

Re-education through Labor

Abuses Continue Unabated:

Overhaul Long Overdue



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连锁犯罪经历：2002年因故意损坏公私财物被行政拘留3日；2003年因扰乱机关办公秩序被行政拘留12天。行政处罚记录：2006年2月1日因殴打他人因犯扰乱单位秩序罪于2006年2月1日被刑事拘留。



A Report by Chinese Human Rights Defenders (CHRD)

February 4, 2009



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Promoting human rights and empowering grassroots activism in China

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Introduction

In stark contrast to China's claim that thirty years of Reform and Opening have resulted in "remarkable progress in the improvement of its legal system,"¹ Chinese authorities continue to operate one of the world's largest and most notorious arbitrary detention systems – the Re-education through Labor camps. Without charge or trial, hundreds of thousands of Chinese are held in forced labor camps every year. As China's records will be scrutinized by the UN Human Rights Council during its "Universal Periodic Review" on February 9 and 11, CHRD calls on its members to urge China to abolish the Re-education through Labor (RTL) system.

With RTL, police are able to send an individual to up to four years of detention for what they consider "minor offenses," which include drug addiction, prostitution, petitioning, advocating for human rights, or being a member of an "illegal" religion such as a Christian house church or Falun Gong. In this report, CHRD traces the evolution of the system and investigates how the Chinese police became vested with the authority to bypass the judiciary and sweep individuals into these camps with ease and efficiency. We find that the police control the entire process of sending an individual to an RTL camp and their power is neither constrained nor supervised by an external and independent government agency. We are also alarmed at the absence of genuinely independent mechanisms through which RTL detainees may seek recourse. Although legal remedies for detainees technically exist, in practice these remedies are marred with flaws and rarely effective.

The RTL system blatantly violates the rights of Chinese citizens, in particular their right to be protected from arbitrary deprivation of personal freedom and their right to a fair trial. RTL is also inconsistent with a number of China's own laws and its Constitution.

CHRD's research and interviews with former RTL detainees also reveal an extremely disturbing and grim picture of life in the labor camps—frequent beatings and torture inflicted by fellow detainees as instructed by camp staff; heavy, coerced and unpaid labor in hazardous working conditions; poor diet and unsanitary living conditions; extortion by camp administration; little to no exercise; being barred from family visits; and extremely limited medical care. The conditions are so poor that they constitute a gross violation of the right not to be tortured or subjected to other cruel, inhuman and degrading treatment.

In the past twenty years, members of China's intellectual establishment and its growing civil society have been calling for the abolition of RTL. Although there are signs that the Chinese government has been contemplating changes to the system, no concrete details have emerged.

CHRD calls on China to abolish the RTL system without delay. CHRD proposes the government replace it with an alternative system that punishes minor crimes and is consistent with international human rights standards. Individuals suspected of committing minor crimes should be given simplified litigation proceedings that provide adequate procedural guarantees such as fair

trials, access to legal counsel and the right to appeal. The abolition of RTL is one major step that the Chinese government can take if it is sincere about bringing concrete “advancement in...the Chinese people’s enjoyment of all human rights”².

This report is produced by CHRD researchers, including China-based activists and legal experts who worked closely with former RTL detainees. They conducted the primary research and produced an initial report in Chinese, on which this report is based. Key source material includes a survey conducted in March 2007 of over 1,000 petitioners (many of whom were RTL detainees), thirteen interviews with former detainees, and the analyses of those who carried out the research.

Overview of the Re-education through Labor system

RTL is an administrative punishment measure unique to China according to which, without any legal proceedings or due process, individuals can be detained and subjected to forced labor for a maximum of three years with the possibility of extending to a fourth year. RTL is “administrative” because administrative, not judicial, authorities have the power to send individuals to RTL. The idea behind RTL, according to the Chinese authorities, is to reform, through forced education and labor, individuals who have committed minor offenses that are not serious enough to be punished by the Criminal Law.

According to our interviews with former RTL detainees, a RTL camp typically holds hundreds of detainees, while some bigger camps can hold several thousands each. Several types of detainees are generally found in RTL camps: individuals who have committed “petty crimes” such as theft or minor assaults; social deviants, such as drug abusers or prostitutes; religious adherents, such as Falun Gong practitioners, Muslims and Christians belonging to sects and house churches not recognized by the government; and petitioners and other individuals considered to “disturb social order”, such as rag pickers and hawkers of small goods.

The Chinese government has released little or no information regarding the scope of and conditions within RTL camps. Available statistics from official, UN, academic and NGO sources vary widely regarding the number of individuals detained in RTL camps in any given year and are often not up-to-date. According to the Laogai Foundation, which provides the latest available statistics regarding RTL, there are at least 319 RTL camps with an estimated 500,000 to 2 million individuals serving in them as of June 2008.³

The evolution of the Re-education through Labor system

The RTL system was introduced in the 1950s by the Chinese Communist Party (CCP) as a means of political and social control. The RTL's initial targets were the CCP's political enemies such as "counter-revolutionaries", "landlords" and "rightists".

The predecessor of the RTL system is the "forced labor system" (*qianglao zhidu* 强劳制度). In April 1951, the Central Committee of the CCP (CCCP) decided to create "labor teams" (*laoyidui* 劳役队) for former "landlords". These landlords, whose land had been nationalized and leased to poor farmers by the state, were forced to join these labor teams if they were "capable of performing farm labor but had no other profession"⁴.

Then, in the second half of 1955, the CCP launched a large-scale campaign to purge "counter-revolutionaries". On August 25, 1955, the CCCP published the "Directives for a Complete Purge of Hidden Counter-revolutionaries"⁵, the first document to use the phrase "Re-education through Labor". According to the "Directives", "counter-revolutionaries...may be dealt with in two ways. One way is to send them to reform through labor (*laodong gaizhao* 劳动改造) after



Figure 1: an RTL camp in Heilongjiang Province

they are sentenced. Another...[for] those who have committed crimes that are not severe enough to warrant a criminal sentence but are not politically viable to be retained [in their positions] and who, if released back into society, will increase unemployment, [should be sent] to RTL." On January 10, 1956, the CCCP published another directive⁶ that outlined the general guidelines of RTL. The RTL system was born and RTL camps were set up throughout the country.

Though initially conceived of as a temporary measure but prolonged under Mao Zedong, RTL became further institutionalized during Deng Xiaoping's reign. It became entrenched because it was a relatively easy and cost-effective means to exert state control over a society that was about to undergo a tremendous transition. In November 1979, "Supplementary Regulations Regarding RTL" (hereinafter referred to as the "Supplementary Regulations")⁷ was approved and promulgated by the State Council. In January 1982, "Trial Methods for Implementation of RTL" (hereinafter referred to as the "Trial Methods")⁸ was approved by the State Council and promulgated by the Ministry of Public Security. Together with "Decision of the State Council Regarding the Question of RTL" (hereinafter referred to as the "Decision")⁹ promulgated in 1957, these three documents form the main basis of the RTL system.

The scope of RTL “targets” has been widened by successive documents from political enemies to individuals who have committed minor crimes or behaved in ways that the government deems “disruptive”. According to the Supplementary Regulations, RTL is for “individuals from large and medium-sized cities” but the Trial Methods expanded its scope to include rural villagers “who left their rural homes to commit crimes in cities, railway lines and large factories and mines”. The Trial Methods, the most recent major document, lists six types of targets for re-education through labor:

1. Counterrevolutionaries and anti-Party and anti-socialist elements who commit minor offences and are not criminally liable;
2. Those who are involved in gangs that have committed murder, robbery, rape and arson but are not criminally liable;
3. Those who involve themselves in hooliganism, prostitution, commit larceny, fraud or other acts for which they are not criminally liable and who refuse to mend their ways despite repeated admonition;
4. Those who gather crowds for fights, disturb social order, incite disturbances and involve themselves in other acts that disturb social order but are not criminally liable;
5. Those who have work units but have refused to work for a long period, violated labor discipline, kept behaving disruptively on purpose, disturbed the order of production, labor, teaching and scientific research and life, obstructed public officials from performing their duties and refused to mend their ways despite repeated advice and restraint;
6. Those who instigate others to commit crimes but are not criminally liable.

In 1980, the State Council issued a notice incorporating and including within the scope of RTL two administrative measures, forced labor (*qiangzhi laodong* 强制劳动) and detention for investigation (*shourong shencha* 收容审查), that were used, respectively, to punish offenders of minor crimes and of crimes committed in multiple locations (*liucuan zuoan* 流窜作案).

In 1982, the General Political Department of the People's Liberation Army and the Ministry of Public Security jointly issued a notice¹⁰ to include military servicemen as eligible targets for RTL. In 1987, the Ministry of Public Security and the Ministry of Justice issued a notice¹¹ stating that prostitutes, those who solicit prostitutes and those who provide facilities for prostitution are also targets for RTL.

What is wrong with the Re-education through Labor system?

The RTL system and practice violate both international and Chinese laws

The main problem with RTL is that individuals can be deprived of their liberties without any due process. Individuals are sent to RTL without a charge, trial, or access to legal counsel, and they are often denied their right to appeal the decisions at court.

Depriving individuals of liberty without legal proceedings violates the Chinese Constitution, which states that,

“The freedom of person of citizens of the People's Republic of China is inviolable. No citizen may be arrested except with the approval or by decision of a people's procuratorate or by decision of a people's court, and arrests must be made by a public security organ. Unlawful deprivation or restriction of citizens' freedom of person by detention or other means is prohibited...” Article 37

Similarly, Article 9 of the International Covenant on Civil and Political Rights (ICCPR), which China has signed but not yet ratified, prohibits arbitrary detention. The ICCPR requires that “anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that the court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.”

A second, and related, problem with RTL is that it has no firm legal basis in Chinese law. According to Article 8 of China's Legislative Law, “the deprivation of citizens' political rights and compulsory measures and punishments that restrict citizens' personal freedom...must only be formulated into laws by the National People's Congress and its Standing Committee.”¹² Article 9 of China's Administrative Punishment Law similarly states that, “administrative punishment which restricts personal freedom can only be promulgated by the law.”

Do the three documents governing RTL constitute “laws” in China's legal system?¹³ The “Decision” was promulgated by the State Council and approved by the National People's Congress Standing Committee (NPCSC) in 1957; “Supplementary Regulations” was promulgated by the State Council and approved by the NPCSC in 1979; and “Trial Methods” was promulgated by the Ministry of Public Security and approved by the State Council in 1982.

However, the “Decision” and “Supplementary Regulations” are both types of State Council regulations approved by the NPCSC and, as such, are different from national laws formulated and passed by the NPC or the NPCSC. (Then there is the general problem that the NPC is not a truly independent parliament but functions merely as a rubber-stamp for the CCP Politburo, even if it may have gained a small measure of autonomy only in recent years). Furthermore, “Trial Methods”, which has become the main basis of the RTL system, is definitely not a law.

The third problem with the RTL system, as discussed later in this report, is that detainees are forced to engage in heavy manual labor in hazardous environments with minimal or no payment. Article 8 (3) of the ICCPR prohibits “forced or compulsory labor”. Although it exempts “hard labour...as a punishment for a crime”, such exemption is only valid if the punishment is meted out “by a competent court”.

Not only is the RTL system rife with problems; the conditions in RTL camps across the country are also extremely poor. As discussed later in this report, camp detainees are frequently subjected to torture, fed poor food and extorted for money. They often develop illnesses as they suffer the harsh environments in RTL camps, and they are subsequently denied access to treatment. Detainees are frequently barred from family visits and almost never have any opportunities for exercise or recreation.

The treatment to which RTL detainees are subjected violates Article 10(1) of the ICCPR, which states that “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”. Both the UN Standard Minimum Rules for the Treatment of Prisoners and Basic Principles for the Treatment of Prisoners give details of international standards for the treatment of those deprived of liberty, many of which are violated by China’s RTL camps. Torture and beatings of detainees also violates the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

Police are vested with the extra-judicial and extra-legal power to send individuals to RTL

According to the three major RTL documents--the Decision, the Supplementary Regulations and the Trial Methods-- RTL Management Committees (*laodong jiaoyang guanli weiyuanhui* 劳动教养管理委员会) of provinces, autonomous regions, municipalities and cities are the authorities which examine and approve of decisions to send individuals to RTL. In theory, RTL Management Committees examine and decide on RTL applications sent from “[local] civil administrative and public security departments, the agency, organization, school or work unit to which one belongs, and one’s parents and guardians”. Also in theory, the RTL Management Committees are formed by those responsible for public security, labor and civil affairs in the local government.

However, in 1984 the Ministry of Public Security and Ministry of Justice issued a notice¹⁴ (hereinafter referred to as “the Notice”) transferring the authority to examine and approve of RTL decisions from the RTL Management Committee to the PSB, writing: “The agencies for examination and approval of RTL decisions are located at the PSB, and are entrusted by the RTL Management Committee to review and approve of individuals required to undergo RTL.” The PSB can therefore not only apply to send an individual to RTL, it also holds the authority to examine and approve such applications.¹⁵

In practice, then, the RTL Management Committee is merely a figurehead. The PSB holds the real power behind RTL decisions. When the PSB wants to send someone to RTL, it initiates the process described below:

- The PSB office that handles the investigation of cases sends the individual's case files to the PSB's legal division (*fazhike* 法制科) for examination;
- If the staff at the legal division decides to send the individual to RTL, and the head of the PSB approves of the decision, the case files are then submitted to the legal division of the PSB at a superior level;
- A staff member at the legal division of the superior PSB examines the case and reports the decision (including the length of incarceration) to the director responsible for RTL at the superior PSB. If the decision is approved, it will be made in the name of RTL Management Committee.

The PSB is also endowed with the power to re-examine appeals from individuals dissatisfied with the decision. According to Article 12(2) of the Trial Methods, "those who object to being sent to RTL should be re-examined by organizations that conduct review and approval. If review shows that there are insufficient reasons for the person to undergo RTL, the decision should be revoked. If review turns up conclusive facts and the defendant still objects to the decision, RTL detention should be insisted upon." The PSB is therefore supposed to correct its own mistakes, and such "re-examination" is inevitably a mere formality. The whole process—from application to examination, approval and re-examination-- is conducted behind closed doors by the PSB.

The decision to reduce or extend the length of an individual's detention is also made by an administrative department behind closed doors. The Notice¹⁶, mentioned above, transferred from the RTL Management Committee to an administrative office under the Ministry of Justice the authority to handle the daily business of the Committee. In 1991, the Ministry of Justice issued another document¹⁷ which states that the same administrative office can, on behalf of the RTL Management Committee, reduce or extend the detention period of an RTL detainee.¹⁸

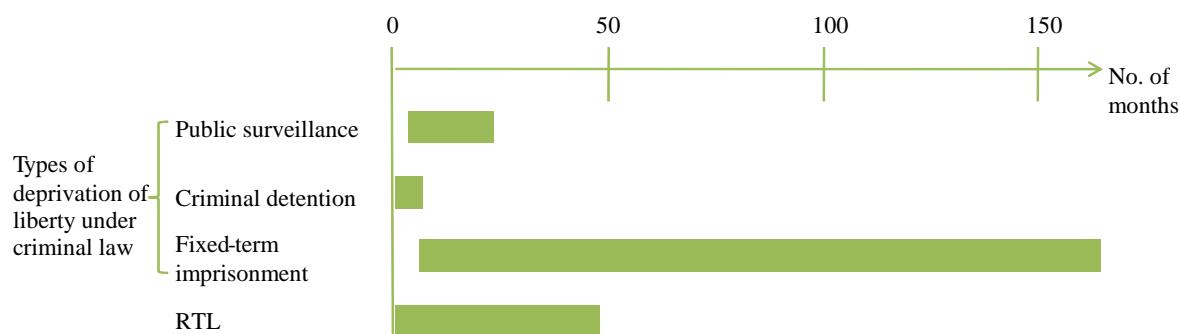
The unchecked police power in sending individuals to RTL has made the system a hotbed of injustice. Even when the Procuratorate disapproves of an arrest and return the case to the police due to insufficient evidence, or when the Court rules that an individual is not guilty of an alleged crime, the police can still send him or her to RTL (see [Case Study 1:](#)).

Severity of punishment

Although RTL is intended to be an administrative punishment given to individuals whose offending behavior is too minor to be punished under the criminal law system, it is a more severe form of punishment than some stipulated under the criminal law such as fines, confiscation of

property and deprivation of political rights.¹⁹ Even when compared with other forms of punishment that deprive individuals of their liberties under the criminal law system, such as public surveillance, criminal detention, and fixed-term imprisonment, RTL could still be more severe. ([Figure 2](#) compares the possible lengths of deprivation of liberty under the criminal law system and RTL.) Since RTL was intended to address offenses not serious enough to be deemed criminal matters, this violates the basic legal principle of proportionality of punishment. Furthermore, RTL detainees are not provided with the minimal procedural guarantees that theoretically exist in the criminal law system.

