



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## China

China – CHN38157 – Falun Gong –  
Jiangsu – Treatment by Authorities  
21 February 2011

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### 1. Are those who practice Falun Gong in their home likely to be detained by the police?

Reports from Falun Gong and an independent source indicate that people who practice Falun Gong in the privacy of their homes are at risk of being arrested and detained. In 2002, Human Rights Watch noted that “[a]lthough followers presumably could continue with solitary practice at home, even private practice proved dangerous when it was brought to the attention of the police or to Party officials”.<sup>1</sup> This statement was supported by a 2008 annual report by the Falun Dafa Information Centre that was cited in the *2009 UK Home Office Country Information Report* for China. The report claimed that “most” of the “thousands of adherents” who were detained in 2008 were “arrested on the basis of their being known to the authorities as Falun Gong adherents, even if this identity consisted of studying Falun Gong tenets and practicing its meditation exercises in the privacy of their homes”.<sup>2</sup> Many of these practitioners were arrested after door-to-door searches by security agents revealed Falun Gong materials in their homes.<sup>3</sup>

Many of those detained for practicing in their own homes are likely to be known to police already as a result of being detained on previous occasions: in reports of arrests on Falun Gong websites, those arrested are often reported as having been detained before.<sup>4</sup> In a high-profile example from 2009 that was included in the US DOS *Human Rights Report*, a retired professor who was arrested in his home and sentenced to seven years in prison for possession of Falun Gong literature had been held in administrative detention from 2001-2004.<sup>5</sup>

It is also possible that those arrested for home practice come to the attention of authorities through informers. A Falun Gong spokesperson contacted by the Canadian Immigration and Refugee Board commented that “concealing one’s beliefs and daily practice from relatives or neighbours is difficult”,<sup>6</sup> and other reports indicate there may be incentives for reporting

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<sup>1</sup> Human Rights Watch 2002, *Dangerous Meditation: China’s Campaign Against Falungong*, January, p40 – Attachment 1

<sup>2</sup> *UK Home Office 2009, China Country Assessment*, 1 October, p 91 – Attachment 2

<sup>3</sup> *UK Home Office 2009, China Country Assessment*, 1 October, p 91 – Attachment 2

<sup>4</sup> „Gynaecologist-obstetrician Arrested and Tortured for Refusing to Give Up Falun Gong’ 2009, Clearharmony.net website, 8 December, <http://www.clearharmony.net/articles/200912/51473.html> – Accessed 15 February 2010 – Attachment 3; „68-Year-Old Ms. Shi Jinhua from Qidong County, Hunan Province Arrested 13 Times’ 2009, Clearharmony.net website, 19 October, <http://www.clearharmony.net/articles/200910/50904.html> – Accessed 15 February 2010 – Attachment 4; „Arrested 13 Times, Mr. Jiang Guobo Now in Critical Condition (Photo)’ 2009, Clearwisdom.net website, 12 April, <http://www.clearwisdom.net/html/articles/2009/12/4/112818.html> – Accessed 3 March 2010 – Attachment 5

<sup>5</sup> US State Department 2009, *International Religious Freedom Report 2009 – China*, October 26 – Attachment 6; „Urgent Appeal: Retired Professor Faces Imminent Long Sentencing for Practicing Falun Gong’ 2009, Faluninfo.net website, 6 April, <http://www.faluninfo.net/article/877/?cid=48> – Accessed 2 March 2010 – Attachment 7

<sup>6</sup> Immigration and Refugee Board of Canada 2005, *China: Situation of Falun Gong practitioners and treatment by state authorities (2001-2005)*, 31 October – Attachment 8

Falun Gong members. The 2009 Annual Report of the United States Commission on International Religious Freedom stated that “[p]rovincial officials reportedly offer sizable rewards to anyone who provides information leading to the arrest of a Falun Gong practitioner”.<sup>7</sup> Similar claims were made by Falun Gong websites: for example, a Clearwisdom.net website entry reported that public notices had been posted offering 5,000-10,000 Yuan (approximately 810-1619 AUD) for each practitioner exposed.<sup>8</sup>

## 2. Please describe authorities’ treatment of Falun Gong practitioners.

### Treatment of Falun Gong

Falun Gong practitioners are treated harshly by the authorities, which has labelled the movement an “evil cult”.<sup>9</sup> Since Falun Gong was banned in 1999, measures against followers have included:

- severe sentences in prison and administrative detention, allegedly incorporating the use of psychiatric institutions to detain and “re-educate” Falun Gong practitioners;
- an increase in systematic and state sanctioned violence against members;
- an escalated propaganda campaign against Falun Gong, repeatedly reinforcing the government’s message that the group was an “evil cult” which posed a threat to Chinese society; and
- the utilisation of state institutions such as the police and universities to combat Falun Gong.

