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**CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF TORTURE
AND DETENTION**

Torture and other cruel, inhuman or degrading treatment or punishment

Report of the Special Rapporteur, Theo van Boven

Addendum

**Summary of information, including individual cases, transmitted to Governments and
replies received***

* The present document is being circulated in the languages of submission only as it greatly exceeds the page limitations currently imposed by the relevant General Assembly resolutions.

Introduction

1. This addendum to the report of the Special Rapporteur contains, on a country-by-country basis, summaries of reliable and credible allegations of torture and other cruel, inhuman or degrading treatment or punishment that were brought to the attention of the Special Rapporteur, and were transmitted to the Governments concerned. It also contains replies from Governments. This addendum does not illustrate the state of torture and other cruel, inhuman or degrading treatment or punishment throughout the world, but rather reflects the state of information brought to the attention of the Special Rapporteur.

2. The Special Rapporteur would like to recall that in transmitting these allegations to Governments, he does not make any judgement concerning the merits of the cases, nor does he support the opinion and activities of the persons on behalf of whom he intervenes. The prohibition of torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right, and every human being is legally and morally entitled to protection. When the Special Rapporteur receives reliable and credible information that gives grounds to fear that a person may be at risk of torture or other forms of ill-treatment, he may transmit an urgent appeal to the Government concerned. The communications sent by the Special Rapporteur have a humanitarian and preventive purpose, and do not require the exhaustion of domestic remedies. Governments are requested to clarify the substance of the allegations, take steps to protect the person's rights, and are urged to investigate the allegations and prosecute and impose appropriate sanctions on any persons guilty of torture and other cruel, inhuman or degrading treatment or punishment.

3. Observations by the Special Rapporteur have also been included where applicable. Such observations, which sometimes note the most recent findings of other supervisory bodies, in particular United Nations treaty bodies, are usually made when the information suggests that there may be a problem extending beyond the exceptional or isolated incident. References to press statements of the Special Rapporteur are also cited.

4. During the period under review, i.e. from 16 December 2003 to 30 November 2004, the Special Rapporteur sent 223 letters* to 77 Governments. The Special Rapporteur also sent 330 urgent appeals* to 72 Governments on behalf of individuals for whom fears had been expressed that they might be at risk of torture and other forms of ill-treatment. Government responses received up to 31 December 2004 have been included. The responses received after that date will be duly reflected in the addendum to the report of the sixty-second session of the Commission.

5. The Special Rapporteur appreciates the timely responses received from Governments to the letters and urgent appeals transmitted. He regrets that many Governments fail to respond, or do so selectively, and that responses to older cases remain outstanding in large part.

6. Owing to restrictions on the length of documents, the Special Rapporteur has been obliged to reduce considerably details of communications sent and received; attention is given

* Includes joint action with other Special Procedures of the Commission on Human Rights.

to information specifically relating to the allegations of torture and other cruel, inhuman or degrading treatment or punishment. As a result, requests from Governments to publish their replies in their totality could not be acceded to.

SUMMARY OF CASES TRANSMITTED AND REPLIES RECEIVED

China

226. By letter dated 10 June 2004, sent jointly with the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on violence against women, the Special Rapporteur notified the Government that he had received allegations concerning **Z. Y.**, age 4. On 1 January 2004, she was taken from her home in Zitong Town, Tongnan County, Chongqing City, by four police officers from the Tongnan County National Security Team (one of whom is known to the Special Rapporteurs). Both of her parents had been arrested previously because they are practitioners of Falun Gong. In February 2002, her father, Zhang Hongxu was sent to Xishanping Labor Camp, where he was tortured, and suffered a broken nose, missing teeth, and injured ribs. He is now detained at an undisclosed location. On 23 December 2003, Z. her mother, Wu Yongmei, was detained and tortured. She was released after being on a hunger strike for 54 days. Upon release, she began to search for her daughter and her current whereabouts are unknown.

227. By letter dated 8 July 2004, sent jointly with the Special Rapporteur on the right to freedom of opinion and expression and the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur notified the Government that he had received allegations concerning:

228. **Sun Yanqing**, an employee of the Mechanical Maintenance Facility, Xuanhua District Steel Works, Zhanjiakou City, Hebei Province. In 2000, she was arrested in Beijing when she went to appeal for an end to the persecution of Falun Gong. Her condition became critical after she was tortured. She was sent back to her home town where she was hospitalized and died a few days later.

229. **Chen Aizhong**, age 33, Beixinbao Town, Huailai County, Zhangjiakou City, Hebei Province. On 20 July 1999, Mr. Chen, together with his family, went to Beijing to appeal for an end to the persecution of Falun Gong. On 12 September 2000, he was arrested and sent to the Sixth Brigade of Hehuakeng Labour Camp, Tangshan City, where he was tortured. He died on 20 September 2000.

230. **Zhu Yourong**, a Falun Gong practitioner, Xuanhua District, Zhangjiakou City, Hebei Province. She was tortured at the Women's Second Brigade, First Forced Labour Camp, Hebei Province. She died at the camp on 16 December 2000.

231. **Fan Yaxiong**, age 42, Chairwoman for Teaching and Guidance, High School No. 15, Zhangjiakou City, Hebei Province. In May 2000, she was arrested in Beijing while demonstrating against the persecution of Falun Gong. Officials of the Zhangjiakou "610 Office" (the agency specifically created to persecute Falun Gong practitioners) sent her to the Shalingzi Mental Hospital where she was injected with nerve-damaging drugs. In June 2000,

she was sentenced to three years of forced labour education and was tortured at the Tangshan Forced Labour Camp. She was released at the end of 2000 and died at home shortly afterwards.

232. **Zhang Zhigen**, age 53, a Falun Gong practitioner, and working in the Zhangjiakou Embroidery Factory, Zhanjiakou City. In April 2000, she was arrested when she went to Beijing to appeal for an end to the persecution of Falun Gong. She was detained by the “610 Office” deputies at the Xuanhua District Detention Centre, Zhanjiakou City, for 17 days where she was tortured. One of her legs became infected and had to be amputated. On 6 October 2000, she went to Beijing and was re-arrested. She was transferred to the Shisanli Zhangjiakou City Detention Centre and tortured for nine days. She was released and died on 25 February 2001.

233. **Jiang Shuhua**, age 50, a Falun Gong practitioner, Shihuiyao village, Yangtian Township, Chicheng County, Zhangjiakou City, Hebei Province. On 8 February 2002, she was arrested by the police, and died on 3 March 2002 in police custody.