Figure 2: Types of deprivation of liberty under criminal law and RTL



Lack of effective legal remedies

There are two legal remedies an RTL detainee can seek in hopes of repealing the decision against them: submit an administrative review (*xingzheng fuyi* 行政复议) of the decision or file an administrative litigation (*xingzheng susong* 行政诉讼) against the RTL Management Committee that made the decision. However, as we shall see, neither of the remedies are effective, nor do they meet the minimal procedural guarantees of criminal justice. First of all, it is only after an individual is already detained that he or she has the right to seek relief. In addition, even in the unlikely scenario that the decision is overturned, he or she would have already been deprived of liberty for some time and it is very difficult for the victim to seek redress for damages.

Application for an administrative review

According to Article 6 of the Administrative Review Law²⁰, one can file an application for an administrative review if one is subjected to “a compulsory administrative measure, such as restriction of personal freedom” imposed by administrative agencies and when “an administrative organ is considered to have failed to perform its statutory duty, in accordance with the law, to protect one’s rights of the person and of property”. Individuals can apply for an “administrative review” with the RTL Management Committee at a superior level or to the people’s government at the same level.²¹

In an administrative review, an administrative agency is responsible for investigating whether the original decision was made in accordance with the relevant administrative regulations. The investigation is again held behind closed doors without due process and a decision is delivered in writing to the applicant. Moreover, the interests of the administrative agencies tasked with re-examining the cases are so tightly tied with those of the RTL Management Committee that made the initial decision that the former are seldom motivated to overturn the decision. In the few occasions when the administrative review is conducted, it is thus merely perfunctory.

File an administrative litigation

The detainee can also file an administrative litigation against the RTL Management Committee which made the decision. Administrative litigation is the detainee's last chance to overturn the decision. The option of administrative litigation was made available after the Administrative Litigation Law (or Administrative Procedure Law)²² was promulgated in 1989. According to Article 2 of Administrative Litigation Law, anyone who believes that an administrative agency or its staff has acted in infringement of his or her legal rights and interests may initiate litigation actions in the People's Court.

Courts are generally reluctant to accept cases related to RTL and many simply refuse to accept them. Even if the detainee is granted a hearing, she or he is brought before a judge not before, but after it has been decided that she or he is to be sent to RTL. A 1997 report by the UN Working Group on Arbitrary Detention pointed out that administrative litigation's "effectiveness is very relative, as can be seen from the very small number of such proceedings."²³ A 2003 article in *China Rights Forum* also concludes that, "a number of actors, in particular fear, lack of access to legal counsel and interference by public officials or organs, appear to have limited the courts' role in reviewing the legality of administrative sanctions such as RTL."²⁴ According to the article, most people "identified interference by administrative organs and by the Chinese Communist Party as the greatest difficulty encountered in administrative litigation."

The ineffectiveness of legal remedies

CHRD's own research revealed that very few individuals sent to RTL make use of these remedies to overturn the RTL decisions. In March 2007, CHRD conducted a survey in Beijing of more than 1,000 petitioners from all over the country. The survey was carried out in areas frequented by petitioners in Beijing, including the South Train Station, the Petitioners' Village, and in front of various Letters and Visits Offices. Petitioners willing to take part in the survey filled out questionnaires. Interviews were also conducted. The sample selected for survey and interview was random. Petitioners surveyed and interviewed included both sexes of all ages (excluding those under the age of 18).

Only 5% of those surveyed who had been sent to RTL had applied for an administrative review or litigation. For those who did, none managed to overturn the decision using the remedies. Only one of the surveyed had her sentence reduced from two years to one year after an administrative review. However, she was a special case--she was a Falun Gong practitioner with an American green card. It is believed that pressure from the U.S. government shortened the length of her punishment. Some may argue that, since we surveyed petitioners and as they are particularly “unwelcomed” by the government, the two remedies might be more ineffective for this group. We were unable to find any official statistics on the national success rate of the two remedies in repealing RTL decisions. According to a court in Luoyang City, Henan Province, which appears to be relatively friendly to RTL-related administrative litigations, 10% of the twenty RTL cases they accepted annually in the past five years overturned the original decision. However, this is only one court in China; the court also did not reveal the number of RTL cases it refused to accept during the same time period.

Interviews with those sent to RTL reveal the underlying reasons for why these remedies are so rarely used (see [Appendix II](#) for details). Some said they did not know about these remedies or how to go about seeking them; some said they preferred to endure the punishment rather than challenge the authorities and risk retaliation; some think legal remedies are useless due to lack of judicial independence; some did not have family or close friends (especially in the case of veteran petitioners who have been petitioning for years and have thus been alienated from their family) who could advocate for them when they were already in RTL camps; and some said they handed in their applications for administrative reviews and yet the applications were not passed onto the relevant authorities.

Most do not have the money to afford legal representation. They do not know of the very few lawyers in China who are interested in handling their cases pro bono. Although Chinese citizens are entitled to the limited legal aid provided by the government, government-funded lawyers are unwilling to advocate for RTL detainees because they are on the “wrong side” of the local government. As a result, few RTL detainees or their families approach the government’s legal aid services. Among those we surveyed, none has received legal aid from the government.

Have you sought any legal remedies?

“My freedom has been completely limited; where can I go to seek legal remedies? Go looking for them? It is completely impossible”, Luo Hongshan (罗洪山, Interview 11), a petitioner who was detained for three years in a RTL camp in Liaoning Province.

“I did not believe at all that there would be a fair sentence [if I] requested the court for an administrative litigation. The RTL Management Committee’s decision was definitely going to be maintained. Since I knew this would be the case, of course I was unwilling to spend time and effort in seeking a useless sentence”, Li Guirong (李桂荣, Interview 1),

who was twice detained in a RTL camp in Jilin Province.

“The RTL camp wouldn't even let us meet with people who could help us with legal remedies, so how could we seek any legal remedies? I submitted a written petition for administrative review, but I found out later that the camp staff withheld it from the proper authorities. Other detainees had the same experience, and never received any kind of legal remedy”, Jin Hanyan (金汉艳, Interview 9), who spent one year and ten months in a RTL camp in Hubei Province.

Other Complaint Mechanisms: Complain to the Procuratorate, to the RTL Management Committee, or Petition

Individuals sent to RTL can complain to the Procuratorate and to the RTL Management Committee that made the decision, or petition higher authorities about the decision. However, unlike the two legal remedies of administrative review and administrative litigation, while the three complaint mechanisms exist in theory, they offer merely empty promises--their decisions are not legally binding.

The Procuratorate, which is supposed to oversee the behavior of public officials, is unable to fulfill its responsibility to supervise the PSB in its processing of RTL decisions. According to Article 25 of the Procuratorial Methods for RTL²⁵ (hereinafter referred to as “the Procuratorial Methods”), the department responsible for supervising prisons within the Procuratorate can accept appeals from individuals who object to the decision and whose objections have been rejected by the RTL Management Committees which made the decision. The Procuratorate can request the RTL Management Committee rectify a decision which it believes to be wrong. If the RTL Management Committee refuses, the Procuratorate should report the case to the People’s Procuratorate at a superior level. If the superior People’s Procuratorate agrees with the rectification, it should ask the PSB at the same level to do so.

However, if the PSB refuses to correct the decision, the Procuratorate does not have the power to force the RTL Management Committee to change its decision. The People’s Procuratorate is therefore only able to make recommendations or suggestions regarding erroneous RTL decisions. The Procuratorate can only begin such limited supervision over the PSB after the decision to send an individual to RTL has already been made. The Procuratorate has virtually no oversight over the PSB when it makes and approves of RTL decisions.

Abject conditions in camp

Detainees in RTL camps are forced to perform heavy manual labor and the work hours are long and often willfully extended:

“In my early days of detention, I had to do washing, this was later changed to processing electronics...The typical work day lasted between 12 and 13 hours, when the workload gets heavy, there would be overtime and this would run into 17 to 18 hours. The work was very intense, and it often tired people out physically and mentally”, said Li Yanqin (李艳琴, Interview 2), who spent one year in a RTL camp in Henan Province.

“In order to meet the quota, we had to work so hard our fingers became coarse and swollen, with little blisters on top of our big blisters. Some detainees' hands were covered in blood, some hurt so bad they couldn't sleep at night. Each week we could only rest for one day, and even then we still had to clean the workshop”, said Zhang Cuiping (张翠平, Interview 4), who spent two-year-and-a-half in a Shanghai RTL camp.

The detainees lack basic labor protection and are often forced to work in unsafe environments:

“We worked between 14 and 15 hours every day, starting at 5 in the morning, and, aside from time for eating, we did not stop until after 9 pm. Because of the heavy workload and the demands of the camp, we sometimes worked until after 1 in the morning...Our main work was to make bottle gourds with a kind of poisonous dye. It was dangerous and unhealthy work, and often made us feel unwell”, said Du Fengqin (杜凤芹, Interview 6), who spent one year and ten months in a Heilongjiang RTL camp.

“A fellow detainee...who was working with me had his four fingers on the right hand sucked into a machine. His middle finger and thumb were seriously injured...such accidents take place because RTL detainees lack basic labor protection and they suffer from a lack of rest”²⁶, said Li Guohong (李国宏), who spent eleven months in a RTL camp in Henan Province.

Detainees often receive very little, if any, compensation for their work:

“Despite the heavy labor, everyone was compensated two cents every day, which means RMB 6 [USD 0.88] a month. The daily necessities sold in the camp are extremely costly; the detainees whose families could not afford to send them money, couldn't even afford basic necessities such as toilet paper”, said Li Yanqin (Interview 2).

“I did not receive any money for my work in the RTL camps. I remember once, in 2007, at the Qiqihaer Camp, after I completely finished a job I was paid a little. After that time I was never paid again, not even for finishing my work as before”, said Du Fengqin (Interview 6).

Not only are detainees not paid for their work, the camps often use all kinds of opportunities to make money off them. Since the legitimization of “chuangshou (创收)” by state agencies -- making money on the side to supplement government funding and subsidize staff, a practice

tolerated since the 1980s –the camps often feed detainees cheap and very poor quality food and then demand from families miscellaneous “fees” such as “food subsidies” and “medical expenses” for the detainees.

“Every day for breakfast we just had one steamed bun and a bowl of rice gruel; for lunch and dinner we had a small bowl of rice and a few boiled vegetables... there was nothing else, not even a little cooking oil... Whatever unpalatable or cheap things there were, that's what we ate. The food was usually so rotten, we didn't want to eat it, but it was all we had so we had to eat”, said Jin Hanyan (Interview 9).

“Those who could not stand the food could only buy it [from the camp stores], but since everything inside the camp was very expensive, life inside the camp would be very hard to bear unless your family was very well-off... Any kind of treatment required payment, and it was much more expensive than in the outside world. The administrators never gave anyone a receipt; they just took the amount from the money detainees were forced to pay the camp”, said Du Fengqin (Interview 6)

Detainees are treated poorly in many other ways—they are given few opportunities to be let out of their cells for fresh air and exercise, they are often denied visits from their families, and they have little access to clean water or adequate sanitary facilities. Their treatment violates the relevant standards as set out by Standard Minimum Rules for the Treatment of Prisoners.

“We were never given any free time to be outside. There was so much work that we could never complete it; how then could we have time for exercise? Ordinarily, no one would dare raise the question of free time, for fear of being beaten.” said Feng Xixia (封西霞, Interview 11), a woman who spent one year and three months in a RTL camp in Shaanxi Province.

“As for visits, there was really no standard. I was only granted one visit from my husband in 7 months. During August and September this year, while the Olympics were going on, Daxing allowed the detainees who had cooperated with their work orders to have visits from their relatives, but the so-called "disobedient" detainees who "refused to reform" were not allowed to have any visitors. Letters written from inside were simply not delivered...”, said Zhang Shufeng (张淑凤, Interview 7), who spent a total of two years in a RTL camp in Beijing.

“Chances to use the restroom were few and far between...even when we were about to eat, we were not allowed to wash our hands after using the restroom. As for taking a shower or washing clothes, before one could even rinse the soap off the clothes the guards would shout ‘the tap water is turned off!’” said Zhang Cuiping (Interview 4).

RTL detainees are often subjected to beatings, torture and other forms of mistreatment such as solitary confinement, verbal abuse and sleep deprivation. Fellow detainees, usually camp bullies, are appointed “supervisors”. They are instructed by camp officials to carry out torture and mistreatment and given free rein to tyrannize others. RTL detainees are subjected to cruel treatment for being “defiant”, such as being unable to finish their work on time for whatever reasons, including being ill:

“Camp beatings are a commonplace affair. It is mainly the camp staff instigating criminal offenders who are also supposedly in charge of supervising work. Disobedient RTL inmates would be beaten up by these ‘supervisors’. I remember that when I first entered the camp, the camp management ordered four detainees to beat me”, said Liu Xueli (刘学立, Interview 3), who spent one year in a Hebei Province RTL camp.

“All kinds of torture- "taking a plane," "riding a motorcycle," "taking the train," "eating long, thin noodles," "standing on tiptoe at midnight" (these are all nicknames for types of punishment)- were common. They would make us eat feces and drink urine and call it eating fried dough sticks and drinking wine. They really were inhuman. I don't know how many detainees were beaten to death”, said Luo Hongshan (Interview 12).

“One time when I was ill, and could not help but nod off to sleep, four other inmates beat me so badly that my mouth was filled with blood, my nose was bruised and my face was swollen. Despite this, I had to get up and continue working”, said Li Guirong (Interview 1).

Despite the harsh environment and the explicit prohibition against holding individuals over the age of seventy and those disabled in RTL camps, it is practiced anyway:

“There camp even had elderly people over the age of 70, and physically disabled, in detention. According to the relevant regulations of the nation’s RTL system, RTL detention is not allowed for those over 70 years old and the physically disabled, however the local governments did not bother about this. Whoever they wanted in RTL, they sent them to RTL”, said Li Yanqin (Interview 2).

Detainees are often given little or no medical treatment when they fall ill in the harsh RTL camps. They might have to beg the camp staff for access to medical treatment, and even if they manage to visit a doctor, detainees are often the ones who have to pay:

“My leg injury became inflamed but the camp refused to provide treatment. I had several negotiations with the camp management, and after delaying for an extended period of time, they finally allowed the camp doctor to prescribe medication and treat me. Although it was such a situation, yet they still demanded that my family send 1,000 yuan to the camp for my medical fees. These delays to my treatment left my leg with side-effects. Even now,

I experience an occasional sudden onset of pain, and I have difficulties walking”, said Liu Xueli (Interview 3).

“In mid-May 2006, I had a slight flu. After taking some medicine prescribed by the camp doctor, Mr. Zhao, and who is actually a veterinarian... My medical condition worsened... when I was really unable to manage, I asked to be sent for a hospital checkup. I borrowed RMB 3,500 from my elder brother and went for a checkup at the Military Police Hospital. The specialist also said that I was not sick... I persisted in fighting on and after depositing 10,000 yuan [with the camp], I was allowed to return home for a couple of days. I took this opportunity to go for a hospital checkup, where I learnt that I had a serious heart disease... I had evidence of my need for hospitalization in hand, the camp still refused to grant me leave for treatment. It was only after I went on a hunger strike protest that my workload was reduced to peeling 20 kg of broad bean daily... My condition worsened and at the next check-up, the doctor... declared that I had neuritis and must be treated immediately... This lasted until March 2007, when my body was in extreme danger and I was finally allowed release for medical treatment,”²⁷ said Hu Shuzhen (胡淑珍), who spent one year in Yinchuan RTL Camp for Women in Ningxia Province between 2006 and 2007.

It is not uncommon for detainees to suffer severe and permanent injuries due to their mistreatment and lack of medical treatment at RTL camps. In the worst cases, detainees die from these injuries. Luo Shubo (罗淑波), a petitioner sent to two years of RTL for "extortion" on October 30, 2007, died on August 24, 2008, after she was repeatedly barred from accessing medical treatment at the Qiqihaer camp. In March 2008, Luo was finally sent to the hospital, but she was shackled and handcuffed while receiving treatment. Luo was released on April 12, but she was already too ill for the treatment she received after her release to be effective.

The use of RTL to punish human rights defenders, petitioners and Falun Gong practitioners

Re-education through Labor has been used widely to persecute petitioners, human rights defenders, political dissidents and others whom the government considers “trouble-makers” because of the ease with which the police are able to use it to punish them. Between July 2007 and January 2009, CHRD independently documented and verified the cases of 29 individuals sent to RTL (see [Appendix I](#)). Many of them, such as Li Guohong (李国宏), Liu Jie (刘杰, see Case Study 1), and Wang Ling (王玲) were sent to RTL for the peaceful exercise of their human rights such as the rights to association, expression, religion and defense of human rights.

