

# URGENT ACTION

## ACTIVIST BEATEN IN FORCED LABOUR FACILITY

**At her appeal on 21 July, Chinese activist Mao Hengfeng said that she has been severely beaten at the Anhui Provincial Women's Re-education Through Labour (RTL) facility over the past three months. She remains at high risk of further torture and other ill-treatment.**

Mao Hengfeng was assigned to 18 months in RTL for 'disturbing social order' in March 2010. She was transferred to the Anhui Provincial Women's RTL facility on 27 April 2010, just days before the opening of the international exposition Expo 2010 in Shanghai. Her family hired a lawyer to appeal against the RTL decision. On 21 July, the Anhui Provincial Women's RTL facility heard the appeal behind closed doors and on behalf of the Huangpu District Court in Shanghai, where the appeal had been filed.

At the hearing, Mao Hengfeng said that she had been repeatedly beaten over the last three months. She also showed them the bruises the repeated beatings had left on her body. She reported that the Anhui Provincial Women's RTL facility officers have instructed other inmates many times to beat her. In most occasions, more than a dozen inmates were involved. Once, the inmates hit her on the head twice with a chair, leaving a scar over her right eyelid. In another attack, they lifted her up, pulled her arms and legs, bent her lower back and then threw her on the floor, causing pain to her lower back, waist and kidneys.

Mao Hengfeng is kept in unsanitary conditions and for a long period of time, she has not been allowed to shower or use the toilets. As a result, she is now suffering from a skin infection. She is forced to work at the RTL facility dumping ground, which is poorly ventilated.

Wu Xuewei, her husband, and their daughters have not been allowed to meet Mao Hengfeng since the police detained her in Beijing on 24 February. Wu Xuewei was, however, able to attend the appeal hearing.

### **PLEASE WRITE IMMEDIATELY in Chinese, English or your own language calling on the authorities to:**

- release Mao Hengfeng immediately and unconditionally;
- guarantee that Mao Hengfeng will not be tortured or ill-treated while she is in custody;
- initiate a full, independent and impartial investigation into reports that Mao Hengfeng has been tortured or ill-treated in the Re-education Through Labour facility and ensure that those responsible for torture or ill-treatment are brought to justice in accordance with international standards;
- ensure that she is allowed access to her family and any medical treatment that she may require.

### **PLEASE SEND APPEALS BEFORE 7 SEPTEMBER 2010 TO:**

Director of the Anhui Provincial Bureau  
of Re-education-Through-Labour  
Administration

WANG Yinghui Juzhang  
Anhuisheng Laodong Jiaoyang Guanliju  
310 Anqinglu  
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Email: [ahljibgs@ahlji.gov.cn](mailto:ahljibgs@ahlji.gov.cn)

**Salutation: Dear Director**

Director of the Shanghai Bureau of  
Public Security

ZHANG Xuebing Juzhang  
Shanghaishi Gong'anju  
128 Wuningnanlu  
Qing'anqu  
Shanghaishi 200042  
People's Republic of China  
Email: [gaj02@shanghai.gov.cn](mailto:gaj02@shanghai.gov.cn) or  
[shgajxfb@sh.china110.com](mailto:shgajxfb@sh.china110.com)

**Salutation: Dear Director**

### **And copies to:**

Premier of the People's Republic of  
China  
WEN Jiabao Guojia Zongli  
The State Council General Office  
2 Fuyoujie  
Xichengqu  
Beijingshi 100017  
People's Republic of China  
Fax: +86 10 65961109 (c/o Ministry of  
Foreign Affairs)

**Salutation: Dear Premier**

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date. This is the first update of UA 95/10 (ASA 17/019/2010, 26 April 2010). Further information: <http://www.amnesty.org/en/library/info/ASA17/019/2010/en>

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### ADDITIONAL INFORMATION

Mao Hengfeng has been repeatedly detained for her work defending women's reproductive rights; for victims of forced evictions; and for her support of human rights defenders since 2004. She has been repeatedly tortured.

Since the end of February 2010, many Shanghai based activists were put under surveillance or detained to stop them from protesting or speaking to journalists in the lead-up to Expo 2010. It is possible that Mao Hengfeng's transfer to Anhui was also in connection to the Expo.

In China, the civil society sector and in particular the weiquan ("rights defence") movement are growing. However, human rights defenders who attempt to report on human rights violations, challenge policies which the authorities find politically sensitive, or try to organize or rally others to their cause, face serious risk of abuse.

Some are held under unofficial house arrest or in unofficial places of detention also known as "black jails"; others are assigned to forms of punitive administrative detention such as RTL or "residential surveillance" ('jianshi juzhu' - known informally in Chinese as ruanjin or "soft detention") without the possibility of challenging the lawfulness of their detention. Many are jailed as prisoners of conscience after politically motivated trials.

RTL has been used since the mid-1950s in China as a form of punitive administrative detention, imposed without charge, trial or judicial review.

The decision whether to send a person to an RTL facility or to prosecute them through the courts is based on a subjective, unchecked assessment by police of whether an act amounts to "illegal behaviour" and is therefore liable to RTL, or a more serious "crime", liable to prosecution through the courts. RTL was once described in an official legal affairs newspaper as punishment for actions which fall "somewhere between crime and error". The vague language used to define the types of behaviour liable to punishment by RTL allows police to detain those peacefully exercising their fundamental human rights.

Despite repeated calls from both inside and outside China for the system to be abolished, hundreds of thousands of people are believed to be held in China's RTL facilities. Under the current system, people can be detained in a RTL facility for up to three years, which can be extended by a further year when "necessary". Chinese legal reformists have pointed out that these periods are much higher than minimum penalties under the Criminal Law.

New legislation has been proposed to substantially reform or replace RTL, but this remains at draft stage within China's legislature, the National People's Congress, and it is unclear whether or when it will be passed. Amnesty International has consistently called on the authorities to abolish RTL altogether, and bring all offences punishable by deprivation of liberty within the scope of Criminal Law, and accordingly, transfer all powers to impose imprisonment as punishment from the police to courts that are competent, independent and impartial.

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