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Court rejects sterilization suit

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HONG KONG—A court in the eastern Chinese province of Anhui has rejected a lawsuit filed against local family planning officials by a young mother who says she was kidnapped and forcibly sterilized in line with the country's "one-child policy."

A lawyer acting on behalf of Li Hongmei, 23, said he had submitted the documents to the Changfeng County People's Court on Nov. 2, claiming that Li had been illegally detained and forced to sign a consent form for the sterilization soon after she had given birth to her daughter.

But lawyer Ma Lianggang said he had heard from the authorities this week that the court had refused to accept the case.

"This is blatantly against the law," Ma said. "The People's Court has an obligation to to issue proceedings in connection with a case one week after accepting the lawsuit." "These people have no redress. There's no option left to them," he said.

"I think that it is wrong of them to do this," Li said. "It's like they say, the arm can't break the leg. Right now there is really nothing that we can do about this."

Ill following surgery

Li gave birth to her first child last June 21, and was detained by Changfeng county family planning officials on July 15.

Her mother, Yang Yonglian, was held under administrative detention for 10 days for "obstructing official business" after she reported Li as missing to police.

Li said she was taken to the hospital in Shuangfeng, where population control officials forced her to sign a consent form for her sterilization. Li became ill following the surgery, and is still in hospital suffering from dizziness and chest pains.

She said family planning officials had paid her medical fees and told her to go home before she was fully recovered. "They told me I should get myself home, and when I said I didn't want to leave yet, they said they would wash their hands of me," Li said.

She said the hospital had since withheld medication and nursing services from her, because it didn't know who would pay her bill.

Authorities in the Chinese capital have said that children born outside strict family planning quotas or out of wedlock will enjoy an amnesty on household registrations ahead of a nationwide census starting this month.

The census is a possible factor behind the strong-arm tactics used by officials in a bid to keep their local population from exceeding targets set for their locality.

The census, the sixth nationwide population count under the ruling Communist Party, will run from November 2010 to June 2012. The one-child policy of the past 30 years has frequently led to abuse of power by officials in charge of implementing it, activists say.

Death in custody

Residents of Bowang township in the central province of Henan said the whole town was shocked at the recent death in official custody of Wang Haijiang, whose wife gave birth after the couple had already had their allotted child.

Wang was taken from his home by around 50 officials and enforcement officers from the Bowang government family planning bureau at 8.00 a.m. on Monday, after he gave them 1,000 yuan instead of a 10,000 yuan fine for having a second child.

Two hours later, his family received a phone call informing them of Wang's death. Wang's body bore bruises and traces of handcuffs, but the authorities said he had died of a heart attack.

One Bowang resident said the town was still abuzz with Wang's death. "Some people are saying he was beaten to death, and others are saying he had a heart attack," the resident said. A second resident confirmed the incident had been a major event locally.

"A lot of people know about this," he said. "The family planning officials were going to take action against him because he didn't pay the fine."

"During this action, this incident occurred. Apparently he died in the car on the way there," the man said. "A lot of journalists came to cover the story."

A right to have children

Online rights activist Liu Yiming said China's draconian family planning regulations have given rise to great injustice, and should be changed.

"People who have power and privilege are able to have more children, because they have money," Liu said. "I think you can promote [the one-child policy], but you should not force it upon people. The right to have children is one of the freedoms of the citizen," he said.

Blind Shandong-based legal activist Chen Guangcheng, one of China's most prominent rights campaigners, was sentenced to a four-year jail term after he angered local family planning officials by encouraging local people to complain about forced abortions, forced sterilizations, and other abuses under the policy.

He is currently being held under house arrest at his home in Yinan county.

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