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**PROMOTION AND PROTECTION OF HUMAN RIGHTS:
HUMAN RIGHTS DEFENDERS**

Report of the Special Representative of the Secretary-General, Hina Jilani

Addendum

Summary of cases transmitted to Governments and replies received*

*The present document is being circulated in the languages of submission only as it greatly exceeds the page limitations currently imposed by the relevant General Assembly resolutions.

Introduction

1. The present document is submitted by the Special Representative of the Secretary General on the situation of human rights defenders, Ms. Hina Jilani, to the Commission on Human Rights pursuant to Commission resolution 2003/64. The document provides summaries of the communications on specific cases addressed by the Special Representative to Governments, as well as summaries of the replies by Governments that she has received and her observations thereon.
2. In the past, such information had been included in an annex. Following up on a practice adopted in her report to the Commission at its fifty-ninth session, the information on specific cases raised by the Special Representative over the year is now published in an addendum to her main report to the Commission at its sixty-first session (E/CN.4/2005/101).
3. The cases raised by the Special Representative in this addendum relate to cases reported to her between 9 December 2003 and 9 December 2004. The addendum contains summaries of responses received from Governments and, where necessary, translated up to and including 31 January 2005. Most of the responses by Governments refer to cases raised by the Special Representative during the period December 2003 to December 2004; however, some of the responses are to cases addressed by her in earlier reporting periods. While the summaries of these responses are included in this report, the summaries of the cases to which they refer will be found in the Special Representative's reports from preceding years (see E/CN.4/2003/104/Add.1 and E/CN.4/2004/94/Add.3, covering the previous two years).
4. For ease of reference, and as indicated in the table of contents, cases have been grouped by country, with countries listed alphabetically according to their names in English.

Communications sent

109. On 16 March 2004, the Special Representative, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on extrajudicial, summary or arbitrary executions, sent a follow-up urgent appeal concerning the situation of **Jiang Meili**, the wife of **Zheng Enchong**, a human rights defender who was imprisoned in October 2003, and the situation of **Shen Ting**, a campaigner on behalf of Shanghai residents displaced by urban developments, who has also been advocating the release of Zheng Enchong. According to the information received, on 28 February 2004, Jiang Meili, who had travelled to Beijing to petition the National People's Congress on behalf of her husband, was reportedly detained by five women and two men who allegedly entered her hotel room, bound and gagged her and took her to a hotel in Hubei's Canzhou City. The following day she was reportedly taken to another hotel on Hutai road. According to the information received, Jiang Meili was not informed of the reason for her detention and the men and women, reportedly officials of the Shanghai Representative Office in Beijing, the Shanghai Letters and Petitions Office and the Shanghai Municipal Public Security Bureau (PSB), did not present an arrest warrant. She was allegedly released on 1 March. It is reported that since then, she has been under police surveillance and on 4 March was prevented from leaving her home to visit her husband. When she protested, she was allegedly taken to the Guoqing Lu Public Security Bureau and was released later that day. It is also reported that the authorities have confiscated her two mobile phones and have also reportedly disconnected her home phone line. According to additional information received, the mother of Shen Ting, **Mo Zhujie**, was reportedly abducted on 5 March 2004 while visiting a displaced resident. According to the information received, 11 individuals, some wearing police uniforms and one who was allegedly identified as a member of the Shimen Erlu Public Security Bureau, reportedly entered the premises and forced Mo Zhujie into a police vehicle. They allegedly put a plastic bag over her head and threatened to kill her. She was reportedly released later that night. Concern has been expressed that Jiang Meili, Shen Ting and Mo Zhujie may have been targeted for their human rights work, and in particular for campaigning against the reportedly arbitrary imprisonment of Zheng Enchong. Fears have been expressed for the life and physical integrity of the above-mentioned individuals.

110. On 5 April 2004, the Special Representative, together with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the question of torture sent an urgent appeal concerning **Ding Zilin**, **Zhang Xianling** and **Huang Jinping**. It is alleged that on 28 March 2004, the three women, who belong to a group called the "Tiananmen Mothers", were detained in an attempt to prevent them from commemorating the 15th anniversary of the June 1989 pro-democracy protests in Tiananmen Square. It is reported that members of this group have campaigned on behalf of their children and other relatives killed there almost 15 years ago. The teenage sons of Ding Zilin and Zhang Xinliang, and Huang Jinpin's husband, had reportedly been killed at Tiananmen Square. No information on the whereabouts or on possible charges against the women is available.

