally supplying intelligence to hostile organizations and people outside the country". The trial was closed and lasted two hours and twenty minutes. Evidence cited against him included an interview he gave to Radio Free Asia when he spoke, among other things, about peasants and workers demonstrations in Hunan Province.

Zhang was the founder of the local "**Shu Pu Association to Protect the Rights and Interests of Laid-off Workers**" which he was working to register at the time of his arrest.

Zhang Shanguang was first jailed for seven years in 1989 after he reportedly put up a poster criticizing the government for the 4 June 1989 crackdown in Beijing.

Zhang Shanguang, who is held in Hunan No. 1 Prison, has reportedly been severely beaten by prison guards and put in solitary confinement, after he circulated a petition demanding an end to torture and long working hours. Other prisoners who signed the petition were also reportedly beaten, and all are at risk of reprisals from the prison guards.

The petition, dated 15 March 2001, was smuggled out of the prison in April 2001. It describes appalling conditions at the Hunan No.1 Prison, an electrical machinery factory in Yuanjiang city, central Hunan Province, and punishments amounting to torture for prisoners who are unable to do the heavy work required of them or who complain.

Zhang Shanguang is suffering from a serious lung illness. It is reported that despite being ill, he has been forced to do heavy physical work in fetters. Reports also suggest that he has been denied medical attention and been made to undertake the hardest type of physical work in the prison.

For more information please see *People's Republic of China - The plight of Zhang Shanguang and others - "A legal system in tatters" (AI Index ASA 17/033/2001)*.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Zhang Shanguang, detained solely for the peaceful exercise of his right to freedom of expression and association.**
- **expressing grave concern at allegations that Zhang Shanguang has been subjected to torture and urging them to undertake an impartial investigation and to take measures to stop the ill-treatment of prisoners at the Hunan No. 1 Prison.**

ADDRESSES for Zhang Shanguang

Acting Governor of the Hunan Provincial People's Government: ZHANG Yunchuan
Daishengzhang - Hunansheng Renmin Zhengfu - 69 Wuyizhonglu - Changsashi 410011 -
Hunansheng - People's Republic of China
Telexes: 98182 CSPG CN (Please forward the governor)
Telegram: Governor, Changsha, Hunan Province, China
Salutation: Dear Governor
Fax: 0086 731 221 3765
email: WebMaster@hunan.gov.cn

Director of the Hunan Provincial Department of Justice: WU Zhenhan Tingzhang - Sifating - 2

Shaoshanlu - Changshashi 410011 - Hunansheng - People's Republic of China
Telegram: Director of the Provincial Department of Justice, Changsha, Hunan Province, China
Salutation: Dear Director

Yue Chaohui
"Changsha Workers' Autonomous Federation (WAF)"

On 20 May 1989, the Changsha Workers' Autonomous Federation was set up in response to the announcement that martial law had been imposed in Beijing. Several weeks later on 12 June the Hunan provincial government banned the Changsha Workers' Autonomous Federation and as a result a large number of workers were arrested.

He Chaohui

He Chaohui, a 41 years old labour activist from Chenzhou City, Hunan province, was sentenced to ten years imprisonment on 24 August 1999. He was apprehended in October 1998 and charged with "endangering state security" by "illegally providing intelligence to foreign organizations".

A former worker at the Chenzhou Railway Bureau, He Chaohui had reportedly organized several strikes and demonstrations by laid-off workers in Chenzhou in 1997 and 1998, reporting details of the protests in Hunan province to overseas organizations.

He Chaohui had been imprisoned for two years in 1989 for his involvement with the Changsha WAF (Workers' Autonomous Federation).

He is due to be released in October 2008.

TAKE ACTION

- **Please write to the Chinese authorities to call for the immediate and unconditional release of He Chaohui, detained solely for the peaceful exercise of his right to freedom of expression and association.**

Yao Guisheng

Yao Guisheng, a manual worker who joined the Changsha Workers' Autonomous Federation (WAF) during the 1989 pro-democracy protests was apprehended after 4 June 1989 in Zhuzhou, Hunan province. Yao Guisheng was sentenced in October 1989 to 15 years' imprisonment by the Changsha Intermediate People's Court.