There have been credible reports of practitioner deaths due to torture and abuse. Followers who refuse to recant their beliefs are sometimes subjected to harsh treatment in prisons, labour camps, and extra-judicial “legal education” centres. Chinese authorities have also attempted to restrict the movement of suspected members within China and to prevent the international press from covering Falun Gong activities. Falun Gong cases are reportedly handled outside normal legal procedures by a special Ministry of Justice office, known as the “610 office”, which oversees the government’s crackdown on Falun Gong.<sup>10</sup>

As a result of the government’s campaign against Falun Gong there has been a dramatic abatement in the visibility of the movement in China in recent years.<sup>11</sup> Many practitioners now perform the exercises at home and public demonstrations have become rare, though some

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<sup>7</sup> United States Commission on International Religious Freedom 2009, *2009 Annual Report*, May, p 79 – Attachment 9

<sup>8</sup> „Latest News from China 3/16/2002’ 2002, Clearwisdom.net website, 16 March,

<http://www.clearwisdom.net/html/articles/2002/3/24/20192.html> – Accessed 3 March 2010 – Attachment 10

<sup>9</sup> US Department of State 2008, *International Religious Freedom Report 2008: China (includes Tibet, Hong Kong, and Macau)*, 19 September – Attachment 11

<sup>10</sup> DIAC Country Information Service 2008, *Country Information Report No. 08/8 – Review of Information on Falun Gong* (sourced from DFAT advice of 11 February 2008), 12 February – Attachment 12; US Department of State 2008, *International Religious Freedom Report 2008: China (includes Tibet, Hong Kong, and Macau)*, 19 September – Attachment 11; US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – China*, 11 March, Section 2c – Attachment 13; UK Home Office 2002, *Revolution of the Wheel – the Falun Gong in China and in Exile*, April – Attachment 14; Immigration and Refugee Board of Canada 2005, *China: Situation of Falun Gong practitioners and treatment by state authorities*, 31 October, p 3 – Attachment 15

<sup>11</sup> US State Department 2009, *2008 Human Rights Report – China*, Section 2.c, February 25 – Attachment 16

followers distribute pamphlets and emails quietly.<sup>12</sup> That notwithstanding, the arrest, detention and imprisonment of practitioners continues.

## Arrests

In 2009 Amnesty International reported that Falun Gong was among the most targeted groups in China,<sup>13</sup> and the US State Department and a US Congressional-Executive Commission on China have noted that the Chinese government intensified its campaign against the movement in the year leading up to the Beijing Olympic Games.<sup>14</sup> Reportedly, thousands of practitioners were detained and hundreds imprisoned or sent to re-education labour camps and other forms of administrative detention during this period – keeping them out of the way of the Games.<sup>15</sup>

It is important to note that the word “arrests” may refer to either instances of formal arrest – which are to be carried out in accordance with the Chinese *Criminal Procedure Law* – or being detained. Under the law, police and security officials are permitted to “detain persons without arresting or charging them”.<sup>16</sup> Sources including the US State Department and Human Rights Watch state that most Falun Gong practitioners are punished administratively, with judicial sentencing typically reserved for core leaders and organisers and “largescale publishers and distributors”.<sup>17</sup>

Reports from Falun Gong and a few independent sources indicate that arrests of practitioners may be arbitrary and occur in a range of circumstances. Possession of Falun Gong literature, internet activity in support of the movement, distributing Falun Gong pamphlets, attempting to broadcast Falun Gong messages through television or radio, and publicly “clarifying the truth” about Falun Gong were mentioned frequently in accounts of practitioner arrests.<sup>18</sup> (Arrests for demonstrating have become less common as public Falun Gong activity has become, in the words of the US State Department, “negligible”.)<sup>19</sup> In one case reported by the

