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Evidence of Crackdown on Labor Movement Mounts

New information provided by the Chinese government to the International Labor Organization (ILO) suggests that China may have deliberately misled the State Department by professing not to know the fate of some workers about whom U.S. officials had made inquiries. In three new communications, dated May 18, 1991, October 18, 1991 and January 29, 1992,¹ to the ILO's Freedom of Association Committee, the government released previously unavailable information about some 50 Workers Autonomous Federation (WAF) members and their advisers from all over China. Many received long prison terms. Of the 50, the Chinese government denied knowing anything about 14 who were included on a lengthy list submitted by the State Department. Their names appear in Appendix A.

The information provided to the ILO is only one of a series of developments relating to worker rights. On March 19, 1992, Han Dongfang, who spent 22 months in prison for his 1989 leadership role in the Beijing Workers Autonomous Federation (BWAF), was denied permission to demonstrate for independent labor unions. And in the midst of reports that Chinese workers are clandestinely organizing outside the aegis of the only officially approved trade union, the All-China Federation of Trade Unions (ACFTU), a proposed law submitted to the National People's Congress restricts the formation of new unions. Taken together these developments underscore the determination of Chinese authorities to avoid a Chinese "Solidarity" movement.

The ILO Reports

¹Case No.1500, "Complaint Against the Government of China presented by the International Federation of Free Trade Unions (ICFTU)," 251st Session, November 11-15, 1991 and 252nd Session, March 1992.

See *Asia Watch*, "Chinese Workers Receive Harsh Sentences," March 13, 1991 for a summary of the issue prior to the ILO's latest reports.

Chinese officials have adamantly rejected efforts by the ILO's Freedom of Association Committee and the International Federation of Free Trade Unions (ICFTU) to raise human rights concerns on the grounds that these efforts constitute interference in its internal affairs. They continue to emphasize, in 1991 communications to the ILO, the illegal character of the Workers Autonomous Federations, the fledgling unions organized during the 1989 pro-democracy movement, and the "many criminal activities" of their members. In particular, the government cites the failure of the Beijing Workers Autonomous Federation to register, insisting that there is no record of a registration request. The government does not acknowledge a sworn statement that representatives tried several times to do so, but that the application to register was refused by various departments and finally turned down on the grounds that it was a "time of stringency." And the government insists, "its [the BWAF] creation itself was an unlawful act during the 'period of turmoil' and after the proclamation of martial law."²

Despite these statements, the government, in three responses dated from mid-1991 to early 1992, finally released additional data on the status of detained workers. Almost all those named in the original ICFTU complaint to the ILO and in a follow-up submission have now been accounted for, although the government provided little more than the basic information about whether an individual was arrested, sentenced or tried. Nothing about the circumstances of the alleged offense, the trials, the dates of sentencing or the sites of imprisonment was announced.

Although the sentences reported in these communications to the ILO are not so severe as the life terms and death sentences previously announced,³ they are harsh enough, one as long as fifteen years. In spite of highly publicized releases of worker leaders such as He Lili and Liu Qiang in response to international pressure, many of the rank and file, particularly outside Beijing, received sentences exceeding those handed out to "most wanted" student leaders.

More disturbing is the execution, sometime after June 1991, of Luan Jikui. A Beijing court sentenced him to death with a two-year reprieve for setting fire to military trucks.⁴ Despite pleas from the ILO, the execution took place,⁵ bringing to at least 60 the number of workers known to have been executed, primarily for arson, "beating smashing and looting" and "endangering public order." In almost all cases executions took place at most a few weeks after the alleged offenses were committed, often immediately after a hasty trial and a speedy pre-determined sentence.

In at least one case, the information supplied by the Chinese is wrong. Li Guiren, a prominent editor in Shaanxi Province who tried to organize a strike of publishing house employees, is listed in the government's reply as having received a three-year sentence for disturbing the peace. Asia Watch has confirmed that the sentence was in fact five years. There are other possible discrepancies. For example,

²Case No.1500, 251st Session, paragraphs 608 and 620.

³See *Asia Watch*, "Two Years After Tiananmen: Political Prisoners in China," July 1991; "Chinese Workers Receive Harsh Sentences."

⁴No further information about Luan Jikui is available. Neither the date of sentencing nor the arrest date is known.

⁵Case No.1500, 251st Session, paragraph 261.

Dian Hanwu, a Shanghai worker who according to the Chinese was never brought to court, is probably in fact Bian Hanwu who was publicly executed on June 21, 1989 in Shanghai.

It is clear from the information provided by the Chinese government that many of the workers sentenced for alleged criminal offenses were in fact involved only in non-violent trade union activity.