Yao Guisheng was one of a group of three people who reportedly helped leaders of the Workers' Autonomous Federation (WAF) to escape from China after the events of 4 June 1989. In the course of a taxi journey between Changsha and Zhuzhou the three men reportedly had an argument with the taxi-driver concerning the correct fare for the journey. The taxi-driver denounced them to the police and shortly afterwards the three men were arrested.

According to private sources, at the time they were charged with "robbery and assault" and received varying sentences in October 1989. Five years later, in a response to the International Labour Organization's Committee on Freedom of Association, the Chinese Government stated that Yao Guisheng had been sentenced to 15 years' imprisonment for "looting". There was no official explanation as to why the charges had changed.

Yao Guisheng is imprisoned at Hunan Provincial No. 6 Prison in Longxi where he is reported to have become mentally ill as a result of repeated ill-treatment. According to former prisoners, he was periodically placed in solitary confinement because he refused to "admit his guilt" and did not work to the standards required of him. He was also regularly beaten and made to wear shackles.

Yao Guisheng's case was later taken up by the United Nations Special Rapporteur on Torture. In 1994, the Special Rapporteur reported that the Chinese Government had denied Yao Guisheng had been ill-treated but had given no further details.

Yao Guisheng is due to be released in June 2004.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Yao Guisheng, detained solely for the peaceful exercise of his right to freedom of expression and association.**

— **expressing grave concern at Yao Guisheng's poor health, reportedly due to torture in prison, and urging them to investigate the allegations of torture and to take measures to ensure that Yao Guisheng receive appropriate medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.**

ADDRESSES for He Chaohui and Yao Guisheng

Acting Governor of the Hunan Provincial People's Government: ZHANG Yunchuan
Daishengzhang - Hunansheng Renmin Zhengfu - 69 Wuyizhonglu - Changsashi 410011 -
Hunansheng -

People's
Republic of
China

Chen Gang
Peng Shi
Yao Guisheng

Telexes: 98182
CSPG CN

Workers at the Xiangtan Electrical Machinery Factory

(Please forward
the governor)

Telegram:

Governor, Changsha, Hunan Province, China

Salutation: Dear Governor

Fax: 0086 731 221 3765

email: WebMaster@hunan.gov.cn

Director of the Hunan Provincial Department of Justice: WU Zhenhan Tingzhang - Sifating - 2
Shaoshanlu - Changshashi 410011 - Hunansheng - People's Republic of China

Telegram: Director of the Provincial Department of Justice, Changsha, Hunan Province,
China

Salutation: Dear Director

Chen Gang

Chen Gang, a 37 year-old worker from the Xiangtan Machinery factory, Hunan province, was sentenced to death shortly after his arrest in June 1989. Several other workers from the same factory in Xiangtan were reportedly arrested together with him, including **Peng Shi and Liu Zhihua**.

They were accused of breaking into the home of the factory's public security chief and setting fire to some of his belonging because he had prevented them from holding a protest at the factory. Although according to unofficial sources Chen Gang was not involved in this incident, he was sentenced to death for "hooliganism" shortly after his arrest, and transferred to Longxi Prison.

He was held there with his hands and feet shackled continuously for about ten months. The shackles were only taken off after his case was reviewed in April 1990, following a strike by the entire workforce at his factory to protest his imminent execution. In May 1990 he was granted a two-year suspension of execution, a sentence which was later changed to life imprisonment.

In 1992, his life sentence was commuted to 18 years' imprisonment with eight years' deprivation of political rights. His sentence was reduced again in 1995 by one year and in 1998 by two years and it is now down to 15 years' imprisonment.

