



Chinese Human Rights Defenders (CHRD)

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Violence in Enforcing Family Planning in Linyi, Shandong

June 11, 2005

In late April 2005, the Chinese Rights Defenders (CRD) network received several reports of serious rights violations in enforcing the family planning policy by local officials in Linyi, Shandong Province. In order to confirm these reports and identify the causes of alleged violations, CRD volunteers took a trip to the region and conducted intensive interviews with villagers in late May. Based on these interviews and materials collected, these activists compiled this report, which provides evidence for twelve particular cases. These cases reveal only the tip of the iceberg of rights abuses involved in official enforcement of the family planning policy in certain parts of China.

Based on investigations conducted by CRD activists in limited areas of Linyi City, CRD concludes that the Linyi City Government has planned, organized, and executed the large-scale violent implementation of the national policy on family planning. Thousands of people have been affected, including suffering from physical injuries, as a result of violence and other forms of abuse, used in the implementation of the one-child policy, most of them rural residents.

In particular, CRD confirmed that local authorities – in order to meet the birth quota – forced women who were pregnant without permission to undergo abortion and coerced couples who already had two children to undergo sterilization. Authorities created an atmosphere of fear in the villages. They practiced the policy of collective punishment by jailing or taking family members and relatives of their targets hostage. They entered private residences illegally, detained villagers and restricted their freedom of movement. They practiced torture (including beating), degrading and inhumane treatment, and psychological abuse to extract information relating to the whereabouts of couples gone into hiding. They arbitrarily interpreted family planning law and regulations. They extorted money from villagers. These practices violated the rights enshrined in the PRC Constitution and Chinese law and regulations. They have deprived citizens of their right to reproductive choice.

These abuses by Linyi authorities and their consequences have caused serious harm, including injuries, and have met with widespread anger and resistance in the local communities. The situation



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is tense and volatile. They not only damage the authority of the law, violate the rights of citizens, undermine the legitimacy and credibility of the local government, but also breach basic humanitarian and moral standards.

CRD urges Chinese citizens, social organizations, and the relevant government and legal departments, to take the following actions to protect the basic human rights and legal rights of Chinese citizens:

- 1 · Chinese citizens and non-government organizations should monitor the situation closely, condemn Linyi authorities' violations of Constitutional, legal and human rights in enforcing birth-control, and support local villagers' self-organized actions to defend their own rights.
- 2 · Local legal professionals and authorities should investigate and review the alleged unlawful actions of Linyi government, reversing the deteriorating and explosive situation, and seeking legal and administrative accountability of officials convicted of authorizing and carrying out the abuses.
- 3 · Deputies to the local and national People's Congress should initiate a special investigation of local authorities' conduct in Linyi's implementation of the family planning law as well as the alleged abuses of citizens' legal rights.
- 4 · The local basic level courts should accept cases filed by lawyers and local rights activists on behalf of victims in Linyi villages and conduct fair trials to halt rights abuses. The higher courts should watch the judicial proceedings in these cases and ensure fair judicial review.

The full report:

Violence in Enforcing Family Planning in a Chinese Region

Background

Linyi is a city situated in the Southeast of Shangdong Province covering 17,186 square km, it has a population of roughly ten millions and over 2,937,200 families. Population comprises of 82.7% rural and 17.3% non-rural citizens. There are three districts: Lanshan, Luozhuang and Hedong; and nine counties: Tancheng, Cangshan, Junan, Yishui, Mengyin, Pingyi, Fei, Yinan, Linmu. In all there



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are 181 town offices and 9,549 administrative villages.

Case description:

Case 1:

1. Yao Mingjian, male, 23 years old, a peasant from Yao's village (Yao Jia Guan Zhuang), Sucun town, Yinan county, Linyi. (临沂沂南县苏村镇姚家官庄村)
2. Yao Mingju, 33, sister of Yao Mingjian, a peasant living in the nearby Yang's village (Yang Jia Zhuang), Sucun town, Yinan county, Linyi (临沂沂南县苏村镇杨家庄)
3. Zhang Shijuan, 54, mother of Yao Mingjian and Yao Mingju, also living in Yao's village
4. Yuan Shucui, 23, Yao Mingjian's girlfriend, Yao's village resident
5. Yao Ruiyu, 57, father of Yao Mingjian and Yao Mingju, also from Yao's village, Zhang's husband, also living in Yao's village

Abuse: unlawful detention, psychological abuse, torture, forced sterilization

Key location / parties: Sucun town Family Planning Bureau (苏村镇计划生育处)

At 3pm on 16th May 2005, four Sucun Family Planning Officers drove over to Yao Mingjian's house to ask about his parents' whereabouts. Seeing that they were not in, they dragged him into the car despite his repeated questions and objection, and drove him to Sucun town family planning bureau. In the entire time none of the four officers disclosed their identity.