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<sup>12</sup> Chang, M 2004, *Falun Gong: The End of Days*, Yale University Press, p 20; Penny, B 2006, “Falun Gong Seminar to the MRT-RRT”, Melbourne 26 June, p 22 - Attachment 17; Immigration and Refugee Board of Canada 2005, *China: Situation of Falun Gong practitioners and treatment by state authorities*, 31 October, p 3 – Attachment 15

<sup>13</sup> Amnesty International 2009, *Amnesty International Report 2009 – China* – Attachment 18

<sup>14</sup> US State Department 2009, *International Religious Freedom Report 2009 – China*, Section 2, October 29 – Attachment 6; United States Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October, p 87-88, 91 – Attachment 19

<sup>15</sup> US State Department 2009, *International Religious Freedom Report 2009 – China*, Section 2, October 29 – Attachment 6; Amnesty International 2009, *Amnesty International Report 2009 – China* – Attachment 18; Jacobs, A. 2009, “China still presses crusade against Falun Gong”, *New York Times*, 28 April – Attachment 20; Falun Dafa Information Center 2009, *2008 Annual Report on Falun Gong: Escalated Campaign against Falun Gong in China Before and After the Olympics*, 12 February [http://media.faluninfo.net/media/doc/2009/04/FDI\\_2008\\_report\\_041509\\_online.pdf](http://media.faluninfo.net/media/doc/2009/04/FDI_2008_report_041509_online.pdf) – Accessed 27 October 2009 – Attachment 21

<sup>16</sup> US State Department 2009, *2008 Human Rights Report – China*, February 25 – Attachment 22

<sup>17</sup> Penny, B 2006, “Falun Gong Seminar to the MRT-RRT”, Melbourne 26 June, p 27-29 – Attachment 23; US State Department 2009, *2008 Human Rights Report – China*, Section 2c, February 25 - Attachment 22; Human Rights Watch 2002, *Dangerous Meditation: China’s Campaign Against Falungong*, January, p 54, 55, 58 – Attachment 1

<sup>18</sup> US State Department 2009, *International Religious Freedom Report 2009 – China*, Section 2, October 29 ; “Seven Female Practitioners from Heilongjiang Province Arrested (Photos)” 2010, Clearwisdom.net website, 22 January, <http://www.clearwisdom.net/html/articles/2010/1/22/114066.html> - Accessed 1 March 2010 – Attachment 24; “Urgent Appeal: Retired Professor Faces Imminent Long Sentencing for Practicing Falun Gong” 2009, Faluninfo.net website, 6 April, <http://www.faluninfo.net/article/877/?cid=48> - Accessed 2 March 2010 – Attachment 7; Bodeen, C. 2002, “Arrests Reported Over Falun Gong TV”, *Beliefnet.org* website, 2 April, <http://www.beliefnet.com/News/2002/04/Arrests-Reported-Over-Falun-Gong-TV.aspx> - Accessed 1 March 2010, source: Associated Press – Attachment 25

<sup>19</sup> US State Department 2009, *2008 Human Rights Report – China*, Section 2c, February 25 – Attachment 16

US State Department and *Sunday Times* as well as Falun Gong websites, Yu Zhou, a musician, was said to have been arrested on 26 January 2008 after he and his wife were stopped for speeding and police found Falun Gong literature in their car.<sup>20</sup> Yu died in custody 11 days later and his wife was sentenced to three years in prison.<sup>21</sup>

Falun Gong sources claim that practitioners who are arrested or detained even for short periods may be treated badly, becoming subject to threats and abuse. A Falun Dafa Information Center Report cited in the UK Home Office Country Report on China said that in 2008 individuals who were arrested after door-to-door searches uncovered Falun Gong materials were then subjected to “severe torture...to force them to disavow their faith”.<sup>22</sup> There are multiple accounts on Falun Gong websites (i.e., Clearharmony.net, Clearwisdom.net, Faluninfo.net) of practitioners being beaten while under arrest. For example, one Clearwisdom.net entry dated 30 August 2009 reports that a woman who was caught talking to others about Falun Gong was kicked in the chest, had her hair pulled and her face slapped; another source reported that a woman was “hung up and beaten” by police during her arrest, and after her confession and release was unable to walk without assistance.<sup>23</sup>

As noted by the US State Department, reports of abuse are difficult to confirm because the government does not permit foreign officials and journalists to meet with Falun Gong members.<sup>24</sup>

### **Treatment following release**

There is little independent information regarding the treatment of Falun Gong members who have been released from prison or detention, but Falun Gong sources indicate that practitioners may be watched by authorities and suffer other forms of discrimination, such as loss of employment and expulsion from school or university.