111. On 23 April 2004, the Special Representative, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, sent a follow-up urgent appeal concerning the situation of **Wang Jinbo**, a political prisoner. According to the information received, Wang Jinbo was sentenced to four years imprisonment in December 2001

on charges of "inciting the subversion of State power". It is reported that in 2003, he was subjected to repeated beatings by other inmates, and that prison authorities had failed to take action against the perpetrators. An investigation into the beatings has allegedly not been carried out. He was also reportedly held in solitary confinement for several months in 2003. According to new information received, Wang Jinbo is now permitted visits by his family, although he is reportedly still not permitted to make telephone calls home. He has reportedly continued to conduct several hunger strikes to protest against his sentencing and his treatment in prison. It is reported that as a result, his health is deteriorating and it is not known whether he is being allowed access to medical treatment. His family have reportedly applied for his release on medical parole. Concern is expressed about the physical integrity of Wang Jinbo. Concern is further expressed that Wang Jinbo has been imprisoned for his work in defence of human rights and in particular for having called, through articles posted on the Internet, for a re-evaluation of the events surrounding the June 1989 pro-democracy protests in Tianamen Square.

112. On 2 June 2004, the Special Representative, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, sent a follow-up urgent appeal concerning reports that several human rights defenders and pro-democracy activists have been recently placed under de facto house arrest, presumably to prevent them from publicly marking the 15th anniversary of the Tiananmen Square repression on 4 June 2004. It is reported that among those allegedly placed under house arrest are **Liu Xiaobo**, one of the country's leading human rights figures who strongly criticized the "subversion" charges typically brought against most of the country's cyber-dissidents, **Hu Jia**, an activist who denounced the inaction of officials in the face of the spread of AIDS in China, and **Ding Zilin**, leader of the "Mothers of Tiananmen", a group of mothers whose children were killed during the 1989 repression. According to the information received, the police have been surrounding the homes of well-known activists for several days, preventing them de facto from meeting with journalists or with each other. It is also alleged that their telephone lines are disconnected as soon as they have conversations that are deemed to be politically "sensitive", and that their Internet access has been interrupted.

113. On 14 July 2004, the Special Representative, together with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, sent an urgent appeal concerning **Zhang Youren**, the leader of a farmers' group in Tangshan, Hebei province, who organized peaceful protests against the flooding of farmland to make way for a reservoir. According to reports, Zhang Youren was arrested at his home on 6 July 2004 at around 10.00 a.m. by public security police officers. The police reportedly searched his home and beat and arrested his wife, Wang Yushu. It is alleged that Zhang Youren's detention could be linked to the visit to Tangshan by Premier Wen Jiabao, scheduled for 8 to 10 July, during which the relocated farmers had been planning to petition him to intervene in their case. The arrest of Zhang Youren is believed to be an attempt to forestall any such action.

114. On 16 July 2004, the Special Representative, together with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on the question of torture, sent an urgent appeal concerning Mr. **Wang**

Guofeng, and his wife, Ms. **Li Suzhi**, both HIV-positive. According to the allegations received, they were arrested in Shangqiu city, Henan province, on 12 July 2004, when they were about to travel to Beijing to petition the National Health Department. They wanted to protest about the inadequate health care and other services for those infected with HIV/AIDS in their city. In particular, they were concerned that they had not received the medical treatment that had been promised by the central authorities. They were also concerned that the local authorities had recently closed down the school of their children, which had been set up by a local HIV/AIDS activist for children whose parents were HIV-positive or had died of AIDS. The school was reportedly closed after its founder told the authorities that he was going to Thailand to participate in the 15th International Conference on HIV/AIDS. Wang Guofeng and Li Suzhi are currently detained in Shangqiu city. In the light of reports according to which people with HIV/AIDS detained in Henan province in the past had been beaten while in police custody, concern is expressed that Wang Guofeng and Li Suzhi may be at risk of torture or other forms of ill-treatment. Concern is also expressed about their physical and mental integrity if they do not receive adequate medical treatment during their detention.