Case Study 1: the myriad problems with the RTL system as illustrated by the case of human rights defender Liu Jie

Liu Jie (刘杰), 55, is a veteran rural campaigner and human rights activist from Beian City in Heilongjiang Province. On October 8, 2007, acting as the lead organizer, Liu released a public letter signed by 12,150 petitioners calling on leaders at the 17th Chinese Communist Party Congress to implement political and legal reforms. The authorities promptly started a manhunt, and on October 11, three days after the letter was published, Liu was caught.

Liu was formally detained on October 13, 2007, on suspicion of "gathering crowds to create trouble". The charge was dropped because the Procuratorate decided that there was a lack of evidence to prosecute Liu. However, on November 12, 2007, without a charge or trial, the Heilongjiang Province Military Farm Bureau RTL Management Committee sent Liu to RTL. The RTL Management Committee alleged that Liu "instigated trouble and disturbed social order".

Liu was first detained in Qiqihar RTL camp, Heilongjiang Province. Between March and May 2008, together with other detainees, Liu was forced to work over 14 hours a day to make crafts for an upcoming traditional festival. The detainees alleged that the chemical dye provided by the RTL camp, which stained their hands red, was poisonous.

Liu complained to the camp authorities about the unsafe work environment. On May 17, 2008, she was transferred from the RTL camp to the Rehabilitation Center together with 29 other female detainees who also participated in the protest. Soon after their arrival at the Rehabilitation Center, Liu was reportedly forced to sit on a "Tiger Bench"-- a method of torture in which the victim is made to sit upright on a long bench, with her hands tied behind her back. Her thighs are fastened with a rope to the bench while her feet are raised off the floor by bricks placed under her feet. This puts extreme strain on the knees and is a very painful form of torture, especially for an extended period of time. Liu was forced to endure this for five consecutive days.

On August 15, Liu was beaten by an RTL camp guard when she confronted the guard about the mistreatment of a fellow detainee. During the beating, Liu pushed the guard in an act of self-defense. The RTL camp then accused Liu of attacking its staff. As punishment, Liu was again forced to sit on a "Tiger Bench" for five consecutive days.

On December 20, 2007, a doctor who examined Liu reported that she would go blind if she did not receive proper treatment immediately. Liu's family requested her release from the RTL camp on the basis of her medical condition. The authorities repeatedly delayed a decision over Liu's application for release. Finally, on December 1, Liu's husband was told by camp authorities that Liu's application has been denied. According to the authorities, Liu "did not fulfill the conditions

for release" and could only receive treatment at local hospitals. However, when Liu's husband demanded to see the medical records on which the decision was based, the authorities refused to provide them.

On November 28, 2007, Liu filed an administrative review with the Heilongjiang RTL Management Committee, but it was rejected on February 19, 2008, because the Committee could not find "anything wrong" with the original decision. Liu then filed an administrative lawsuit suing the Heilongjiang Nongken RTL Management Committee, but both Nangang District People's Court and Heilongjiang Military Farm Bureau Intermediate People's Court in Heilongjiang Province verbally refused to accept the case, without any explanation.

Most of the RTL cases documented by CHRD are petitioners—persons who travel to lodge grievances with higher government authorities. Although Article 3 of the Regulations on Letters and Visits²⁸ states that the government at all levels shall “keep free-flowing channels for letter-writers and visitors and provide convenience for the letter-writers” and that “no organization or individual may retaliate against letter-writers or visitors”, in practice, RTL has become one of the most effective tools to punish petitioners. In an October, 2007 survey of petitioners conducted by CHRD, 35.2% had been formally detained or sent to RTL.²⁹ Many of the punished petitioners, as can be seen in [Appendix I](#), have allegedly committed offenses such as “disturbing social order” and “instigating trouble”. Although these “offenses” are punishable under Article 20 and 47 of the Regulations on Letters and Visits, they are very vaguely-defined. Together with the Regulations on Letters and Visits, the RTL system encourages officials to retaliate against petitioners and provides a ready and seemingly legitimate basis upon which to do so. Some local governments even actively encourage the PSB to send petitioners to RTL. A leaked document from Jiangyong County government in Hunan Province, dated May 16, 2007, notes a RMB 6,000 (US\$844) reward from the county government to the county PSB for every petitioner sent to RTL camp.³⁰

More than half of our 13 interviewees remarked on the persecution of Falun Gong practitioners in RTL camps. They said Falun Gong practitioners make up one of the largest groups of detainees in the camp, and that they are often persecuted because of their faith:

“Inside the camp, disobedient detainees were made to sit on the “tiger bench”, especially if they were Falun Gong practitioners. They were severely persecuted...Falun Gong practitioners were often not allowed to sleep until they promised to reform and wrote letters denouncing their beliefs. Only then would their situations improve”, said Du Fengqin (Interview 6)

“Of all the detainees, the Falun Gong practitioners were the largest group... Normally, Falun Gong practitioners weren’t allowed to have visitors unless they admitted their guilt and worked especially hard”, said Feng Xixia (Interview 11), who spent three months in a RTL camp in Shaanxi Province.

Reforming the Re-education through Labor system

Numerous calls for abolition of RTL

The RTL system has been heavily criticized by the U.N. and international human rights organizations and they have long called for its abolition. Within China, calls for reforming and even abolishing the system have been mounting since early 1990s.³¹ By the late 1990s, even legal professionals, writers and academics within the establishment had started to publicly appeal for its abolition. On many occasions, representatives of the NPC and members of the Chinese People’s Political Consultative Conference (CPPCC) have suggested that the NPCSC abolish the practice.

For example, in spring 2003, six members of the Guangdong Provincial CPPCC launched a joint public proposal questioning the constitutionality of RTL and proposing a constitutional review of the system. In 2004, after China had amended its Constitution to include guarantees of human rights, representatives at the Two Meetings (the NPC and the CPPCC annual meetings in March) seized the opportunity, and put forward as many as thirteen motions about reforming the RTL system.

In 2005, the Draft Law on Correction of Unlawful Acts (hereinafter referred to as “Draft Law”)³², a proposed replacement for RTL, was included in the NPCSC’s legislation plan and deliberated on by the NPCSC in April for the first time. As the vast majority of draft laws included in the NPCSC’s legislation plan later become laws, there were high hopes that the RTL system was set to be abolished and replaced. However, nothing came out of the deliberation and the topic was not brought up again in the NPC session the following year. However, in 2007, a large number of proposals calling for the abolition of RTL re-surfaced during the annual NPC session and the same Draft Law was again included for consideration during NPCSC’s legislation plan. The Chinese government seems to be seriously considering abolishing RTL. However, because the Chinese government has not released the Draft Law, it is impossible to know if the Draft Law offers better human rights protection than the problematic RTL system.

There are also increasingly vocal calls for abolishing RTL from China’s burgeoning civil society. On December 4, 2007, a citizen proposal calling for a constitutional review and abolition of RTL was released. The proposal was organized and endorsed by sixty-nine prominent Chinese citizens such as economists Mao Yushi (茅于轼) and Hu Xingdou (胡星斗), jurist He Weifang (贺卫方) and human rights lawyer Zhang Xingshui (张星水). The proposal was reported by

Southern Weekend (南方周末), a popular newspaper on December 6, 2007. On December 12, 2007, 12,149 petitioners from all over China issued a joint appeal requesting the abolition of RTL. On July 1, 2008, CHRD, a network of human rights activists in and outside of China, issued a public letter calling for the abolishing of RTL, on which the current report is based.

Alternative forms of punishment for minor crimes

Supporters of RTL claim that the system has been very successful in punishing minor criminals and maintaining “social stability”. However, abolishing RTL does not necessarily mean chaos—many alternative punishments are available for the Chinese government which punish and educate offenders of minor crimes in ways that are consistent with international human rights standards.

Although China has other laws to punish minor criminals, such as the Anti-Drug Law (ADL, 禁毒法), the Administrative Punishment Law (APL, 行政处罚法) and the Public Security Administration Punishment Law (PSAPL, 治安管理处罚法), they suffer from shortcomings similar to those that haunt RTL. Like RTL, they stipulate punishment, including detention, imposed by administrative authorities. The administrative body, which is often the PSB, has the power to send individuals to a maximum of three years of “mandatory quarantine treatment” (*qiangzhi geli jiedu* 强制隔离戒毒) as stipulated by the Anti-Drug Law or a maximum of fifteen days of “administrative detention” (*xingzheng jiliu* 行政拘留) as stipulated by the Administrative Punishment Law and the Public Security Administration Punishment Law. Like RTL, individuals dissatisfied with the decision can only appeal the decision through applying for administrative review or litigation. Although under the APL and PSAPL the accused has the right to a hearing, this right is not exercised in front of a judicial body nor do the procedures stipulated by APL and PSAPL meet other internationally-recognized procedural guarantees for the deprivation of liberty.

The Chinese government should conduct a review of RTL and other administrative detention measures and replace them with an alternative system that punishes minor crimes and is consistent with international human rights standards. As the Chinese leadership vows to continue with its effort to “build a country of the rule of law”³³, it could learn from countries with an established rule of law in handling minor crimes. In Canada, the US and the UK for example, crimes are divided between minor (“misdemeanor” or “summary offences”) and major (“felony” or “indictable offences”) crimes. The key is that in these legal systems, individuals suspected of committing minor crimes are given simplified litigation proceedings that provide minimal procedural guarantees, such as fair trials, access to legal counsel and the right to appeal. Offenders of minor crimes are punished with less severe punishments, ranging from short-term detention to community service and fine.

The Chinese government claims that since July 2003, it has started a pilot community-based correctional scheme. However, CHRD's research shows that five years on, the government has not implemented the pilot scheme. It is time that China keeps its long overdue promise to start the scheme, to explore other alternative punishments and rehabilitation measures in handling minor crimes and establish a system to punish offenders of minor crimes using a mix of these measures. For those offenders who must be confined, part of the existing RTL facilities can be converted into prisons. Criminals currently serving short sentences, such as those punished with less than three years of imprisonment, could also be moved to these prisons for detention.

Recommendations to the Chinese government

1. The Standing Committee of the National People's Congress should abolish the Re-education through Labor system immediately.
2. Any punishment that involves deprivation of liberty must be meted out by a judicial system where minimal procedural guarantees exist.
3. The legal branch of the National People's Congress should devise a new and coherent system to punish minor crimes for adoption by the NPC. Such a new system should be devised in consistence with of the Criminal Law such that the severity of punishment is proportional to the gravity of the crime. Below are some of our suggestions:
 - Crimes deemed serious enough to be punished with deprivation of liberty of more than, for example, three years could be subsumed under the Criminal Law. Minor crimes, including those punished with deprivation of liberty of less than, for example, three years should be tried using simplified litigation proceedings.
 - The legislature should explore alternative punishment measures apart from detention for minor crimes, such as community service and mandatory training.
4. Individuals currently detained in RTL camps should be given fair and public hearings by competent, independent and impartial tribunals.
 - After the tribunals determine that an individual has not committed any crimes as defined by the Criminal Law at the time the act was committed, the individual should be immediately released.
 - If the individual is found guilty, she or he should be given appropriate punishment as outlined in the Criminal Law. However, after the proposed scheme described in suggestion 3 is adopted and a lighter penalty is imposed on the same offense, the individual should benefit accordingly, as stated in Article 15(1) of the ICCPR.
 - Individuals who are arbitrarily detained have a right to complain and seek compensation.

5. The Chinese government could convert the current RTL camps into detention facilities for minor criminals, defined as those in the proposed scheme outlined in suggestion 3. However, it must ensure that detainees in these facilities are treated humanely and their rights are respected in accordance with the Standard Minimum Rules for the Treatment of Prisoners. Especially, detainees should be:

- allowed to engage in labor in a safe working environment with reasonable work hours and compensation;
- held in a facility freed from violence and mistreatment; and
- given adequate access to medical treatment.

6. Hold guards and their supervisors at detention facilities responsible for beatings and other mistreatment to which detainees under their supervision are subjected, whether such treatment is inflicted by officials or other detainees or prisoners.

7. Individuals should not be punished for exercising internationally-recognized human rights, such as for expressing one's opinion, defending human rights, or practicing one's religion.

Appendix I: Cases informing this report of individuals sent to RTL between July 1, 2007 and January 1, 2009

1. **Chang Buling** (常布领), a villager from Linqingdian Village, Muye District, Xinxiang City, Henan Province, was sent to one year of RTL on April 25, 2008. Dating back to 2007, Chang had been petitioning about a dispute with the local government over compensation following her eviction. On February 27, 2008, Chang was intercepted while petitioning at the Letters and Visits Office at the Ministry of Public Security in Beijing and forcibly returned to Xinxiang City, where he was administratively detained by the Muye District PSB before being sent to RTL.
2. **Chen Lianqing** (陈连清), a resident of Xinhua District, Shijiazhuang City, Hebei Province, was sent to one year of RTL on June 4, 2008. Chen was petitioning in Beijing when he was apprehended by Shijiazhuang interceptors and forcibly sent back to his hometown, where he was then sent to RTL. Chen started petitioning after his father's death in 2004, believing that his father had been murdered and that the local PSB was sheltering the murderers.
3. **Chen Yuping** (陈玉平), a representative of 12,000 dismissed workers of the Jilin Oilfields in Songyuan City, Jilin Province, was criminally detained on April 10, 2008, by police from the Songyuan City PSB's Songjiang Sub-division. Chen was initially accused of "leaking state secrets" for "accepting interviews by foreign media" but was later charged with "inciting and creating trouble" and "disturbing social order". On May 6, Chen was sent to 18 months of RTL. He is currently held at Baicheng City RTL camp in Jilin Province.

Chen and other representatives had been preparing to apply to establish an independent union for the dismissed workers. They were summoned and warned not to establish the union by the National Security Unit police from the Songyuan City PSB. Around the time Chen was arrested, two other representatives were administratively detained for ten days for "accepting interviews with foreign media".

4. **Du Fengqin** (杜凤芹) is a petitioner from Group 1, Dongliuju Village, Xingshan Township, Longjiang County, Qiqihar City, Heilongjiang Province. She has been petitioning against the local government for allegedly appropriated her land without legal procedures or adequate compensation. To pre-empt her from petitioning higher authorities during the 17th Party Congress in October 2007, Du was taken from her home and detained prior to the Congress. Days later, on October 16, the authorities sent her to one year of RTL because she had "abused staff" and "disrupted normal petitioning procedures" while petitioning in Beijing.

5. **Ji Guiying** (吉桂英), a petitioner from Chongchuan District, Nantong City, Jiangsu Province, was sent to one year of RTL for “using abnormal means to petition and damage public order” by the Nantong City RTL Committee on July 31, 2008. Ji is a veteran petitioner who had been petitioning for appropriate compensation after her home was forcibly demolished by a Nantong property developer in 2002. Ji, together with other victims of forcible demolition from Nantong, petitioned in Beijing prior to the Olympics. They were intercepted and then forcibly sent back to Nantong, where they were held at Beige Inn, a local “black jail”.
6. **Jiang Hailing** (姜海亮), a representative of teachers from citizen-managed (*minban*) schools, was sent to one year of RTL on April 18, 2008, by the Luoyang City RTL Management Committee in Henan Province for "gathering over a thousand teachers...to illegally gather and demonstrate, and seriously disturb the local social order". The "illegal" demonstration occurred on November 5, 2007, when about 2,000 teachers collectively petitioned at the Yichuan County Letters and Visits Bureau. According to other teacher representatives, authorities punished Jiang to send a warning signal to other Henan teachers who have persisted in petitioning for better treatment in recent years.
7. **Jiang Yongwen** (姜永文), who had traveled to Beijing to petition and expose the concealment of the number of deaths reported by the local government in a mine accident in Baoqing County, Heilongjiang Province, was intercepted and sent to RTL on September 22, 2007.

In recent years, Baoqing officials and businesses had colluded to embezzle and sell 6000 hectares of public land and set up thirty illegal coal mines there. In August 2007, sixteen people died in a mine accident, but the authorities reported only two deaths. The Baoqing government had used many means to persecute villagers who had for years petitioned about the loss of their land.

8. **Li Guohong** (李国宏), from Chongqiang City, Sichuan Province, is a laid-off workers' representative at the Zhongyuan Oil Field. Li and other representatives had been petitioning higher authorities about proper compensation for the dismissed workers. On October 31, 2007, Li went to Puyang City, Henan Province, where the Zhongyuan Oil Field is headquartered, to learn about a lawsuit the dismissed workers were going to file in Beijing against the oil field. When he arrived, Li was promptly administratively detained for fifteen days. He was due to be released on November 16, but the authorities instead sent him to 18 months of RTL for “gathering crowds to create trouble”. On May 30, 2008, Li's family learned that the Hualong District People's Court in Puyang City, Henan Province, upheld the decision to send him to 18 months of RTL.

