

£People's Republic of China

@Appeal for Liu Gang

In an account of his treatment in prison, prisoner of conscience Liu Gang has accused officials at Lingyuan prison, Liaoning province, of repeatedly subjecting him to physical abuse and intimidation, and of threatening him and his family if he continues to complain about his ill-treatment. A translation of his account, which is dated January 1993, is attached to this document. Liu Gang was recently reported to be in very poor health as a result of nearly two years of cruel, inhuman and degrading treatment in prison.

According to his sister, who visited him at the prison in late April 1993, 31 year-old Liu Gang suffers from psoriasis and a prolapse of the anus, his hair has started to fall and turn white, his face is covered with swellings and his appearance generally so changed that he is barely recognizable.

The Chinese authorities, however, have recently claimed that he was in "very good health" and denied that he had been ill-treated.

Liu Gang (wearing cap) with his younger brother, Liu Yong, photographed in Lingyuan prison, Liaoning province by a prison official, September/October 1991.

Liu Gang, a physics graduate from Beijing University and one of the key figures of the 1989 student protests in Beijing, was arrested in June 1989 and jailed in Beijing for nearly two years before his trial. In February 1991, he was sentenced to six years' imprisonment for "counter-revolutionary crimes". In April 1991, together with a group of political prisoners, he was transferred to the Lingyuan No.2 Labour-Reform Detachment, a penal institution in the northeastern province of Liaoning.

Since then, Liu Gang and other political prisoners held at Lingyuan have been subjected to torture and other forms of ill-treatment, according to well-documented reports. Amnesty International published a detailed account of their treatment in a report issued last year¹ and has repeatedly called on the Chinese authorities to investigate the allegations. Liu Gang's account, which circulated outside China in May 1993, is consistent with previous reports of ill-treatment of prisoners at Lingyuan.

According to his account and the reports from other sources, Liu Gang was severely beaten on several occasions since his arrival at Lingyuan in April 1991. He was also held in conditions which in themselves amount to cruel, inhuman and degrading treatment, spending more than eight months in solitary confinement in a small punishment cell since November 1991. According to his account, he was not allowed to take exercise outside since that date, his cell was dark, cold and damp, and for long periods of time he was refused permission to wash his face, body or clothes, being allowed a bath only five times in nearly two years. He was also denied appropriate medical treatment, he said, and now suffered from many ailments, including heart and stomach trouble, skin disease, haemorrhoids and a prolapse of the anus.

Liu Gang appears to have been singled out for particularly harsh treatment because of his refusal to admit "his guilt" and his determination to speak out and complain about being ill-treated. He states in his account:

"At present, the police officers I am accusing all know that I am determined to continue complaining about them. So they try to stop me from doing so by every possible means, including threats, intimidation and beatings. The often shout at me: `What can you do to me? Do you think you can sue me?! I am still a Communist Party member! I still wear the police uniform! I'll get my promotion the usual way and will still be in charge of you!'"

Liu Gang describes how he was again severely beaten on 2 October 1992, after a family visit to the prison, for telling his relatives how he was being treated. That evening, he says, several prison officials, helped by several criminal prisoners, gave him the "electric shock treatment"

¹ See *Torture in China*, AI Index ASA 17/55/92, December 1992, pages 10-14.

with electric batons, beating him repeatedly while insulting him. They also threatened him and his family with further reprisals unless he retracted his claim that he had been ill-treated, the account says. He was then placed in a strict regime cell for over three months, until 6 January 1993. While there, he says, he was tortured further to force him to "confess" that he had not been ill-treated and that he had plotted to murder a prison official.

Members of his family have also recently reported that the prison authorities have put pressure on them to discredit Liu Gang's reports of ill-treatment. Very few family visits were allowed over the past two years, they said, and permission to see Liu Gang was made conditional on their stating that they did not believe what he said. Liu Gang's younger brother, Liu Yong, wrote last year to the central authorities to complain about Liu Gang's treatment and was subsequently denied permission to see Liu Gang by the prison authorities. In October 1992, the family said, prison officials tried to force Liu Yong to write a statement retracting his complaint to the central authorities, as a condition for allowing other members of the family to see Liu Gang.

