



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

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# Country Advice

## China

China – CHN39816 – Family Members of  
Petitioners  
25 January 2012

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**1. Is there any information about treatment of family members of persons who have complained/petitioned against corruption by local government officials in China (and in particular Fujian Province)?**

Reports were found indicating that the family members of petitioners have been targeted and monitored by government authorities.

One recent report was located regarding the monitoring of families of petitioners in Fujian. A Google translation of a report dated 16 November 2011, from the Human Right Defenders website, a Chinese language blog site, indicates that a petitioner and his family were monitored by government authorities in Fuzhou, Fujian. The petitioner, Lin Xuguang, had protested against a forced eviction.<sup>1</sup> This report is briefly noted on the Chinese Human Rights Defenders website under the title “Fuzhou Victim of Forced Eviction and His Family Monitored and Followed During Fujian Provincial Party Congress.”<sup>2</sup> Chinese Human Rights Defenders “is a China based, non-political, non-governmental network of grassroots and international activists promoting human rights and empowering grassroots activism in China.”

On 22 March 2011, *Radio Free Asia* reported on earlier protest action undertaken by a ‘Lin Xuguang’ and his mother. The report states that over 300 petitioners from Fuzhou gathered outside the “Provincial Office of Letters and Visits to voice complaints about forced relocations and land-grabs.” The report provides the following information on Lin Xuguang:

“More than 10 villagers have been beaten up. Two of them fell on the ground,” said Lin Xuguang, a peasant from Liuqiao village in Jingan district.

Lin said that his mother had fallen ill after their home was forcibly demolished. Now homeless, she has petitioned several times in Beijing with no results, he said.

His mother then joined the other petitioners Monday morning in front of the provincial government offices, he said.<sup>3</sup>

The Chinese Human Rights Defenders website also contains a recent report regarding the targeting of the family members of a petitioner in Hunan province. The petitioner, Liu Guangbing, was detained on 19 September 2011. According to the report his family have also mistreated by authorities. This includes Liu Guangbing’s mother who had also petitioned a local district court. The report states that:

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<sup>1</sup> Google translation: ‘During the petition Congress injustice China Fujian Lin Xuguang family is tracking and monitoring’ 2011, Human Right Defenders blog website, 16 November [http://wqw2010.blogspot.com/2011/11/blog-post\\_2331.html](http://wqw2010.blogspot.com/2011/11/blog-post_2331.html) - Accessed 25 January 2012. Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

<sup>2</sup> ‘China Human Rights Briefing: November 15-22, 2011’ 2011, Chinese Human Rights Defenders website [http://chrdnet.com/files/2011/11/China-Human-Rights-Briefing\\_Nov15-22\\_2011.pdf](http://chrdnet.com/files/2011/11/China-Human-Rights-Briefing_Nov15-22_2011.pdf) - Accessed 25 January 2012

<sup>3</sup> ‘Petitioners Attacked and Beaten’ 2011, *Radio Free Asia*, 22 March <http://www.rfa.org/english/news/china/attacked-03222011171620.html> - Accessed 25 January 2012

## Hunan Petitioner Sent to RTL, Family Suffers Violence, Deaths Over Land Issue

On September 19, CHRD learned that Liu Guangbing (刘光兵), a 61-year-old petitioner from Beita District, Shaoyang City, Hunan Province, was given a one-year Re-education through Labor (RTL) punishment for “disrupting public order” in July after petitioning in Beijing. The Beita branch of the Shaoyang Public Security Bureau took Liu into custody 10 days prior to the RTL decision. Currently being held at the Shaoyang RTL, Liu has petitioned for several years on the local and provincial levels and in Beijing, including at the U.S. Embassy, after the local government allegedly occupied by force the land on which his family’s home was to be built. **His petitioning also has followed violent and tragic incidents that have befallen his family members; government-hired thugs have beaten the brothers in the family, and his sister-in-law died after disputes with the village chief. Also, Liu’s elderly mother, who passed out after she was handcuffed when trying to seek justice at the local district court, died shortly thereafter.** This is the third occasion in the past two years that Liu has been sent to RTL.<sup>4</sup>

A 2008 report by Chinese Human Rights Defenders, states that petitioners families may be subject to harassment:

The Chinese government has developed a complex extra-legal system to intercept, confine, and punish petitioners in order to control and silence them, often employing brutal means such as assault, surveillance, harassment of family members, kidnapping, and incarceration in secret detention centers, psychiatric institutions and Re-education through Labor camps.

### ...Harassment of petitioners’ families

Interceptors contact petitioners’ families and relatives and threaten them that if they do not stop the petitioning, they will lose their jobs (at state agencies or private or state-controlled companies). For example, in June 2007, while four elderly women, representing 338 other dismissed workers at a former crane factory in Qiqihaer, Heilongjiang Province, were petitioning in Beijing, their homes were monitored by local police and their children were threatened by the local government that if they didn’t call their mothers and ask them to return, they would be fired from their jobs. Pressure on families is applied in various ways. Because of their petitioning, Li Guirong’s ...5-year-old daughter is currently being detained at a “welfare home” and Gu Xiangqin’s ... parents and brothers were tied up and badly beaten by the head of her local production team.<sup>5</sup>

In 2011, Chinese Human Rights Defenders also reported on the continued targeting of family members of activists more generally in China. The report notes the detention of Duan Chunfang, who was seeking an investigation into the death of her brother following his imprisonment for petitioning. The report provides the following examples of authorities harassing and detaining family members of activists:

Some of the cases of families being targeted by police are well-documented: Yuan Weijing was under intermittent soft detention during the more than four years that Chen Guangcheng was imprisoned, and the pair have been held under unlawful house arrest since his release in September 2010. Liu Xia (刘霞), wife of 2010 Nobel Peace Prize Laureate Liu Xiaobo (刘晓波), has been held under illegal house arrest since October 2010. Zeng Jinyan (曾金燕), wife of imprisoned activist Hu Jia (胡佳), has been subjected to police harassment and monitoring for years. The wife and children of “disappeared” human rights lawyer Gao Zhisheng (高智晟), and the wife and children of imprisoned activist Guo Feixiong (郭飞雄), fled to the United States in 2009 to escape persecution and gain relief from years of suffering.

