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# HUMAN RIGHTS UPDATE : MARCH 2010

## 4 Items

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### **Missing lawyer says he is living in northern China**

**By GILLIAN WONG**

**Associated Press Writer**

**Mar 28, 9:42 AM EDT**

BEIJING (AP) -- A dissident Chinese lawyer who was missing for more than a year suddenly resurfaced Sunday, saying he is now living in northern China and wants only to spend time with his family away from media attention.

Twitter messages appeared Sunday saying Gao Zhisheng's family had been in touch with him and listed his phone number. It was the first contact that friends, family and reporters have had with Gao since he went missing on Feb. 4, 2009, from his hometown in central China.

Before being jailed and otherwise muzzled four years ago, Gao was the most dauntless of a new group of civil liberties lawyers. He took on sensitive cases involving underground Christians and the banned Falun Gong spiritual group and was also an advocate of constitutional reform.

The United States and the European Union had called on China to investigate his disappearance.

Chinese authorities gave vague explanations about Gao's whereabouts, heightening worries that he had been jailed or tortured as he was previously.

Contacted briefly on his cell phone, Gao said he is living in Wutai Shan, a mountain range famous as a Buddhist retreat, and that he is "free at present."

"I just want to be in peace and quiet for a while and be reunited with my family," Gao said. "Most people belong with family, I have not been with mine for a long time. This is a mistake and I want to correct this mistake."

Gao declined to answer further questions, saying he was not allowed by law, nor was he willing, to accept media interviews. Bans on interviews are often a condition of parole.

Li Heping, a Beijing-based human rights lawyer and friend of Gao's, said he had also reached Gao on his cell phone and they had spoken briefly, and that he believed Gao was being followed by authorities.

"I believe he does not have freedom," Li said. "First, when we were speaking, he sounded like he wanted to hang up. He told me that he had friends around him. I'm sure that the people around him are limiting what he can say."

"Secondly, he would not tell me exactly where he is when I suggested visiting him," Li said. "We are very concerned about his situation."

In a statement made public just before he disappeared last year, Gao described severe beatings from Chinese security forces, electric shocks to his genitals, and cigarettes held to his eyes during a 2007 detention.

Gao was arrested in August 2006, convicted at a one-day trial and placed under house arrest. State media at the time said he was accused of subversion on the basis of nine articles posted on foreign Web sites.

The constant police surveillance wore on his wife and children and they fled China a month before Gao disappeared and were accepted by the United States as refugees.

Since he went missing, the government that so closely monitored him has not said where he was.

A policeman told Gao's brother that the lawyer "went missing," and a Foreign Ministry official said earlier this year the self-taught lawyer "is where he should be." Chinese state-run media have not mentioned the case.

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## **He Yafei expounds China's human rights policy**

**English.news.cn 2010-03-17 22:55:34**

GENEVA, March 17 (Xinhua) -- China respected the universality of human rights and believed all human rights were "universal, indivisible, interdependent and interrelated," He Yafei, China's new ambassador to the UN Office in Geneva, said on Wednesday.

"The principle of universality has been included in the UN Charter, the Universal Declaration of Human Rights and other international human rights instruments," He told Xinhua in an interview.

"China has ratified more than 20 international human rights instruments, including seven of the eight core human rights instruments. This demonstrates clearly China's affirmation of the universality of human rights," said the ambassador, who was China's vice foreign minister before taking his new position in Geneva earlier this month.

While acknowledging the universality of human rights, He also stressed that countries might have different understandings about human rights and different ways and means of promoting and protecting human rights because of the "diversity of culture, history, religion and the difference of social systems and development levels."

"The Vienna Declaration and Program of Action (VDPA) adopted by the World Conference on Human Rights in 1993 has confirmed that the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind when promoting and protecting human rights and fundamental freedoms by states," he said.

According to the Chinese ambassador, the UN Human Rights Council, which is based in Geneva and comprises 47 member states, is an agency aimed at promoting and protecting human rights through dialogue and cooperation.