As Yao Mingjian refused to get into the vehicle, they had to force and drag him into the car. One of the officers Zhang Mingshun hurt his hand in the process and subsequently Zhang kept verbally abusing Yao in the car and at the office, saying that his hand was "bitten by this dog". Yao Mingjian was very angry, and upon arrival in the family planning bureau had a big argument with the officials, questioning their right to detain him for no reason and complained about the verbal insults. Consequently the four officers – at the signal of the officer in charge – dragged Yao into the office; a further 7 or 8 people came into the office and closed the door. There they beat and kicked him for 7 or 8 minutes and kept up the beating even after Yao was reduced to the floor. They aimed particularly at his back, legs and behind his ears (Yao later went to the hospital for his injuries, at the CRD interview on 22nd May bruises on his back and legs are still clearly visible.) The beating finally stopped after Yao succumbed and they locked him up.



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As Yao Mingjian was very frightened and worried about further beating, he took the opportunity to escape over the wall during a lavatory break at 4pm. Fearful of being recaptured he did not go home and went into hiding.

Ten minutes after Yao Mingjian escaped, Family Planning Officers drove to his house again, seized his mother Zhang Shijuan forcefully and detained her at the Sucun town family planning bureau.

Zhang Shijuan's daughter Yao Mingju lives in Yang's village, which is also part of Sucun township. Yao Mingju had two daughters through the normal family planning procedures. In 2004 she was ordered to have a vaginal contraceptive ring placement, but rather than having the procedure done at Sucun for free, she was told to go to Jiehu town instead for an "imported" ring, and the officers threatened her with arrest if she does not comply by a certain date. Out of fear she complied (paid 130 yuan for the procedure and received a certificate). The family planning bureau promised that sterilization would not be required once the ring was in place. However this year the village office verbally notified women to go for sterilization operation, promising 200 yuan plus operation fee if the operation was carried out within 5 days; after the 5 day period the operation fee will not be covered and threatened arrests for non-compliance. Yao Mingju did not go. On 17th May when she learnt of her mother's arrest, she went to the Yang's village official and said she would go for the operation and ask for her mother to be released. The village official promised to look into it but nothing happened in 3 days. Zhang Shijuan had a difficult time in custody; she could not eat and complained of chest pain and arrhythmia. Yao Mingju asked friends to deliver some medicine which was refused by the officers in charge. On the fourth day (19th May), Yao Mingju was forced to give herself up at the family planning bureau. Worried that she would later escape, the officers took both her and her mother to the sterilization clinic. Examination revealed that she has complied with contraceptive requirement except for sterilization. As Yao was having a period and had other health complications, she pleaded for the operation to be carried out after her period. Both Yao and her mother were taken back to the family planning bureau and after registration both were detained together.

Addendum: relevant information about Yao Mingju

Yao has a 10-month old baby at home who needs regular feeding. She repeatedly pleaded with the officers and asked for permission to go home to look after the baby, but all to no avail. At past 7pm they finally said she could pay a 5000 yuan bail and can report back after her period for the sterilization operation. Because Yao cannot come up with so much money in such a rush, after



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repeatedly plead they finally agreed to let her and her mother go for 1000 yuan (with a receipt). A deadline of 5 days was set and she must report for the operation on 25th or the officers will confiscate the 1000 yuan and will re-arrest her mother. Her baby was taken ill with a fever later that evening from the day's missed feeding, and her mother is still suffering from chest pain after the day's torment.

During the four day detention, Zhang Shijuan was not supplied with food which had to be brought by family or relatives. However the officers also detained the person delivering the food. On 18th May Yuan Shucui (Yao Mingjian's girlfriend) brought food at around 12 o'clock and was detained for two and a half hours. Zhang noticed that around twenty people were also detained.

On 25th May 2005, as Yao Mingju did not report for the operation, local Family Planning Officers seized her father Yao Ruiyu from his home and detained him. On 27th May they went again to Yao Mingju's home and forcefully took her and her two young children (one aged four, the other 10-month old), and did not release Yao Ruiyu until Yao Mingju was forced to undergo the sterilization operation. Yao sustained physical trauma during the operation and still has not recovered after a week of intravenous drip.

Case 2:

1. Zhang Minglan, female, 68, a peasant from Xing's village (Xing Jia Zhuang), Sucun town, Yinan county, Linyi. (临沂沂南县苏村镇邢家庄)
2. Xing Aixia, 37, daughter of Zhang Minglan, also a peasant from Xing's village, Sucun town, Yinan county, Linyi.

Abuse: unlawful detention, "voluntary" sterilization under pressure

Key location / parties: Family Planning Bureau, Sucun town (苏村镇计生办)

On 18th May 2005, several officers from the Sucun Family Planning Bureau arrested Zhang Minglan from her home, after failing to find her daughter Xing Aixia, in an attempt to coerce her into having the sterilization operation.