According to official information, this new "fixed term" sentence is calculated starting from the date the life sentence was commuted, in this case from November 1992, and not from the date of the original apprehension.

Chen Gang is due to be released in November 2007.

Liu Zhihua

Liu Zhihua was sentenced in October 1989 to life imprisonment with deprivation of political rights for life by the for committing the crimes of "injury with intent" and "hooliganism" along with Chen Gang (see above) and Peng Shi.

In September 1993 his sentence was reduced to 15 years' imprisonment with five years' subsequent deprivation of political rights. In 1997 his sentence was extended by five years for allegedly committing "injury with intent" in prison, and his combined sentence became 16 years' imprisonment (sentence to run from January 1997 to January 2013). In June 2001 his sentence was reduced by two years.

Liu Zhihua is due to be released in January 2011.

Peng Shi

Peng Shi was sentenced in August 1989 along with Chen Gang and Liu Zhihua to life imprisonment with deprivation of political rights for "hooliganism". In September 1993 his sentence was reduced to 17 years' imprisonment with seven years' subsequent deprivation of political rights. Later, his sentence was reduced twice in February 1996 and in July 1999 by a total of four years.

His sentence is set to run until March 2006.

TAKE ACTION

Please write to the Chinese authorities:

- **calling on them to release Chen Gang, Liu Zhihua and Peng Shi in view of the lengthy sentences they received after summary and unfair trials and the length of time they have already spent in prison.**

ADDRESSES for Chen Gang, Liu Zhihua and Peng Shi

Acting Governor of the Hunan Provincial People's Government: ZHANG Yunchuan
Daishengzhang - Hunansheng Renmin Zhengfu - 69 Wuyizhonglu - Changsashi 410011 -
Hunansheng - People's Republic of China
Telexes: 98182 CSPG CN (Please forward the governor)
Telegram: Governor, Changsha, Hunan Province, China
Salutation: Dear Governor
Fax: 0086 731 221 3765
email: WebMaster@hunan.gov.cn

Director of the Hunan Provincial Department of Justice: WU Zhenhan Tingzhang - Sifating - 2
Shaoshanlu - Changshashi 410011 - Hunansheng - People's Republic of China
Telegram: Director of the Provincial Department of Justice, Changsha, Hunan Province,
China
Salutation: Dear Director

JIANGSU PROVINCE

Electrician at the Xinfeng Cotton Factory in Xinfeng city
Lu Wenbin
Journalist of Textile Daily

Lu Wenbin, 20, a special correspondent for the newspaper Textile Daily, was apprehended in Yancheng city, eastern Jiangsu province, on 22 December 2001 by the State Security Bureau of Yancheng City and the Public Security Bureau of Dafeng City, after investigating a strike at a textile factory in Dafeng city.

According to reports, over four thousand workers at the Huainan Textile Factory in Dafeng city had been demonstrating since 10 December 2001 against pay cuts introduced following privatization of the formerly state-owned factory. The factory had gone bankrupt in June 2001 due to alleged corruption and bad operation by the management.

Lu Wenbin had investigated the strike and interviewed workers in preparation for an article, but he was arrested before he could submit it.

His current whereabouts are unknown.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Lu Wenbin detained solely for the peaceful exercise of his right to freedom of expression and association.**

ADDRESSES for Lu Wenbin

Governor of the Jiangsu Provincial People's Government: YI Yunshi Shengzhang -
Jiangsusheng Renmin Zhengfu - 29 Xikanglu - Nanjingshi 210024 - Jiangsusheng -
People's Republic of China
Telegram: Governor, Nanjing, Jiangsu Province, China
Salutation: Dear Governor

Director of the Jiangsu Provincial Department of Public Security: LI Mingchao Tingzhang -
Gong'anting - 42 Zhongyanglu - Nanjingshi 210008 - Jiangsusheng - People's Republic of
China
Telegram: Director of the Provincial Department of Public Security, Nanjing, Jiangsu
Province, China
Salutation: Dear Director

JILIN PROVINCE

Doctor at No. 222 Unit of Jilin Province Military District
Cai Guangye
Labour activist

Cai Guangye, 38, a doctor at the Number 222 Unit of the Jilin province Military District, has been detained since 21 December 2001 by the Political Department of the Jilin Military District for "isolation and investigation".