According to Liu Gang's account, under the influence of the Lingyuan prison leader, practically all the prison officers who ordered or took part in his ill-treatment at Lingyuan were promoted to key positions in the prison, while those who showed sympathy for him or were reluctant to take part in beatings were either transferred or demoted. In his account, Liu Gang names several prison officials who were directly involved in torturing him.

The Chinese authorities, however, deny that he has been ill-treated. In May 1993, a Ministry of Justice official reportedly told a foreign visitor that the reports of Liu Gang's ill-treatment were "completely groundless". The official stated that Liu Gang was "in very good health" and that the Ministry would release video footage and photographs of Liu Gang to "prove this". The official said, however, that Liu Gang's behaviour was criticized and that he was "resisting reform" and refusing to acknowledge "his guilt".

Amnesty International is concerned by this perfunctory denial and the authorities' failure to launch an impartial judicial investigation into the persistent reports of ill-treatment of prisoners at Lingyuan. These reports started emerging in late 1991 and were further documented in 1992. It appears, however, that the Chinese authorities have taken no step to ensure the safety of Liu Gang and other prisoners at risk, such as by transferring them. Nor do they appear to have taken any action to suspend from duty those prison officers alleged to have used torture, pending an independent judicial investigation.

This flagrantly contradicts the claim made by China before the United Nations Committee against Torture in Geneva in April 1993 that all allegations of torture or ill-treatment were "rigorously" investigated in accordance with Chinese law.

Amnesty International urges the Chinese authorities to take the following measures without delay:

- ◆ to immediately transfer Liu Gang from the Lingyuan prison complex to a civilian hospital where he can receive all appropriate medical care by doctors of his own choice;
- ◆ to launch an impartial judicial investigation into the allegations of ill-treatment of prisoners at the Lingyuan No.2 Labour Reform Detachment, by an independent authority not involved in the process of arrest, detention or supervision of prisoners in Liaoning province, and to make public the methods and findings of the investigation;
- ◆ pending such an investigation, to suspend from duty all prison officers alleged to have ill-treated prisoners at Lingyuan and to take all appropriate measures to protect prisoners making complaints from any reprisals as a result of such complaints.

*APPENDIX:
LIU GANG'S ACCOUNT OF CONDITIONS AT LINGYUAN PRISON*

In April 1991, I was transferred from Qincheng Prison in Beijing to Changchun Prison in my native place [Jilin province]. But in the same month, I was forcibly transferred for no reason to the Lingyuan No.2 Detachment [Liaoning province] which is far from my native place. This administrative decision, made by the Ministry of Justice and the Justice Departments of Jilin and Liaoning provinces, has violated the principle of serving sentence near one's native place and has no legal basis whatever. It has created inconvenience for me to meet my family and caused us grave financial loss. After I was sent there, I requested several times that I be transferred back to my native place, but the authorities concerned have paid no attention.

Since arriving at the Lingyuan No.2 Detachment, I have been repeatedly discriminated against, insulted, beaten, verbally abused and ill-treated. On 22 April 1991, the day I arrived, we² were beaten and abused by many police officers. A police officer nick-named "Trouble Liu" assaulted us with an electric baton and slapped us in the face, saying viciously: "I will electric-shock you till you become crippled." He said that the beating was a greeting present, to give us a taste of what to expect.

On 29 May, unable to bear the constant tests³ which were meant to brainwash and torment us, I and eleven other prisoners of conscience from Jilin province refused to take the test. On that evening, police officers Yang Guoping, Wang Yinshan, Diao Lie, Li Yang and Liu Guodong and staff member Zhou led many common criminals in beating us cruelly. We were shackled, handcuffed and taken into "strict regime" confinement and kept there for correction for three months. In the cell, I was forced to "sit on the stool"⁴ [a very narrow bench] for 12 hours a day. In the prison, one usually cannot be kept in "strict regime" confinement for more than a month at a time. Even prisoners who have seriously violated

² A group of 11 political prisoners was transferred to the Lingyuan No.2 Detachment on 22 April 1991 together with Liu Gang.