Xing Aixia has two daughters under the normal family planning procedure. She works in the distant Gansu Province with her husband Men Zhicheng. Previously the village office has repeatedly



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telephoned her and asked her to return for the sterilization operation and this time they have arrested her mother. She and her husband therefore had to drop everything and return. On 22nd May, officers took her to the clinic for pre-operation examination, but she refused the operation that day because she had a period and that increases the risks. Officers said she could either pay a deposit of 2000 yuan (maximum was 5000 yuan) and report for the operation within 3-4 days, or she must stay in custody until the operation and certification. Just when she was about to pay the deposit, officers released her mother Zhang Minglan and asked them both to return the following day at 8am to pay deposit. Thus Zhang was detained for 5 days.

Subsequently, CRD learnt that Xing and Zhang did not return the following day and officers once again returned to their family to pressurise them. Because of continuous harassment and the need to return to work in Lanzhou, Xing Aixia “voluntarily” underwent the sterilization operation.

Case 3:

1. Chen Jingyu, female, 69, a peasant from Xia's village (Xia Jia Zhuang), Sucun town, Yinan county, Linyi. (临沂沂南县苏村镇夏家庄)
2. Liu Chunhua, 36, Chen Jingyu's daughter, a peasant from Xia's village, Sucun town, Yinan county, Linyi.

Abuse: unlawful detention

Key location / parties: local Family Planning Bureau (当地的计生办)

According to Li Yunsen, Chen Jingyu's other son-in-law, Liu Chunhua has two daughters and both times went through normal family planning procedures. Both Liu and her husband are migrant workers working on a ship and out of contact. To force Liu Chunhua to return for the operation, local family planning officials seized her mother Chen Jingyu, without her relatives' knowledge, at around 9am on 18th May 2005 when she was alone at home. It was widely known that Chen has been very ill and had to take daily medication totalling 5-6,000 yuan a year. The officers denied her requests for the much needed medication. Furthermore, they did not give her any food and refused to let her out to buy food so she was hungry for the whole day. Finally Li Yunsen learnt of the news and rushed to the family planning bureau to negotiate for her release and she was let go after 9pm that night.



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Case 4:

1. Shi Mingli, male, 67
2. Shen Siulan, 62, his wife
3. Shi Shouqiang, 40, eldest son
4. Shi Feng, 38, second son
5. Shi Song, 36, third son
6. Ying Guilian, 36, wife of Shi Song.

All of the above are peasants in Fenghou village, Tanyi town, Fei county, Linyi.(临沂费县探沂镇丰厚庄)

7. Shi Xiaobo, fourth son, a company level ranking army officer currently in service
8. Ji Kaijian, Shi Mingli's son-in-law, a peasant in Sannanyin village, Tanyi town, Fei county, Linyi.
9. Ji Zhengang, Ji Kaijian's neighbour, a peasant in Sannanyin village, Tanyi town, Fei county, Linyi.

Abuse: unlawful detention, extortion, psychological abuse, suicide

Key location / parties: a house in Damashanzhuang (大马山庄, 7km away from Fenghou village)

Shi Song has a daughter from a previous marriage who lives with him, his wife Ying Guilian once had a child from a previous marriage who did not survive. Shi and Ying have a daughter together. When Ying was again pregnant against standard procedures, local family planning officials began arresting their relatives to coerce the couple to undergo abortion.

At 10pm on 23rd April 2005, more than a dozen local Family Planning Officers (one of them was surnamed Cha, there was also a female officer) arrived at Shi Feng's house but made no arrest; later at midnight they went to Shi Mingli's house, where six officers climbed over the wall and forced their way into the house. At the time both Shi Mingli and his wife had gone to bed; the officers dragged Shi out and took him to a house in Damashanzhuang 7km away to attend a "class".

Shi found himself detained with around 60 other people. Women were locked up with men, food had to be brought by family and all were forced to pay a "tuition fee" of 100 yuan per day. There was barely room to sit and people were not able to sleep. Several younger people were beaten up.

Shi Mingli was released the next day after his fourth son, who was in the army, negotiated with the



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staff by phone.

On 3rd May 2005, Family Planning Officers went to Sannanyin village to seize Ji Kaijian, Shi Song's brother-in-law (Shi Song's sister has already undergone the sterilization operation). Sensing danger as the large group of officers approached the house in the dark, Ji Kaijian climb onto the rooftop and escaped via his neighbour Ji Zhengang's house. The angry mob of officers then accused Ji Zhengang of being an accomplice and took him by force to Damashanzhuang.

Having heard what happened to the innocent neighbour, Shi Mingli went to the Family Planning Bureau on 4th May and attempted to swap with Ji Zhengang. But the request was denied.

At 8pm on 6th May, Ji Zhengang's wife came and two Sannanyi village officials Zhao Peiju and Li Jiahong came to Fenghou village and took away Shi Mingli, hoping to negotiate for Ji's release. However when they arrived there was nobody at the Family Planning Bureau. So they took Shi back to Sannanyi, scolded him then abandoned him on the street with no means of transport home. Shi was very distressed, he cried as he walked 8km in the dark to go home. When he arrived it was already past midnight, not wanting to further distress his family, he spent the night squatting outside his eldest son's house.