234. **Shen Lizhi**, age 33, Shenyang City, and his wife **Luo Fang**, Leshan City, Sichuan Province. On 1 February 2002, They were arrested on Bus No. 75 by police officers from Yingmenkou Police Station, Chengdu City. The police claimed that at the time of their arrest the two persons had in their possession materials relating to the persecution of Falun Gong. They were detained at the Chengdu Detention Centre. Shen Lizhi was tortured after his arrest and died on the afternoon of 3 March 2002 at Qingyang District People’s Hospital. The police notified his parents one year later, on 3 March 2003. Luo Fang was eight months pregnant at the time of her arrest, and an official of the “610 Office” forced her to have an abortion. On 8 May 2002, she was released but was arrested again on 5 December. She was tortured and sentenced to 12 years in prison. Since August 2003, she has been held at the Chuanxi Prison, Hongan Town, Longquan, Chengdu City.

235. **Liu Haibo**, a 34 year-old Falun Gong practitioner, and a doctor at the Luyuan District Hospital, Changchun City, Jilin Province. On 11 March 2002, police from the Kuancheng District Police Station in Changchun City abducted him from his home and tortured him to death. He died at the 120 Emergency Centre, on 12 March 2002.

236. **Liu Yuqing**, age 40, Wanghua district, Fushun City, Liaoning Province. She went to Beijing to appeal to the Government to stop the persecution of Falun Gong, and on 21 December 2000, she was arrested, detained and tortured. After she was released, on 15 February 2001, three police officers from the Putun Police Station, Wanghua district, dragged her down from the third floor of her work unit and took her to the police station. She was then sent to the Fushun City Detention Centre, and 2 weeks later she was transferred to the Wujiabao Labour Camp, Fushun City, where she was tortured again. She was taken home by her family on 11 April 2001 where she died on 13 April 2002.

237. **Song Cuiling**, age 52, Zhangjiakou City, Hebei Province. On 5 May 2002, she was arrested at Tiananmen Square while she was appealing for an end to the persecution of Falun Gong. She was sent to the Zhangjiakou Detention Centre where she was subjected to torture. She went on a hunger strike to protest the persecution and was tortured to death on 20 May 2002.

238. **Yin Ling**, age 34, No. 597 Farm, Baoqing County, Heilongjiang Province. On 28 December 2001, the Chief of the No. 597 Farm Police Station and several other policemen took her away. She was sentenced to three years of forced labour in the Jiamusi City Labour Camp. She began a hunger strike on 28 October 2002 to protest the detention. She was force-fed for a long time, tortured and handcuffed to her bed all day. Her family was instructed to take her home on 13 November 2002 and she died soon afterwards.
239. **Xue Xia**, age 33, Jiejiatun village, Xingtai City, Hebei Province. On 1 January 2000, she went to Beijing to appeal to the Government to stop the persecution against Falun Gong, was arrested and sentenced to three years of forced labour at Shijiazhuang Labour Camp. She was beaten in detention and force-fed unknown drugs. She was released in May 2001 on medical bail as she was on the verge of death. On 27 September 2002 she was brought back to the labour camp, along with her mother, for questioning. On 4 January 2003 she was sent to Xingtai City for medical treatment and died on 21 February 2003.
240. **Chen Hongping**, a 32-year-old Falun Gong practitioner, Huailai County, Zhangjiakou City, Hebei Province. In 2001, she was arrested and beaten, along with her sister by the Donghuayuan police. She was sent to the Gaoyang Labour Camp, subjected to further torture, as well as round-the-clock brainwashing against her belief in Falun Gong. She died on 5 March 2003 upon her release.
241. **Yu Yongquan**, age 45, employee of the Daqing City No. 2 Rice Mill, Daqing City, Heilongjiang Province. On 11 May 2002, he was arrested by police from the Ranghulu District Police Station and Chuangxin Police Station and sent to the Ranghulu District Detention Centre. He was charged with making Falun Gong materials, and was sentenced to 10 years in jail on 22 September 2002 by the Ranghulu District Court. He was detained in the Hongweixing Jail, Daqing City, where he was tortured. On 8 March 2003, he was sent to the prison hospital for emergency treatment and died the same day.
242. **Chen Xiangrui**, a 29-year-old Falun Gong practitioner, Hengyang City, Hunan Province. On 11 March 2003, a group of policemen led by the head of the National Security Team, Hengyang City Police Station, entered his home, beat and kicked him, dragged him out of the house and into a police van. He was subjected to torture in the police station. He was sent to a hospital the next morning and died soon afterwards. The autopsy revealed that his internal organs had been damaged as a result of the beatings.
243. **Gao Shuhua**, age 49, Weicheng district, Weifang City, Shandong Province. On 14 March 2003, she was arrested while distributing materials about the persecution of Falun Gong. She was detained in the Weicheng Detention Centre for 13 days. During this time she went on a hunger strike to protest her imprisonment and was force-fed by guards. She died on 26 March 2003.
244. **Li Jianhou**, a 67-year-old Falun Gong practitioner, Nanchong City, Sichuan Province. She was tortured to death on 27 March 2003 in the Deyang Prison, Sichuan Province.

245. **Li Ying**, Wanghua district, Fushun City, Liaoning Province. On 31 March 2003, she was arrested by police from the Public Security Bureau, Wanghua district, and the local police station. She was taken to the No.1 Division of the Fushun City Public Security Bureau, where she was tortured. She died on 2 April 2003.

246. **Zhao Chunying**, a 56-year-old Falun Gong practitioner, Jixi City, Heilongjiang Province. On 15 April 2003, she arrested and sent to the Jixi City No. 2 Detention Centre. On 10 May 2003, her family was notified of her death. Two autopsies were carried out and signs of torture were found. Her family tried by different means to bring the perpetrators to justice in the past few months but without any results.

247. **Yang Yufang**, a 47-year-old Falun Gong practitioner, Dongyaozi village, Qiaoxi district, Zhangjiakou City, Hebei Province. On 17 May 2003, she was arrested and detained at the Shisanli Detention Centre, Zhangjiakou City, where she was tortured. She died on 16 June 2003.

248. **Sui Guangxi** and his wife, both Falun Gong practitioners, Xiangyangling village, Niuxibu Township, Laixi City, Shandong Province. On 17 September 2002, they were dragged into a police van and taken to the Sanjiaocun Elementary School where they were held for four days before they were transferred to the Xinzhuang "610 Office", Laixi City. They were forced to listen to daily broadcasts against Falun Gong. As Sui Guangxi refused to cooperate, the police subjected him to various forms of torture. He escaped 20 days later and died on 4 July 2003 in the Pingdu First People's Hospital.

249. **Cao Ping**, age 40, Caojiaba, Jiulong Town, Linshui County, Sichuan Province. In May 2001, he was arrested while distributing Falun Gong flyers and was detained at the Linshui County Detention Centre. He was beaten by officers from Linshui County Police Station and from Chengbei Police Station. He was sentenced to four years in Deyang Jail, Sichuan Province. He was beaten and tortured, as a result of which his internal organs were damage. He was sent to a hospital and diagnosed as "untreatable". The authorities ordered his family to take him home on 27 May 2003 and he died on 17 July 2003.