...However, it is not only the relatives of high-profile individuals who face harassment from officials, but those of grassroots activists as well. Police may seek to pressure activists to

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<sup>4</sup> ‘China Human Rights Briefing September 13-20, 2011’ 2011, Chinese Human Rights Defenders website <http://chrnet.com/2011/09/21/china-human-rights-briefing-september-13-20-2011/> - Accessed 25 January 2012

<sup>5</sup> ‘Silencing Complaints: Human Rights Abuses against Petitioners in China’ 2008, *Chinese Human Rights Defenders*, 14 March

discontinue their work through targeting their relatives, or they may be retaliating against the family for an activist's efforts to expose local rights abuses. For example:

- Li Jinfang (李金芳) and Li Zhuyang (李竹阳), former wife and daughter of democracy activist Qin Yongmin (秦永敏), had their home in Xianghe County, Hebei Province raided by fifteen police officers on July 1, 2010. Police confiscated 74 items, including human rights-related documents, computer equipment and financial documents. Several officers took Li Jinfang, an activist herself, and Li Zhuyang in for approximately five hours of questioning. Following her interrogation, police told Li Jinfang that she was suspected of having committed the crime of “inciting subversion of state power,” and was therefore required to report to the police if she planned to leave Xianghe County. She was also told that her bank account had been frozen. During interrogations, police threatened that Li Zhuyang would not be able to attend university because of her parents' activities.
- Xinna (新娜) and Uiles (威勒斯), the wife and son of Inner Mongolian scholar and activist Hada (哈达), have been missing since the days leading up to Hada's release from prison on December 10, 2010. On December 3, the bookstore run by his wife Xinna was suddenly closed by police, who conducted a 13-hour search of the premises. Xinna was then taken into custody and held at the Inner Mongolia Number One Detention Center. The next day, Hada's son Uiles was interrogated by police, after which he released a public letter detailing his experience and other instances of police harassment he has faced over the past fifteen years. After speaking to the media about his mother's situation on December 5, Uiles disappeared. On December 10, a photograph showing Hada, Xinna, and Uiles sitting together was circulated on the internet, and a New York Times report cited a relative who said the family was together, but confined by police to “a luxury hotel in Inner Mongolia.” CHRDL has been unable to contact Hada, Xinna, or Uiles, and cannot independently verify any news related to his release from prison or the whereabouts of his family members.
- Duan Chunfang (段春芳), sister of Duan Huimin (段惠民), was recently released following a year and a half in prison in Shanghai for “obstructing official business.” Duan Huimin died in early January 2007 immediately after being released from police custody for his petitioning and assisting other petitioners, where he had allegedly been tortured and denied treatment. Duan Chunfang has been seeking an investigation into, and official accountability for, her brother's death since, and has been routinely harassed and threatened by officials in Shanghai. Her detention stems from a June 2009 confrontation with a security guard who was keeping her under “soft detention.” During the Shanghai Expo, which took place while she was still in detention, her family was closely monitored by local officials.
- Wu Lingling (吴玲玲), wife of human rights activist and Christian house church organizer Fan Yafeng (范亚峰), was summoned for questioning in relation to her husband's activities on December 12, and later placed under “soft detention.” Fan was detained and reportedly beaten by police in Beijing between December 9 and December 18, and was then similarly placed under “soft detention” at his home.<sup>6</sup>

The 2011 *Congressional-Executive Commission on China Annual Report* states that activists, petitioners and their family members are subject to monitoring and “illegal home confinement”:

Harassment and intimidation of human rights advocates and their families by Chinese government officials continued during this reporting year. Public security authorities and unofficial personnel illegally monitored and subjected to periodic illegal home confinement human rights defenders, petitioners, religious adherents, human rights lawyers, **and their family members.**

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<sup>6</sup> ‘Chinese Government Must End Persecution of Family Members of Activists’ 2011, Chinese Human Rights Defenders, 11 February <http://chrldnet.com/2011/02/11/chinese-government-must-end-persecution-of-family-members-of-activists/> - Accessed 25 January 2012

...The Commission notes that, during this reporting period, authorities employed particularly forceful techniques to intimidate and control the family members of human rights defenders and activists.<sup>7</sup>

*Country Advice CHN39760*, dated 11 January 2012, contains reports indicating that Chinese authorities may target the families of individuals considered to be of interest.<sup>8</sup> Similarly, *Country Advice CHN36548*, dated 22 April 2010 provides reports indicating that Chinese authorities have harassed, monitored and detained family members of dissidents.<sup>9</sup>

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<sup>7</sup> Congressional-Executive Commission on China 2011, *Annual Report*, 12 October, pp. 16 & 120  
<http://www.cecc.gov/pages/annualRpt/annualRpt11/AR2011final.pdf> - Accessed 25 January 2012

<sup>8</sup> RRT Country Advice Service 2011, *Country Advice CHN39760*, 11 January

<sup>9</sup> RRT Country Advice Service 2010, *Country Advice CHN36548*, 22 April

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RRT Country Advice Service 2010, *Country Advice CHN36548*, 22 April.

RRT Country Advice Service 2011, *Country Advice CHN39760*, 11 January.