Classification of Cases

In responding to the ILO queries, the Chinese government divided the workers into six major categories, "sentenced," "released following re-education or absolved of criminal responsibility by the courts," "never brought to court," "declared innocent of all criminal liability and released," "released immediately after questioning" and "released." In many cases, as explained below, the terms are used in ways that obscure the status of the prisoner.⁶

In examining the categories, several features of Chinese law must be considered. Once detained, a Chinese prisoner may be held for a considerable period of time while a decision about prosecution is made. At this stage, there can be a determination not to prosecute (*bu qisu*), in which case the detainee does not have a criminal record. This is distinct from "exempt from prosecution" (*mian yu qisu*), in which case the prisoner does not go to trial, but he is considered guilty, has a criminal record and encounters all the attendant problems, such as dismissal from previous employment and loss of housing.⁷

If the procurator determines the prisoner is to be tried, several outcomes are possible, including "guilty" or "guilty but exempt from a penalty." In the latter case, there may be no prison sentence, but the problems associated with a criminal record remain. In theory, a prisoner can be found "not guilty," but Asia Watch is aware of no such acquittals of pro-democracy detainees.

The category "never brought to court"⁸ can have one of several meanings. It may mean the person was "never prosecuted" or was "exempt from prosecution." It may mean he was held for "shelter for investigation" (*shourong shenchā*), another category of administrative detention, and released. Or it may be a euphemism for an administratively imposed sentence of "re-education through labor." Under Chinese law, terms of up to four years can be imposed on recommendation of the police. Those sentenced are never formally arrested and they do not "come before judicial authorities."

In response to ILO requests, the Chinese government explained that,

the education-through-labor programme is aimed at persons over 16 years of age who live in large

⁶Reports from the Chinese government to the ILO were not in Chinese; therefore, it is not possible to go back to the original for a clarification of terms.

⁷See *Asia Watch*, "Persecution After Prison," November 7, 1991.

⁸In prior responses, the government used the classification "never arrested or come before judicial authorities," which may be the equivalent of "never brought to court."

and medium-sized cities, who are not subject to criminal sanctions or who are spared these sanctions, but disturb the peace and refuse to mend their ways in spite of repeated warnings, or who commit petty crimes....The objective of education-through-labor is to educate, to bring about a change in and to redeem persons who have committed such crimes. This education plays a role in the maintenance of social order....Education-through-labor is an effective measure, suited to the situation in China, pertinent to its social needs and beneficial in maintaining social stability.⁹

The ILO's Freedom of Association Committee took exception to the practice, considering it a form of administrative detention that "is a blatant violation of basic human rights, the respect of which is essential for the exercise of trade union rights, as pointed out by the International Labor Conference in 1970." It recommended that the Chinese government examine the issue on a priority basis so that "persons detained without judgement be released."¹⁰

The category "released following re-education or absolved of criminal responsibility by the courts" has been used before. The category may differ from "never brought to court," in that those in the latter classification are still in re-education camps. But "absolved of criminal responsibility" suggests a different outcome. Those absolved may be "exempt from a penalty," that is, judged guilty and released. In effect, these prisoners served their time while the authorities "investigated."

Several well-known former prisoners are among those in the category, "declared innocent of all criminal liability and released." In at least one case, the prisoner was held 22 months prior to release; in another case a prisoner was held 18 months. These prisoners may have been administratively detained but not formally arrested, or they may have been formally arrested but not prosecuted. None of the prisoners in this category was ever tried to Asia Watch's knowledge.

Detainees who were "released immediately after questioning" were never formally arrested, but they may have spent time in administrative detention.

A fifth category, "released," probably means that those so classified have completed their prison terms.

The Case of Han Dongfang

Han Dongfang, a founder of the BWAf, is no longer in prison, but only because his jailers did not want him dying in custody from prison-induced tuberculosis.¹¹ Since his release in April 1991, after 22 months without ever being charged, Chinese authorities have continued to abuse him. The latest incident occurred on May 14, when Han was handcuffed, beaten and stunned with an electric prod by Dongcheng

⁹Case No.1500, 251st Session, paragraph 605.

¹⁰Case No.1500, 251st Session, paragraph 637.

¹¹The Chinese government continues to insist, "There are absolutely no grounds for alleging that he (Han) was mistreated" (Case No.1500, Session 251, paragraph 607). In contrast see *New York Times*, April 16, 1992.

District Court guards during a hearing on a court order to evict him from his apartment. Han reportedly sustained head and groin injuries in the incident. His chest cavity has filled with fluid and as of mid-May, he was having trouble breathing.¹² Han filed a suit on May 18 demanding that those who beat him be administratively punished. He also demanded compensation for "physical and mental harm." The suit has little chance of being accepted.

