

PUBLIC

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Fear of torture

PEOPLE'S REPUBLIC OF CHINA Mao Hengfeng (f)

Mao Hengfeng was forced to have an abortion, and dismissed from her job, when she became pregnant in violation of China's family planning policies 15 years ago. She has been protesting through official channels ever since, and has reportedly now been imprisoned and tortured because of her persistence.

According to information received from the New York based NGO Human Rights in China, Mao Hengfeng was dismissed from her job in a soap factory in Shanghai in 1988 when she became pregnant, because she already had a young daughter. She refused to have an abortion, and was detained in a psychiatric hospital where she was injected with unknown medication. However, she managed to continue her pregnancy and give birth to a daughter.

Mao then appealed against her dismissal under China's Labour Law, and was ordered to be reinstated in her job. However, the factory where she worked disputed the ruling, and appealed to a higher court. Mao was seven months pregnant with her third child at the time of the appeal hearing, when the judge reportedly told her that if she terminated her pregnancy, he would rule in her favour.

Mao terminated her pregnancy against her wishes, but still the court ruled against her, apparently because of her original violation of family planning policies.

Since then, Mao has repeatedly followed official procedures to petition the authorities about her dismissal and against the treatment she suffered at the hands of the police. She has been detained several times on account of these activities, and forcibly confined in psychiatric units where she has been forced to undergo shock therapy. Her daughters, both under the age of 18, have also reportedly been detained repeatedly by police and questioned about who is assisting her with her petitions.

Mao was sent to a labour camp by police in Shanghai in April 2004, to undergo 18 months' "re-education through labour" (a punishment imposed without charge or trial) because of her persistence in petitioning the authorities. At the labour camp she has reportedly been tied up, suspended from the ceiling and severely beaten. She is facing the possibility of further abuse.

BACKGROUND INFORMATION

Amnesty International receives numerous reports of torture and ill-treatment taking place in a wide variety of state institutions across China, including police stations, prisons and "re-education through labour" camps. Common methods of torture include kicking, beating, electric shocks, suspension by the arms, shackling in painful positions, and deprivation of sleep and food.

Torture and ill-treatment have also been reported as a result of China's family planning policies, including forced abortions and sterilizations. Local birth quotas play a prominent part in the policy, upheld by stiff penalties as well as rewards. Women who become pregnant without permission may be punished with heavy fines, and dismissed from their jobs. With pressure to perform, some officials have resorted to violence.

In September 2002, a new Population and Family Planning Law was introduced in a stated attempt to standardize policies and practice across the country and safeguard citizens' rights. However, reports of coerced abortions and sterilizations have continued and few officials are believed to have been brought to justice or punished for such abuses.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern for the safety of Mao Hengfeng, who has reportedly been tortured at a "re-education through labour" camp in Shanghai;
- urging the authorities to release Mao Hengfeng immediately and unconditionally, and allow her to continue petitioning the authorities without interference;
- urging the authorities to investigate and punish those found responsible for torturing Mao Hengfeng, and for harassing her two young daughters;
- calling on the authorities to abolish "re-education through labour", which is a form of administrative detention imposed without formal charge or trial.

APPEALS TO:

Minister of Justice of the People's Republic of China

ZHANG Fusen Juzhang

Ministry of Justice

10 Chaoyangmen Nandajie, Chaoyangqu

Beijing 100020

People's Republic of China

Fax: +86-10-64729863

Email: pfmaster@legalinfo.gov.cn (Mark: "Please forward to the Minister of Justice")

Salutation: Your Excellency

Director of the Shanghai Bureau of Justice

MIAO Xiaobao Juzhang

Shanghaishi Sifaju

225 Wuxinglu,

Shanghaishi 200030

People's Republic of China

Email: contact_us@eastday.com

webmaster@justice.gov.cn

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Fax: +86 21 64743029

Salutation: Dear Director

Director of the Shanghai Bureau of Public Security

WU Zhiming Juzhang

Gong'anju

185 Fuzhoulu,

Shanghaishi 200002

People's Republic of China

Email: gaj02@shanghai.gov.cn

shgajxfb@sh.china110.com

Salutation: Dear Director

COPIES TO: diplomatic representatives of the People's Republic of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 November 2004.