Li was released on bail for medical treatment on October 8, 2008. Li suffers from a severe eye disease.

9. **Liao Kaifu** (廖开付), a member of the Miao minority group and petitioner against forced demolition, was sent to one year of RTL on July 19, 2008, for “gathering crowds to disturb public order” while petitioning in Beijing. Liao, 74, from Committee 5, Chudonghe Community, Tonghe Office, Jishou City, Xiangxi Tujia and Miao Autonomous Prefecture, Hunan Province, has been allowed to serve his term outside of RTL facilities. Liao’s five children, who petitioned together with him, were released after they had been detained for ten days.
 10. **Liu Houshun** (刘厚顺), from Wendeng City, Shandong Province, had led fellow villagers to petition about a village head who refused to step down after being voted out in an election. Liu was intercepted while petitioning and administratively detained for 7 days during October 2007. Authorities alleged that during detention, Li damaged some properties of the detention facility and for that he was sent to 12 months of RTL for “damaging public and private properties” on October 25, 2007.
 11. **Liu Jie** (刘杰), from Beian City in Heilongjiang Province, is a petitioner. Since 2003, Liu has annually organized petitioners to submit open letters advocating legal and political reforms. On October 8, 2007, Liu released a public letter signed by 12,150 petitioners calling on leaders at the 17th Party Congress to reform. Three days later, Liu was seized by the Beijing Police and sent back for detention in Beian City by interceptors from the Beian City Military Farm Bureau PSB. During her detention, the Beian City PSB sent her case to the Procuratorate but the latter refused to prosecute her due to lack of evidence. Liu was then sent to 18 months of RTL for “instigating trouble and disturbing social order” on November 12.
- See [Case Study 1:](#) for more information regarding Liu’s case.
12. **Liu Shaokun** (刘绍坤), a teacher who volunteered in the Sichuan relief effort, was detained on June 25, 2008, on suspicion of "inciting subversion of state power". Liu was later sent to one year of RTL for "inciting to cause trouble". Liu is believed to be incarcerated for posting online pictures of the aftermath of the earthquake and expressing outrage at the alleged official corruption which led to the deaths of many students due to the collapse of poorly constructed school buildings.
 13. **Liu Xueli** (刘学立), 42, a village representative from No.2 Group, Bopo Village, Kuqu Township, Song County, Luoyang City, Henan Province, has been petitioning for years after

land belonging to his village was forcibly appropriated by the local government. In early August, 2008, together with Li Jincheng (李金成), a petitioner from Xinjiang Province, Liu submitted an application to protest at one of the official "Protest Zones" during the Beijing Olympics. They were told that their application had been approved, and that they could return in nine days' time to obtain a written permit. On August 6, Liu was seized by the Beijing police while he was asleep. Beijing police handed him over to Henan interceptors in Beijing, who forcibly sent Liu back to his hometown in Song County where he was put under residential surveillance.

On September 23, 2008, Liu was sent to 18 months of RTL for "endangering public safety" by the Luoyang RTL Management Committee. On September 24, the Committee changed its mind regarding the reasons and the terms of Liu's punishment without giving any explanation. Liu was sent to 21 months of RTL for "abnormal petitioning in Beijing," "sending a public letter to the 17th Party Congress signed by over 10,000 petitioners," "distorting the facts and attacking national policy," and "being in possession of illegal leaflets."

On November 12, Liu's lawyers filed an administrative lawsuit challenging the decision, but were told by both the Xigong District People's Court and the Luoyang City Intermediate People's Court in Luoyang City, Henan Province, that they could not accept the suit. According to "regulations" by "higher authorities", the courts said, all administrative lawsuits filed by individuals challenging the decision to send them to RTL due to petitioning "cannot be accepted". When the lawyers confronted the court officials, the officials refused to give them a written refusal or a copy of the cited "regulations" or to name the "higher authorities" who had made the decision.

14. **Luo Shubo** (罗淑波), of Renmin Township, Anda City, Heilongjiang Province, had been petitioning after winning a court case but not having received the compensation to which she was entitled. On October 30, 2007, Luo was sent to two years of RTL for "extortion". There, in spite of her requests, she was barred from accessing medical treatment by Qiqihaer RTL Camp and the Anda City Political and Legal Committee. In March 2008, Luo was finally sent to the hospital, but she was shackled and handcuffed while receiving treatment. Luo was released on April 12, but she was already too ill for the treatment she received after her release to be effective. Luo Shubo died on August 24, 2008.
15. **Pan Sufang** (潘素芳), a petitioner from Santai, Sichuan Province, travelled to Beijing to petition about local police violence which had left her eye permanently injured. She was forcibly sent back to her hometown, where she was sent to two years' RTL for "disrupting official business" on July 27, 2007.

16. **Qu Guosheng** (曲国胜), a worker and petitioner from Tanghe County, Nanyang City, Henan Province, was sent to Xuchang City No. 3 RTL camp in Henan Province for petitioning on May 31, 2007. After serving 57 days, he was permitted to serve the remainder of his term outside of the RTL camp. However, he travelled to Beijing to petition during the annual sessions of NPC and CPPCC in March of 2008, at which point was intercepted, sent back to Tanhe County on March 13th, and returned to the RTL camp the next day. Qu's detainment is scheduled to last until May of 2009. Qu started petitioning after his son's murder about ten years ago.
17. **Ren Peihua** (任培花) was sent to 18 months of RTL on July 11, 2008, for "disturbing the working order of government organs" while petitioning in Beijing. Ren, from Committee 10, Luodong Village, Dawo Township, Yongshun County, Xiangxi Tujia and Miao Autonomous Prefecture, Hunan Province, had been petitioning for years because she believes that the local police failed to hold her son's murderer accountable for the crime.
18. **Wang Guilan** (王桂兰), a petitioner and human rights activist from Enshi City, Hubei Province, was sent to fifteen months of RTL on August 28, 2008, for "disturbing social order". Wang was originally detained on April 22, 2008, when she was stopped by interceptors in Beijing and forcibly returned to Enshi City. There, she was detained at a black jail on the outskirts of town. On July 29th, Wang was moved from the black jail to the Enshi City Detention Facility, where she was placed under criminal detention. According to the authorities, Wang was punished for accepting a phone interview by foreign journalist.
19. **Wang Ling** (王玲), a Beijing petitioner and activist, was sent to an RTL camp on November 6, 2007. It is unclear which authority made the decision to send Wang to RTL. Wang is reportedly serving a one-year-and-three-month sentence at the Daxing RTL Camp in Beijing.

To make room for Olympics facilities, Wang's property was forcibly demolished four years ago without proper compensation. She became a petitioner and has joined Ye Guozhu, the "Olympics prisoner", in preparing banners and posting posters advertising petitioners' demonstrations to demand protection of their rights.
20. **Wang Xinglai** (王兴来), a farmer from Beian City, Heilongjiang Province, was petitioning in Beijing when he was intercepted by officials from the Beian City government on October 18, 2007. Wang was forcibly returned to Beian, where he was criminally detained for "illegal occupation of farmland" in Beian's Tiexi Detention Center. Wang was detained for over a month before being sent to two years of RTL.

In 1997, Wang and his brother signed a 25-year land lease with Beian City. However, in 2006 the Beian City government unilaterally raised the price for the land. Wang has been repeatedly persecuted for resisting the government's decision.

21. **Wang Yuping** (王玉平), a retired worker from Wulian County, Rizhao City in Shandong Province, was sent to two years of RTL on September 4, 2008. Wang has been petitioning for years after his flat was forcibly appropriated by a relative of the Assistant Secretary of the Chinese Communist Party (CCP) Committee in Wulian County. It is believed that Wang is being punished for persistent petitioning.
22. **Wei Zhenling** (魏桢陵), an organizer of the banned Pan-Blue Alliance of Chinese Nationalists from Hangzhou, Zhejiang Province, was sent to 21 months of RTL for “gambling and solicitation of prostitutes” on August 26, 2008. On July 25, Wei was taken away by a dozen police from the National Security Unit of Hangzhou PSB. Wei was then formally detained on suspicion of “inciting subversion of state power”. The “gambling and solicitation of prostitutes” accusation refers to an incident in which Wei played cards with his friends in Hangzhou in 2004. Wei was fined by the Hangzhou police, and the matter was settled four years ago.
23. **Yang Guihua** (杨桂华), a petitioner from Qiqihaer, Heilongjiang Province, was sent to RTL for a year on January 26, 2008, for "disturbing social order in front of the United Nations Development Program offices in Beijing." Yang had reportedly been petitioning because the local court in Qiqihaer delayed processing her case concerning money disputes. She was caught by interceptors on November 5, 2007, and later sent to RTL. Yang, 51, has heart disease and cervical cancer, amongst other illnesses. Her husband is also ill and her children are still in school. Yang's children had requested that the Heilongjiang RTL Management Committee allow Yang access to medical treatment and release her on humanitarian grounds.
24. **Yu Changwu** (于长武) and **Wang Guolin** (王桂林), two farmers' representatives, were detained on December 12, 2007, by the National Security Unit of the Fujin City PSB. Yu and Wang were sent to, respectively, two and one and a half years of RTL. Another representative from Fujin City, Yang Chunlin, was convicted of “inciting subversion of state power” and sentenced to five years on March 24, 2008, due to his defense of the villagers’ land rights.

On December 8, 2007, four days prior to Yu's detention, 40,000 villagers from 72 villages in Fujin City, Heilongjiang Province released a public notice declaring their right to 100,000 hectares of land in their villages. Since 1994, the villagers claimed, officials at various levels in Fujin had appropriated 100,000 hectares of village land and paid artificially low prices in

compensation. In one village, Dongnangang Village, Changan Township, 900 villagers had taken back 1,000 hectares of land previously appropriated. The villagers distributed the land equally among themselves. They also recalled the village chief, considered the culprit in the appropriation.

25. **Zhang Shufeng** (张淑凤): CHRD learned on October 29, 2007, that Zhang, a Shunyi District, Beijing petitioner, was sent to an RTL camp for a year for "spreading false information to the outside world, distorting facts about the society and seriously disturbing social order." Zhang was detained on October 19, 2007, for ten days for the same alleged crime but was released on October 29, only to be incarcerated again. Authorities initially permitted Zhang to fulfill the RTL term outside of the RTL camp. However, the Beijing Municipal RTL Management Committee later decided that she should fulfill her term in the camp and on March 11, 2008, Beijing police took Zhang away from her home. Zhang's husband has been put under house arrest by the authorities.

In 2001, Zhang's husband was beaten for complaining about his child being beaten by teachers at school. The beating left him with a permanent debilitating injury. The dispute was brought to court. Zhang believed that the court made an unfair decision and started petitioning. As a petitioner, Zhang has been arrested many times, beaten and sent to RTL.

Zhang was released on September 18, 2008, after serving seven months in RTL Camp. Zhang continues to be closely followed and monitored by security guards at her village and policemen from the Renhe Police Station in Shunyi District.

On September 29, 2008, the Beijing Xuanwu District Court heard the case of Zhang against the Beijing RTL Management Committee for the decision to send her to RTL. However, the court adjourned ten minutes after the hearing began when the defense lawyer complained that the case is outside of the bounds of an administrative lawsuit. It is unclear when the court will reconvene.

26. **Zheng Mingfang** (郑明芳): CHRD learned on April 20, 2008 that Zheng, a petitioner turned activist from Ji County, Tianjin, was sent to two years of RTL. Zheng was taken from her home on February 29, 2008, by Tianjin police. Her family was not aware of Zheng's detention until they were told by a detainee released from the camp where Zheng is being held. The authorities notified Zheng's family about Zheng's detention in late April, two months after she was first apprehended. However, Zheng's family still has not received a formal written detention order. According to Zheng's family, who visited her in late April, Zheng is very thin and appears to be suffering from various illnesses including one that has left her nearly blind.

Zheng became a petitioner after local authorities became jealous of the computer business she started in 1988 and repeatedly demanded illegal "fees" from her. In 2004, having petitioned in Beijing, she joined Ye Guozhu, the Olympics prisoner, in requesting permission to organize a march against forced eviction. The request was denied and she was imprisoned for two years for "illegally operating" her business. While in prison, Zheng was allegedly mistreated and tortured. She was released in September 2006.

27. **Zhu Juru** (朱菊如), a lecturer at Xinyu City College in Jiangxi Province, was sent to one year of RTL on October 28, 2008, by the Xinyu RTL Management Committee reportedly for "inciting subversion of state power". Zhu is currently held at the Jiangxi No. 2 RTL camp in Bajing Township, Gao'an City, Jiangxi Province. On August 9, Zhu was taken into custody by Xinyu police when he was preparing to visit a group of elderly Nationalists to discuss issues such as open competition between the Chinese Communist Party (CCP) and the Chinese Nationalist Party.
28. **Zhou Guanghong** (周光红) is a dismissed teachers' representative from Shaoyang City, Hunan Province. On August 18, 2007, seeking fair treatment for dismissed teachers, a group of Hunan teachers' representatives knelt in front of the national flag in Tiananmen Square. Zhou did not participate in the "kneel-in", but was punished for being the alleged leader of the representatives. On October 9, Zhou was sent to 18 months of RTL for "gathering crowds to disturb social order".

Appendix II: Selected interviews with former RTL detainees

Interview 1	
Name	Li Guirong (李桂荣)
Gender	Female
Date of Birth	April 5, 1957
Address	Group 6, Committee 3, Dongshan Street, Xian District, Liaoyuan City, Jilin Province
Occupation	Liaoyuan Mining Bureau staff
First Period of Detention in RTL:	December 30, 2001, to December 29, 2002
Reason(s) for detention:	Li Guirong travelled to Beijing to petition after her husband was not properly compensated following a traumatic head injury suffered while on the job. She was intercepted and returned to Liaoyuan, where the Liaoyuan City RTL Management committee sent her to one year of RTL for “causing trouble”.
Second Period of Detention in RTL:	June 11, 2004 to December 10, 2005
Reason(s) for detention:	Li Guirong travelled to Beijing to petition about the corruption issue of Liaoyun Mining Bureau. Liaoyuan City RTL Management Committee sent her to one year and six months of RTL for “disturbing public order”.
RTL location	Heizuizi RTL Camp for Women, Changchun City, Jilin Province
1. Camp size	
When I was in Heizuizi RTL Camp, the greatest number of detainees ever held was about 2,000; the smallest number was around 800.	
2. Types of detainees	
Most of those detained in RTL were: one, Falun Gong practitioners; two, Christian believers - I saw many believers of “San Ban Pu Ren” (三班仆人, a Christian sect) getting detained when I was in the camp; three, offenders of petty crimes in society, such as theft, fights, assaults, drug abuse, and so on; four, groups of petitioners. When I was detained for the second time, basically about 40 petitioners continued to be held there.	
3. Working conditions	
Our main work in the camp was to process the raw material, cloth paste, which is a form of handicraft that is exported to Japan. The workload was very heavy; we often worked 18, and sometimes even 20, hours daily. We started work at 2 a.m. or 3 a.m. every day, and could only sleep after 11 p.m. Those who could not complete their tasks were often beaten up by criminal offenders under camp supervisors’ instructions. There was a time when I was ill, and could not help but nod off to sleep. Four	

other detainees battered me so badly that my mouth was filled with blood, my nose was bruised and my face was swollen. Despite this, I had to get up and continue working. I remember that there were a couple of months when I was thrashed five times in all; I've lost count of subsequent beatings.

To rush out the work, the camp refused to let RTL detainees use the toilet alone. Someone who wishes to use the toilet needs to wait till there were three people before all could go together. Some people who urgently needed to urinate and could not wait for so many people had to urinate in their pants. This shows how taxing the work was, and how inhumane the management was.

Although we were had to work so intensively in the camp, the camp only gave us a compensation of two cents for each day, which means six yuan a month. The camp even deducts a portion of this amount of six yuan, citing various reasons such as damage and use of communal sanitary supplies. To motivate the detainees in doing overtime work on top of those compulsory intensive tasks, the camp often claimed that there would be compensation or incentives, but often, nothing came out of these.

4. Meals

'Eating' in camp for me could not be considered as eating; it would be 'pouring rice into the belly'. That is because the entire time taken for it - from queuing in the production area to walking to the canteen, sitting down together at the same time, eating together at the same time to clearing the utensils – took only 25 minutes, which means that actual eating hardly took up five minutes. The quality of rice and dishes was extremely poor; in the morning it would be pickled vegetables and porridge; in the afternoon and night, it would usually be steamed buns and Chinese cabbage. Basically you could speculate on what was the cheapest food in the market at that time from what you ate; there was also not much of cooking oil used in the dishes. There was rice and bread only once a week.

5. Recreation

Recreation in the camp totally did not follow the schedule; there was essentially no chance for recreation. It is only during visiting time that you're let out for a little while. Or during major festivals when work was completed, times were better and the supervising staff was happy and let the detainees come out for fresh air.