Although in its response to the ILO, the Chinese government put Han in a special category, "released on bail pending trial," officials in November 1991 promised U.S. Secretary of State James Baker that anyone without criminal charges pending would be free to leave China. All charges against Han were subsequently dropped and it was understood that once he completed the usual administrative formalities and procedures, he could leave for study in the U.S. Six months later, on or about May 9, 1992, he was finally granted an exit permit.¹³ Until then, his work unit, the Railway Bureau, had successfully kept him from leaving. It refused the necessary permission because, it said, Han still faced "administrative discipline" and because his TB could be best treated in China.¹⁴

Despite Han's post-release difficulties - he is unable to work, chronically ill, often feverish and almost out of money - and the administrative harassment, he has kept up his public efforts to draw attention to the plight of workers and to champion their rights. On March 17, he applied to hold a one-person demonstration in Beijing on March 23.¹⁵ The application demanded that the National People's Congress (NPC), technically China's "highest organ of state power," write into a proposed trade union law "permission for workers to freely organize and choose union regulations." Han timed his appeal to coincide with the annual two-week session of the NPC. In his petition, Han stated that party-sponsored unions "cannot effectively protect the personal interests of the masses of the workers."¹⁶ He also raised the issue of Railway Bureau worker benefits, an issue of personal interest since Han is owed 2,000 *yuan* (\$370) by his employer.

Two days later, on March 19, police told Han his application could not be processed because only one person was listed and a demonstration application needs minimally two.¹⁷ They cautioned him not to proceed with his plan to bicycle for four hours near the Great Hall of the People close to Tiananmen Square and to Railroad Bureau Headquarters, handing out leaflets along the way. "They warned me," he said, "that this method was not a good one and it was best to find other ways. 'If you take to the streets we will stop you. We will use legal methods to block you.' This means my rights have been restricted."

¹² *Reuters*, May 17, 1992.

¹³ *Washington Post*, May 9, 1992.

¹⁴ *UPI*, March 19, 1991.

¹⁵ See Appendix B.

¹⁶ *Reuters*, March 19, 1992.

¹⁷ There is no provision in the 1989 Law on Assemblies, Parades and Demonstrations that mentions the number of participants. However, "While exercising their rights to assemble, parade and demonstrate, citizens...may not...infringe upon the interests of the state...."

When Han asked if his application would be processed if he increased the number of demonstrators, he was told it would indeed be processed, but not accepted. In an enigmatic statement, the police then reportedly told Han that if he could guarantee that no one paid attention to him and no one followed him, his ride would be legal. Tao Siju, Minister of Public Security, said Han was free to organize protests in Beijing, "as long as he follows the rules to apply with the Beijing City authorities."¹⁸

Han said he wanted to avoid conflict with the government but was adamant in his championing of workers' rights. In his analysis, "Embrace of economic reform makes independent unions a necessity. If China now allows all these capitalist organizations to spring up, how can it not allow free unions to arise to protect the workers' interests? I wish the party unions could protect the workers, but their actions have left me disappointed. They have not done their job well." Han said he was willing to work within the system if the state-run unions reformed and really protected and represented the workers. He said he wanted to do everything openly and legally.¹⁹ The government, however, ensures that formidable obstacles will be placed in the path of free trade unions in China.

The Draft Trade Union Law

In March 1992, the NPC considered amendments to the Trade Union Law of the People's Republic of China. In force since 1950, the law, according to Wang Hanbin, vice-chairman of the NPC Standing Committee, did not reflect China's policy of opening to the outside world. Although the new draft states that "trade unions are...formed by staff and workers on a voluntary basis," the process of formation and approval by "trade unions at the next highest levels" insures that control rests with the ACFTU, a government organization. So-called voluntary trade unions are, in effect, ACFTU branches.²⁰ According to an ACFTU vice-president the unions "must adhere to the Party's basic line...and the four cardinal principles...As there is no fundamental conflict of interests within the Chinese working class itself, a uniform and united trade union based on identical interests, is stronger than scattered and multi-form unions..."²¹

The new law may even weaken the unions' to protect a worker facing dismissal. Under the old law, an employer had to present his reason in writing to the union, which had seven days to mount a challenge. The new law states only that "where an enterprise encroaches upon any staff or worker's rights and interests relating to work, the trade union may put forward its opinions."²²

¹⁸ *South China Sunday Morning Post*, March 22, 1992.

¹⁹ *UPI*, March 25, 1992.

²⁰ *Xinhua*, March 27, 1992, in FBIS, same date.

²¹ *Xinhua*, March 30, 1992, in FBIS, March 31.

²² *South China Morning Post*, March 29, 1992.