250. **Bai Xiaojun**, age 35, a professor at the Northeast Normal University, Jilin Province. He was sent to a labour camp in Chaoyanggou because he had gone to Beijing to appeal for an end to the persecution of Falun Gong. He was beaten to death while in custody and died on 18 July 2003.

251. **Tan Chengqiang**, Hongcheng village, Handian Town, Shuangcheng City, Heilongjiang Province. On 18 May 2003, he was arrested by the "610 Office" in Shuangcheng City, and held in the Second Detention Centre, Shuangcheng City. He went on a hunger strike to protest his detention, was force-fed, and was subsequently transferred to a hospital. The "610 Office" ordered his family to take him home where he died a on the evening of 19 July 2003.

252. **Tian Junlong**, age 45, Majiatun, Wuyi Township, Yitong County, Jilin Province. In the late 2002, he was arrested and sent to the Weizigou Labour Camp for having distributed materials on the persecution of Falun Gong. He was transferred three months later to the Chaoyanggou Labour Camp, Changchun City. Mr. Tian was tortured in both places, and sent

home on 1 September 2003 because his condition deteriorated. He died on 21 September 2003.

253. **Lu Bingshen**, age 39, Caikulou area, Ranghulu District, Daqing City, Heilongjiang Province. In October 2000, he was arrested by the police while he was distributing material about the persecution of Falun. He was sentenced to two years' imprisonment and sent to the Daqing City Labour Camp. On the afternoon of 20 October 2003, he was tortured until he became unconscious. He was then sent to the Daqing City People's Hospital for emergency treatment where he died on 21 October 2003.

254. **Yan Hai**, a 37-year-old farmer and Falun Gong practitioner, Tumu village, Tumu Township, Huailai County, Zhangjiakou City, Hebei Province. On 30 October 2002, he was arrested at his home by policemen from Langshan Police Station for practising Falun Gong. He was subjected to various types of psychological and physical torture at the Huailai County Detention Centre, including brainwashing in an attempt to force him to give up his practice of Falun Gong. On 14 November 2003, he was transferred to the Shisanli Detention Centre in poor condition. On 22 November 2003, he was sent to the 251 Hospital where he died on 24 November 2003. On 27 November, his family went to the hospital to view his body; more than 10 policemen were standing guard and did not leave the family alone with the body.

255. **Zhang Changming**, age 50, a Falun Gong practitioner, Shuangyashan City, Heilongjiang Province. He was arrested and sent to the Jiamusi Labour Camp in Heilongjiang Province where he was beaten to the point of death. He was taken to a hospital for emergency treatment but doctors refused to treat him. Mr. Zhang was sent back to his home where he died as soon as he arrived.

256. By letter dated 15 October 2004, sent jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the right to health and the Special Rapporteur on violence against women, the Special Rapporteur expressed concern at reports of systemic repression against the Falun Gong and other "heretical organizations" ("xiejiao zuzhi"). Over the past five years, hundreds of cases of alleged violations of the human rights of Falun Gong practitioners have been brought to the attention of the Special Rapporteurs. Many of these allegations have been reported back to the Chinese authorities and are reflected in reports of the Special Rapporteurs to the Commission on Human Rights. The Special Rapporteurs are concerned that reports of arrest, detention, ill-treatment, torture, denial of adequate medical treatment, sexual violence, deaths, and unfair trial of members of so-called "heretical organizations", in particular Falun Gong practitioners, are increasing. They are concerned that these allegations may reflect a deliberate and institutionalized policy of the authorities to target specific groups such as the Falun Gong. According to information received, on 10 June 1999 the Central Committee of the Chinese Communist Party established an office for dealing with the Falun Gong, commonly referred to as the "610 office" (for the date of its establishment), and officially later as the State Council Office for the Prevention and Handling of Cults. This institution reportedly was given a mandate to repress Falun Gong and other "heretical organizations", and is operating outside of the rule of law. Reports indicate that the Falun Gong was officially banned on 22 July 1999 through a decision of the Ministry of Civil Affairs and since then several decisions, notices,

regulations and other judicial interpretations have been issued by the government and judicial authorities to legitimize the official repression against “heretical organizations”, including the Falun Gong. In addition, according to reports a media campaign was launched against the Falun Gong and Falun Gong practitioners in June 1999. It is believed that this campaign followed a protest gathering in Beijing on 25 April 1999, involving more than 10,000 Falun Gong practitioners. Further reports indicate that in February 2001, the Central Committee of the Communist Party called for a Central Work Conference of high-level party officials. The purpose of this meeting was reportedly to adopt a plan calling for the formation of local “anti-cult task forces” in all universities, state enterprises and social organizations, to reinforce the “6-10 Office” and strengthen local control over the Falun Gong. An analysis of reports received by the Special Rapporteurs indicates that the alleged human rights violations against Falun Gong practitioners, including systematic arrest and detention, are part of a pattern of repression against members of this group. Most of those arrested are reportedly heavily fined and released, but many are detained and ill-treated in order to force them to formally renounce Falun Gong. Those who refuse are sent to “re-education through labour” camps, where reportedly torture is used routinely resulting in many deaths. The Special Rapporteurs are further concerned by reports that few Falun Gong practitioners are prosecuted. When charges are laid they reportedly include allegations such as “disturbing social order”, “assembling to disrupt public order”, “stealing or leaking state secrets” or “using a heretical organization to undermine the implementation of the law”. According to the information received, those prosecuted have been unfairly tried and many have received lengthy prison sentences. In this respect it is reported that on 5 November 1999, a Notice issued by the Supreme People’s Court instructed all local courts to do their “political duty” in bringing to trial and punishing “severely” those charged with “heretical organizations crimes”, “particularly Falun Gong”, and to handle these cases “under the leadership of the Party committees”.

257. By letter dated 26 November 2004, sent jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on freedom of religion or belief, the Special Rapporteur notified the Government that he had received allegations concerning Ms. **Jiang Zongxiu**, age 34, Tongzi county, Guizhou province. On 17 June 2004, she was arrested while she and her mother-in-law were distributing some Christian texts and Bibles in a local market place. Both of them were sentenced to 15 days administrative detention for their suspected activities of “spreading rumours and disturbing the social order.” On 18 June around 2 p.m., at the Public Security Bureau, Tongzi County, she was beaten to death during an interrogation. No steps have been taken to investigate the case. An autopsy result issued by the local government claimed that Ms. Jiang died of heart failure.