At 6am the following morning, Ji Zhengang's wife turns up outside Shi Feng's house and started a loud and public campaign of verbal abuse and insults. An hour later, worried that Shi Feng might beat her up, she moved to Shi Mingli's door and continued to stream of abuse and curses, blaming them for her husband's arrest and demanding money. She kept up with the abuse day after day because Family Planning Officials instructed her to keep up the pressure so Ying Guilian would return.

Not able to take such abuse and humiliation, at 8am that morning Shi Mingli and his wife called and asked the village official to negotiate with Family Planning Bureau for Ji Zhengang's release, again offering themselves as replacement. The Bureau again rejected the swap. Later Ji Zhengang's second son-in-law suggested somebody with a connection to help with negotiation and Ji's wife gave her daughter 1000 yuan. Both Ji's daughter and son-in-law went, but the Bureau firmly rejected and said neither money nor exchange of hostage will bring about Ji's release. Shi Mingli and his wife were plunged into despair.

Unable to cope with the intense pressure and seeing no way out of the situation, Shi Mingli



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committed suicide at 10am on 7th May, 2005 by ingesting 300g of pesticide. His tormented body was discovered at mid-day by family, when it was already too late.

After the tragedy, the grieving son Shi Feng contacted numerous Central and Regional Family Planning offices to seek justice and redress. No response was received from any organisation except for the Communications Department of the Chinese Family Planning Committee, which said “such practice is definitely not permitted” and told them to contact local police. The organisations contacted include: Communications Department of the Chinese Family Planning Committee 010-62046622, Shangdong Family Planning Committee 0531-2567724, Linyi Family Planning Committee 0539-8308965, Feixian Family Planning Committee 0539-5222672 and 0539-5221669.

After Shi Mingli was forced to commit suicide, the Family Planning Bureau heard the news and released Ji Zhengang immediately. However none of the village officials in Tanyi, Fenghou, Sannanyi, or any Family Planning Officials ever visited to the family to understand the situation or to offer assistance. It was only when the situation escalated later as the bereaved family prepared to haul the body to the offices in protest that local government was forced to act, releasing 120,000 yuan compensation to the widow Shen Siulan, on the condition that Shi’s family signs a declaration stating that matters have concluded to their satisfaction and that the family promise that they will not raise this issue again with higher authorities. In the end Shen Siulan had to sign the declaration before she was given access to the compensation. Meanwhile Shi Song’s wife hid elsewhere and the Family Planning Bureau did not attempt to locate her again.

Case 5:

1. Chen Baigao, male, 58
2. Chen Zengyi, 35, son of Chen Baigao
3. Wang Qin, 34, wife of Chen Zengyi
4. Chen Zengyu, second son of Chen Baigao
5. Meng Linghong, 29, wife of Chen Zengyu

They are all residents of Xiapo village, Yitang town, Lanshan district, Linyi (临沂兰山区义堂镇下坡村)

Abuse: unlawful detention, degrading treatment, extortion, systematic torture, forced sterilization

Key location / parties: local Family Planning Bureau



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Chen Zengyi and Wang Qin already have two daughters under standard family planning procedures. Suspecting that the couple may attempt to leave town and have more children exceeding quota, Family Planning Officers came to Chen Baigao's house on the night of 22nd March 2005 in disguised vehicles to seize him. Missing Chen as he was not at home at the time, at 8pm officers went to Chen Zengyu's house and seized his wife Meng Linghong and their 2 year old toddler. Chen Baigao was worried about the welfare for the baby and later gave himself up at the Family Planning Bureau and offered to swap with Meng. The officers rejected his request and eventually he could only take the baby home.

The place where Meng was detained held over 40 others – at peak time there were up to 70 people. Men and women were locked up together and each group took a side of the room. On each side there is a big pot and hostages had to go to the bathroom openly using that pot. At times no water was given, and even if provided it is unsafe tap water so a lot of people got sick. Sometimes hostages were not allowed to eat even though their families brought food over. Hostages were forced to pay 100 yuan per day. Detainees were often beaten up to coerce their relatives into giving themselves up for sterilization. The torture takes place every night and individuals were called out by name and taken to another room for beating. The repeated beating would happen every other night, if the individual failed to plea with their families, or if officers were unable to locate the targeted family member. They would keep up the beating until detainees succumb to calling their relatives or their families urging them to find the target for sterilization.

That was what happened to Meng. When she went into detention half her face was bruised from the beating; later officers worried about leaving visible wound on the face, and started to hit her in the waist with rubber truncheon every other day, until Meng was covered with bruises all over. Within a few days Meng could no longer tolerate the torture and was consumed by worry about her infant daughter, she broke down and attempted to kill herself by smash her head against the wall. Finally on the 12th night (2nd April) the officer allowed a swap to take place, taking Chen Baigao and Chen Zengyi. After Meng was released she was bedridden for days.