It is noteworthy that China has ignored the ILO Freedom of Association Committee's recommendation that it "take the necessary measures so that the right of workers to establish organizations of their own choosing and the right of free functioning of these organizations be recognized in the legislation and guaranteed in practice."²³ Furthermore, China has ratified neither the ILO's *Freedom of Association and Protection of the Right to Organize Convention*, nor the *Right to Organize and Collective Bargaining Convention*.

²³Case No.1500, 251st Session, paragraph 641(f).

Appendix A: Case Information

In its responses to the ILO, the Chinese government provided information on the following workers. Those with an asterisk are individuals about whom the Chinese denied any knowledge when asked to respond to a State Department inquiry.

Sentenced

- In Beijing, **TIAN Bomin***,²⁴ was sentenced to five years imprisonment for larceny and fraud and **GUO Yaxiong** received a three-year term for disrupting traffic. According to previous information, the men drafted and distributed the leaflet, "Declaration of the Dragon," in Tiananmen Square. Tian, a studio worker and member of the BWAf, was arrested in Yunnan Province on June 26, 1991. He allegedly fled there to spread unrest, carrying audio and video tapes of pro-democracy speeches and demonstrations in Beijing. Guo, not only accused of distributing the leaflet "in an effort to egg on people to make trouble,"²⁵ allegedly organized assault teams and with others "instigated some thugs to beat, smash, loot and burn military vehicles...in the early hours of June 4, 1989."
- **LI Bing** was sentenced to seven years in prison for "serious crimes of participation in rebellion and destruction of military vehicles." According to previous reports,²⁶ he allegedly killed a soldier and tried to block military vehicles attempting to enter Tiananmen Square on June 3-4, 1989. Li, a BWAf leader, was arrested in Beijing on June 21.
- The sentence for **LIU Zihou** has finally been made public. Previously released information reported that at his trial on January 11, 1991 in Beijing People's Intermediate Court, he had received a "relatively lenient sentence of several years in prison."²⁷ That "relatively light" sentence is eight years for the "serious crimes of participation in rebellion, arson and street-blocking." Li, a 34-year-old staff member at the Beijing Aquatic Products Company, was arrested on June 18, 1989 while trying to flee China.²⁸ He allegedly was head of the "Capital Workers Special Picket Corps," an offshoot of the "Beijing Citizens Hunger Strike Corps," a group which set up tents of "freedom camps" in Tiananmen Square.
- Five leaders of the Changsha (Hunan Province) Workers Autonomous Federation were sentenced for "disturbing the peace." **HE Zhaohui***, **YANG Xiong*** and **ZHANG Xudong*** received four-year terms; **LI Jian** and **LIU Xingqi** are serving three-year terms. They were among seven arrested around June 16, 1989 in Changsha. According to a previous report, they were accused of "counterrevolutionary propaganda,

²⁴ Ages are as given at time of the first report about an individual.

²⁵ *Beijing Wanhao*, June 22, 1989.

²⁶ *Beijing Ribao*, June 25, 1989, in FBIS, June 26, 1989.

²⁷ *UPI*, February 4, 1991.

²⁸ *Xinhua*, in FBIS, June 19, 1989.

blocking traffic and instigating strikes.²⁹

■ In Nanjing, Jiangsu Province **RUI Tonghu**, a self-employed car repairman and a Workers Pickets leader, received a three-year sentence for "disturbing the peace." According to a previous report,³⁰ he was arrested in Nanjing along with nine members of the Nanjing WAF who had established contact with the Nanjing Students Autonomous Federation.

■ **DU Weng(ou)**, from Jiangsu Province, was sentenced to three years' imprisonment for "disturbing the public order. According to a previous report, he was one of 29 "lawless elements" arrested in Xuzhou, Jiangsu before June 11, 1989. As a "ringleader" of the illegal Xuzhou Autonomous Federation of National Salvation, the unemployed Du allegedly planned to "carry out a number of sabotage activities to create turmoil."

■ In Liaoning, **SONG Tianli** received a 15-year prison term for "inciting and participating in riots and conspiring to overthrow the government." The unemployed Song, reportedly a "chieftain of a counterrevolutionary organization,"³¹ was accused of forming the *China Democratic Political Party* in Dalian. He allegedly sent fourteen "counterrevolutionary declarations, guiding principles and letters of application" to other Chinese cities and "formulated regulations on establishing counterrevolutionary armed forces."

■ In Shandong Province, two leaders of the Jinan City Workers Autonomous Federation and the Workers Democratic Federation, **LIU Yubin**, formerly a worker at the Qianqiaoju Textile Company, and **CHE Hongnian (Honglian)**, were sentenced respectively to three-year and two-year prison terms for disrupting traffic. They were arrested in Jinan on June 15, 1989. According to a previous report,³² an amalgam of the two organizations planned to seize political power by armed force.