6. Visits

According to relevant national provisions, there should be two visits a month. However the camp linked these fundamental rights of the detainees to work progress. When tasks were completed well, there would be two visits in a month; if not, only one visit – or even none - was allowed each month.

7. Violence and Abuse in camp

On 9 June 2004, Jilin officers who were stopping petitioners assaulted me in the Beijing Tiananmen branch, and I fell into a coma for three days. I woke up to find that I was already sent to Jilin Heizuizi RTL Camp for Women, after which all my clothes were cut up and I have been lying on the cement floor for an unknown number of days. The RTL staff later shackled me to a bed in an upside-down position using handcuffs; my legs were tied tightly with a leather belt and locked. A hard tube was inserted into my nose through to the stomach, I couldn't move, and I was given poisonous injections. They also stuck 30 large electric needles into both my legs; I was perspiring profusely when the large electric current flowed into my heart, such pain is worse than death...

They even asked whether I would obey them while they were torturing me. I would rather die than submit to them; they increased the electricity current until I fainted in the end. They tortured me repeatedly in this manner.

Violent beatings/assaults were very common in the RTL camp that I was in. I remember that when I first entered the camp, I was stripped naked during the physical checkup. When I objected during the check-up, the staff conducting the checkup immediately pressed me to the ground and gave me a severe beating. I had yet to wipe away the fresh blood in my mouth when I stepped outside to find that a camp deputy director had brought several people over. Thus I complained to them about the medical checkup staff hitting me. I had not even finished my sentence when those people with the deputy director charged at me to give me another round of harsh beating. It was only after I fell to the ground and couldn't move that they warned me that if I had anything to state in future, I must first yell "reporting" (baogao). So this was why they beat me up so badly for a second time; it was all because I didn't yell "reporting" when I entered to complain. Such beatings are only too widespread in the Jilin Women's Prison; they can be seen almost every day.

There are also some very insidious ways of beating people in the camp. When the camp supervisors want to teach someone a lesson, he often does not act on it in person; instead, selected criminal offenders would be asked to come forward. They would wrap the person with a blanket, and take the person outside where several of them would punch and kick the person.

When a person suffers heavy injuries from such a beating, you cannot see any external injuries at a glance, but the person would have suffered internal injuries to the organs and bones. Thus not long after RTL detainees are released, many would fall ill or even die; this is mostly due to total damage to the body from such severe beatings in the camp.

I even met a Falun Gong practitioner in the camp who went on a hunger strike to resist reform. In the end, she was repeatedly thrashed and tortured. One night, probably wanting to commit suicide, she hit her head on the radiator; she broke her head as a result and was given 14 stitches.

During the following nights, her head was tied with a rope so that she couldn't sleep: every time she nodded off to sleep, her head wounds would be stretched, causing unbearable pain. After being tortured like this for several days, that person completely did not resemble a human being anymore. I don't know where she was taken to after that.

Some patients in camp were completely denied of treatment. In this interview, there is also another person who had been detained in Jilin RTL Camp for Women before. Her name is Li Fuxiang (李福香); she was in Jilin Heizuizi RTL Camp from 6 March 2006 to 5 March 2007.

After she entered the camp, she was so persecuted that she developed a heart condition and often lost consciousness easily. During the hospital checkup, it was said that her life could be in danger at anytime but the RTL committee just refused to release her. There were several times when she was so ill that she was about to die, and the RTL committee sent the camp staff to inform the hospital, yet it said that even if she is dead, she would not be released. As for those whose illnesses are not life-threatening, the camp would never consider providing treatment or medical parole.

8. Have you sought any legal remedies?

The administrative reviews I requested for my RTL sentence have always been rejected in the end, and the RTL management committee's decision maintained. I do not believe at all that there will be fair sentencing in requests to the court for administrative litigation; the RTL Management Committee's decision will definitely continue to be maintained. Since I know this would be the case, I of course am unwilling to spend money and effort in seeking a sentence that will be useless.

Interview 2	
Name	Li Yanqin (李艳琴)
Gender	Female
Date of Birth	November 3, 1970
Nationality	Han
Educational level	Primary school
Occupation	Unemployed
Address	Gaozhuang Village, Pan District, Xihua County, Henan Province
Period of detention in RTL:	On October 9, 2006, the Henan Zhoukou RTL Management Committee sentenced me to one year and nine months of RTL in the name of "severe disruption of social order". The implementation period was supposed to last from October 9, 2006, to July 8, 2008, but I was released earlier, on April 14, 2008, as I was diligent in camp;
Reason(s) for detention:	I took the plunge in 1997 to leave my job and operate in the local beer industry. However, a retailer was in arrears of nearly 100,000 yuan. After I won the litigation suit in court, the sentence was repeatedly delayed, since members of the court had family ties with the defendant. Left without a choice, I was forced to petition. I was arrested and detained by local police on many occasions. From 2005, I started going to Beijing to petition; in 2006, the local authorities sent me to RTL to prevent me from petitioning.
RTL location	I was in the Shibalihe RTL Camp for Women, in Zhengzhou City, Henan Province
1. Camp size	
At the Henan RTL Camp for Women, the greatest number of people ever held was nearly 1,000; in times where there were fewer people, it was around 600.	
2. Types of detainees	
Most of them were drug addicts; this is followed by Falun Gong members, petitioners, believers, and criminal offenders of petty crimes such as theft, robbery, fights, assaults and so on. When I was in Henan RTL Camp, the greatest number of petitioners ever held was about 80; in times where there were fewer people, it was around 60.	

3. Working conditions

In the early days of my detention, I mainly had to do washing. This was later changed to processing electronics. All this was mindless mechanical work. The typical work day lasted between 12 and 13 hours; when the workload got heavy, there would be overtime and this would run into 17 to 18 hours. The work was very intense, and it often tired people out physically and mentally. Despite the heavy labor, everyone was compensated two *mao* every day, which means six yuan a month. The daily necessities sold in the camp were extremely costly; those detainees whose families could not afford to send them money, couldn't even afford basic necessities such as toilet paper.

4. Meals

We ate Chinese cabbage and carrots everyday; we only had wheat flour once a week, and rice once a week. Most of the time, we ate steamed buns.

5. Recreation

Basically, there was no recreation time in camp; we worked from morning to night every day. It was only when the work was completed, on the occasional day when it was more relaxed, and when the camp supervisors were happy that they gave us recreation time.

6. Visits

There was no guarantee of visits either. The camp would only consider allowing visits after the work was completed. Sometimes, even when the work was done, the supervising staff would still find various reasons to disallow visits.

7. Violence and Abuse in camp

There were widespread beatings in the camp. Camp supervisors would simply instruct criminal offenders serving RTL in camp, to beat up those who could not finish their work on time. Those who defied discipline would be battered more seriously. I was once beaten up by people directed by the camp staff. This was right before I was released.

The camp even detained elderly people over the age of 70, and physically disabled people. According to the relevant regulations of the nation's RTL system, RTL detention is not allowed for those over 70 years old and the physically disabled; however, the local governments did not bother about this. They sent whoever they wanted in RTL to camp.

In the camp, there was even extortion. Usually, it would be the drug addicts or other criminal offenders who used various means to extort money directly from some RTL detainees. Yet the camp supervisors did not care about this; it is possible that they were secretly supporting these blackmailers who were so brazenly open; besides, most of the blackmailers played a role in helping to run the camp.

8. Have you sought any legal remedies?

I have filed for an administrative review, but the penalty of RTL was maintained. I have never once

considered going to the court for administrative litigation because my case was created by the court. To hope that they would uphold justice would be impossible. Thus, I could only choose to petition. After I was released, I could only return to Beijing to seek help from the Central Committee Agency's Bureau of Petitions. Although there is no hope in this either, I have no other choice.

Interview 3	
Name	Liu Xueli (刘学立)
Gender	Male
Date of Birth	January 15, 1967
Educational level	Junior High School
Occupation	Farmer
Address	Group 2, Baipo Village, Ku District, Song County, Luoyang City, Henan Province
Period(s) of detention in RTL:	One year, beginning April 26, 2004
Reason(s) for detention:	The local government seized the land in my village by force, claiming the land was for road repair works. They gave the villagers extremely low compensation, with which they were dissatisfied. Thus, they selected me as the representative to petition in Beijing. On April 5 or 6, 2004, I was stopped from petitioning in Beijing by our Song County PSB and government staff, and was forcibly sent home. On the way back, they stripped me naked and gave me a severe thrashing throughout the journey. Yet when I returned to the village, they accused me of "assaulting others" and detained me. Later, on April 26 th , the Luoyang, Henan RTL committee sentenced me to one year of RTL under the claim of "refusing to return home from petitioning after being advised, thus creating extremely bad impact locally".
RTL location	I was sent to the Huangheqiao RTL Camp in Luoyang City for detention.
1. Camp size	
During the one year I spent in Huangheqiao RTL Camp, the greatest number of RTL detainees was near 600; the least was over 400 people.	
2. Types of detainees	
Most were local drug addicts; others were believers, especially Christians; the third largest group was Falun Gong practitioners; the fourth was made up of people who had committed minor crimes, such as petty theft, gambling, fighting, assaulting, and so on. There were not many petitioners detained when I was in there; there were only two. A detainee later revealed to me that after I left, more petitioners were held there. At present, there are 20 petitioners detained there.	
3. Working conditions	
We had to engage in relatively heavy manual labor because we did all farm activities on the farms	

outside the camp. Inside the camp, we mainly made paper boxes and firecrackers; the workload was very heavy. Our usual working hours were 7 a.m. to 11.30 a.m., and 1 p.m. to 7 p.m. As the workload was very heavy, we often had to work overtime till past 10 p.m., and sometimes even until around midnight. The camp issued one yuan for one day of labor; it was said that our meals each day cost two yuan.

4. Meals

The food in camp was very poor; basically, there was no cooking oil. This caused all of the detainees to protest in June 2004. I still remember that armed police were sent to suppress the protest. Later there were slight improvements in our living conditions but basically it was still Chinese cabbage, carrots and steamed buns; sometimes we didn't have enough to eat.

5. Recreation

There was no recreation to talk about in the camp where I was. Only when work called for it were we allowed out. If we were working indoors, typically several months could pass without special arrangements for recreation.

6. Visits

As for visits, as long as relatives came, we would get to see them for a while.

7. Violence and abuse in camp

Camp beatings were a commonplace affair. It was mainly the camp staff instigating criminal offenders who were also supposedly in charge of supervising work. Disobedient RTL detainees would be beaten up by these 'supervisors'. I remember that when I first entered the camp, the camp management ordered four detainees to beat me. The most severe injury I had in the camp was sustained when I was remanded and beaten up again, and later worked in a freezing-cold environment for a long time. My leg injury became inflamed but the camp refused to provide treatment. I had several negotiations with the camp management, and after delaying for an extended period of time, they finally allowed the camp doctor to prescribe medication and treat me. Although it was such a situation, yet they still demanded that my family send 1,000 yuan to the camp for my medical fees. These delays to my treatment left my leg with side-effects. Even now, I experience an occasional sudden onset of pain, and I have difficulties walking.

8. Have you sought any legal remedies?

After I was locked up in camp, I put together an application for administrative review, which was handed to the staff in the camp. According to procedures, they should have sent the administrative review to a high-level department responsible for managing RTL. However, it was later proven that the camp management never did send this document out. When I repeatedly pressed for details about the situation, the camp supervisors dodged the issue completely and claimed ignorance, causing the administrative review to come to naught. I completely did not consider requesting an administrative review after I was released because no good would have come out of requesting through the court. My case that was determined by the local government and will continue to be treated as a RTL case – why waste the effort?

9. Did you bring up any requests about RTL later?

In January this year (2008), while being sent home by experts from the Academy of Social Sciences, I brought up the issue of re-examination and compensation regarding RTL to the Secretary of the county legal committee. At that time, the secretary of the Political Science and Law agreed to investigate this matter but after the experts left, the local government no longer discussed this issue. When I followed up on my inquiry, they denied they had ever made such promises. Thus, RTL detainees will only be able to receive justice after the repeal of China's RTL system.

Interview 4

Name	Zhang Cuiping (张翠平)
Gender	Female
Date of Birth	March 5, 1963
Address	No. 7, Alley 117, Menggu road, Zhabei District, Shanghai
Occupation	Entrepreneur
Educational Level:	Junior High School
Period of detention in RTL:	October 10, 2003, to October 9, 2004
Reason(s) for detention:	I was sent to RTL for "disrupting social order," for petitioning.
Period of detention in RTL:	June 2, 2006, to January 1, 2008.
Reason(s) for detention:	I was sent to RTL for "disturbing the working order of the Letters and Visits office."
RTL location:	Zhabei District, Shanghai RTL Center.

2. Types of detainees

The RTL camp mostly contained drug users, petty thieves, prostitutes, and petitioners.

3. Working conditions

The second time I was sent to RTL, we were in the workshop room every morning by around 6:50 am, making "flowers" for export to Japan. At 5 in the afternoon we stopped working, but we still had to undergo training, discussions, and so on. Every Monday evening, we had big classes (brainwashing). On Wednesday and Friday nights we had to work until 9 pm (in 2007 this was changed to 8 pm). Our production quotas were extremely high, and there were penalties for those who couldn't meet them: while everyone else rested, they had to carry their stools to the main hall to copy "The System of Production" and to the washroom to work, and they weren't allowed to eat any of the meat dishes at meal time. If detainees worked too slowly, they were stripped of their rights to eat meat for two months as well. The RTL camp had a kind of convention: anyone who they thought had made a mistake

wasn't allowed to eat meat. In order to meet the quota, we had to work so hard our fingers became coarse and swollen, with little blisters on top of our big blisters. Some detainees' hands were covered in blood, some hurt so bad they couldn't sleep at night. Each week we could only rest for one day, and even then we still had to clean the workshop.

4. Living conditions

The first time, the RTL camp locked detainees with sexually transmitted diseases, detainees with skin diseases, drug users, and other kinds of people like this together with me, and there were more than 22 people sharing the same room. Five of these 22 had STDs, and I shared a blanket with a detainee who had an STD. We were only allowed to take one shower a year, during Spring Festival, and even then we couldn't bathe for more than 5 minutes. The rest of the time we had to wash with cold water in the room, even in the dead of winter.

We could only wash our dinner pails four times a year- Spring Festival, National Day, Worker's Day, and New Year's Day- and we had to eat yellow, moldy rice. The camp store was forbidden from selling any other rice. Besides dried turnip and cabbage, all we had was a lot of gritty seaweed, and it was all boiled- year in and year out, we barely saw any cooking oil.

Since I was sent to RTL along with my husband, and our families didn't know where we were, I just had to deal with my situation and eat what I was given. Other detainees either ate the food sent in by their families, or they used the money sent by their families to buy food in the camp to supplement their diet (in order to make even more money from the blood and sweat of detainees and their families, every prison, detention center, and RTL camp in Shanghai has a store, and the prices are much higher than the prices outside). Still, they wouldn't let me tell other detainees the truth about our situation...

The second time: Chances to use the restroom were few and far between, and only once every 10 days, with the help of a laxative, could I pass a bowel movement. For one month, even when we were about to eat, we were not allowed to wash our hands after using the restroom. As for taking a shower or washing clothes, before one could even rinse the soap off the clothes the guards would shout "the tap water is turned off!" Newly arrived "students" ate prison food every day: for breakfast, pickles vegetables and white rice; for lunch and dinner, vegetables and rice, usually eggplant or water spinach. Once a month we ate one dish with 3 or 4 small pieces of meat. The food was really bad! After a while, this poor nutrition caused us to develop protein deficiencies.

5. Recreation

For one year I wasn't allowed a breath of fresh air. I did everything inside of one 15, 16-square meter room. I didn't have a stool or a bed. I just sat and slept on the damp floor.

The second time I was sent to RTL there was no schedule for recreation and nothing was regular.

6. Visits

The first time I was locked up at the Zhabei RTL camp, I was completely cut off from the outside world for a whole year. I wasn't allowed to meet with my family or have any contact with them, even though I repeatedly requested to see them.

The second time I was sent to RTL there was no schedule for visits and nothing was regular. Sometimes we would go months without a visit from family members or loved ones.

7. Violence and Abuse in camp

When I was released after my first year in an RTL camp, stepping outside into the sun made me dizzy and I found myself weak and unable to walk. My body was in terrible shape.