258. By letter dated 30 November 2004, the Special Rapporteur notified the Government that he had received allegations concerning **Zhang Peiqi**, Mingyue Township, Antu County, Jilin Province. On 20 March 2004, he was arrested and detained by policemen of the Antu County police station because he practices Falun Gong. He was taken to Haigou Police Station by several policemen (whose names are known to the Special Rapporteur) and tortured for seven days. He was subjected to the “tiger bench”; his hands and feet were shackled, and he was beaten with hard plastic pipes, as well as a plastic baton, on his head feet and legs; and his hair was pulled.

Urgent appeals

259. On 8 January 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, and the Special Rapporteur on violence against women, regarding **Cui Suzhen**, age 61, Shenze County, Shijiazhuang City, Hebei Province. According to the allegations received, she was detained in the Shijiazhuang Labor Camp because she practices Falun Gong. On 8 April 2001, she was transferred to the Gaoyang Labor Camp, Hebei Province. She went on a hunger strike to protest the treatment received, and was force-fed human excrement on three separate occasions, and afterwards suffered from serious diarrhea. As a result, she was sent to the Gaoyang County Hospital for emergency treatment. Upon being sent back to the labor camp, she was continuously beaten by the guards, who are said to have crushed her nipples, shocked her with electric batons simultaneously while pouring water over her, used pliers to pinch her flesh, and buried her in snow until she passed out. She is reported to be still detained in the labour camp.

260. By letter dated 21 May 2004, the Government informed that she was ordered by the labour rehabilitation committee in Shijiazhuang, Hebei Province, to undergo three years' labour re-education (from 20 July 2000 to 19 July 2003) for having severely disrupted public order, owing to her severe obsession with Falun Gong. She entered the Shijiazhuang labour re-education facility in January 2001 and in April of that year was transferred to the facility in Gaoyang. She suffered from heart disease and received emergency medical treatment while in re-education. During that time she gradually realized that Falun Gong was a deceptive and harmful fallacy and overtly broke with it; because her conduct had significantly improved, she was rewarded with a 119-day reduction in her term, and she was given an early release on 22 March 2003. The people's police at the labour re-education facility enforced the law in a civilized manner, and there were absolutely no instances of ill-treatment causing severe diarrhea or electric shocks being administered, as alleged.

261. On 4 February 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, and the Special Rapporteur on the right to health, with respect to the following allegations, to which the Government responded by letter dated 21 May 2004:

262. **Tian Xianofei**, age 40, Pingshan District, Liaoyang City, Liaoning Province. He is serving a 10-year sentence in the Huazi Prison, Liaoyang City, for being a Falun Gong practitioner, began a hunger strike on 20 July 2003. He has recently been held in solitary confinement with two prisoners monitoring him around the clock. While he is asleep, his hands are handcuffed to the bed. His health is deteriorating from forced feedings and he has difficulty walking. He is denied medical treatment, and will continue to be denied such treatment until his internal organs malfunction or he renounces Falun Gong. He is not permitted visits by his family.

263. The Government informed that Tian Xiaofei was sentenced on 21 August 2002 by the Pingshan District People's Court in Benqi to 10 years' imprisonment for the crime of using a heretical organization to undermine law enforcement. After he entered prison he stopped eating normally, but through patient education and counselling his condition has

stabilized, he is eating normally, and hospital tests indicate that his health is excellent. While serving his sentence he has never been denied family visits, as alleged.

264. **Cao Jiguang**, a 35-year-old employee of the Cotton and Linen Company, Linshui County, Sichuan Province. He is serving a five-year sentence in Guangyuan Jail, Sichuan Province, for being a Falun Gong practitioner. He is detained in a small cell where five inmates are ordered to watch him throughout the day. He is on the verge of death after beginning a hunger-strike to protest against his alleged torture by the prison guards. On a previous hunger strike, Cao Jiguang was force fed by the jail's doctor, who inserted a plastic tube into his trachea and pulled it out repeatedly to hurt him. Before force-feeding him, the guards opened his mouth with an instrument, which caused severe injuries inside his mouth. After his hunger strike, the guards reduced his food by half.

265. The Government informed that Cao Jiguang was sentenced on 19 July 2002 by the Linshui County People's Court to five years' imprisonment for the crime of using a heretical organization to undermine law enforcement. After entering prison he became impulsive and irritable, but through the patient, attentive education and counselling provided by the prison his mood improved and he submitted to supervision. He has not been subjected to "torture", as alleged, nor is he "on the verge of death".

266. On 4 February 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, regarding **Liu Xiaolian**, age 64, Chibi Town, Chibi City, Hubei Province. According to the allegations received, on 28 December 2003, she was arrested by the local Chibi City police and her whereabouts are unknown. Ms. Xiaolian has reportedly been detained on several occasions and subjected to torture and ill-treatment for being a Falun Gong practitioner.

267. By letter dated 21 May 2004, the Government informed that on 15 September 2002 she was placed in criminal detention by the local public security authorities, in accordance with the law, on suspicion of having committed a crime because she had engage in heretical Falun Gong activities. Following education she was released. On 29 December 2003, she was again placed in criminal detention for carrying out these activities. On 14 January 2004, the local labour rehabilitation committee ordered her to undergo a period of labour re-education of two years and six months. She is currently undergoing labour re-education. While in detention she was not subjected to any ill-treatment and her legitimate rights and interests were respected. The compulsory measures taken by the public security authorities in respect of Liu Xiaolian, as well as the decision in her case, all had their basis in her heretical Falun Gong activities. When Liu entered the facility the staff strictly followed the method of "educate, reform and rescue" in dealing with her and conscientiously sought to guarantee her legitimate rights and interests; she was never beaten, verbally harassed or subjected to ill-treatment.

268. On 26 February 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, and the Special Rapporteur on the right to freedom of opinion and expression, regarding **Sun Yuhua**. According to the allegations received, on 14 January 2004 at about 2pm, she was arrested at her home because she practiced Falun Gong by a group of policemen (whose names are known to the Rapporteurs) led by the Chief of the Political Security Team of Hulan County

Police Station. The policemen took Ms. Sun to Hulan County Police Station, where officers (whose names are known to the Rapporteurs) beat and tortured her. She was later sent to Hulan County Second Detention Centre, where she went on a hunger strike to protest her torture and detention. When she refused to give up her beliefs, she was transferred to the Hulan County First Detention Centre, where she continued her hunger strike, and was force-fed, causing her physical condition to become critical. As a result of his public disclosure of the persecution of Falun Gong, Ms. Sun's husband, **Zhang Qingsheng**, was detained at Hulan County First Detention Centre. The police from Hulan County Police Station also arrested Ms. **Sun's daughter**, an 18 year-old student at Hulan County College, on 14 January 2004. She was interrogated and tortured for four days, before being sent to Harbin Second Detention Centre.