■ Three sentences for "disturbing the peace" were handed down in Shanghai. **ZHANG Qiwan**, **WANG Hong** and **WENG Zhongmin** received respectively three, one-and-a-half and three-year terms. According to previous reports,³³ Zhang, allegedly a member of the Shanghai-based "Patriotic Volunteer Army" and a "key" member of the Shanghai WAF, was arrested for demonstrating on the Shanghai Bund. In an alleged attempt to create further turmoil, he reportedly "incited" people to remove from hospital mortuaries, bodies of those killed in the June 6 riot. Wang, also a Shanghai WAF leader, was arrested on June 9, 1989. Along with eight others, he was accused of holding secret meetings, chanting reactionary slogans, setting up roadblocks, disrupting traffic and "vilifying the Shanghai Council of Trade Unions as being totally paralyzed."

²⁹ *Renmin Ribao WaiBan*, June 20, 1989.

³⁰ *Xinhua*, June 10, 1989.

³¹ *Zhongguo Qingnian Ribao*, June 14, 1989.

³² *Jinan Radio*, in FBIS, June 16, 1989.

³³ *Shanghai Radio*, June 8, 1989; *Beijing Radio*, FBIS, June 12, 1989.

Weng allegedly was the head of the *China Youth Democracy Party*, which he established in 1996, arguing at the time that an opposition party was a necessity. After student demonstrations began in April 1989, Weng went to universities in Shanghai to recruit members and to "instigate unrest." During the demonstrations, a contingent from *China Youth*, labeled a counterrevolutionary organization by authorities, marched under its own banner. A self-employed tailor, Weng was arrested on June 10, 1989 in Shanghai.

■ **DAI Zhenping** and **YAN Tinggul** were sentenced to eight and five years respectively for the "serious crimes of disturbing the traffic and social order by participating in the riots." According to a previous account,³⁴ Dai, allegedly instrumental in organizing the Workers Federation on May 25, 1989, was accused of spreading rumors at the Shanghai Railway Station in connection with the death of demonstrators in Shanghai and of gathering 300 people at Zhabei Hospital to recover the bodies of those killed by trains. Yan, one of ten members of the Shanghai Patriotic Workers Organization in Support of the Beijing People, was arrested for allegedly forcing the director of his factory to call a strike after the Beijing crackdown.

■ **CAI Chaojun(g)** was sentenced in Shanghai to a four-year term for disrupting traffic. An unemployed worker, he was named by the Shanghai Municipal Public Security Bureau as the founder of the Shanghai Workers Voluntary Supporting Group which on May 17, 1989 became the Shanghai WAF.³⁵ Cai was arrested on June 9 for allegedly taking part in demonstrations and erecting roadblocks between June 3 and June 5.

■ **MA Zhiqlang** and **CHEN Jinllang** were each sentenced to five years in prison for "violating the criminal law by inciting to and participating in the riots and by conspiring to overthrow the government". Both were members of the Shanghai WAF and were among those who planned to organize a "People's Party" committed to military struggle.³⁶

■ In Shanghai, **SUN Xisheng** received a received a seven-year prison term for "the serious crimes of disturbing the traffic and hooliganism." According to an earlier report,³⁷ he allegedly helped plan the strikes and traffic disruption that took place on June 5, 1989 in Shanghai.

In two cases, those of **ZHANG Jingsheng** and **WANG Changhual**, from Changsha, Hunan Province, sentencing information previously available from other sources was officially confirmed. In their last response (January 1992) to the ILO request for information, Chinese authorities maintained the men, sentenced respectively to thirteen and three-year prison terms, "incited to and participated in riots and conspired to overthrow the government."

³⁴ *Jiefang Ribao*, August 25, 1989.

³⁵ *Zhongguo Tongxun*, August 16, 1989.

³⁶ *Renmin Ribao*, June 11, 1989. For additional information about charges, see Wang Hong.

³⁷ *Renmin Ribao*, June 11, 1989. For additional charges, see Wang Hong.

Authorities also confirmed that **ZHANG Renfu** and **ZHENG Liang**, whose five-year sentences the government had previously reported to the ILO, "are still being held." In Zhang's case, the old report that he had "sabotaged transport equipment" was supplemented with a new charge, that of "violating the criminal law by inciting to and participating in the riots and by conspiring to overthrow the government."

The following people were never brought to court according to the Chinese government

- **CHEN Yinshan***, a "leading" member of the BWAf, was never brought to court, according to the Chinese government. He reportedly was arrested on May 30 or June 1, 1989.³⁸ No further information is available.