To force Wang Qin to return for sterilization Family Planning Officers further arrested her mother on 1st April. They also attempted to go out of their jurisdiction to the Fei county to seize Chen Zengxiang but did not succeed. Family Planning Officials openly declare that as long as Wang Qin does not return for sterilization they will arrest everyone living within 40 meter of her home. On 4th April, village officials led Family Planning Officers to Wang's house and arrested her, they forced her to go for the sterilization operation, threatening to detainment and beating. Finally she



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gave in and underwent the operation. She did not even get the sterilization certificate as village officials confiscated it.

The three detainees were finally released later that day. All in all Meng was detained for 12 days, Chen Baigao and Chen Zengyu for 3 days and Wang's mother for 4 days. Meng sustained serious injury and Chen Baigao's wife had a heart attack as a result.

Case 6:

1. Cao Yunliang, male, 31
2. Zhao Hongqin, female, 31, wife of Cao Yunliang
3. Cao Guifa, 60s, father of Cao Yunliang
4. Chen Pingying, 59, mother of Cao Yunliang
5. Cao Yunzhi, 35, brother of Cao Yunliang
6. Li Baoxiang, 35, wife of Cao Yunzhi

They are all residents of Xiapo village, Yitang town, Lanshan district, Linyi (临沂兰山区义堂镇下坡村)

Abuse: unlawful detention, extortion, torture

Key location / parties: local Family Planning Bureau

Cao Yunzhi and Li Baoxiang already have two daughters through standard procedures. Li again got pregnant and went into hiding. Local family planning officers learnt about the pregnancy and started pursuing the couple's relatives and even unrelated individuals.

At 8pm on 22nd March, 2005, local family planning officers came in 3 vehicles (two cars and a white van) and forced their way into the home of Cao Yunliang. Cao came home later and discovered that the house was raided and they seized his wife Zhao Hongqin.

During detention Zhao did not suffer from physical abuse but witnessed others being beaten with plastic truncheon and heard the screams and cry.

Seventeen days later (7th April) at 9am, family planning officers seized Cao's mother Chen Pingying, Zhao was released on the same day.

That same afternoon, Cao Guifa tried to deliver lunch and was seized too. His health deteriorated



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and got sick after three days and had to be delivered to the village clinic, after 2 days' treatment he was so frightened that he also went into hiding.

After releasing Cao Guifa, the same night officers went out and arrested Cao Yunliang's fifth aunt, another aunt, fourth aunt's father-in-law, and an elderly man who just went to the father-in-law's house to give pigs injections. They were incarcerated for 4 days and were released after paying a sum of money (no receipt given). Cao's fifth aunt paid 5000 yuan, the other aunt paid 6000 yuan, fourth aunt paid almost 4000 yuan, the elderly man apparently also paid 3000 yuan.

During detention Chen Pingying was beaten by officers once, they made her lie on the floor and she was beaten with a plastic truncheon on her buttocks. Finally, as they failed to locate the couple or force their return, and that she was the only remaining hostage, on the 16th May they finally released her after a payment of 400 yuan (no receipt given). Chen Pingying was imprisoned at two different locations for a total of 39 days.

Case 7:

1. Meng Fanzhi, female, 50
2. Ge Xucheng, male, 48, second brother of Meng Fanzhi's husband
3. Ge Xufeng, male, 38, third brother of Meng Fanzhi's husband
4. Chen Moumou, male, 34, wife of Ge Xufeng

They are all residents of Xiapo village, Yitang town, Lanshan district, Linyi (临沂兰山区义堂镇下坡村)

Abuse: unlawful detention, degrading treatment, systematic torture, psychological abuse, extortion, forced sterilization

Key location / parties: Yitang town Family Planning Bureau

Ge Xufeng and Chen Moumou already have two daughter under standard procedures. They normally work out of town. Local family planning officers began seizing their relatives in order to force her to return for sterilization.

At 8 or 9pm on 22nd March 2005, 9 people went to Meng Fanzhi's house and said the Family Planning Bureau needs her to go immediately for tuition. They grab her and dragged her into a



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vehicle and took her to the Bureau office.

That night the office held about 20 others. Men and women were held in the same room and had to use the bathroom in public using a pot. Most of the hostages had suffered beating; some were even beaten 4-5 times during detention. It usually happened at night, individuals were called out for interrogation and torture. Individuals were beaten, kicked, and at times even beaten using plastic truncheons; the trauma and psychological abuse was deepened as all other hostages can hear the screams and sobs of victims and the thuds of beating. The injury was so serious that victims would usually cry from pain until midday the next day. No food was provided and often the families were often forbid to bring food, and those who deliver food also risk being captured. Water was often not provided. Staff also demanded payment of 100 yuan per day. These officers' main responsibility is to capture, intimidate and torture the hostages, in order to force those they believe due for family planning procedures to give themselves up.