269. By letter dated 5 July 2004, the Government informed that Sun Yuhua and Zhang Qingshen were ordered in April 2001 by the local labour rehabilitation authorities to undergo labour re-education for two and three years, respectively, for having produced and distributed Falun Gong propaganda. Because Sun was in poor health, she was allowed to undergo her re-education outside a facility, and in August 2002, Zhang Qingshen's term was converted to external re-education. In November 2003, he was arrested by the public security authorities while distributing Falun Gong propaganda in Hulan County, Heilongjiang Province. He was found to have on his person a large quantity of illegal propaganda. In February 2004, the Hulan County People's Court sentenced him to three years' imprisonment, in accordance with the law, for the crime of using a heretical organization to undermine the implementation of law. Because Sun Yuhua and Zhang Hui had helped him to produce the material, the local labour rehabilitation authorities ordered the two women on 13 February 2004 to undergo one year's labour re-education. During her sentence, Sun Yuhua began a hunger strike and was taken to the Hulan County No. 1 Hospital for treatment. The treatment was ineffective, however, and on 8 March 2004, she died. The judicial authorities strictly upheld the law and fully respected the legitimate rights of the two persons. Concerning Sun Yuhua, the authorities proceeded on the basis of humanitarian principles and, in accordance with the law, treated her leniently by, among other things, allowing her to undergo her sentence outside a facility. When her health declined, she was promptly taken to the hospital for treatment. The allegation of torture is pure fabrication.

270. On 1 March 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, Special Rapporteur on the right to freedom of opinion and expression, regarding **Deborah Xu Yongling**, age 58, one of the leaders of the Chinese house church (an unregistered Protestant church). According to the allegations received, on 25 January 2004 at around 11 p.m., she was sleeping at her niece's home, when two female police officers came to the house and arrested her. She was handcuffed and taken to the central police station in Nanyang, Henan Province. Since her arrest, it has been impossible to receive news of her from the police in Nanyang. She suffers from breathing difficulties and high blood pressure.

271. By letter dated 26 May 2004, the Government informed that she violated the relevant laws and regulations and the police investigated her in accordance with the law. During the preliminary investigation Deborah Xu Yongling made a full and candid confession. She was released on bail and is currently living with family members while awaiting trial. While taking compulsory measures in respect of Deborah Xu Yongling the

public security authorities acted strictly in accordance with the law and conscientiously protected her legitimate rights and interests; there were no instances of any ill-treatment.

272. On 2 March 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the right to freedom of opinion and expression, regarding **Li Dongqing**, a Falun Gong practitioner. According to the allegations received, she is detained at Dabei Women's Prison, Baixitaizi village, Pingluo Town, Shenyang City, Liaoning Province. Li Dongqing, who suffers from hepatitis, has been subjected to prolonged periods of solitary confinement, scolding, beatings, and shocking with electric batons by guards, including during her period of detention at the Masanjia Labour Camp. Currently, her body is swollen and her state of mental health is said to be deteriorating.

273. On 15 March 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, Special Rapporteur on the right to freedom of opinion and expression, Special Rapporteur on torture and the Special Rapporteur on violence against women, regarding **Yiwen Tang**, a 37-year-old Falun Gong practitioner, Zuhai suburb, Guangzhou City, Guangdong Province. On 23 February 2004, she was taken from her home and is currently detained for re-education at the Chutou Law School, Guangzhou Baiyun district. On 10 March 2004 information was received that Yiwen Tang's health condition is critical. She is said to have been on hunger strike for 17 days to protest her detention. The family have appealed to the police in Guangzhou City to have an investigation into the legality of her detention and are calling for her immediate release. Allegedly no action has been taken to date.

274. On 6 April 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the right to freedom of opinion and expression, and the Special Representative of the Secretary-General on the situation of human rights defenders regarding **Ding Zilin**, **Zhang Xianling** and **Huang Jinping**, members of a group called the "Tiananmen Mothers", which has campaigned on behalf of their children and other relatives killed at Tiananmen Square in 1989. According to the allegations received, on 28 March 2004, the three women were detained in an attempt to warn them against commemorating the 15th anniversary of the pro-democracy protests in Tiananmen Square. The teenage sons of Ding Zilin and Zhang Xinliang, and Huang Jinpin's husband were killed at Tiananmen Square. No information on the whereabouts or on possible charges against the women is available.

275. By letter dated 10 June 2004, the Government responded that in taking compulsory measures in respect of them, the relevant authorities acted strictly in accordance with the law and conscientiously protected their legitimate rights and interests; the three were not tortured or subjected to any other inhumane treatment.

276. On 30 April 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, and the Special Rapporteur on the right to health, regarding **Gong Sheng Liang** (cited in a previously transmitted communication, E/CN.4/2004/56/Add.1, paras. 384 and 385). According to the allegations received, on 12 April 2004, his relatives visited him in Hongshan Prison and found that he was unable to walk and needed to be carried by four other inmates. It is

reported that Gong Sheng Liang said that he feared for his life and sought a transfer to another prison.

277. By letter dated 16 August 2004, the Government informed that his health is excellent. An investigation has revealed that ever since Gong Sheng Liang entered prison on 15 July 2003 to serve his sentence, the prison authorities have treated him in a civilized fashion; he has not been subjected to any discrimination, ill-treatment or beatings. On the morning of 11 April 2004, while sweeping the clinic, Gong Sheng Liang carelessly slipped and fell from a windowsill approximately 1m high. An examination indicated that the soft tissue of his legs had been injured. On 12 April 2004, his relatives came to the prison for a visit; the prison authorities, considering that he had difficulty walking, arranged for another prisoner to support him as he went to the visiting room. He had already told his relatives about the accident to his legs, and they indicated that they understood what had happened. Today he has recovered from his injuries and is able to walk without difficulty. Given that Gong Sheng Liang's closest relatives are all in Hubei Province, serving his sentence in a prison in that province would be of benefit to him in that he can see and receive assistance from members of his family. Accordingly, it has been arranged for him to serve his sentence in Hubei Province.

278. On 30 April 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the right to health, and the Special Rapporteur on violence against women, regarding **Liu Mei**, a 36-year-old Falun Gong practitioner, Donggang City, Liaoning Province. According to the allegations received, she is held in Dabei Prison, Shenyang City. On 10 March 2004, a relative who visited her reported that Liu Mei was carried to the visiting room wearing a large gauze mask, and that she was extremely weak and thin. The guards immediately stopped the meeting when she said that she was dying, and since then no information on her situation has been available.