His whereabouts are currently unknown.

A labour activist, Cai had been active in organizing laid-off workers and supporting their plight at several state-owned factories in Jilin province.
In April 2001, Cai was briefly detained by Jilin city police after taking part in a protest by workers from the Jilin Chemicals Company and for taking pictures of the demonstration.
He had also contributed several essays promoting the workers' rights on a web forum.

During November and December 2001, several workers' protests took place in Jilin province and in at least one occasion the workers from a number of factories blocked the gates to the government' offices, shouting slogans such as "organize an autonomous trade union" and "fight forced redundancies".

TAKE ACTION

Please write to the Chinese authorities:

- **expressing concern that Cai Guangye is reported to be detained for the peaceful exercise of his right to freedom of expression and association, and to be held at an undisclosed location by the Jilin Military District authorities.**

ADDRESSES for Cai Guangye

Governor of the Jilin Provincial People's Government: HONG Hu Shengzhang-Jilinsheng
Renmin Zhengfu-11 Xinfu Lu-Changchunshi 13005-Jilinsheng-People's Republic of China
Telegram: Governor, Changchun, Jilin Province, China
Salutation: Dear Governor
Fax: 0086 431 892 7446

Director of the Jilin Provincial Department of Public Security ZHAO YONGJI Tingzhang-Jilin
Gong'anting-42 Xinfalu-Changchunshi 130051-Jilinsheng-People's Republic of China
Telegram: Director of the Provincial Department of Public Security, Changchun, Jilin
Province, China
Salutation: Dear Director
Tel: 0086 431 278 0701

LIAONING PROVINCE

Yao Fuxin, 54, a workers' representative from the Liaoyang city Ferroalloy factory Liaoning province, was apprehended on 17 March 2002 for his role in organizing large-scale demonstrations in Liaoyang city, involving at their height up to 30,000 workers from around 20 factories in the city. The workers had been demonstrating since 11 March 2002 protesting against layoffs, alleged corruption and insufficient severance pay.

Yao Fuxin, whose whereabouts remained unknown for several days after his arrest, was formally charged on 30 March with "illegal assembly and demonstration". He is reportedly held in Tieling City Detention centre, about 60 miles away from Liaoyang city.

Several days after his arrest the police informed the family that Yao suffered heart problems

Pang Qingxiang
Xiao Yunliang
Wang Zhaoming

Workers of the Ferroalloy factory in Liaoyang city

while in detention and had to be taken to hospital for treatment. However they did not allow them to visit him. According to his family, Yao has never had heart trouble before and there are concerns that the problems may have been due to ill treatment while in detention.

Yao Fuxin was detained incommunicado until 31 March 2002, when the police apparently allowed him to call his family and assure them that he was in good health. However he is reportedly still not allowed to receive visits, and the true state of his health is not known. This phone call is the only contact his family have had with him.

Pang Qingxiang, 58, **Xiao Yunliang**, 57, and **Wang Zhaoming**, 39, also workers leaders at the Ferroalloy factory in Liaoyang, were apprehended on 20 March 2002 following clashes between workers and armed police. They are reportedly held in Tieling City Detention centre. They also were formally charged with "illegal assembly and demonstration" on 30 March. Xiao Yunliang has begun a hunger strike in Tieling detention centre, according to reports. Another worker from Fibre Factory, Liaoyang city, was also arrested on 21 March, but no further details are available to-date.

Several hundreds workers have been demonstrating since the arrests took place demanding the release of the four labour leaders.

Xiao Yunliang and Pang Qingxiang had been previously detained, along with another labour leader, in May 2000 during similar demonstrations, when nearly fifty workers were injured after violent clashes with armed police.