According to Falun Gong spokespersons cited in a 2005 Canadian Immigration and Refugee Board report, authorities often monitor Falun Gong detainees who have been released and may require them to report to police on a regular basis.<sup>25</sup> Falun Gong websites such as Clearwisdom.net and Faluninfo.net contain further and more recent accounts of practitioners who have been released but who continue to be under surveillance and/or who must report to police.<sup>26</sup> A Falun Dafa Information Center document on member deaths in 2009, for example,

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<sup>20</sup> US State Department 2009, *International Religious Freedom Report 2009 – China*, Section 2, October 29 – Attachment 6; Sheridan, M 2008, “Yu Zhou dies as China launches pre-Olympic purge of Falun Gong”, *Sunday Times*, 20 April, <http://www.timesonline.co.uk/tol/news/world/asia/article3779899.ece> - Accessed 1 March 2010 – Attachment 26

<sup>21</sup> US State Department 2009, *International Religious Freedom Report 2009 – China*, Section 2, October 29 – Attachment 6; Sheridan, M 2008, “Yu Zhou dies as China launches pre-Olympic purge of Falun Gong”, *Sunday Times*, 20 April, <http://www.timesonline.co.uk/tol/news/world/asia/article3779899.ece> - Accessed 1 March 2010 – Attachment 26

<sup>22</sup> UK Home Office 2009, *Country of Origin Information Report: China*, Section 21.32, October – Attachment 27

<sup>23</sup> “Ms. Wu Tianying Arrested and Beaten” 2009, Clearwisdom.net website, 30 August, <http://www.clearwisdom.net/html/articles/2009/8/30/110424.html> - Accessed 3 March 2010 – Attachment 28; “Nov. 10, 2009: Falun Gong News Bulletin” 2009, Faluninfo.net website, 10 November, <http://www.faluninfo.net/article/921/> - Accessed 3 March 2010 – Attachment 29

<sup>24</sup> US State Department 2009, *2008 Human Rights Report – China*, February 25 – Attachment 26

<sup>25</sup> Immigration and Refugee Board of Canada 2005, *China: Situation of Falun Gong practitioners and treatment by state authorities (2001-2005)*, 31 October – Attachment 15

<sup>26</sup> “Mr. Feng Zhen from Wuhai City Arrested Eight Times and Imprisoned for Seven Years” 2009, Clearwisdom.net website, 25 October, <http://clearwisdom.net/html/articles/2009/10/25/111834.html> – Accessed 27 October 2009 – Attachment 30; “Additional Persecution News from China – June 18, 2009 (31 Reports)”

notes several cases in which released practitioners have continued to be monitored by the government.<sup>27</sup> By way of corroboration, Dr Sarah Biddulph, an academic in the Asian Law Centre at the University of Melbourne, has advised the Tribunal that she would be “fairly confident” that Falun Gong practitioners were included in a “special population” register, that is, “a register of people who have been released from prison, re-education through labour, drug detention”. According to Dr Biddulph, the register “is a list which is kept at the local police station” in order to assist authorities in monitoring persons of interest who are in the area.<sup>28</sup>

Falun Gong sources further report that practitioners who have been released (or who are near release) may be pressured into aiding government efforts to discredit the movement and dissuade other followers from it<sup>29</sup> – claims which find some reflection in accounts of Falun Gong “conversions” on Chinese government-sponsored websites or in the Chinese press.<sup>30</sup>