Due to the psychological trauma, Meng Fanzhi fell ill after 2 days. She had a fever and suffered constipation. After 3-4 days she still could not go to the bathroom and the officers had to take her out to the clinic on 29th March. There she was given intravenous drip for a day, and after she did not get better the officers asked the family to pay 300 yuan (no reason or receipt was given) and released her home. After she went home she needed a further 2 days of IV drips. On the second night the drip was removed, and family planning officers immediately moved in and took her back into detention even though she has had no food and still had a fever. She pleaded with the officers and said she still needed more treatment the next day, they replied that even if you are sick it's ok, we will give you medicine and won't beat you up, but you need to come to the bureau.

Ge Xucheng, second brother of Meng Fanzhi's husband were also captured on 22nd March 2005 and imprisoned in the same room with Meng Fanzhi. 10 officials were involved in his capture, including the head of the village, the village secretary, and two women issue officers (妇女主任). He was beaten with plastic truncheon during imprisonment.

On 5th April Meng Fanzhi and Ge Xucheng were finally released, after Ge Xufeng's wife gave herself up and underwent the sterilization procedure. In total Meng Fanzhi was held hostage for 13 days and Ge Xucheng was held for 15 days. Meng was also forced to pay 300 yuan.

Case 8:

1. Zhai Shixin, male, 33, blind



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2. Zhai Shijun, male, 44, teacher, second brother of Zhai Shixin

3. Gao Kezhen, female, wife of Zhai Shijun

They are residents of Long Jia village, Yitang town, Lanshan district, Linyi (临沂兰山区义堂镇龙家村)

Abuse: degrading treatment, unlawful detention, torture.

Key location / parties: Zhu Bao town Family Planning Bureau (临沂兰山区朱保镇计生办)

According to Zhai Shixin, it all happened because Zhai Shijun's sister-in-law went into hiding, pregnant with her third child. At 10pm on 16th April 2005, officers from Family Planning Bureau in Zhu Bao town (where the sister-in-law lives) came to Zhai Shijun's home in Long Jia village, dragged him – by his hair – into a vehicle and took him to Zhu Bao town Family Planning Bureau office. There a big group of others were held and men and women were held in the same room. He was released on 18th April, with the effort of the local education bureau and the local primary school headmaster. Zhai was detained in total for 3 days and was beaten up during imprisonment.

Fearing for the officers' return, Zhai Shijun took his wife Gao Kezhen and two children and went into hiding. To prevent burglary Zhai asked his brother Zhai Shixin to look after the house. At 10pm on 21st April, 2005, family planning officers, armed with truncheons, came to the house looking for Zhai and Gao, they only left after thoroughly searching the house and its surrounding.

Case 9:

1. Wang Changjiang, male, 35

2. Huang Baofen, female 34, Wang's wife

3. Huang Chuanhe, village official

4. Huang Chuanping, family planning officer

5. Liu Naidong, family planning officer

They are peasants from Zhong Shan Qian village, Shuang Hou town, Yinan county, Linyi (临沂沂南县双墩镇种山前村)

Abuse: unlawful detention, extortion, harassment, forced sterilization (both male and female)

Key location / parties: local Family Planning Bureau



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Wang and Huang have 2 daughters under standard procedure.

At 7am on 13th May 2005, Huang Baofen left with the children to visit her family. Within 30 minutes of arrival, village officials Huang Chuanhe brought several family planning officials including Huang Chuanping and Liu Naidong to her family's house and asked her to go to the Bureau for sterilization operation. After she refused they dragged her and her children into the car. She pleaded with them, asking to go home and leave her keys, get some clothes and telephone her husband Wang Changjiang who works out of town in Jiangyin. Officers refused her requests and took her and her children directly to the Bureau office.

Several others were detained at the Bureau. Huang kept requesting to go home as the children were crying and were cold. Officers told her that she needed to pay 2000 yuan deposit for their release. This went on until after dark, and officers finally agreed on 500 yuan for the children's sake. Finally Huang borrowed the money from her neighbours and paid deposit (no receipt was given), and signed an agreement to return for sterilization operation within 2 days before she and her children were released.

After repeated harassment by family planning officers, Wang Changjiang had no choice but return on 14th May from Jiangyin, and underwent the sterilization operation on 15th May. At the time of the interview, he was still unable to return to work because of the pain from the operation.

Case 10:

1. Su Yongjun, male, 32
2. Du Dehong, 33, Su's wife
3. Zheng Fayu, chief official of the Family Planning Bureau

They are peasants from Ying Hou village, Shuang Hou town, Yinan county, Linyi (临沂沂南县双墩镇营后村)

Abuse: unlawful entry, kidnapping, forced sterilization

Key location / parties: Shuang Hou town Family Planning Bureau (双墩镇计生办)

Su and Du have two daughters under standard procedures. At 7pm on 9th May 2005, Du Dehong was at home looking after her children and doing house work when suddenly 6 or 7 individuals



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forced their way into her home. They did not identify themselves and dragged her out of the house. In the frantic struggle she kept asking them who they were, and was told that they are from the Shuang Hou town Family Planning Bureau and they need to take her immediately to the Bureau for sterilization operation. Du Dehong refused to go, and told them that this was illegal, criminal, that forced sterilization would violate her human rights, but they still dragged her into the car. Du Dehong told them that she could not take the operation immediately because of her menstruation and the flu, and pleaded that she needed to find someone to look after her children (the youngest was only 1 year old), but the officers just ignored her and drove straight to the Family Planning Service Station (计生服务站), forced her to sign the agreement and she underwent the operation immediately. Later she learned that the officers were led by one of the chief officials of the Family Planning Bureau called Zheng Fayu.