³ Newly arrived prisoners had to undergo a "prison training course", involving among other things learning and reciting the "standards of conduct for criminals' reform", which are basically aimed at making prisoners admit that they are "criminals". They were tested to check their acceptance of these "standards".

⁴ "Sitting on the stool" [*zuo deng*] is a method of corporal punishment used against prisoners at Lingyuan Prison. The "stool" is a very narrow bench measuring about 2 metres long, about 50cms high, and only 10cms wide. Each day, Liu Gang and other prisoners were forced to sit on the "stool" for long periods of time without moving, sometimes for more than 10 hours, in order to "introspect". Sitting on the stool over a long period of time without moving causes swelling of the legs and, if repeated, can cause muscular atrophy. Making prisoners sit without moving for prolonged periods of time is also common in other prisons in China.

the prison regulations, for example by drinking and fighting, are normally only kept in the "strict regime" cell for a week or two. But, in the year and a half between May 1991 and January 1993, I was subjected to strict regime confinement three times, for a total of over 8 months.

On 4 June 1991, I went on a hunger strike. In the evening, Wang Yinshan led officers Zhou, Liu, Wang, Yang and others in giving me a fierce beating. They tried to extract a confession from me through torture and abused me with filthy language. They said they would skin me and threatened: "This day next year will be the first anniversary of your death." Ironically, all this atrocity took place right in the "office" especially set up in the No.2 Detachment by the Lingyuan county Procuracy⁵.

Between June and August 1991, at the instigation of the police officers, common criminals Wang Liansheng and others set up kangaroo courts many times, carrying out so-called "night trials", punching and kicking me. When southern China was hit by a flood disaster, the prison authorities made us contribute money to the disaster-stricken area. I had at first contributed 2 *yuan*, but Si Wei⁶ and other prisoners of conscience had no money to contribute. Because the amount we contributed did not reach the set quota, police officers incited Wang Liansheng and other common criminal prisoners supervising us⁷ to beat us until I agreed to contribute 10 *yuan*.

In most of our time in No.2 Detachment, we were made to paste up match boxes for over 10 hours a day, including Sundays. We were denied recreational activities and not allowed to read books and newspapers or watch the news on television, even during stipulated recreational breaks and relaxation periods. Instead, we were forced to undergo various kinds of corporal punishments and to work overtime.

⁵ One of the tasks of the procuracies is to supervise proper implementation of the law by all law-enforcement agencies, which involves ensuring that prisoners are not ill-treated. Some procuracies have offices and staff permanently posted in prisons and detention centres. However, they often take no action when prisoners are ill-treated.

⁶ Si Wei, a senior high school graduate from Tonghua city in Jilin province, was arrested in June 1989 for distributing leaflets after the 4 June 1989 crackdown and later sentenced to four years' imprisonment on political charges.

⁷ Prison officials often entrust some common criminal prisoners with the task of supervising and reporting on other prisoners. This is sometimes referred to in China as the system of "cell bosses", which result in many abuses with the connivance of the prison authorities. At Lingyuan, as in many other prisons, political prisoners were placed under the "supervision" of common criminal prisoners.