279. On 7 May 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, regarding **Huang Xiangwei**, age 44, a high school music teacher, Harbin City, Heilongjiang Province. He is held at Changlinzi Labour Camp. He undertook a hunger strike to protest ill-treatment by the camp guards, as a result of which he lapsed into a coma and was sent to the hospital for emergency treatment. Since his admission to the camp's hospital around early April 2004, no information has been available on his condition and he was not allowed any visitors.

280. By letter dated 16 August 2004, the Government informed that he was ordered by the Harbin municipal labour rehabilitation committee to undergo three years' labour re-education (from 16 May 2002 to 15 May 2005) for engaging in illegal Falun Gong activities and disrupting social order. On 5 November 2002 he was sent to the Changlinzi labour re-education facility in Heilongjiang to undergo re-education. After entering the facility, Huang Xiangwei was regularly sent to the Harbin No. 2 Hospital and the Harbin Public Security Hospital for treatment because he suffered from coronary disease and high blood pressure. In March 2004 the labour re-education facility sent him to the clinic at the Wanjia labour re-education facility for treatment because, stubbornly holding on to the tenets of the heretical Falun Gong organization, he began a hunger strike and became seriously ill. While he was ill, relatives came to visit him regularly. Allegations that he was not allowed visitors are not true.

China's judicial authorities took coercive measures in respect of him solely on the basis of his illegal actions. When placing Huang Xiangwei in detention the public security authorities never subjected him to ill-treatment. All of his legitimate rights were guaranteed and the police never subjected him to any corporal punishment or ill-treatment, the question of torture does not arise.

281. On 18 May 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, Special Rapporteur on right to freedom of opinion and expression, regarding **Jin Jiang** and his wife, **Wei Limei**, Botou City, Hebei Province. According to the allegations received, on 8 April 2004, they were arrested for giving explanations about the persecution of Falun Gong in their restaurant. The couple is detained at Botou Detention Centre, where they started a hunger strike to protest their detention, and were force-fed as a consequence. When Jin Jiang did not cooperate, the police beat him, broke his legs and two of his ribs, ruptured his right eardrum and dislocated his jaw. Wei Limei was beaten and was covered with bruises. They may be denied medical treatment.

282. On 4 June 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression on, regarding Dr. **Jiang Yanyong**, age 72, and **his wife**, Beijing. According to the allegations received, they have been missing since 2 June 2004 when they left their apartment with officials from the government hospital where he is employed. The hospital officials had been evasive about Dr. Jiang Yanyong and his wife's whereabouts, and relatives were cautioned against publicizing their disappearance. Officials told the family, "They are safe. You should not go beyond the authority to whom you report." The telephone to Dr. Jiang Yanyong's apartment was cut off on 3 June. It is believed that Dr. Jiang Yanyong and his wife might have been targeted in relation to a letter written in March 2004 by Dr. Jiang Yanyong and widely publicized on the Internet, calling on the government to admit it was wrong in ordering the military assault against demonstrators in Tiananmen Square on 4 June 1989. In connection with the 15th anniversary of the events in Tiananmen Square, these and other persons have been placed under house arrest or taken to locations outside Beijing until the anniversary has passed (see previously transmitted communication, dated 2 June 2004, by the Special Rapporteur on freedom of opinion and expression and the Special Representative of the Secretary-General on human rights defenders).

283. On 10 June 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, regarding **Xiao Yunliang** (cited in previously transmitted communications, E/CN.4/2003/68/Add.1, para. 337, E/CN.4/2003/67/Add.1, paras. 109 and 111, E/CN.4/2004/56/Add.1, para. 399, E/CN.4/2004/62/Add.1, para. 141). Noting the Government's response (see para. 374), according to the allegations received, the condition of Xiao Yunliang has continued to deteriorate; his abdomen has become severely distended, and he cannot eat without experiencing pain or vomiting, and is suffering from heart trouble. Xiao Yunliang is suffering from symptoms associated with tuberculosis, pleurisy, hypertension, and his eyesight is failing. He is effectively being denied adequate medical treatment; the provincial police authorities have indicated that Xiao Yunliang would need to apply for a "medical treatment permit" from Shenyang No. 2 Prison before treatment would be considered. Moreover, family visits are effectively hindered because family members are required to re-apply for a permit from city and provincial authorities for every visit.

284. By letter dated 16 August 2004, the Government responded that on 25 June 2003, the Intermediate People's Court, Luoyang, Liaoning Province, sentenced him to four years' imprisonment and two years' deprivation of political rights for the crime of subverting the political authority of the State. He is currently serving his sentence in the Shenyang No. 2 Prison, Liaoning Province. A physical examination revealed that before he entered prison he suffered from cataracts and meningitis. With prompt treatment by the prison medical staff, the symptoms of meningitis were relieved. Although he suffers from cataracts, he is able to care for himself: he can read books and newspapers, write letters and watch television. A complete physical examination has indicated that he suffers from chronic indigestion, although he has not been ill recently. In fact the prison authorities have on a number of occasions taken Xiao Yunliang to the hospital to see a doctor for emergency treatment of pre-existing conditions; there is no question of his having been denied adequate medical treatment. Since entering prison, he has been allowed to see family members on numerous occasions. There have been no instances of torture in this case.

285. On 15 July 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the right to health, and the Special Rapporteur on violence against women, with respect to allegations received concerning:

286. **Geng Juying**, a Falun Gong practitioner, Luozhuang Hamlet, Chengbo village, Mengzhou City, Henan Province. She is detained in Shibalihe Labour Camp. In 2000, she was arrested at home and taken to a detention centre, together with her eight month-old child, by the "610 Office", Mengzhou City, and officers from Mengzhou City Police Station (whose names are known to the Special Rapporteurs). On 25 May 2002, after Ms. Geng's release, police officers (whose names are known to the Special Rapporteurs) took her to the police station, without a warrant. Ms. Geng was again pregnant at the time. The police officers forced her to have an abortion so that she could be sent to a labour camp. They are said to have forcibly given her an injection to induce the abortion, watched the procedure and mocked her when she was in pain. She was sent to a detention centre in Jiaozuo City, Henan Province, and later to the Shibalihe Labour Camp where she is still detained. Ms. Geng's father, **Geng Xuecai**, mother, **Shen Guangbai**, elder sister, **Geng Xiaocui**, and brother, **Geng Huaming**, have also been detained many times because they practice Falun Gong.