(Attachment: photograph of the complaint letter by Su and Du)

The forced sterilization operation left serious consequence for Du Dehong. She had severe pain in the lower abdomen and her period did not stop for 13 days. Her two children were traumatised, the younger child cried so much that she lost her voice and refused feeding. The elder girl missed two meals that day and would not leave her mom to go to school, when she was asked about that day she could not stop crying.

Case 11:

1. Li Changqin, female, 48
2. Qi Jicheng, male 49, Li Changqin's husband
3. Li Changmei, 36, Li Changqin's fourth sister
4. Li Changlan, 40s, Li Changqin's second sister
5. Liu Changhua, wife of Wei Wenshang from Dayatou town, fellow detainee

They are peasant from Sang Yuan village, Duo Zhuang town, Mengyin county, Linyi (临沂蒙阴县垛庄镇桑园村)

Abuse: unlawful entry, kidnapping, unlawful detention, torture, extortion.

Key location / parties: local Family Planning Bureau (计生办)

Li Changlan has two daughters under standard procedure. As she is away working in another town,



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local Family Planning Officials captured her relatives to force her to undergo sterilization.

After midnight on 13th April 2005, 12 people (some of them wore army-civilian joint defence (联防队) uniform and were armed with electric police baton) came in 2 vehicles and forced their way into the home of Qi Jicheng and Li Changqin while they were asleep. They raided the house, thoroughly searching both the inside and its surroundings, urged the couple to get dressed, and told Li that she is needed at the village for a little thing and she would be released shortly if she cooperate. They dragged her out of her home and electrocuted her using the baton when she walked too slowly. They took her into a car and at 1am drove to her fourth sister Li Changmei's house, broke the door down and seized Li Changmei, then took the both of them into the Family Planning Bureau office. At the time there were 13 men and women in detention, all were seized after the Qin Ming festival (a festival where people visit their ancestors' graves) on 5th April.

That night family planning officers took the sisters to another house and interrogated them for the whereabouts of Li Changlan. Later officers took her sister away, leaving Li Changqin in the room alone with a tall and stout family planner officer. The officer locked the room, told her to lie on her stomach, and beat her on the waist and thighs with a half-meter long, wrist thick plastic truncheon. As he beat her he said "I have no choice but to beat you, the supervisors said I must beat you". The beating went on for a long time, and her buttocks were purple with bruises and she could not walk.

During the day on the next day, the detainees were sat snugly in two rows on sofas and were told they cannot sleep, threatening to beat those who fell asleep. At 10pm after eating the food brought by relatives, the sisters were again taken into another room, with doors locked and curtains drawn, they were told to first lie down on their stomach and then ordered to support their weight with only finger tips and toes; then they were beaten with 3 truncheons tied together. As officers beat them on the waists and thighs they said "today we will beat the shit out of you". Because the tiles were slippery, Li Changqin lost her balance and several officers kicked her from one end of the room to the other. They were kicked by officers on several other occasions.

Others held in custody were often beaten too. On 15th April a fellow detainee Liu Changhua, wife of Wei Wenshang from Dayatou town, was beaten unconscious and was taken to hospital. They never heard about her again.

Not sure if it was because of what happened to Liu Changhua, on 16th April officers forced Li



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Changqin to sign some document and told to go home to fetch 2000 yuan by 9am the next morning. Later that day Li Changmei was also released. They have both been detained for 4 days by then.

Li Changqin did not return to pay the next day, but because of the torture and beating she endured, she was unable to work for more than a month and a half. Her injuries were so severe that she crawled and rolled on the floor in agony. Eventually she had to go to Mengyin hospital for an X-ray, doctors said her spinal discs were misaligned, and sent her home with some medicine.

According to Qi Jicheng, at 9pm on 29th May 2005, 7 or 8 people wearing metal helmets came to his house, the door was locked as no one was at home so they broke down the front yard door and house door, forcing their way in, thoroughly searched his house and took his address book. Neighbours later told Qi that they heard that the Bureau suspected Qi of bringing round some reporters.

Case 12:

Han Yandong, 35

Su Huaiying, Han's wife

They are peasants from Ying Hou village, Shuang Hou town, Yinan county, Linyi (临沂沂南县双墩镇营后村)

Abuse: Detention

Key location / parties: Shuang Hou town Family Planning Bureau (双墩镇计生办), Shuang Hou town police department (双墩镇派出所), Yinan County Public Security Bureau (沂南县公安局), Yinan County Government (沂南县政府)

Han and Su have a son and a daughter under standard procedures.