Falun Gong sources state that members can lose their jobs and be expelled from school or university, though little information was found regarding employment prospects for practitioners released from prison or detention, specifically.<sup>31</sup> A June 2009 article in *The Epoch Times* noted that a follower who was “fired from her job” soon after release from detention was “one of the hundreds of thousands of Falun Gong practitioners to have been harassed at work and lose their jobs during the persecution in China”.<sup>32</sup>

### **3. Please provide any information available on whether this treatment is different in Jiangsu Province.**

Sources suggest that the treatment of Falun Gong practitioners in Jiangsu province is no different to their treatment in other provinces, characterised by arrests, detention and targeting for violence. The US Commission on International Religious Freedom reported in 2009 that a directive by the Central Committee on the Comprehensive Management of Public Security urged security officials in several provinces, including Jiangsu, to “strike hard against hostile forces...[including] the infiltration, subversion, and sabotage by „Falun Gong”. There were “recommendations for surveillance, cultivation of paid informants, and propaganda efforts”. This was part of a “nationwide” campaign in which “targeting Falun Gong adherents continues to be a high priority for Chinese government security officials”.<sup>33</sup>

A Falun Gong website reported that in March 2010 a Falun Gong practitioner, Xu Ming was arrested by authorities in Jiangsu on his way to work. He was taken to prison, allegedly endured torture and “several brainwashing sessions” and had been kept in detention up to the

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2009, Clearwisdom.net website, 18 June, <http://www.clearwisdom.net/emh/articles/2009/7/2/108773.html> – Accessed 27 October 2009 – Attachment 31

<sup>27</sup> “Documented Falun Gong deaths in 2009” 2010, Faluninfo.net website, February 7, <http://media.faluninfo.net/media/doc/2010/02/2009-death-cases-v2.pdf> – Accessed 2 March 2010 – Attachment 32

<sup>28</sup> Biddulph, S 2007, *State Control in China – Seminar to the MRT-RRT*, 4 April, p 13 – Attachment 33

<sup>29</sup> Immigration and Refugee Board of Canada 2005, *China: Situation of Falun Gong practitioners and treatment by state authorities (2001-2005)*, 31 October – Attachment 15

<sup>30</sup> “Former Falun Gong prisoner released” 2003, Website of the Permanent Mission of the People’s Republic of China to the UN, 19 March, <http://www.china-un.org/eng/zt/flgwt/t29531.htm> – Accessed 1 March 2010 – Attachment 34

<sup>31</sup> “Appeal cases for Falun Gong cyberdissidents, including two adherents who died in custody” 2003, Faluninfo.org website, 26 November, <http://www.faluninfo.net/article/693/> – Accessed 1 March 2010 – Attachment 35

<sup>32</sup> Cuthbertson C. 2009, “Inner strength triumphs over torture”, *The Epoch Times*, 19 June – Attachment 36

<sup>33</sup> United States Commission on International Religious Freedom 2010, *2010 Annual Report*, May, p113– Attachment 37

time the article was published in December that year. Xu had been arrested previously in 2002 for Falun Gong activities, sentenced to 10 years and imprisoned in Suzhou prison. The article does not discuss why Xu had been released early from this initial imprisonment.<sup>34</sup> In February 2007, police in Jiangsu province raided a Falun Gong prayer meeting and reportedly beat and arrested participants.<sup>35</sup> In May 2009, the Qidong city 6–10 Office in Jiangsu province conducted an „investigation to get to the bottom of the situation involving cults” which identified 176 Falun Gong practitioners living in one township.<sup>36</sup> An October 2010 by a Falun Gong website described the Jiangsu Province Women’s Forced Labor Camp’s Third Division as abusing Falun Gong inmates. They had been allegedly beaten, forced to stand for long periods of time, not allowed to rest, and forbidden to drink water or given limited amounts.<sup>37</sup>

## Attachments

1. Human Rights Watch 2002, *Dangerous Meditation: China’s Campaign Against Falungong*, January.
2. *UK Home Office 2009, China Country Assessment*, 1 October.
3. „Gynaecologist-obstetrician Arrested and Tortured for Refusing to Give Up Falun Gong’ 2009, Clearharmony.net website, 8 December, <http://www.clearharmony.net/articles/200912/51473.html> – Accessed 15 February 2010.
4. „68-Year-Old Ms. Shi Jinhua from Qidong County, Hunan Province Arrested 13 Times’ 2009, Clearharmony.net website, 19 October, <http://www.clearharmony.net/articles/200910/50904.html> – Accessed 15 February 2010.
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6. US State Department 2009, *International Religious Freedom Report 2009 – China*, October 26.
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8. Immigration and Refugee Board of Canada 2005, *China: Situation of Falun Gong practitioners and treatment by state authorities (2001-2005)*, 31 October. (CISNET – China CX145448)