- According to a previous report,³⁹ **ZHU Wenli**, the 22-year old head of the social section of the Beijing Students Autonomous Federation (BSAF), was arrested in Shenyang, Liaoning Province on June 12, 1989. Captured by a staff member at the Heping Hotel when he tried registering with a false identity card, he allegedly confessed his part in a team organized to block military vehicles.

- For information about the charges against **ZHENG Chuanli**, (previously identified as **Zheng Jinli**), unemployed, and **JIAO Zhijin (Zhixin)***, a salesman, both from Liaoning, see Song Tianli, p.9.

- **SHAO Lian(g)chen** and **HAO Jinguang** were both members of the Jinan City (Shandong Province) Workers Autonomous Federation and the Workers Democratic Federation, For further information about their activities, see Liu Yubin, p.9.

- There is no additional information about **DIAN Hanwu**, a Shanghai worker. He may in fact be **Bian Hanwu** who was publicly executed on June 21, 1989 in Shanghai.

- Other than that, according to the Chinese government, he was never brought to court and that he is from Sichuan, there is no additional information about **YAN Qulingzhong**. However, the transcription Qingzhong is incorrect and may refer to a **Yang Qingzhong** who was arrested for taking part in looting and arson at an unknown locale.⁴⁰

- According to earlier reports, **ZHOU Endong***, also known as (**Zhou Bo**), a 20-year old worker from the Tianjin Cable Factory and a member of the Tianjin WAF, was arrested on June 9, 1989 by the Public Security Bureau in Yinchuan City, Ningxia Autonomous Region. Zhou allegedly arrived in Yinchuan on June 7, and in speeches on June 7-9 claimed he was from Tiananmen Square General Headquarters and had witnessed the Beijing massacre. Upon interrogation, he allegedly admitted he had not been in the square and had spread "rumors" of 20,000 dead to incite workers and students to intensify the counterrevolutionary rebellion.

³⁸ Amnesty International, ASA 17/73/90.

³⁹ *Liaoning Radio*.

⁴⁰ *China Concern Group*, Hong Kong University; Amnesty International ASA 17/24/90.

"Released following re-education or absolved of criminal responsibility by the courts"

- **LI Weidong**, an unemployed worker, was arrested for his alleged involvement in the killing of a soldier in Beijing on June 3-4, 1989.
- According to the Chinese government, **HE Lili**, 30, one of three BWAf leaders on the "most wanted" list and formerly a lecturer at the Workers University of the Beijing Bureau of Machinery Industry, was released following re-education or absolved of criminal responsibility by the courts. A November 1990⁴¹ was the first indication that He was no longer being detained.
- **YANG Yongming**, a self-employed worker, was arrested in Xuzhou, Jiangsu Province before June 11, 1989. He allegedly was a ringleader of the Xuzhou Autonomous Federation of National Salvation and, according to a previous report, was planning to "carry out a number of sabotage activities to create turmoil in Xuzhou."
- **ZHU Huliming** and **LI Nuling**, members of the Nanjing WAF, were arrested in that city on June 10, 1989⁴² and accused of "repeatedly plotting to carry out counterrevolutionary acts, such as snatching guns...."⁴³ According to the Chinese government, they were released following re-education or absolved of criminal responsibility by the courts. Li had been a worker at the Nanjing Public Transportation Company's No.1 farm. For further information about the men's activities, see Rui Tonghu (p.9).
- **LIU Congshu** was released after re-education or absolved of criminal responsibility by the court. An earlier government report stated that Liu, a leader of the Xi'an WAF and a member of the "Xi'an Citizens Petition Group" and the "Workers Pickets," had not been arrested nor had he ever come before judicial authorities. It is reasonable, therefore, to assume that Liu has been released from a re-education through labor sentence. Liu was first detained on June 11, 1989 and accused of inciting citizens to "besiege the Xi'an City Federation of Trade Unions, smash their signboard and go on strike. According to an earlier report,⁴⁴ he was part of a group that "viciously attacked the leaders of the party and state in an organized, planned and guided way."
- According to the latest government report, **AN Baojin(g)** was released after re-education or absolved of criminal responsibility by the court. An earlier report indicated that he had been sentenced, but gave no further information. It is, thus, reasonable to assume that An has completed his term. A "principal member" of the Xi'an Workers Picket Corps and Shaanxi WAF, An was accused of setting up the organizations in late May 1989 and of instigating people to stage demonstrations in Xi'an by "yelling

⁴¹ *Reuters*, November 29, 1990.

⁴² *Xinhua*, June 10, 1989.

⁴³ *Renmin Ribao*, June 11, 1989.