On 15 November 1991, unable to bear the prolonged persecution and ill-treatment, 15 prisoners of conscience, including me, started a collective hunger strike, demanding that we be returned to our native places and that prison conditions be improved. That evening, the prison authorities put us all under strict regime confinement and we were compelled to sit on the "stool" for 14 hours a day. It was not until 19 January 1992 that we were released from solitary confinement. During this period, I went on hunger strike many times, protesting against the illegal ill-treatment imposed on us, and was severely beaten each time. When I refused to accept the punishment of sitting on the "stool", the prison authorities incited more than 10 common criminals to force me in turn to sit on an "artificial tiger stool" (*rengong laohu deng*), which consisted in forcing me to sit on a stool by twisting my arms, pulling my legs, strangling me, blocking my mouth and stamping on my belly. Police officers incited prisoners Li Chuanbo, Zhang Yue, Hu Wei and others to punch and kick me and insult me maliciously every day, causing me to sustain many head and chest injuries. When I showed the scars on my head to my sister a few months later, Yang Guoping declared that they were frost-bite scars. When Li Chuanbo and others were beating me unscrupulously and pressing me on to the ground, the police officers stood by watching and did not make a move to stop them. They even went as far as saying that they were not beating me but merely helping me to raise my level of consciousness and to prompt me to plead guilty and repent (these words by Brigade Leader Peng Shilong).

On 2 October 1992, when I saw my father and sister [during a family visit to the prison] and told them how Wang Yinshan, Li Yang, Diao Lie and others had beaten and abused me, Li and Diao, who were present, stamped with rage and vilified me right away. That evening, Section Leader Wang Yinshan came to my cell to pick a quarrel, and beat and abused me. With the help of his former police academy classmate Section Leader Yang Baoxi, and Yang Jun and over a dozen prisoners, he pressed me against the toilet door frame and carried out the so-called "electric therapy" on me with several high voltage riot police electric batons of 12,000 volts. While electrocuting me, he shouted, "I will straighten you up", and while I hung on, gritting my teeth, "Are you going to obey or not?" and "Still dare to complain?" They did not stop even when I finally could not help crying out, "I will obey!" and "I wouldn't dare!" and was forced to say that it was me who had beaten him - Section Leader Wang - rather than him beating me (a "confession" extracted through torture). Following this, they put me into strict regime confinement for over three months until 6 January 1993, when the Spring Festival was approaching.

During my confinement in strict regime, Section Leaders Wang, Yang and Li forced me to write a confession of my crimes and used torture to force me to admit that I had plotted to murder Section Leader Wang Yinshan. Ever since I arrived at Lingyuan No.2 Detachment, I have always been under strict supervision and there was basically no way I could get close to a police officer; yet they wanted me to admit that I was plotting to murder a government cadre. This is really turning things upside down and pure nonsense.

On 2 October 1992, I started a hunger strike to protest against the continuous beating, verbal abuse and illegal strict regime confinement to which I was subjected. I had no intake of food or water for a week, and on the evening of 8 October, Deputy Section Leader Li Yang led prisoners Yang Jun, Liu Yuanchao, Hao Yiguo, Wang Fusheng, Zheng Shengyi, Bi Qingkui and Yin Yuhua to force-feed me in the meeting room of the prison's administrative section, by pushing a tube down into my stomach and pushing sweet-corn porridge down it. They said: "Following Premier Li Peng's instructions, to save life is essential, and this is exercising revolutionary humanitarianism towards you", and threatened, "If your family dares to lodge a complain, we will let you die in here and put all your family in prison."

Between 2 October 1992 and 6 January 1993, I went on frequent hunger strikes. In the first two months, I only had one meal a day on Wednesdays and Sundays, 500 grammes each time. In the last month, I only had one meal a day, 200 grammes each time. As a result, my physical condition continued to deteriorate and my weight dropped sharply. Even under these circumstances, the leader of the strict regime unit Wang Shijun led over a dozen common criminals in forcing me to sit on the "artificial tiger stool" every day, or pushing me down to sit on the concrete ground. He personally twisted my arms and hit me, saying, "I don't believe that I can't make you submit, you little counter-revolutionary, you little thug". "Even if I had to lose my head I would have you plead guilty and repent and make you bow down you head to the Communist Party." "I must get rid of a tough and stinking dangerous element like you for the Party, even if I had to be sacked from the Party and from the police force." "It's a proletariat dictatorship here, a meat mincer. If you don't bow down, we will crush you to death, bit by bit." "If you are thinking of not pleading your guilt, then don't think you will walk out alive of Lingyuan No.2 Detachment. This is the special feature of No.2 Detachment."