115. On 12 August 2004, the Special Representative, together with the Special Rapporteur on the question of torture, sent an urgent appeal concerning **Wang Bingzhang**, aged 57. According to the allegations received, **Wang Bingzhang**, a human rights and pro-democracy activist, was sentenced to life imprisonment in January 2003 and has been kept in solitary confinement in Shaoguan prison ever since. Up until June 2004, he has repeatedly been denied visits by family members. A senior prison official allegedly indicated that he was denied the visits as a punishment for bad behaviour. Wang Bingzhang reportedly suffered a stroke in January 2004 as a result of a hunger strike he had undertaken to protest his conditions. He has extreme difficulty in walking and appeared disoriented and confused when a family member visited him in June. In addition, he suffers from gastritis, phlebitis and varicose veins. On 9 May 2003, the Working Group on Arbitrary Detention had declared that the detention of Wang Bingzhang was arbitrary. In view of the alleged prolonged detention in solitary confinement and reports of his poor medical condition, concern is expressed about the physical and mental integrity of Wang Bingzhang if he does not receive prompt and adequate medical attention.

116. On 19 October 2004, the Special Representative, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the question of torture, sent an urgent appeal concerning **Yan Zhengxue**, a human rights defender, who has initiated an international petition campaign against the Re-Education Through Labour (RTL) system. According to the allegations received, Yan Zhengxue was arrested by the Zhejiang Province State Security Department police in Taizhou City, Zhejiang province, on 14 September 2004 at 2.35 p.m. and taken away to an unknown location. Concerns have been expressed that the reported arrest and detention of Yan Zhengxue may be an attempt to prevent him from carrying out human rights activities, in particular in connection with the meeting of the Central Party Committee of the 16th Party Congress. In view of his alleged incommunicado detention, concern is expressed that he may be at risk of torture or other forms of ill-treatment.

117. On 26 October 2004, the Special Representative, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the question of torture, sent an urgent appeal concerning Mr. **Zhang Bo**, Ms.

Wang Jie, and Mr. **Cai Shaojie**, three Falun Gong practitioners, and Mr. **Li Weiji**. According to the allegations received, Zhang Bo is detained at an unknown location, Wang Jie and Cai Shaojie are detained in the Dabei prison, and Li Weiji is detained in the Panjin prison. It is reported that the police broke both Li Weiji's arms and caused him a lumbar inter-vertebral disc protrusion. On 5 March 2003, these persons were sentenced to imprisonment by the Yinzhou District Court in Tieling, Liaoning province, for collecting evidence of the persecution of Falun Gong practitioners in that province (i.e. persecution by the local authorities, including local governments and local police stations, related to the use of detention, torture and forced labour). Li Weiji was also convicted of assisting Falun Gong practitioners in going abroad. Zhang Bo and Wang Jie were sentenced to seven, Cai Shaojie to four and Li Weiji to eight years' imprisonment. In view of the allegations, concern is expressed that Zhang Bo, Wang Jie and Li Weiji are at risk of torture or other forms of ill-treatment. Moreover, concern is expressed that the imprisonment of the four individuals is an attempt to prevent their activities to protect the human rights of Falun Gong practitioners in Liaoing province.

118. On 1 December 2004, the Special Representative, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the independence of judges and lawyers, sent a follow-up urgent appeal concerning Mr. **Zheng Enchong**, a Shanghai lawyer involved in the defence of economic and social rights of displaced persons, who is currently detained at Shanghai's Tilanqiao prison. According to the information received, since being sentenced on 28 October 2003, Zheng Enchong is in prison and denied access to his lawyer, which reportedly resulted in his not being able to file an appeal application against his sentence before the Shanghai Supreme People's Court. His wife reportedly filed an application on his behalf, but the Court has not acknowledged it. Furthermore, the director of the Shanghai's Judicial Bureau and Prisons Bureau, Mr. Miao Xiaobao, reportedly visited Zheng Enchong in detention on several occasions, telling him that if he admitted wrongdoing, his three-year sentence would be reduced by one year. However, Zheng Enchong refused to do so. Moreover, according to the information received, in spite of his relatively light sentence, Mr. Zheng is kept in a high security prison where he is obliged to share his 3.5 m² cell with two other prisoners. In addition, Mr. Zheng's repeated requests to be allowed to telephone his family have consistently been denied. Concern is expressed that the denial of Mr. Zheng Enchong's right to see a lawyer and the right to appeal his sentence may be intended to prevent him from resuming his work as a lawyer who defends persons displaced from their homes by real estate projects. Such concerns are reinforced by the alleged attempts to induce Zheng Enchong to repudiate his work in defence of human rights, both by offering a reduction of his sentence and by aggravating the conditions of his detention.