⁴⁴ *Xi'an Radio*, June 12, 1989.

reactionary slogans and spreading reactionary leaflets." He allegedly blocked traffic and manned barricades on June 4-6.

■ The Chinese government reported that **ZHOU Shaowu*** was released following re-education or absolved of criminal responsibility by the courts. According to previous accounts,⁴⁵ he was arrested on June 10, 1989 in Shanghai in possession of "reactionary material" including a proposal to establish a "League of Democratic Parties" A former worker at the Ningguo County Ferro-Alloy Plant in Anhui Province, Zhou reportedly became active in the BSAF, acting as a liaison between students and workers from his May 18, 1989 arrival in Beijing until he left on June 2. After reaching Shanghai on June 6, he allegedly made contact with "other illegal" organizations."

"Declared Innocent of all criminal liability and released"

■ **LIU Qiang**, one of three BWAf leaders on the "most wanted" list, was shown on state television as he was hauled off a train in Inner Mongolia on June 14, 1989. Formerly a worker at the Beijing No. 3209 Printing Factory, the 27-year-old Liu had been accused in an earlier Chinese government reply to the ILO⁴⁶ of a series of activities including, "distributing knives stolen from military vehicles...ordering the preparation of a number of gasoline bombs, participating in a secret meeting with leaders of the BSAF, and leading pickets in setting fire to twelve military vehicles...."

■ **LI Jinjin**, according to an Asia Watch source, was released on April 24, 1991. The Chinese government reported he was declared innocent of all criminal liability. Li, a prominent legal scholar and advisor to the BWAf, now 36 years old, was arrested at gunpoint in his home on June 10, 1989. Until student demonstrations started in April 1989, he had been head of the official Union of Graduate Students at Beijing University where he was pursuing a doctoral degree in constitutional law. Due to defend his dissertation on June 3, 1989, Li neither defended nor received his degree. From 1985-87, after receiving his Master's degree but before entering the doctoral program, Li worked as a lecturer at the South-Central Institute of Politics and Law in Wuhan.

■ **ZHU Liangyi**, a worker from the Third Urban Construction Company in Beijing and a BWAf member, was arrested on June 8, 1989.⁴⁷ He allegedly joined the organization on May 18, and was in charge of setting up its printing workshop. When Public Security Bureau officers raided the shop, they allegedly seized military supplies captured by BWAf members during their "smashing and looting."⁴⁸

■ **ZHOU Yongjun**, identified on the ILO list as **Zhou Yongun**, is the former student leader whose release was officially announced in January 1991. A 23-year old fourth-year student at the University of Politics and

⁴⁵ *Beijing Television*, June 14, 1989; FBIS, June 15.

⁴⁶ See "Chinese Workers Receive Harsh Sentences."

⁴⁷ *Beijing Television*, June 14, 1989.

⁴⁸ *Beijing Wanhao*, June 22, 1989.

Law at the time he was arrested sometime in June 1989, Zhou was held 18 months in Qincheng Prison. Although reportedly charged with "counterrevolutionary propaganda,"⁴⁹ Zhou was found to have "committed only minor crimes and to have shown repentance and performed meritorious services."⁵⁰

"Released"

■ **YANG Jian, LI Yi and WANG Baomei**, all members of the Shanghai WAF arrested in June 1989 have been released. It is not known how long the men were detained. Wang allegedly was instrumental in organizing the Federation on May 25 and of urging, in a public meeting on June 8, that people organize to overthrow the government. Li and Yang allegedly planned to organize a "People's Party" committed to military struggle. For further information on their activities, see Zhang Qiwan (p.9).

■ **LI Zhifu** has been "released." There is no identifying information of any kind in the Chinese government's response to the ILO nor had any information about him been requested by the ILO.

"Released Immediately After Questioning by Police"

■ **HE Qunyin*** and **YOU Dianqi*** (You Diangl in the current and You Diangsl in a previous ILO report),⁵¹ "core members" of the BWAFF were released immediately after questioning by public security authorities. A previous response by the Chinese government to ILO requests said that You had "never been arrested," apparently an altogether different category. It is unclear why, in this case, the government responded twice. Both men were captured in Xi'an on June 14, 1989 after taking part in a May 28 protest outside Beijing Police Headquarters organized to demand the release of detained workers. Prior to its last response to the ILO, the Chinese government as late as October 1991 insisted it could not identify He.

■ **WANG Wang*** and **ZHANG Hongfu***, members of the Shanghai Workers Autonomous Federation, were released immediately after questioning by police. Zhang allegedly helped plan the June 5 strikes and traffic disruptions in that city. For further information about both men's alleged activities, see Wang Hong (p.9).