It was damp and cold in the 'Introspection Room'. The window panes were broken, and the wind got in from all directions. Over a long period of time I was the only one held in the large empty room of 70 square metres. I was only allowed simple bedding and the bed was damp. I was often forced to sit on the "stool" or sit on the concrete floor. In the close to two years since my arrival at No.2 Detachment, I had only had a total of five baths. In over a year from November 1991 until now, I have never been allowed to go downstairs for a bit of fresh air. Even my bedding has not been be aired. During my time in the Introspection [Room], for a long time I was not even allowed to wash my feet, my face or my clothes. Due to the appalling living conditions and inhuman ill-treatment, I now have arthritis, heart and stomach trouble, skin disease, haemorrhoids and other afflictions, and often have a prolapse of the anus, but I have never had timely and effective treatment, and throughout the year I have been denied permission to go to hospital for consultation.

I am not saying that the police officers at Lingyuan No.2 Detachment have all lost their conscience, but under the control of Detachment Leader Zhang Aijing, all those police officers who sympathised with me and were reluctant to beat me were transferred. It was

enough for several cadres who directly supervised me to become a little friendly towards me for them to be considered politically unsound and get transferred or demoted. And practically all those who had beaten me were promoted to key positions. For instance, Yang Guoping who was first put in a key position by the Brigade leader as leader of the Prison Administration Section, overseeing everything in the prison, and who recently was further promoted to be Labour Union Chairman with the grade of deputy detachment leader. Diao Lie and Li Yang were both promoted to Brigade leader and Deputy Section leader at the age of 30. Yang Baoxi was promoted from Deputy Section leader to Section leader, and he is known as the youngest ever leader of the Prison Administration Section in Lingyuan county. Staff member Liu Guodong was recommended for admission to university. And so on. At Lingyuan No.2 Detachment, the main criteria to determine whether a police officer has a cadre's talent are whether or not he is vicious in beating prisoners and whether he is able to send cold chills down the prisoners' spine and make their hair stand. And an even quicker way to get promoted is to dare to kick and punch me and abuse me with vicious words. This has spurred on many young and competitive police officers, bursting with energy, to try it out on me, to try out on me their various tricks to reform and punish people. Anyone who could conquer me would undoubtedly prove he is talented and get immediate promotion, and could even publish dissertations and theses, and get to meet and be praised by their superiors.

All the police officers I am accusing are those who are currently directly in charge of me. They all have the power to carry out on me at any time and anywhere the "electric therapy" and other forms of "revolutionary humanitarianism", even to deprive me of my life. Deputy Section Leader Li Yang once said to me himself that he could order me at any time to walk up to the electrified netting at the big wall and then shoot me on the grounds that I was trying to escape from jail. No one would know the truth, and even if the truth became known, he would be accused of no more than dereliction of duty and would get at worst a 7 years' sentence. At present, these police officers all know that I am determined to complain about them. So they try to stop me from doing so by every possible means, including threats, intimidation and beatings. They often shout at me, "What can you do to me? Do you think you can sue me! I am still a member of the Communist Party! I still wear the police uniform! I'll get my promotion the usual way, and will still be in charge of you!" If these people who beat and abuse us at will are allowed to continue to ignore the law with impunity, and even be praised and put in important positions because they beat me, then undoubtedly this is trampling the law and abusing and insulting human rights, and my own life is at risk. Section Leader Yang Baoxi once said to me, "I can have each of the prisoners of No.2 Detachment poke you with one finger and you could die from it. When it's done, no one would need to take responsibility for it. You wouldn't know who to complain about if you could complain."

I know full well that I must treasure and protect my own life. I must be strong and continue to live, to see with my own eyes one day that the law and human rights are respected, that democracy in China is progressing, and that the human rights situation in China is improved.

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[translated from the Chinese text by Amnesty International]