The second camp had a management system called "the three sections": newly arrived detainees received three months of mandatory "new arrival training" and "sealed off" supervision. First we sat quietly for 10 days. At 5:30 we woke up and prepared for the day, then at around 6 am the sitting began, and while we were sitting the guards would touch us from behind, from our necks down to our buttocks, to ensure that we were sitting upright. If someone was slouching, the guards would use their knees to brace the detainee's lower back while twisting their shoulders with their hands so the person is sitting upright again. If you moved a little or spoke more than three times, or broke any other rules, then for the next three nights, while everyone else was resting, you had to sit for another hour. At 8:30 in the evening we began training to fold quilts and march in step, left-right-left-right, counting off, etc. Once I counted off improperly, and I was made to stand alone facing the wall and count off as punishment, turning my head to the right with every number. We were made to count to 100 by ones again and again, until we were finally allowed to rest at 10 pm. When we ate, we had to sit in our original places without moving. After eating, we had to stand quietly at attention for an hour. After sitting for a day our calves swelled until they were as big as our thighs, our feet were like steamed buns, and the faces of many became swollen.

When I had just entered the RTL camp the work unit leader arranged for two drug addicts to watch me, call it "looking after" me, or "a prison inside of a prison:" they watched me 24 hours a day, not allowing me to talk to other detainees, reporting to the work unit leader whatever I said. No matter what happened, I had one in front of me and one behind me, or one to the left of me and one to the right, watching my every word and deed.

1. Solitary confinement: On January 3, 2007, I refused to join the work for the day, and as a result I was put in solitary confinement. The cell was about 2 meters long by 1.5 meters wide. There was a security camera affixed to the ceiling, and one outside as well, and again they sent drug addicts specially to watch me. Inside the room there was only a bedpan and nothing else. At that time the temperature was 5 degrees below zero. I woke up at 5 in the morning, and at 10:30 at night was finally given two blankets. The floor was made of plastic, and the cotton padding I used to sleep on was damp by the time I woke up every morning. At 5 every morning I was given 3 minutes to empty the chamber pot, brush my teeth, and wash my face, and at night I was given 5 minutes to wash up. I did not have any hot food to eat, nor did I have any meat (breaking any rule at the RTL center meant you weren't allowed to eat meat for at least a month). At the beginning of my confinement, I had to stand quietly at attention all day, but later I was given a small stool, so I still had to stand for six hours altogether each day, but after that I could sit. I was confined like this for 12 days, until January 14th.

On January 16th, in protest against the illegal terms of my detention, I once again refused to work, demanding the right to watch the CCTV news and read newspapers and magazines. The policemen Huang Ming (黃明) and Mei Rong (梅蓉) said: "Do you want to see what solitary confinement is like?" They didn't realize that I had just spent 12 days in the cell!

So work unit leader Wang Changqing (汪昌清) took me to a room on the third floor and called twenty-

some drug addicts to surround me, forcing me to sit in the middle. They all began shouting at the same time, insulting and reprimanding me. In the afternoon I was taken to the second floor workshop, where I was forced to stand against the wall and had my face pressed into the wall. I resisted, so Wang called more than ten "drug addicts" to hold me on the ground and pinch my nose, while forcing me to take 2 hypertension pills before lifting me up and carrying me to the 5th floor. I was thrown into the solitary cell and they humiliated me, acting as if they were fascists. On the 19th, I was allowed to bathe. Altogether I was in solitary confinement for 33 days.

2. The first time I suffered "Hanging, Binding and Beating" ("吃吊拷与绑带")

On the morning of February 26, 2007, the first day of work after Spring Festival, the evil policeman Li Zhuolin (李卓林, originally the Falun Gong work team leader, now the new arrival training team leader) decided my sitting posture wasn't standard, and reported this to the evil policeman Yao Xuemei (姚雪梅, the number one work unit leader, later promoted to head of the camp) who, with the evil policeman Zhai Haimei (翟海梅, party member, advanced individual, later head of a brigade) and some 10-odd other guards, bound me hand and foot to the steel frame of a bed. My entire body was stretched out straight. When I needed to urinate, detainee Zhu Jia (祝佳, drug addict, three-time RTL detainee, "people's supervisor") shoved a plastic basin under my backside, but my body was stretched out so painfully that I couldn't use it. I held my bladder the entire day, so that when I was finally released in the evening I urinated for five full minutes (a policeman surnamed Qin timed me with a wristwatch). After using the lavatory I was returned to my bindings.

By the second day I had lost all feeling in my arms, and my hands hurt so bad I was unable to think. When it was time to use the restroom I didn't even have the strength to pull my pants down or up, and only succeeded by bracing myself against the wall. Even after all this I did not surrender, at which point Yao Xuemei directed Zhu Jia and others to begin beating and cursing me. I said: "Re-education through labor violates the law, we all must protest and abolish re-education through labor," but they just hit my face and stuffed a towel in my mouth, then put a surgical mask over my mouth for 24 hours. I had to swallow all the phlegm and mucus I coughed up.

On the third day, the evil policemen Yao Xuemei, Zhai Haimei, and the others said: "As soon as you admit your mistake, we will let you go." At this point my whole body was numb and I was unable to move. I was in no shape to live. Thinking of the policemen and drug users who had ravaged me caused me great fear, and my spirit and mind were on the brink of collapse! But I said: I have not made a mistake, and I refuse to write a self-criticism against my beliefs." Yao Xuemei said: "Call Zhu Jia to help you write (I have two copies of Zhu Jia's hand-written draft), and you copy." All of this cruel torture took place in a room without any surveillance equipment.

3. The second time I suffered "Hanging, Binding and Beating"

On March 5, 2007, I once again refused to join the assigned labor, and once again I was bound to a bed. They tightly tied a leather belt from the lower part of my neck to down under my armpits and one around my lower back, and while my body was being tightly bound, they were flogging my hands with the belt around my lower back. The third belt was wrapped around my calves, and if I moved even a little it would dig deeper into my flesh. I still have the scars on my legs today. This belt caused me the most pain and suffering.

For 24 hours I was bound under bright lights, with two quilts on top of me, tucked tightly in on all sides.

I was so hot I sweated through all of my clothes. The guards watching me sat day and night at my bedside and forced me to take blood pressure medication every day, so that my blood pressure dropped as low as 57-100 (they checked my blood pressure frequently, but many times did not tell me the results).

Starting March 15th, when they saw that I still would not yield, the evil policemen called in drug addicts to prevent me from sleeping. As soon as they saw my eyes close, they would use a book, or a water bottle, or their fists, to hit me, and use their hands to twist my face and eyelids. For five whole days and nights I was forced to stay awake. The evil policemen on duty at night would pass through the room where I was held but paid me no mind. The guards let drug addict Chen Yan (陈燕) beat, curse, and humiliate me. Chen said: "This is "Da Da's" plan! ("Da Da" is the evil policeman Yao Xuemei). He beat me while saying: "If you agree to do your work then we'll stop beating you, otherwise we'll just keep beating you." I saw myself being destroyed, to the point where I had not even the slightest amount of dignity, tormented until I felt myself overcome, dazed. Looking at one person I saw many people, and I began to sway on my bed. The policemen often used Chen Yan's name to threaten me: "If you still don't obey the guards, we'll arrange for Chen Yan to come watch you..."

4. The third time I suffered "Hanging, Binding and Beating"

On June 8th of the same year, a leading cadre came to visit the RTL camp, and, thinking I wanted to let the cadre know the truth about what had happened to me, I cried out the facts of my torture, and was once again bound to the bed. I wasn't untied until the 22nd. The 15th was a particularly hot day, so I was allowed to go wash myself. However, the guards only gave me 10 minutes to wash my body, my hair, and my clothes. On two nights, the guards deliberately took out the screen covering the window so mosquitoes could get in and bite me. This time, I could move a little in my bindings, but once the evil policeman Li Zhuolin discovered this he stuffed my shoes into the space between the belts and my body, and afterwards returned every day to make sure the bindings were tight enough.

They continued to threaten me, saying "If you disobey us again, we will use the electric baton on you. Even men can't stand it!" I had no choice but to agree to return to work. Furthermore, Chen Yan and the others who guarded me were rewarded with the position of "people's supervisors," and granted an early release!

Together, these three different periods of hanging, binding, and beating took place for 32 days, persecuting and destroying my body and mind, and leaving lifelong wounds that will never heal. Even today, I feel a dull pain in my calves.

8. Have you sought any legal remedies?

The first time I was released from RTL, I filed an administrative lawsuit. In the first case, the court decided against me without examining any of the materials used to send me to RTL or giving me a hearing! In the second case, the appeals court did not take into consideration the facts or evidence, and again, in a perversion of justice, they upheld the lower court's decision!

Interview 5

Name	Li Zheng (李正)
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Date of Birth	July 28, 1974
Address	Kaifu District, Changsha City, Hunan Province
Occupation	Worker (laid off)
Educational Level:	Junior High School
Period of detention in RTL:	May 12, 2006, to May 11, 2008
Reason(s) for detention:	I was sent to RTL for "assembling a crowd to gamble."
RTL location	I was sent to the Bainihu RTL camp in Changsha.
2. Types of detainees	
The detainees were mostly gamblers, drug addicts, thieves, and other similar people.	
3. Working conditions	
Every day we had to meet quotas. If we didn't meet our quotas, we would receive a demerit, and if you accumulated enough demerits you could have your RTL term extended.	
4. Meals	
Every day our work and rest time was dictated by regulations. Our food was extremely bad. Only if your family sent some money could you get by. Items inside the camp were many times more expensive than they were outside the camp.	
5. Recreation	
We did not have any recreation.	
6. Visits	
Relatives were allowed to visit during the designated times.	
7. Violence and abuse in camp	
There were innumerable instances of violence and abuse. Generally, after detainees had finished their work for the day, they still had to help the camp bullies finish some tasks, and if they didn't complete their work, they were violently beaten. Sometimes, if you couldn't meet the RTL camp staff's demands, the staff would point you out to the camp bullies who would beat you or otherwise penalize you.	
8. Have you sought any legal remedies?	
No.	

9. Do you have any demands or requests for the RTL system?

No. I've resigned myself to adversity, and I do not dare make a sound.

Interview 6

Name	Du Fengqin (杜凤芹)	
Gender	Female	
Date of Birth	October 7, 1961	
Address	East 69th Village, Xingshan Township, Longjiang County, Heilongjiang Province	
Occupation	Farmer	
Educational Level:	Elementary school	
First period of detention in RTL:	September 8, 2004, to July 20, 2005	
Reason(s) for detention:	Sent to RTL for "cursing an employee of the Letters and Visits Office and the RTL system"	
Period of detention in RTL:	16, 2007, to October 12, 2008	
Reason(s) for detention:	Sent to RTL for "disrupting the work of a National People's Congress Letters and Visits official"	
RTL locations	First: Qiqihaer, Heilongjiang RTL Camp; Second: originally at Qiqihaer, moved on May 17, 2008 to Harbin Women's RTL Camp	

1. Camp size

At the Qiqihaer camp, there were 65 detainees in my work group at its peak. The camp had 5 men's work groups, and these groups generally had 30-40 men on them, so the greatest number of detainees was over 200.

After we were transferred to the Harbin Women's RTL Camp, there were two types of work groups: the four production teams which, at their peak, had 97 detainees between them, and the three work groups, which each had at least 60 detainees. The maximum population of the camp was more than 300 detainees.

2. Types of detainees

The situation was more or less the same at both the Qiqihaer and Harbin Women's RTL Camps, and the main types of detainees were: Falun Gong practitioners, who could have been the largest group within the camps; petitioners, more than 20 of them; next were members of Christian household churches; five or six prostitutes and drug addicts; finally, there were detainees who had "disturbed public order,"

fought, or been involved in domestic disputes.

I remember one old lady who was 68 years old and suffered from hypertension, yet she was still locked up in the camp.

3. Working conditions

In the Qiqihaer camp, we worked between 14 and 15 hours every day, starting at 5 in the morning, and, aside from time for eating, we did not stop until after 9 pm. Because of the heavy workload and the demands of the camp, we sometimes worked until after 1 in the morning. If a detainee was sick, they were not allowed to rest and were forced to work. Detainees with hypertension and heart disease were forced to work. Our main work was to make bottle gourds with a kind of poisonous dye. It was dangerous and unhealthy work, and often made us feel unwell.

Later, at the Harbin Women's RTL camp, I worked on the production team, whose job was to make toothpicks. Every day we worked from 5 in the morning until 9 at night, with only a half-hour break at noon.

I did not receive any money for my work in the RTL camps. I remember once, in 2007, at the Qiqihaer Camp, after I completely finished a job I was paid a little. After that time I was never paid again, not even for finishing my work as before.

4. Meals

At Qiqihaer, our lives were very poor. One winter all we ate was frozen cabbage, only eating meat once, on New Year's. For our staple food we only had steamed buns. The quality of food was very poor and it tasted terrible. Those who could not stand the food could only buy it [from the camp stores], but since everything inside the camp was very expensive, life inside the camp would be very hard to bear unless your family was very well-off.

At the Harbin Women's Cap, we ate three meals a day. We had steamed buns in the morning and cooked dishes at noon. There was enough to eat one's fill, but the quality of food was not very good.

5. Recreation

In Qiqihaer, there was very little time, since the workload was so heavy. At the Harbin camp there was even less time. In two months we had two chances to get some exercise, and other than that we were not allowed to be active.

6. Visits

At the Qiqihaer camp, the visitation days were the 13th and the 28th of each month, but when those dates arrived, we were not always allowed to have visitors. If the camp officials thought a detainee hadn't worked hard enough, or if a detainee had broken a rule, the officials would not allow that detainee to see their relatives.

At the Harbin Women's Camp, we were not allowed to make outside telephone calls, so if we had something important to tell our families, we had to ask a guard to do it. During the Olympics, the

guards restricted access to the camp and did not allow any visits from relatives of detainees or anyone else.

7. Violence and abuse in camp

Inside RTL camps, detainees are often beat up. On August 17th, when I was at the Harbin RTL camp, a policeman called Zhao Shao (赵少) just started beating me, while at the same time saying, "If you say a word you'll be seriously punished!" The reason I was beaten was because I was sick and wanted to be given a *boguan*³⁴ (拔罐): I asked a camp administrator if I could be given a *boguan*, and but the administrator responded very rudely. I said, "How can you have such an attitude? If I can't be given a *boguan*, just forget it." Then Policeman Zhao called me into the office, and as soon as I entered he hit me, and continued beating me until I fell to the floor. Afterwards I wrote a letter of complaint to the RTL Management Department, but I never received any response.

Inside the camp, disobedient detainees were made to sit on the "tiger bench"³⁵, especially if they were Falun Gong practitioners. They were severely persecuted. The Qiqihar camp had a kind of torture called "*xiadihuan*" which involved handcuffing detainees to the floor in a squatting position, so that the detainee could not stand up, nor could they comfortably sit on the ground. This was extremely painful, and I saw with my own eyes a 68-year old woman subjected to this kind of torture. Falun Gong practitioners were often not allowed to sleep until they promised to reform and wrote letters denouncing their beliefs. Only then would their situations improve.

I often saw detainees beaten in the RTL camps. Especially in the Harbin camp, where there was a juvenile delinquent work group, they were often beaten. In the camps the detainees were often cursed by the administrators and guards.

In the camp sick detainees were not given access to medical treatment. It was very difficult to see a doctor, since you needed approval from the leaders of the RTL camp. I have hypertension, and in the camp my blood pressure was rarely measured. The blood pressure meter I brought with me was confiscated. Things would have to be really serious before a detainee was allowed to have a medical exam. Any kind of treatment required payment, and it was much more expensive than in the outside world. The administrators never gave anyone a receipt; they just took the amount from the money detainees were forced to pay the camp. We were never paid for the work we did, and aside from the one time in 2007 where I received a little money I never received anything for my work.

8. Have you sought any legal remedies?

When I was first released from the RTL camp, I tried to file an administrative lawsuit, but it was not accepted. This past time, I also tried to file a suit, but the Qiqihar Intermediate Court would not accept it. Now I am trying to raise a lawsuit again, since it has been less than 15 days since my release, and I will strongly demand that it is heard.

Interview 7

Name	Zhang Shufeng (张淑凤)
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Gender	Female
Date of Birth	September 17, 1964
Address	No. 4, Row 6, 2nd Street, Qianjin Village, Renhedi Sub-District, Shunyi District, Beijing
Occupation	Farmer
Educational Level:	Junior High School
First period of detention in RTL:	March 2, 2006, to March 1, 2007
Reason(s) for detention:	“improper petitioning” and “disturbing public order”
Period of detention in RTL:	October 29, 2007, to October 18, 2008
Reason(s) for detention:	“using the internet to distribute false information”
RTL locations	First: Daxing RTL Camp 9th work team, Beijing; Second: from October 29th to March 11th on the Daxing RTL Camp 10th work team. On March 11, Zhang was detained for one day by the Shunyi Police, and then returned to the Daxing facility.
1. Camp size	
The Daxing RTL Camp in Beijing has a total of 11 work teams, and each team has more than 100 detainees, so the total population of the camp was around 1500 detainees.	
2. Types of detainees	
The majority of detainees were petitioners, petty thieves, and junk collectors. There were also some detainees who were there for selling small flags and banners.	
3. Working conditions	
My first time at the Daxing RTL facility, I worked for the Number 9 work team in a workshop where our main activity was weaving boxes. This past time our main activity was organizing boxes. The work wasn't particularly hard, but we had to work from the morning until night. The hours were never the same; if there was a lot to do we had to work longer hours, and if there was less to do we had to work a little less.	
4. Meals	
All we had had to eat was boiled cabbaged, turnips, or little vegetables grown inside the RTL camp. Only once during the year, on Spring Festival, did we get to eat a stew with pork and noodles. This past time, since I was in the camp during National Day, I also got to eat some pork and noodles. The only staple food inside the camp is steamed buns, but you can eat your fill at meals.	