287. Ms. **Chen Yaru**, a 46-year-old Falun Gong practitioner, Xiaohaidi, Hexi district, Tianjin City. Her current whereabouts are unknown. In April 2001, she was taken from her home and sentenced to two years of forced labour at the Tianjin City Jianxin Women's Forced Labour Camp, No. 3 Squadron, No. 6 Brigade, where she was tortured. On 13 May 2002, Ms. Chen practiced Falun Gong exercises in the labour camp and, as punishment, the camp police confined her to a small, dark room where they beat her and trampled on her arms. She was chained spread-eagled to her bed for 23 days. On 6 April 2003, Ms. Chen and another Falun Gong practitioner tore down the anti-Falun Gong slogans posted inside the Squadron. As a result, the guards dragged them into a room where they stripped them down to their underclothes and tied up their hands. Then the guards dragged them into the hallway and ordered them to kneel down. When they refused, six policemen (including officers whose names are known to the Special Rapporteurs) used six electric batons simultaneously on Ms. Chen. One policeman used the electric baton on her genitalia for 20 minutes. Then they did the same to the other female prisoner. Ms. Chen was shocked with electric batons all over her

body, to the point that her teeth became loose. For more than one month after this, her right arm was paralyzed.

288. Ms. **Yan Shujun**. Her current whereabouts are unknown. In November 2000, she was arrested by the Tianjin City, Heping District Public Security Bureau because she refused to give up Falun Gong, and taken to a police station where she was slapped. She was sentenced to two-and-a-half years of forced labour and detained at the No. 4 Brigade, Banqiao Women's Forced Labour Camp, Tianjin City. On 1 June 2001, Ms. Yan was transferred to the Tianjin City Jianxin Women's Forced Labour Camp, No. 3 Squadron, No. 6 Brigade. Because she refused to renounce Falun Gong, the female camp guards deprived her of sleep, allowing her as little as two hours of sleep per day. In protest, Ms. Yan went on a hunger strike for 12 days. Subsequently, the camp extended her term of detention. On 1 April 2003 the No. 3 Squadron attempted to brainwash Ms. Yan. The camp policewomen dragged Ms. Yan into a tiny, dark room and hit her all over her body with electric batons. They exposed Ms. Yan's body in front of the camp's male discipline instructors to demonstrate their electric baton torture. Then they confined Ms. Yan to a 1.6 ft x 1 ft x 5 ft wooden cage where she was forced to remain in a crouched position for eight days. Afterwards she had significant muscular and skeletal problems.

289. Ms. **Guo Baohua**, in her 30s, Tonggu district, Tianjin City. Her current whereabouts are unknown. In April 2001, Ms. Guo Baohua, was arrested by the police who tied her up and beat her because she refused to read anti-Falun Gong articles. They confined her to a wooden cage for more than one month. Ms. Guo went on a hunger strike for 37 days to protest this treatment. During her hunger strike she was handcuffed and tied up, and was put in solitary confinement for more than one month. Police handcuffed her to a radiator, then handcuffed her spread-eagled between two radiators. Later, the police handcuffed her and suspended her by her wrists. On 1 April 2003, the police shocked Ms. Guo with several electric batons simultaneously, and put her in a wooden cage for several days.

290. Ms. **Su Yanhua**, Lianjiangkou, Jiamusi City, Heilongjiang Province. She is detained in Jiamusi Labour Camp and her health is in critical condition. On 15 April, 2002, she was arrested at her brother's house by local police because she was a Falun Gong practitioner. She was sent to Lianjiangkou Detention Centre and two weeks later transferred to the Jiamusi Labour Camp. Upon her arrival at Jiamusi, she was tortured and forced to undergo brainwashing. In July 2002, the labour camp guards forced her to sit on a small stool and watch anti-Falun Gong videos. When she refused to watch, a guard (whose name is known to the Special Rapporteurs) dragged her downstairs and handcuffed her to a bed. She began a hunger strike to protest the treatment received, so the guards force-fed her milk saturated with salt for seven days. In November 2002, guards forced Ms. Su to sit on a stool with sharp triangular ridges across its surface for more than 10 hours a day. They made her put both hands on her thighs and did not allow her to move, causing the skin on her buttocks to tear and bleed. Each time she moved, guards with electric batons shocked and beat her simultaneously. When she refused to read an anti-Falun Gong article, they beat her again. At the end of November 2002, because Ms. Su still refused to watch the videos, a guard (whose name is known to the Special Rapporteurs) handcuffed her to a bed in an asymmetrical position for two weeks. Ms. Su was not allowed to bathe for a long time, and by February 2003, she had developed scabies. On one occasion, the guards sprayed her with a chemical that caused her severe chest pains and rendered her unable to move her head or hands. One

morning in May 2003, when Ms. Su began to practice Falun Gong exercises, two guards (whose names are known to the Special Rapporteurs), rounded up some other inmates to beat her. They dragged her to the second floor, where they forced her to sit on a cold cement floor with her hands handcuffed behind her back for ten days. On the tenth day, guards (whose names are known to the Special Rapporteurs) handcuffed her with one arm reaching down behind the head and the other hand meeting it from the lower back for 13 days. After her hands were released, she was unable to move her arms and could barely walk. In June 2003, a guard (whose name is known to the Special Rapporteurs) slapped her face so hard that she temporarily lost her hearing. Ms. Su was not released after her term expired.

291. On 16 July 2004, the Special Rapporteur sent a joint urgent appeal with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the right to health and the Special Representative of the Secretary-General on the situation of human rights defenders, regarding **Wang Guofeng**, and his wife, **Li Suzhi**, HIV/AIDS activists. According to the allegations received, on 12 July 2004, they were arrested in Shangqiu City, Henan Province, as they were about to travel to Beijing to petition the National Health Department about services for people affected by HIV/AIDS in Shangqiu City. It is reported that people with HIV/AIDS have been detained in Henan province and have been beaten while in police custody.

292. On 12 August 2004, the Special Rapporteur sent a joint urgent appeal with the Special Representative of the Secretary-General on human rights defenders, concerning **Wang Bingzhang**, age 57. According to the allegations received, since January 2003, when he was sentenced to life in prison, he has remained in solitary confinement in Shaoguan prison. Up until June 2004, he has repeatedly been denied visits by family members for the last seven months. A senior prison official indicated that he was denied the visits as punishment for bad behaviour. Wang Bingzhang suffered a stroke in January 2004 as a result of a hunger strike he had undertaken to protest his conditions. He has difficulty walking and appeared disoriented and confused during the visit of the family member in June. In addition he suffers from gastritis, phlebitis and varicose veins. On 9 May 2003, the Working Group on Arbitrary Detention declared that the detention of Wang Bingzhang is arbitrary.

293. On 30 August 2004, the Special Rapporteur sent an urgent appeal, concerning **Gao Rongrong**. According to the allegations received, she is detained in Longshan Forced Labour Camp, Shenyang City. In May 2004 her face was severely disfigured by an electric baton. She began to urinate blood and has not been able to take food or water since 9 August 2004. Her eye sockets are depressed, her eyelids cannot close, and she is emaciated. Doctors from No. 1 Hospital, an affiliate of China Medical University, Shenyang City, expressed that her life is in danger, and have repeatedly issued "Terminally Ill Notices". However, an official of the Shenyang City's Judicial Bureau refused to release her, and allegedly stated, "If there is any danger, let the hospital treat her. Don't allow her to go home even if she dies."