■ According to the Chinese government, **QUIAN Yunin**⁵² was questioned by the police around the end of May 1989, but not arrested. From the context of the reply it appears as if he was declared innocent of all criminal liability and released. According to the ICFTU, Quian was a member of the BWAFF and was detained on May 29. He is not further identified in any report.

⁴⁹ *UPI*, November 27, 1990.

⁵⁰ *Xinhua*, in *UPI*, January 26, 1991.

⁵¹ See "Chinese Workers Receive Harsh Sentences."

⁵² Quian is an incorrect transcription. His correct name is not known.

"Released after Re-education Through Labor"

■ Of the 26 "ruffians" that Chinese television reported as publicly tried on June 10, 1989 in Changchun, Jilin Province for blocking traffic and advocating a strike, the seven sent to labor education camps were released "a year ago", approximately January 1991, according to the Chinese response to the ILO. No one was identified by name and to date, no further information about the other nineteen is available.

No Response

■ There is still no information available about **LIU Zhongshu** from Guan County, Hebei Province reportedly arrested on June 6, 1989;⁵³ **LI Zhiguo**, arrested by the Shanghai Public Security Bureau on June 10, 1989;⁵⁴ or **SHEN Zhigao**, a worker at the Shanghai Toy Company warehouse, arrested June 11, 1989 for spreading counterrevolutionary propaganda at People's Square and at the Finance and Economics Institute. According to a previous report, Li established the *Freedom Society* in March 1989 through which he advocated the overthrow of the government. He allegedly "sent letters of comfort to troublemaking students in various locales and instigated them to fight the reactionary government to the end." Requests for information about all three men had been sent to the Chinese government by the ILO.

Previously Unreported Information

■ According to an earlier report,⁵⁵ **ZHAO Yuetang** had his sentence remitted or was released after re-education. He had been arrested for allegedly killing a soldier in Beijing on June 3-4, 1989

■ In an earlier response to the ILO,⁵⁶ the Chinese government reported that **LIU Xiaolong**, **ZHU Lin**, **YU Yungang**, **PANG Xiaobin**, **WEI Yongbin**, **WANG Jianjun** (also known as **XIANG Yongbin**) and **LI Tao** had their sentences remitted or were released after re-education. All the men were members of a "Dare-to-Die" team in Xi'an and were arrested at midnight on June 11, 1989 at a meeting in the Xingqinggong section of the city. They allegedly set up barricades, intercepted traffic and disrupted transportation and social order," refusing to disband after their organization was banned.⁵⁷ According to the Chinese reports, Li Tao is not **XU**

⁵³ *Renmin Ribao*, June 12, 1989.

⁵⁴ *Beijing Radio*, in FBIS, June 12, 1989.

⁵⁵ October 10, 1990.

⁵⁶ October 10, 1990.

⁵⁷ *Renmin Ribao*, June 13, 1989

Tao, as previously reported,⁵⁸ since the latter "was never arrested or had his case brought before judicial authorities.

⁵⁸**See "Two Years After Tiananmen."**

Appendix B: Text of Han Dongfang's Application to Demonstrate

Applicant: Han Dongfang, male, 29 years old, Beijing Railway Bureau Fengtai Branch Rail Maintenance Division worker, residing in Beijing Eastern District.

Beijing Public Security Bureau:

According to the relevant regulations of the Assembly and Demonstration Law of the People's Republic of China, I now submit a demonstration application to your office. The demonstration's aims are:

1. In view of the present regulation of the "*Jing Fen Cai*" (91) Document No. 155 which concerns staff seeking help from a doctor outside the Railway Bureau, which seriously violates the rights of this Bureau's staff of more than 100,000 to enjoy the state's relevant provisions for labor protection and welfare benefits, to demand the Beijing Railway Bureau make the necessary revision.

2. In view of the All China Federation of Trade Union's usual inability to effectively protect the vital interests of the working masses, to bring to the attention of and request that the National People's Congress add a clause to the new Trade Union Law permitting workers to freely organize and choose a union.

The type of demonstration will be: I myself will ride a bicycle to demonstrate. The bicycle will have eye-catching placards attached to differentiate it from other vehicles. Along the way pedestrians will be presented with propaganda materials. There will be no shouting of slogans or use of amplification equipment. The contents of the texts of the posters and propaganda materials will be the two above-mentioned aims of the demonstration.

Time, place and route of the demonstration:

The morning of March 23, 1992, starting from home at 8 A.M., along Chang An Avenue past the entrance to the Beijing Railroad Station to the doors of the Beijing Railway Bureau; after resting a while, west along Second Ring Road to the Great Hall of the People, circling the Hall once in a clockwise direction, then continuing along Second Ring Road to Tai Ji Chang, then going north to Chang An Avenue, then east, returning home before noon.

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* * * *

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