TAKE ACTION

Please write to the Chinese authorities

- **calling for the immediate and unconditional release of Yao Fuxin, Pang Qingxiang, Xiao Yunliang and Wang Zhaoming, believed to be detained solely for the peaceful exercise of their right to freedom of expression and association.**
- **expressing concern at Yao Fuxin's medical problems, which appear to have been acquired in prison, and urging the authorities to investigate the allegations of ill-treatment and to take measures to ensure that Yao Fuxin is given all necessary medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners, and that is allowed access to his family.**

ADDRESSES for Yao Fuxin, Pang Qingxiang, Xiao Yunliang and Wang Zhaoming

Governor of the Liaoning Provincial People's Government: BO Xilai Shengzhang-
Liaoningsheng Renmin Zhengfu-45 Huangguqu, Beiling Dajie-Shenyangshi
110032-Liaoningsheng-People's Republic of China
Telexes: 80039 LFAO CN or 80040 SYFAO CN (Please forward to the Governor)
Telegram: Governor, Shenyang, Liaoning Province, China
Salutation: Dear Governor
Fax: 0086 24 86892112
Email: lnsfxxc@online.ln.cn

Public Security Department of Liaoning Province
Box of accusation letters: wxgz@dps.ln.gov.cn

INNER MONGOLIA AUTONOMOUS REGION

Xu Jian
Labour activist

Xu Jian, a 40 year old lawyer from Baotou City, Inner Mongolia, was arrested in December 1999 and sentenced to four years' imprisonment by Baotou City Intermediate People's Court on 18 July 2000 for "incitement to overthrow state power". The charge related to his attempt to establish an independent labour organization and his contacts with overseas labour activists.

Before his arrest, Xu Jian had been assisting laid-off workers in seeking redress from two major state-owned companies, by providing them with legal assistance in filing cases and by encouraging them to use China's labour and trade union laws.

Xu Jian had also distributed information leaflets to workers which described the legal rights of workers facing factory closure and layoffs, and China's labour law. One of the leaflets, entitled "Workers Can Say No" listed some of the rights laid down in the Labour Law, including the stipulations on remuneration, working hours and overtime pay.

Xu Jian is currently held in Area Two of Chifeng Prison, Inner Mongolia, and is suffering from hepatitis. According to his wife, Xu Jian contracted hepatitis soon after he was incarcerated. His condition has deteriorated to a critical level.

Before going through his legal training, Xu Jian was a worker at the Inner Mongolia No.2 Machinery Main Factory.

TAKE ACTION

Please write to the Chinese authorities:

- **calling for the immediate and unconditional release of Xu Jian, detained solely for the peaceful exercise of his right to freedom of expression and association.**
- **expressing concerns at Xu Jian's medical problems, which he appears to have acquired in prison, and urging them to ensure that Xu Jian is given all necessary medical care by competent doctors, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.**

ADDRESSES for Xu Jian

Chairman of the Nei Menggu Autonomous Regional People's Government: WUYUN Qimuge Zhuxi - Nei Menggu Zizhiqu Renmin Zhengfu - 1 Xinhua Dajie - Huhehaoteshi 010055 - Nei Menggu Zizhiqu - People's Republic of China

Telegram: Chairman of the People's Government, Huhehaote, Nei Menggu Autonomous Region, China

Salutation: Dear Chairman

Director of the Nei Menggu Autonomous Regional Department of Justice: SAIJIERFU Tingzhang

Sifating -1 Xinhua Dajie, Huhehaoteshi 010055 - Nei Menggu Zizhiqu -People's Republic of China

Telegram: Director of the Nei Menggu Autonomous Regional Department of Justice, Huhehaote, Nei Menggu Autonomous Region, China

Salutation: Dear Director

SHANDONG PROVINCE

Worker and Labour leader in the 1989
Shao Liangchen
pro-democracy movement

Shao Liangchen, a worker in Jinan city, Shandong province, was sentenced to death with two years' reprieve and deprivation of political rights for life in September 1989 by the Jinan Municipal Intermediate People's Court. He was convicted of "destroying transportation equipment" in connection with his activities during the 1989 pro-democracy demonstrations.