On 9th May 2005, Su Huaiying and the children left for a visit at her family, staying the night. At 5am on 10th May, they were woken by dog barking, and saw more than 10 individuals outside the short court yard wall shouting for them to open up. She stayed quiet inside but when the children cried, the intruders barged through the front yard door and came straight to the front door demanding entry. When she did not open up they broke the glass in the door and forced their way in, attempting to forcefully take her and the children away for sterilization operation. She held on to her children and argued with the officers, telling them that she had the second baby through the Bureau under standard procedures, and that she has already signed the Non-sterilization agreement.



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She told them that if they take her they would breach the contract and the law.

At 5:30am on 10th May, Han Yandong received a call at his friend Liu Kedong's house, and was told that his wife and children were surrounded at his father-in-law's house. He immediately rode his motorcycle, taking Kiu Kedong to his father-in-law's house; when he arrived 15 minutes later he discovered that there were 20-30 officers in the yard, as several other teams were sent to other relatives' houses simultaneously and converged at this house after failing to find others. Han went straight to the house, and saw that his wife and children were huddling and crying. Han was very angry and said to the officers that they had both children legally, he has already paid the social care fee (社会抚养费) and opted to use contraceptive ring. Before he even finished what he was saying, several officers rushed up to grab him and they got into a fight. Struggling to defend himself he grab a hoe in a corner, and in the fight he hurt one of the officers in the head, and the gang of officers got frightened and fled; as the front yard door was too narrow most of them scrambled over the wall. Then Han Yandong dialled 110 for the police, and 30 minutes later Shuang Hou police arrived, and without any questions they twisted his arms and pushed him into the police car. At 6:30am he was taken to Shuang Hou police station, at 6pm they finally took his testimony; at 11pm that same night he was taken to the Yinan County Public Security (police) Bureau, and without collecting any evidence or notifying him of any sentence, the police directly jailed him.

(Attachment: photograph of the Sentence Notification issued by Administrative Department, Yinan County Public Security Bureau)

At 9am the next day (10th May 2005), Han Yandong's father and lawyer came to the detention centre to visit him, and meanwhile decided to petition the Yinan County Government for administrative review (行政复议), requesting the Yinan Public Security Bureau to withdraw the unfair administrative detention decision. Yinan County Government accepted the petition but till now has not responded. On 25th May, Han Yandong was released after 15 days of administrative detention.

(Attachment: the Letter of Application for Administrative Review submitted by Han Yandong to Yinan County Government)

Because of time limit, we are able to only visit some of the villages in 3 counties and 1 district in Linyi. Some of the victims were too frightened to be interviewed (for instance, people from 3



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households in Shixing village, Tanyi town, Fei county were beaten up, with one individual hospitalised), other victims could not be located.

Conclusion:

In the past few months, this large-scale, violent family planning crackdown involving thousands of people (mainly in rural parts) have been taking place in Linyi, Shangdong. The crackdown was planned, organised and co-ordinated by a single central authority in Linyi. The crackdown involved forced abortion for women already pregnant outside of their quota, and forced sterilization for those who already have two children. The campaign completely disregards the Chinese Constitution and violated Chinese laws and regulations. By applying collective punishment, terrorising the population, unlawfully forcing the way into citizens' homes, unlawfully detaining individuals and restricting citizens' right of movement, torturing, ill treatment, physical and psychological abuse, extortion, depriving citizens of their right to choice of contraception methods, arbitrary interpreting, amending and lying about family planning regulations, they achieved the so called family planning target quota. The behaviour of officials at all levels in Linyi Governments has caused widespread panic in the region, undermining the rule of law, violating citizens' rights and damaged the creditability and lawfulness of the local government, and also breached basic humanitarian and moral standards.

Actions:

CRD believes that the behaviour of officials at all levels in Linyi Governments has caused a widespread humanitarian disaster in the region. CRD urges Chinese citizens, civil organisations, and the relevant government and legal departments, to take the following actions to protect the basic human rights and legal rights of Chinese citizens:

1. Chinese citizens and non-government organisations should monitor the situation closely, condemn Linyi authorities' violations of Constitutional, legal and human rights in enforcing birth-control, and support local villagers' self-organized actions to defend their own rights.
2. Local legal professionals and authorities should investigate and review the alleged unlawful actions of Linyi government, reversing the deteriorating and explosive situation, and seeking legal administrative accountability of officials convicted of authorizing and carrying out the abuses.



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3. Deputies to the local and national People's Congress should initiate a special investigation of local authorities conduct in Linyi's implementation of the family planning law as well as the alleged abuses of citizens' legal rights.

4. The local basic level courts should accept cases filed by lawyers and local rights activists on behalf of victims in Linyi villages and conduct fair trials to halt rights abuses. The higher courts should watch the judicial proceedings in these cases and ensure fair judicial review.

(CRD would like to thank volunteer Iris for this translation)