5. Recreation

At the Daxing RTL camp, we all stayed inside, 12 people to a room, and were never let out for exercise.

6. Visits

As for visits, there was really no standard. I was only granted one visit from my husband in 7 months. During August and September this year, while the Olympics were going on, Daxing allowed the detainees who had cooperated with their work orders to have visits from their relatives, but the so-called "disobedient" detainees who "refused to reform" were not allowed to have any visitors. Letters written from inside were simply not delivered; I wrote my family one letter every month, but they never received a single one. It must have been the work team and police station who prevented my letters from reaching them.

7. Violence and Abuse in camp

At the Daxing RTL camp, during my most recent time there, I was in great pain and cried out in suffering, but the administrators wouldn't let me speak- they used a cloth to cover my mouth. Another time, while the officials were calling roll, my lower back hurt so much I could not stand straight, but the officials roughly forced me upright. My lower back continued to hurt, but they would not allow me to see a doctor. We were forced to undergo training and education. But I still have to say that this most recent time was a little better than the first, since I wasn't violently beaten.

The first time I was sent to RTL, with the Daxing RTL camps' 9th work team, the local team leader's name was Zhang Dongmei (张冬梅), a woman. She beat me, and then locked me in a room with two deaf mutes in the middle of the night and allowed them to beat me. Because I still would not admit to being guilty, they locked me in a padded room for a month. All four walls of the room were padded with soft rubber, so that the person inside could not commit suicide. Inside of that small, dark room there was only a toilet, which was the only place I could get water to drink. There was no hot water, so I couldn't bathe or wash myself.

Another common punishment at the camp was to make detainees who refused to follow the officials' demands shout "Reporting...!" constantly, often late into the night.

8. Have you sought any legal remedies?

I have exhausted all possible channels for legal remedies. The first time I was released from an RTL camp, I filed for administrative review, and later filed an administrative lawsuit. In the first case, the RTL commission upheld the original decision, and my lawsuit sadly met with a similar result.

After my second time in an RTL camp, I persisted in attempting to use the law to address my situation and once again filed an administrative lawsuit, but the result was the same as before. In China, the judicial system is not independent, and all legal matters are also political matters, so it seems like there is no way for a lawsuit to bring about justice. I wanted to pursue legal recourse to leave a historical record, so that others could remember this dark time in the history of China's judicial system.

Interview 8	
Name	Li Si (李思, formerly Li Sufu [李速富])
Gender	Male
Date of Birth	February 3, 1957
Address	Daishi Village, Sandun Township, Pingjiang County, Hunan Province
Occupation	Farmer
Educational Level:	Junior High School
Period of detention in RTL:	January 1, 2004, to August 7, 2004
Reason(s) for detention:	Li petitioned the government numerous times to address a financial dispute with the Beijing Great Wall Decorative Construction Company. An unidentified assailant, believed to be linked to the Company, attacked and beat Li in Beijing. Li was sent to RTL for "fighting".
RTL location:	Beijing's Fengtai District RTL Camp
1. Camp size	
During the time I was at the Fengtai RTL camp, the greatest number of detainees was between 3500 and 4000, and the smallest number was a little more than 1000 detainees.	
2. Types of detainees	
The main types were: first, Falun Gong practitioners; second, petty criminals or petty thieves, people who had been in fights, drug users, white-collar criminals, etc.; third, petitioners; and finally, there were Muslims.	
3. Working conditions	
Because I was beaten so severely I was unable to work, I was not very interested in the work others were doing nor did I really understand it. But from seeing their bodies stained with dirt, they must have been digging ditches or something like that. The detainees woke up at 6 am every morning, did not come back to eat lunch, and at 6 in the evening finally returned. At the latest, they would return to the camp when it was too dark to see.	
4. Meals	
"Eating" in the camp really can't be called eating; it was more like pouring food into one's stomach. The entire meal time lasted five minutes. The quality of food was extremely poor. In the morning there was only thin gruel and a steamed bun, for lunch and dinner usually there were two steamed buns and a bowl of cabbage soup with some oil floating in it. In seven months I only ate meat once. Even though this was a little pitiful, it can still be considered really good treatment.	

5. Recreation

There really was no schedule for recreation time; sometimes the detainees were allowed out once or twice a day, for an hour each time. Sometimes there was no recreation time for a day, depending on whether the guards were happy or not. This kind of free time can't really be called exercise, but rather forcing detainees to stand up straight, not allowing them to move, and beating those who could not stand, beating them terribly.

6. Visits

Visiting privileges were supposed to be granted according to the national regulations, two visits per month, but at the Fengtai camp we were deprived of our visitation rights, and no detainees' family members were given a chance to visit. Those who objected were beaten until they could not get up.

7. Violence and abuse in camp

Abuse within the camp was constant, and it was extremely cruel. As soon as I entered the camp I was beaten probably dozens of times, beaten until I became incontinent and broke two ribs. Even now my chest, back, and lower back are constantly in pain.

Because those of us in the camps often had to sit on hard boards (the hard wooden beds of the camp, we were not allowed to move an inch) everyday from 6 in the morning until 6 at night, many detainees' backsides became infected. These detainees could not sit still, and when the guards discovered this they beat them savagely.

The administrators sometimes ordered the camp bullies to beat us, and sometimes the administrators beat us themselves. But no matter who was doing the beating, there was never a reason; it was just because they felt like beating the detainees, tormenting them. Some detainees were beaten until they went blind, and some were beaten until they went deaf, but this was rare. I heard that some detainees had been beaten to death, but I never saw this with my own eyes.

8. Have you sought any legal remedies?

When I received the written verdict from the procuratorate, I went to the camp authorities to seek legal remedies, but they would not pay me any attention, no matter how many times I asked. I finally gave up seeking redress, because I realized it was useless.

Interview 9

Name	Jin Hanyan(金汉艳)
Gender	Female
Date of Birth	December 19, 1973
Address	Group 10, Liuganping Village, Tumen Town, Yunxi County, Shiyan City, Hubei Province
Occupation	Unemployed

Educational Level:	Technical Secondary School
Period of detention in RTL:	August 8, 2005, to May 25, 2007
Reason(s) for detention:	Because she petitioned repeatedly to resolve a dispute arising from the division of labor necessary to graduate from school, the Shiyan City, Hubei Province RTL management board sent Jin to RTL for "persistent and unreasonable petitioning."
RTL location:	Wuhan City, Hubei Province, Women's RTL Camp
1. Camp size	
The RTL camp usually had more than a hundred detainees, and the fewest it ever had was around 90. When I was released there were a few more than 90 detainees.	
2. Types of detainees	
There were drug users, petitioners, fighters, prostitutes, etc. Each type had around the same number of detainees.	
3. Working conditions	
We got up at 6 am every day, and started work right after breakfast. We worked straight until around 11:30 when we finally ate lunch, but if we had to work overtime, sometimes we didn't stop for lunch until 12:30. Then we would work until midnight before we finally stopped for the day.	
Because of the poisonous materials we worked with in the workshop (our main work was fixing electronic zinc discs), our spines often hurt, and the smoke we inhaled made us dizzy. However, we weren't allowed to rest when we felt ill. If we worked slowly one day, even if we were so sick we could not perform the work, the work unit leader Wang Qin (旺芹) would make the drug addicts beat us until our heads were broken and bleeding.	
4. Meals	
Every day for breakfast we just had one steamed bun and a bowl of rice gruel; for lunch and dinner we had a small bowl of rice and a few boiled vegetables... there was nothing else, not even a little cooking oil. For vegetables we were only given cabbage, turnips, pumpkins, winter melons, etc. Whatever unpalatable or cheap things there were, that's what we ate. The food was usually so rotten, we didn't want to eat it, but it was all we had so we had to eat. We were given such bad food so that we would stay hungry and wouldn't have the energy to think of other things or the strength to think about escaping.	
5. Recreation	
We were never given any time off. If your work is never done, how can you have time off?	
6. Visits	
We were not allowed to have visits. I never saw any detainee have a visitor. If my family tried to come	

visit me, they would be stopped by the camp managers and sent away.

7. Violence and abuse in camp

We petitioners were not allowed to speak with other detainees once we entered the camp, and if we were caught talking to others, we would be beaten. We were often beaten. Sometimes, after we finished work at midnight, we were not allowed to go to sleep, but were instead forced to sit on the floor of the restroom. If we couldn't sit still, then the guards would have the drug addicts hit us. We were beaten very savagely. Other types of detainees had it better than we did. They weren't beaten very often.

8. Have you sought any legal remedies?

The RTL camp wouldn't even let us meet with people who could help us with legal remedies, so how could we seek any legal remedies? I submitted a written petition for administrative review, but I found out later that the camp staff withheld it from the proper authorities. Other detainees had the same experience, and never received any kind of legal remedy.

Interview 10	
Name	Guo Qinghua (郭清华)
Gender	Female
Date of Birth	March 11, 1967
Address	103 East Xiao Xindai Street, Wangxinzhuan Town, Pingtai District, Beijing
Occupation	Unemployed
Educational Level:	Junior High School
Period of detention in RTL:	June 15, 2007, to April 4, 2008
Reason(s) for detention:	Because her salary was embezzled and she was beaten when she asked for the money due to her, Guo petitioned the government and was detained many times. Guo often telephoned the Beijing Municipal Political-Legal Committee, and for this was sent to RTL by the Beijing Municipal RTL Management Committee for "Disrupting the Normal Working Order of the Municipal Administration."
RTL location:	Daxing District RTL Camp, Beijing
1. Camp size	
At its peak, the camp had more than 1000 detainees, and the fewest it had was around 300 detainees. Usually there weren't too many detainees, and if there was an excess of detainees they would be sent to other places.	

2. Types of detainees

Generally speaking, the detainees were petty thieves, prostitutes, gamblers, drug addicts...the largest groups were Falun Gong practitioners and petitioners. They made up the majority of the detainees.

3. Working conditions

Normally, there wasn't too much work. Every day we woke up at 8 o'clock and worked for 5 or 6 hours. But when there was more work to be done, there was no schedule, and we worked any number of hours. Our main work was to glue paper bags and file folders, make small banners for advertisements, make elastic cords, and other kinds of work like this. Newly-arrived detainees were not given a salary, but those who had worked for a long time were given around 100 RMB per month, and those who had been there the longest made no more than 200 RMB per month.

4. Meals

Every day we ate a few vegetables, like cabbage or cauliflower. In the morning we were given rice gruel and steamed buns, and while there was enough to eat, the food was not good at all. However, if the camp bullies embezzled part of the funds that should have been used to feed us, then there wasn't enough to eat. The RTL administration didn't care about this type of thing. However, each month we were able to eat one meal of dumplings.

5. Recreation

Generally, recreation was out of the question. Basically, when it was time to go outside to drill we could breathe some fresh air, but otherwise we were forced to stay inside of our work units and were not allowed out.

6. Visits

Some people were allowed to have visits, and some weren't. The guards looked at everyone's test results, and if you had studied well and done well on the test, then you were allowed to have visitors. If you didn't study well and failed the test, you weren't allowed to have visitors. Falun Gong practitioners were generally not allowed to have any visits.

7. Violence and abuse in camp

As soon as I entered the camp I went on a hunger strike, and the guards and boss beat me until I could not get up. Finally they held my nose and poured cornmeal into my mouth. The detainees in the camp weren't beaten too often, but Falun Gong practitioners were frequently beaten. I heard that, before I arrived at the camp, one Falun Gong practitioner had had two ribs broken and a foot pierced, and a few guards were dismissed as a result. So, by the time I arrived, beatings were already a much rarer phenomenon.

8. Have you sought any legal remedies?

I was unable to seek legal remedies. I wrote a petition for administrative review, but when I went to the Beijing Supreme People's Procuratorate to file it, they said I should study the law. I said no, I don't want to learn, because your laws are designed to trick ordinary people. They upheld the original decision. Others, like me, don't know how to go about seeking legal remedies.

Interview 11	
Name	Feng Xixia (封西霞)
Gender	Female
Date of Birth	May 24, 1964
Address	No. 28, Gate 1, Building 27, Huzhu District, Fangzhichengtanghuasimian Company, Baqiao District, Xian City, Shaanxi Province
Occupation	Unemployed
Educational Level:	Junior High School
Period of detention in RTL:	December 18, 2007, to March 17, 2008
Reason(s) for detention:	I petitioned because my parents were treated unfairly, so the Xian City, Shaanxi Province RTL Management Board sent me to RTL for "impertinent and troublesome petitioning."
RTL location:	Shaanxi Province Women's RTL camp
1. Camp size	
The RTL camp had 5 small work units altogether, and each unit had around 60 people, so the greatest number of detainees was a little over 300, and the smallest number of detainees was around 100.	
2. Types of detainees	
The detainees being re-educated through labor were generally drug addicts, prostitutes, thieves, and people detained for "disturbing public order." The others were petitioners, Falun Gong practitioners and other religious believers. Of all the detainees, the Falun Gong practitioners were the largest group, next were petitioners, and then the other religious believers.	
3. Working conditions	
Our main task was making handbags. Every day we woke up at 6:30 am, washed up, ate breakfast, and by 7:30 we went to the workshop to begin working.	
Every day we worked nearly 20 hours, not stopping until 3 or 4 am the next morning. We protested, saying that the working hours were too long, that there wasn't enough time to sleep. The RTL staff said the country doesn't subsidize the RTL camps, so they have to rely on the work of the detainees to make enough money to support the camp and the detainees. The more you work the better you will be able	

to support yourselves, but if you work less you simply won't be able to survive.

Every day we worked straight until noon, then ate a little food in the workroom, and went right back to work. Dinner was like this as well. There wasn't even a little time to rest. I once protested, and the work unit leader handcuffed me to the top of the workroom door frame, so that my feet were lifted up off the group. The purpose was to warn the other detainees not to do as I had done. It worked; after that, the others were too scared to protest.

4. Meals

Every day for breakfast we ate a bowl of noodle soup or a bowl of rice gruel with a steamed bun and a few pickled vegetables. For lunch we ate two steamed buns, sometimes with stir-fried cabbage, sometimes with stir-fried potatoes or turnips. Whatever cheap things there were to eat, that's what we ate. They didn't even use any cooking oil. Furthermore, they only gave us rotten vegetables, never any good ones.

I put forward a request, asking them to feed us a little better; after all, our work hours were too long, and we ate too little and too poorly to bear it. But after the head of the camp heard this, they just increased the portions, so that we could eat until we were full. The food was still truly bad, the same as before. The staff said, food is too expensive now, we can't buy anything better. So nothing improved.

However, there was an exception, and that was when the leaders came to visit. Then, we could eat a little better. Whenever the quality of our meals improved a little, that's when we knew the leaders were visiting. But this kind of situation was rare.

5. Recreation

We were never given any free time to be outside. There was so much work that we could never complete it; how then could we have time for exercise? Sometimes the RTL camp would hold some recreational activities, let us sing and dance a little; I guess you could call this a kind of exercise. Ordinarily, no one would dare raise the question of free time, for fear of being beaten. Besides, when a person sleeps so little, how can they be in the mood for recreation?

6. Visits

We were allowed to have visits, one visit per month. But I and others who went on hunger strikes to protest were not allowed to have visitors. I was once terribly sick, so sick people thought I was about to die, and one friend came to visit me, but the camp wouldn't let my friend see me.

Normally, Falun Gong practitioners weren't allowed to have visitors unless they admitted their guilt and worked especially hard.

Other people were all allowed to have visits, but they had to work themselves to death and put on a good show for the camp before they were allowed to have visits.

7. Violence and abuse in camp

Ordinarily, the work unit leader and the camp bullies would drag one of us into the bathroom and beat us, or lock us in the bathroom without food and water and force us to stand there and endure the stench. This kind of abuse happened constantly.

Because I could never stand their way of doing things, and protested all the time, the guards would often hit me with their batons. One work unit leader pulled my hair and kicked me. I cried out but she covered my mouth and continued to beat me until I could not get up, all the while insulting me. I went on a hunger strike to protest their inhuman treatment, and as a result developed a serious case of anemia. Afterwards, the doctor told me that my brain lacked blood, as did my stomach, and that I suffered from arrhythmia. I often fainted. But the guards just gave me a little shot and sent me back to the workroom to work, without any time to rest or recover. Because I always protested, I was hung from the ceiling, but it didn't kill me. Then I was put in solitary confinement. When my mother passed away, they didn't even tell me.