During the 1989 pro-democracy movement, Shao Liangchen was reportedly a leader of the Jinan City Workers Autonomous Federation and the Workers Democratic Federation. He was arrested on 15 June 1989, shortly after the massacre in Beijing on 4 June 1989. The reason for the charge against him is not known but is believed to be related to clashes which occurred during the 1989 protests.

In November 1991 Shao Liangchen had his sentence commuted to life imprisonment and in July 1994 his sentence was reduced to 17 years' imprisonment. He reportedly benefited from two further reductions in 1998 and in 2000 totalling three years and six months.

Shao is now due to be released in November 2007.

He is reportedly imprisoned in Shandong province's Weihu Prison.

TAKE ACTION

Please write to the Chinese authorities:

- **calling on them to release Shao Liangchen in view of the lengthy sentence he received after a summary and unfair trial and the length of time he has already spent in prison.**

ADDRESSES for Shao Liangchen

Governor of the Shandong Provincial People's Government: LI Chunting Shengzhang -
Shandongsheng Renmin Zhengfu - 1 Shengfuqianjie - Jinanshi - Shandongsheng
People's Republic of China
Telegram: Governor, Jinan, Shandong Province, China
Salutation: Dear Governor

Director of the Shandong Provincial Department of Justice: LIANG Dechao Tingzhang -
Sifating - 9 Jinshilu - Jinanshi 250014 - Shandongsheng - People's Republic of China
Telegram: Director of the Provincial Department of Justice, Jinan, Shandong Province, China
Salutation: Dear Director

SICHUAN PROVINCE

Li Bifeng

Labour rights and democracy activist
A former cadre at the Mianyang Tax Bureau

Li Bifeng, 38, a labour rights activist and formerly an officer at Mianyang city Tax Bureau, Sichuan province, was sentenced to seven years' imprisonment in August 1998 on a politically motivated charge of fraud.

Before his arrest Li Bifeng had been in hiding since July 1997, when he publicized the violent dispersal by police of massive worker protests in Mianyang over alleged misappropriation of unemployment funds by corrupt cadres in three collapsed state firms.

Serious labour unrest had erupted in Mianyang and elsewhere in Sichuan province over the previous months. Li Bifeng publicly denounced the suppression of the Mianyang protests in an open letter, then went into hiding to avoid arrest.

In February 1998, while still in hiding, he reportedly conducted a public opinion poll on redundancies in Sichuan province and publicized the results about the workers demands for reforms and for the implementation of an effective mechanism of social security. He also issued appeals to international organizations to support the plight of the laid-off workers and their right to organize.

Li had been previously jailed for 5 years for taking part in the 1989 pro-democracy movement.

He is believed to be held at Jiangyou City Detention Centre.

TAKE ACTION

Please write to the Chinese authorities:

- **call for the immediate and unconditional release of Li Bifeng, believed to be detained solely for the peaceful exercise of his right to freedom of expression and association.**

ADDRESSES for Li Bifeng

Acting Governor of the Sichuan Provincial People's Government: ZHANG Zhongwei
Daishengzhang - Sichuansheng Renmin Zhengfu - Duyuanjie - Chengdushi - Sichuansheng
People's Republic of China

Telegram: Acting Governor, Chengdu, Sichuan Province, China

Salutation: Dear Governor

Director of the Sichuan Provincial Department of Justice: ZENG Xianzhang Tingzhang -
Sifating

24 Shangxianglu - Chengdushi 610015 - Sichuansheng - People's Republic of China

Telegram: Director of the Provincial Department of Justice, Chengdu, Sichuan Province,
China

Salutation: Dear Director