Nearly four years after its creation, the Council "has basically accomplished its work and is on the right track," he said.

He noted the Council had been able to review all the items on the agenda and provided timely responses to the substantive human rights issues.

In addition, the Council had reviewed human rights situations in 112 UN member states, including China, through its Universal Periodic Review (UPR) mechanism, which was a "worth mentioning" result.

He admitted the Council was not a "perfect" agency and still suffered from problems such as double standards and politicization.

The functioning of the Council needed to be reviewed so that its work could be improved and better aligned to the letters and spirit of the UN resolutions, he said.

However, the ambassador expressed opposition to any attempts to "rebuild" the agency or to "renegotiate what has been agreed upon."

"It is not the time to reform it or rebuild it when it is only four years old... What we should do at the present stage is to find the gaps and fill them in a pragmatic and forward-looking way," he said.

The Human Rights Council replaced the former widely discredited and highly politicized UN Human Rights Commission, created in 1946.

One of the Council's major duties is to conduct a Universal Periodic Review of all 192 UN member states to scrutinize their human rights records at home, regardless of their size, wealth, military or political importance.

Besides its three regular meetings each year, the Council can also hold special sessions to discuss crisis situations.

While the Council's Universal Periodic Review mechanism has been widely praised, some nongovernmental organizations still criticize the agency for not working effectively to tackle human rights problems around the world.

A review of the Council's working methods is expected to take place in 2011, in accordance with a UN General Assembly resolution.

In the interview, He also highlighted China's increasing contribution to the United Nations and its deeper integration into the international system.

"From the start of this year, China becomes the 8th largest contributor to the UN regular budget, just following the seven industrialized countries," He said.

He added China was by far the largest troop-contributing country among the five permanent members of the UN Security Council. Currently more than 2,100 Chinese soldiers are participating in some 10 UN peacekeeping missions.

The ambassador stressed China would never shirk from international roles, and that it would continue to meet its global obligations.

Editor: yan

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## **China rights record worsening in areas: US**

**(AFP) – 11 March 2010**

WASHINGTON — China's human rights record worsened last year as authorities increased harassment of activists and repression in the Xinjiang region, the US State Department said Thursday.

"The government's human rights record remained poor and worsened in some areas," the annual report by the State Department said.

It said Beijing "increased the severe cultural and religious repression of ethnic minorities" in Xinjiang, the western region that last year saw deadly clashes between China's Han majority and the local Uighur people.

The State Department said China "continued to repress Uighurs expressing peaceful political dissent and independent Muslim religious leaders," by trying to associate the predominantly Muslim people with terrorism.

"Uighurs were sentenced to long prison terms, and in some cases executed, on charges of separatism," the report said.

The State Department took note of China's release last year of an action plan on human rights, which addresses issues such as prisoners' rights and the role of religion.

But the State Department said authorities did not implement the action plan and found that critical voices across China faced growing problems.

"The detention and harassment of human rights activists increased, and public interest lawyers and law firms that took on cases deemed sensitive by the government faced harassment, disbarment and closure," the report said.

The report said that China also imposed "tight government controls" on Tibetans, who faced restrictions on practicing their religion and severe repercussions if they tried to escape to Nepal.

"Tibetans repatriated from Nepal reportedly suffered torture, including electric shocks, exposure to cold and severe beatings, and were forced to perform heavy physical labor," the report said.

Nepal has been under growing pressure from China to clamp down on Tibetans who try to cross the Himalayan country en route to India, where Tibet's spiritual leader the Dalai Lama lives in exile.

China regularly protests the State Department's human rights report, describing it interference in its domestic affairs, and has often hit back with criticism of the United States' own treatment of its people.

Touching on an increasingly controversial issue, the State Department reported that China stepped up restrictions on the Internet by blocking controversial sites and jailing bloggers who voiced criticism.

But the report noted: "Given the limitations of technical censorship, self-censorship by Internet companies remained the primary means for authorities to restrict speech online."

In January, Internet giant Google announced it would consider pulling out of the fast-growing market due to attacks from China on the accounts of dissidents.