Detainees in the camp had their legs broken from beatings. Others, unable to stand the torture, lost their minds and went crazy.

Also, during the time I was detained at the RTL camp, my two daughters were sent to the "Baqiao District Children's Village," a place created to watch the children of detainees. The conditions there were terrible. My youngest daughter's hands were damaged by the cold, and she was struck in the eye, damaging her vision. She often can't see anything out of her damaged eye.

8. Have you sought any legal remedies?

I have requested legal remedies in the past, but with no result. Many people have requested legal remedies, but, like me, it is to no effect.

Interview 12	
Name	Luo Hongshan (罗洪山)
Gender	Male
Date of Birth	January 28, 1954
Address	West Agricultural Collective, Dongjiagou Village, Dongjiagou Town, Jingang New District, Dalian City, Liaoning Province (former) Taiping Village, Santai Township, Wafangdian City, Liaoning Province (current)
Occupation	Farmer
Educational Level:	Junior High School
Period of detention in RTL:	March 6, 2001, to March 5, 2004
Reason(s) for detention:	In an earlier case, Luo was improperly sentenced and the decision was redressed. However, he was not compensated accordingly so he petitioned the government on numerous occasions. On March 15, 2001, he intercepted the motorcade of central

government leaders in the vicinity of #28 middle school on West Chang'an Road, near Tiananmen Square in Beijing. The Dalian City People's Government RTL Management Board sent him to three years of RTL.

RTL location: Guanshanzi RTL camp, Changtu County, Liaoning Province

1. Camp size

There were many, many people at Daguanzhan RTL camp, divided into 12 work groups. The greatest number of detainees was close to 2000, but the average was around 1400 or 1500 people.

2. Types of detainees

There were only a few of us petitioners, maybe 3 or 4. Most of the detainees were Falun Gong practitioners and petty thieves, and there were also drug addicts and brawlers. My work unit, the number 2 middle unit, only had around 100 people.

3. Working conditions

Guanshanzi RTL camp life wasn't a good life; it was a bitter, dirty, weary life. It was a life of digging ditches and paving roads.

We woke up at 4 or 5 am every morning, and went to work at 6:30 am, working straight until noon. At the worksite we would make a little food to eat and then go right back to work, laboring straight until 7 or 8 in the evening. When it was too dark to see, then we would stop. We really had no notion of time.

Beatings were common, and some detainees were beaten to death. I know of 7 or 8 detainees on the number 1 middle work unit who were beaten to death. And this doesn't count those who hung themselves or committed suicide because they couldn't bear the abuse. I myself was beaten so badly by the guards that I broke 6 ribs.

4. Meals

In the winter, at every meal we were given only one steamed bun made from rotten cornmeal. This was especially abusive. The bread was frozen, covered in a thin layer of ice, so hard you could use it beat someone. For dishes, we were given boiled cabbage cooked in a little bit of salted water. They never used any cooking oil. As long as the detainees ate enough to survive, they thought that was ok. At the beginning of spring they would finally use a little oil, and give us two pieces of steamed bread, so that we could work harder on the job. But we never ate enough to feel full, no matter what the season.

5. Recreation

There was absolutely no recreation time. If we weren't dead, we counted ourselves lucky, but recreation...?

6. Visits

Since I was one of the "key" RTL detainees, my family was never allowed to visit me. There was another petitioner named Bai Xiuqin (白秀芹) who sympathized with me, and wanted to visit me and give me 100 RMB. However, the RTL authorities said, to my surprise, that Bai and I were co-conspirators, and Bai was lucky not to have been detained. So we were not allowed to meet, and I never received the 100 RMB.

7. Violence and abuse in camp

While I was in the camp, the number 1 work team captain Ma beat me six times; Secretary Zhao, 4 times; number 2 work team cadre Gong Wenzhe (宫文学) and others used RTL detainees and work unit leader Wang Zhongmin (王忠敏) to beat me 66 times; Meng Qinggang (孟庆刚), 177 times; Li Xudong (李绪东), 266 times, Yang Su (杨苏), 55 times, group leader Chen Shuping (陈淑平), 46 times. They used iron clubs, wooden bats, pick handles, leather belts, and other items of this nature. They broke six of my ribs, and today I am covered in scars from head to foot. My leg was broken for many months, but I still had to do heavy work.

All kinds of torture- "taking a plane," "riding a motorcycle," "taking the train," "eating long, thin noodles," "standing on tiptoe at midnight" (these are all nicknames for types of punishment)- were common. They would make us eat shit and drink urine and call it eating fried dough sticks and drinking wine. They really were inhuman. I don't know how many detainees were beaten to death.

8. Have you sought any legal remedies?

My freedom has been completely limited; where can I go to seek legal remedies? Go looking for them? It is completely impossible.

Interview 13	
Name	Wang Youcheng (王佑盛)
Gender	Male
Date of Birth	November 17, 1950
Address	No. 14, Dashiqiao Group, Zhongjiecun Community, Longjuzhai Town, Danfeng County, Shaanxi Province
Occupation	Unemployed
Educational Level:	Illiterate
Period of detention in RTL:	November 7, 2006, to November 29, 2007 (released early for good behavior)
Reason(s) for detention:	Wang went to Beijing to petition the government to resolve a dispute regarding compensation after a ruling in a civil case. On November 7, 2006, he was detained outside of Zhongnanhai, near Tiananmen Square, and sent to RTL for "disturbing the

public order."
RTL location: Luyang RTL Administrative Office, Shaanxi Province
1. Camp size
While I was there, the greatest number of detainees was greater than 400, while the smallest number was greater than 200.
2. Types of detainees
Drug addicts, brawlers, thieves, Falun Gong practitioners, etc. made up most of the detainees. I was the only petitioner.
3. Working conditions
Every day, we woke up at 6 am, and after eating breakfast we went out to the fields to plant vegetables, hoe weeds, etc. The work there was designed to torment us. When the weather was pleasant and cool, we weren't allowed to work, but when it was hot we were specially sent to work. We weren't even given water to drink, just to punish us. When we were working in the fields, we weren't allowed to rest at noon, and had to work straight until 4 or 5 in the afternoon.
We had to memorize the RTL rules as we worked in the fields. I don't know how to read, so I couldn't learn them, and I was beaten. I was beaten so badly I couldn't eat for days. To this day, I still feel the effects of these beatings, and I get dizzy.
4. Meals
Every day we were given two steamed buns in the morning and a bowl of rice gruel. For lunch and dinner we were given 2 steamed buns, and vegetables, usually potatoes, cabbage, turnips, eggplant, or other things like these. But they never used any cooking oil, and from what we were given to eat we could tell what vegetables were cheap at that time. We never ate enough to feel full, but there was nothing we could do. No one dared to do anything, because we were all afraid of being beaten.
Moreover, every week we were given one meal of noodles, and once a month we were given one or two pieces of fatty meat, but these were always stolen by the camp bullies, and we got nothing to eat.
5. Recreation
Recreation depended on whether or not the guards were happy. If they were happy, we didn't go to work, and each time we were given time for recreation it lasted for 2 or 3 hours. But every time we were granted time for recreation, all we could do was squat in the sun in the courtyard. We were only allowed to leave to use the restroom. Winter or summer, whether or not we could stand it, it didn't matter. Recreation time was really just punishment in disguise.
6. Visits
Visits were allowed, and under normal circumstances we were allowed one visit every two months. At

that time, my child would visit me once a month if he had enough money, but if he didn't have any money, he wouldn't visit. All of us detainees were allowed to have visits.

7. Violence and abuse in camp

Our jailer there was extremely ruthless, and often beat us or punished us by making us stand or squat. We were never given any boiled water to drink. Though the RTL staff didn't beat us, the camp bullies beat us, and the staff paid the bullies no mind. Many of us were beaten so badly that our heads and faces became swollen, and so many other detainees suffer the effects today, just like me. We often reported to the RTL staff, but they simply paid us no heed.

The most startling things was that drug addicts locked in the RTL camp could buy drugs, just as freely and easily as buying other items.

8. Have you sought any legal remedies?

We simply don't know how to seek legal remedies. No one will help us or tell us where to look. When I was released I actually sought legal remedies, but without any results whatsoever.

Notes:

¹ Xinhua, “Senior CPC leader stresses rule of law”, January 21, 2009, <http://news.xinhuanet.com/english/2009-01/21/content_10692410.htm>

² China’s National Report to HUMAN RIGHTS COUNCIL Working Group on the Universal Periodic Review, for its Fourth session, Geneva, 2-13 February 2009, A/HRC/WG.6/4/CHN/1, 5 December 2008.

³ The Laogai Research Foundation, *Laogai Handbook 2007-2008*, <<http://www.laogai.org/news2/book/handbook2008-all.pdf>>.

⁴ Central Committee of the Chinese Communist Party (CCCP), “Directives For the Employment and Participation in Labor and Production of Landowners In Areas of Completed Land Reform” (中共中央对土地改革业已完成地区的地主参加劳动生产及就业问题的指示), 23 April 1951.

⁵ CCCPC, “Directives for a Complete Purge of Hidden Counter-revolutionaries” [关于彻底肃清暗藏反革命分子的指示 (guanyu chedi suqing ancang fangemingfenzi de zhishi)], 25 August 1955.

⁶ CCCPC, “Directives Related To RTL Institutions That All Provinces And Cities Should Immediately Prepare and Organize” [关于各省、市应立即筹办劳动教养机构的指示 (guanyu geshengshi yingiji chouban laodongjiaoyang jigou de zhishi)], 10 January 1956.

⁷ State Council, “Supplementary Regulations Regarding Re-education through Labor” [关于劳动教养问题的补充规定 (guanyu laodongjiaoyang wenti de buchong guiding)], 29 November 1979.

⁸ Ministry of Public Security, “Trial Methods for Implementation of RTL” [劳动教养试行办法 (laodongjiaoyang shixing banfa)], January 1982.

⁹State Council, “Decision of the State Council Regarding the Question of Re-education through Labor”[国务院关于劳动教养问题的决定 (guowuyuan guanyu laodongjiaoyang wenti de jueding)], 1957.

¹⁰ General Political Department of the People's Liberation Army and the Ministry of Public Security, “Notice On Some Issues Related to The Military Implementing The State Council’s Methods of Implementation of RTL” [关于军队执行国务院〈劳动教养试行办法〉几个问题的通知 (guanyu dui jundui zhixing guowuyuan laodongjiaoyang shixing banfa jige wenti de tongzhi)], 1982.

¹¹Ministry of Public Security and the Ministry of Justice, “Notice on the Problem of Re-education through Labor for Prostitution” [关于对卖淫嫖宿人员收容劳动教养问题的通知 (guanyu dui maiyin piaosu renyuan shourong laodongjiaoyang wenti de tongzhi)], 1987.

¹² People’s Republic of China Legislative Law [中华人民共和国立法法 (zhongguo remingongheguo lifa fa)], available on the PRC government website at <http://www.gov.cn/test/2005-08/13/content_22423.htm>

¹³ Other Chinese scholars have made similar arguments that the three documents forming the basis of RTL are not national laws. See for example, “Reassessing Reeducation Through Labor,” Veron Mei-ying Hung, China Rights Forum, No.2, 2003, p.37; “Abolition of the RTL system: a Proposal to CCP Poliburo, National People’s Congress and State Council,” Hu Xingdou, November 9, 2003; “Reform of China’s Reeducation through Labor System,” Liu Renwen, the Brookings Institution, January 25, 2005

¹⁴ Ministry of Public Security and Ministry of Justice, “Notice On RTL And The Nullification Of Inmates’ City Passports” [关于劳动教养和注销劳动教养人员城市户口的通知 (guanyu laodong jiaoyang he zhuxiao laodongjiaoyang renyuan chengshi hukou de tongzhi)], effective since 1984.

¹⁵ The transfer of authority by the aforementioned Notice is problematic. The Supplementary Decision is an administrative regulation approved by the Standing Committee of the National People’s Congress (NPCSC) whereas the Notice is a departmental document. For a government document lower down in the legal hierarchy to modify provisions specified by one higher in the hierarchy is a perversion to the usual legal order.

¹⁶ Notice On RTL And The Nullification Of Inmates’ City Passports [关于劳动教养和注销劳动教养人员城市户口的通知 (guanyu laodong jiaoyang he zhuxiao laodongjiaoyang renyuan chengshi hukou de tongzhi)], effective since 1984.

¹⁷ Ministry of Justice, “The Approval of the Right to Approve the Reduction and Extension of Detention Period for RTL detainees” [关于对劳教人员减延期审批权的批复 (guanyu dui laojiaoren yuán jiānyuánqí shēnpíquán de pifú)], 28 February 1991.

¹⁸ Again, the legality of such transfer of authority by a document lower down in the legal hierarchy is highly questionable.

¹⁹ Section 1: Types of Punishment, Criminal Law of the People’s Republic of China.

²⁰ [行政复议法 (xingzheng fuyifa)]

²¹ According to the Administrative Review Law and the Ministry of Public Security’s “Opinions of PSB On Several Issues Concerning Implementation Of The Administrative Review Law [关于公安, 机关贯彻执行〈行政复议法〉若干问题的意见 (guanyu gonganjiguan guanchezhixing xingzheng fuyifa ruogan wenti de yijian)]”

²² [行政诉讼法 (xingzheng susongfa)]

²³ Commission on Human Rights, “Report submitted by the Working Group on Arbitrary Detention Addendum Plus Visit to the People's Republic of China,” E/CN.4/1998/44/Add.2, 22 December 1997.

²⁴ “Resassessing Re-education through Labor,” Veron Meiying Hung, *China Rights Forum*, Vol. 35, No. 2, 2003.

²⁵ [人民检察院劳教检察工作办法 (renmin jianchayuan laojiao jiancha gongzuo banfa)]

²⁶ Civil Rights and Livelihood Watch, “Li Guohong Exposes the Poor Working Conditions that Lead to Serious Injuries in RTL Camps (李国宏劳教所内披露劳动条件恶劣致人严重受伤)”, 13 March 2008, http://www.crd-net.org/Article/Class18/liguohong/200803/20080313100359_8010.html

²⁷ Hu Shuzhen, “Complaints and Allegations against Yichuan RTL Camp for Women by a Former Detainee Who Was Sent to Re-education through Labor due to Petitioning (一个上访被劳教者对银川女子劳教所的控诉)”, 2 May 2008, http://www.crd-net.org/Article/Class53/200802/20080205224213_7493.html

²⁸ [信访条例 (xinfang tiaoli)]

²⁹ In October 2007, the authors conducted a survey in Beijing of 3,328 petitioners from all over the country. The survey was carried out in areas frequented by petitioners in Beijing, including the South Train Station, the Petitioners' Village, and in front of various Letters and Visits Offices. Petitioners willing to take part in the survey filled out questionnaires. Interviews were also conducted. The sample selected for survey and interview was random. Petitioners surveyed and interviewed included both sexes of all ages (excluding those under the age of 18).

³⁰ The document is entitled “Regulations Regarding the Investigation of Responsibilities of the Implementation of the Work of Letters and Visits” [关于实行信访工作责任追究的若干规定 (guanyu shixing xinfang gonzu zeren zhuijiu de ruogan guiding)].

³¹ A number of changes may have triggered greater concerns about the legality of RTL by members of civil society in China: legal reforms in recent years might have made more people aware of the system's illegality; international pressure for China to comply to its international treaty obligations; international human rights groups' criticisms towards the system filtered through Chinese consciousness; economic transition bringing more rural migrants to cities, and in the process the police putting an increasing number of these migrants-turned-petty criminals or migrants deemed guilty of “disorderly conduct” in RTL camps during efforts to clean up city streets and maintain “public order.” The abolition of “Custody and Repatriation” camps (*shourong qiansong*) in 2003 has, ironically, meant that police are sending more people to RTL, having lost one main means to arbitrarily detain whomever they consider “undesirables”. This increased use of RTL might have alarmed many legal scholars and public intellectuals as well as international monitoring agencies and NGOs.

³² [违法行为矫治法草案 (weifaxingwei jiaozhifa caoan)]

³³ Xinhua, “Wang Chen: China registers historic progress in human rights”, 9 December 2008, <http://news.xinhuanet.com/english/2008-12/09/content_10477130.htm>

³⁴ A form of medical treatment in China

³⁵ The torture victim is made to sit upright on a long bench, her hands tied behind her back. Her thighs are fastened with a rope to the bench while her feet are raised off the floor by bricks placed under her feet. This puts extreme strain on the knees and is a very painful form of torture, especially for an extended period of time.