294. On 20 September 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on extrajudicial, summary or arbitrary executions, regarding the situation of **more than 50 people**, whose names have not been made public. According to the allegations received, they were sentenced to death over the past eight months for "separatist" and "terrorist" activities, in the Xinjiang Uighur Autonomous Region, and may be at risk of

imminent execution. On 13 September 2004, the Secretary of the Regional Communist Party Committee stated that none of these people sentenced had yet been executed. He claimed that the 50 persons were detained in the context of a security crackdown on 22 groups involved in "separatist and terrorist" activities. No further information has been made public about the circumstances of their trials or the evidence used to convict them. Nor is anything known about their conditions of detention prior to their trials and it remains unclear whether they had access to legal representation at any stage. Reports indicate that Uighurs detained on suspicion of "separatist" or "terrorist" offences are often detained without access to lawyers and are at high risk of torture or ill-treatment while in custody.

295. On 1 October 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, regarding **Zhao Yan**, news assistant at the Beijing bureau of the *New York Times* and former reporter for *China Reform* magazine. According to the allegations received, on 17 September 2004, he was arrested in Shanghai. On 21 September 2004, he was charged with "providing state secrets to foreigners", which may be punishable by execution. Zhao Yan is said to be held incommunicado.

296. On 12 October 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, and the Special Rapporteur on violence against women, regarding Ms. **Mao Hengfeng**. According to the allegations received, she is currently detained in the Shanghai Women's Reeducation Through Labour Camp, Shanghai Qingpu district, where she has been tied up, suspended from the ceiling and severely beaten. In 20 April 2004, she was sent there by police in Shanghai, to undergo 18 months of "re-education through labour" because of her persistence in petitioning the authorities about a labour dispute and the treatment she suffered at the hands of the police. Ms. Mao Hengfeng was detained several times on account of these activities, and forcibly confined in psychiatric units where she was forced to undergo shock therapy. Her daughters, both under the age of 18, were also detained repeatedly by police and questioned about those involved in their mother's petitions.

297. On 19 October 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, regarding regarding Falun Dafa practitioner, **Zhao Yougang**, age 32. According to the allegations received, he is detained in Wuxi Prison where he is being subjected to torture, following a hunger strike he began in June 2004 to protest his ill-treatment. He reportedly weighs 35 kg and is being violently force-fed seven to eight times every night by the prison guards.

298. On 19 October 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on freedom of religion or belief, regarding **Tenzin Deleg Rinpoche** (cited in a previously transmitted communication, E/CN.4/2004/7/Add.1, paras. 43 and 68-69). According to recent allegations received, he is at imminent risk of execution, following a conviction based on a confession obtained under torture. It is reported that he was arrested on 7 April 2002 following a bombing incident in Chengdu, Sichuan Province on 3 April 2002. He was found guilty on 29 November 2002 in a secret trial by the Kardze (Ganzi) Intermediate People's Court in the Kardze Tibetan Autonomous Prefecture, Sichuan Province, for "causing explosions" and

"inciting separatism". On 2 December 2002 he was sentenced to death with a two-year suspension of execution, which will expire on 2 December 2004. Tenzin Deleg Rinpoche was held incommunicado for eight months from the time of his arrest until the time of his trial. He was tortured in detention, including by being shackled hand and foot and suspended from above, and forced to confess. His conviction was upheld on 26 January 2003 by the Sichuan High People's Court, and he was moved to a secret location afterwards.

299. On 19 October 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, and the Special Representative of the Secretary-General on the situation of human rights defenders, regarding **Yan Zhengxue**, a human rights defender, who has initiated an international petition campaign against the Re-Education Through Labour (RTL) system. According to the allegations received, on 14 September 2004 at 2:35pm, he was arrested by the State Security Department police, Taizhou City, Zhejiang Province and taken to an unknown location.

300. On 25 October 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the independence of judges and lawyers, regarding **Chan Yu Lam**, age 53, a British citizen and a resident of Hong Kong. According to the allegations received, on 24 February 2004, he was tried for espionage in a trial closed to his family by the Guangzhou Intermediate People's Court. He was convicted based on a confession extracted under torture, and on 5 March 2004, he was sentenced to life imprisonment. Chan Yu Lam was denied access to British consular officials during his detention and trial, and his lawyers were threatened against meeting them by State Security officials. Chan Yu Lam suffers from bronchitis, glaucoma, gout, a heart condition, as well as a chronic back ailment. He does not have access to his medication. On 31 January 2003, he was abducted in Shenzhen by persons who identified themselves as members of the Debt Collection Group of the Guangdong Province Public Security Bureau, but were members of the Guangzhou State Security Bureau. Repeated attempts by his family to ascertain his whereabouts were unsuccessful. At the end of June 2003, the Guangdong Province Foreign Affairs Office informed the British Consulate General in Guangzhou that Chan Yu Lam had been arrested for an unspecified economic crime. Then in December 2003 his family received a letter from him informing them that he had been arrested for espionage and that they should retain lawyers for him. Therefore, since his arrest until 13 December 2003, at which time he was first visited by his lawyers, Chan Yu Lam was held incommunicado. When the lawyers met him at the Huadu Detention Centre, Guangzhou, they noted that he was coughing badly, he was very weak, was afraid of lights and was very depressed. In detention, the State Security Bureau interrogators tortured him in order to extract a confession: he was forced to remove his clothes in cold weather and stand on a stool as cold water was poured over his body; he was not permitted to sleep as he was subjected to a floodlight; he was interrogated for 24hrs; and the interrogators threatened him by saying, *"If you admit, we will set you free, if you do not admit, we will catch your wife, your son and your mother."*

301. On 26 October 2004, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression, and the Special Representative of the Secretary-General on the situation of human rights defenders, regarding **Zhang Bo**, Ms. **Wang Jie**, and **Cai Shaojie**, three Falun Gong practitioners, and **Li Weiji**. According to the allegations received, Zhang Bo is detained at an unknown location, Wang Jie and Cai Shaojie are detained in Dabei Prison, and Li Weiji is detained in Panjin Prison. It is

reported that the police broke both the arms of Li Weiji and caused him a lumbar intervertebral disc protrusion. As a result of the treatment suffered, he can hardly walk.

Observations

386. On 16 June 2004, the Special Rapporteur issued a statement, concerning the postponement of his visit to China. The 12-day visit, which was scheduled to take place from the end of June 2004, was postponed at the request of the Government, which cited the need for additional preparation time.