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<sup>34</sup> “Jiangsu Province Falun Gong Practitioner Xu Ming Imprisoned for the Second Time” 2010, Truth in China website, 19 December <http://truthinchina.wordpress.com/2010/12/19/jiangsu-province-falun-gong-practitioner-xu-ming-imprisoned-for-the-second-time/> – Accessed 18 February 2011 – Attachment 38

<sup>35</sup> United States Commission on International Religious Freedom 2008, *2008 Annual Report* –(Attachment 39)

<sup>36</sup> 2009 US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 27 October p. 14-16, 53, 96,99, 120-6 <http://www.cecc.gov/pages/annualRpt/annualRpt09/CECCannRpt2009.pdf> \_Attachment 40

<sup>37</sup> “Jiangsu Province Women’s Forced Labor Camp Virulently Persecutes Falun Gong Practitioners” 2010, Truth in China website, 19 October <http://truthinchina.wordpress.com/2010/10/19/jiangsu-province-womens-forced-labor-camp-virulently-persecutes-falun-gong-practitioners/> – Accessed 18 February 2011 – Attachment 41

9. United States Commission on International Religious Freedom 2009, *2009 Annual Report*, May.
10. „Latest News from China 3/16/2002’ 2002, Clearwisdom.net website, 16 March, <http://www.clearwisdom.net/html/articles/2002/3/24/20192.html> – Accessed 3 March 2010.
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18. Amnesty International 2009, *Amnesty International Report 2009 – China*.
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25. Bodeen, C. 2002, “Arrests Reported Over Falun Gong TV”, *Beliefnet.org* website, 2 April, <http://www.beliefnet.com/News/2002/04/Arrests-Reported-Over-Falun-Gong-TV.aspx> - Accessed 1 March 2010, source: Associated Press.

26. Sheridan, M 2008, “Yu Zhou dies as China launches pre-Olympic purge of Falun Gong”, *Sunday Times*, 20 April, <http://www.timesonline.co.uk/tol/news/world/asia/article3779899.ece> - Accessed 1 March 2010.
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29. “Nov. 10, 2009: Falun Gong News Bulletin” 2009, Faluninfo.net website, 10 November, <http://www.faluninfo.net/article/921/> - Accessed 3 March 2010.)
30. “Mr. Feng Zhen from Wuhai City Arrested Eight Times and Imprisoned for Seven Years” 2009, Clearwisdom.net website, 25 October, <http://clearwisdom.net/html/articles/2009/10/25/111834.html> – Accessed 27 October 2009.
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33. Biddulph, S 2007, *State Control in China – Seminar to the MRT-RRT*, 4 April.
34. “Former Falun Gong prisoner released” 2003, Website of the Permanent Mission of the People’s Republic of China to the UN, 19 March, <http://www.china-un.org/eng/zt/flgwt/t29531.htm> – Accessed 1 March 2010.
35. “Appeal cases for Falun Gong cyberdissidents, including two adherents who died in custody” 2003, Faluninfo.org website, 26 November, <http://www.faluninfo.net/article/693/> – Accessed 1 March 2010.
36. Cuthbertson C. 2009, “Inner strength triumphs over torture”, *The Epoch Times*, 19 June.
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38. “Jiangsu Province Falun Gong Practitioner Xu Ming Imprisoned for the Second Time” 2010, Truth in China website, 19 December <http://truthinchina.wordpress.com/2010/12/19/jiangsu-province-falun-gong-practitioner-xu-ming-imprisoned-for-the-second-time/> – Accessed 18 February 2011.
39. United States Commission on International Religious Freedom 2008, *2008 Annual Report*.
40. 2009 US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 27 October <http://www.cecc.gov/pages/annualRpt/annualRpt09/CECCannRpt2009.pdf>.