The State Department report said that China also continued its clampdown on the Falungong, a spiritual movement loosely based on Buddhist, Taoist and Confucian philosophies.

China banned the Falungong in 1999 after its members silently gathered in Beijing and has since branded the group as an "evil cult."

The report quoted Falungong sources as saying that nearly 3,000 Falungong practitioners had been tortured to death since 1999.

The report cited foreign observers as saying that nearly half of the 250,000 inmates officially in China's labor camps were linked to Falungong.

"Even practitioners who had not protested or made other public demonstrations of belief reportedly were forced to attend anti-Falungong classes or were sent directly to RTL (re-education-through-labor) camps," the report said.

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## **South China Morning Post**

### **Dissidents and petitioners targeted before NPC session**

**Verna Yu**

**Mar 01, 2010**

Mainland authorities have begun taking harsh measures against dissidents and petitioners ahead of the annual parliamentary session later this week, in a pre-emptive move to stop them from bringing their grievances to officials meeting in Beijing.

Anti-abortion activist Mao Hengfeng, who had been petitioning in the capital, was taken into custody after being sent back to her native Shanghai on Thursday, her husband, Wu Xuewei , said.

Police gave her a 10-day detention order last week for "disturbing the public order" on December 25 when she rallied outside a Beijing courthouse with dozens of petitioners to show solidarity with dissident Liu Xiaobo on the day of his trial.

Wu said the authorities did not punish his wife at the time but were now meting out punishment because they wanted her out of the way during the National People's Congress session.

"It is obvious that it is because of the upcoming congress... They are stopping citizens fighting for their own rights," he said.

Wu said dozens of other Shanghai petitioners had been placed under police surveillance. Some are detained at police-run hostels and others are barred from leaving home.

Mao, who was forced to have an abortion 20 years ago when she was pregnant for the second time and dismissed from her job, has been campaigning against the one-child policy and for her right to work. She has been repeatedly detained and jailed by authorities and even held in psychiatric hospitals.

Beijing-based Christian legal scholar Fan Yafeng said he had been summoned by police on Friday and ordered to cancel a seminar on Chinese politics scheduled for the next day. They had warned him not to hold any more Bible classes at his home, he said.

"I strongly condemn this kind of behaviour... This backward way of controlling society is a root of instability," said Fan, who was dismissed from the prestigious Chinese Academy of Social Sciences last year because of his rights activities.

Beijing-based Chen Ziming - an intellectual branded the "black hand", or terrorist-conspirator, of the 1989 Tiananmen movement - and legal scholar Teng Biao had also been warned not to take part in political activities.

Professor Ding Zilin - founder of the Tiananmen Mothers support group, which has written to the central government during every NPC session to demand it vindicate victims who died in the 1989 crackdown - said police had started guarding the front door of one of the mothers' homes, while another was questioned by police.

Liu Xia , wife of jailed dissident Liu Xiaobo, said the entrance to her building had been guarded by up to six police since the 20th anniversary of the June 4 crackdown last year.

Thousands more petitioners from across the country have been sent back home.

Tang Xiuyun of Liaoning province said she was put on a train home on Friday after being told petitioners posed a security risk.

"They said we must leave to ensure the safety of the congress."

Busloads of petitioners have also been taken to "black jails", or detention centres. One petitioner being held at a centre on the outskirts of Beijing said by phone that many more people had been taken there in recent days.

During sensitive anniversaries and national political gatherings, the state security apparatus pulls out all the stops to stamp out dissent and maintain a facade of stability and harmony. Beijing train stations are guarded by dozens of police who register the identity cards of people they regard as suspicious.

Tactics adopted by the authorities, including arbitrary detention, house arrest and forced eviction, are condemned by rights activists.

"Conditions in black jails are often poor. Petitioners are often subjected to beating and other maltreatment," said Wang Songlian , a researcher for the rights group Chinese Human Rights Defenders. "The detention and persecution of petitioners is illegal and unconstitutional and violates their human rights."

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