



Submission to the UN Universal Periodic Review of China, Fourth Session of the Working Group on the UPR, February 5-16, 2009

The Falun Gong Human Rights Working Group www.falunhr.org

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Summary

Since 1999, the government of the People's Republic of China (PRC) has carried on a violent persecution against tens of millions of Falun Gong practitioners. Information from Falun Gong practitioners and their sympathizers from China indicate that millions have been subjected to arbitrary detention, hundreds of thousands have been sent to labor camps; thousand have been sent to psychiatric hospitals and injected with harmful chemicals; almost all who have been arrested were tortured, and most women who have been arrested have suffered violence, including sexual violations; thousands have been tortured to death; large numbers of live Falun Gong practitioners have systematically had their vital organs harvested, leading to their deaths. Information from other sources, including inquiries and interventions by Special Rapporteurs of the United Nations Human Rights Council (UNHRC), also point to a severe and extensive persecution. Given the information blockage by the PRC government, the real situation is feared to be much worse. The long duration of this persecution and the number of people affected makes the PRC government's persecution of Falun Gong the most severe human rights violation in the world.

The PRC government's severe and extensive violations against Falun Gong practitioners are precisely what the Universal Declaration of Human Rights (UDHR) calls "barbarous acts which have outraged the conscience of mankind." Such acts go against the letter and spirit of the UN Charter, and violate every article of the UDHR and all international human rights treaties and laws that are based on the UDHR. The PRC's membership in the UNHRC taints the image of the UNHRC.

While this submission focuses on China's human rights violations against Falun Gong practitioners, it is important to note that Tibetans, Uyghurs, Mongolians, Christians, dissidents, and other groups have suffered the same human rights violations.

1. Deprivation of Dignity and Personal Freedom, and All Basic Rights

On July 20, 1999, the PRC government banned Falun Gong, a spiritual practice, and launched a barbaric persecution against 100 million Falun Gong practitioners. The ban is unconstitutional, as freedom of belief and of religion are expressly guaranteed by the PRC's constitution. The ban did not even have a procedural basis; only in October 1999, after the ban was in effect for 3 months, did the Chinese national legislature pass a "law" to legitimize the persecution. The *Washington Post* noted in an article on November 2, 1999, that "When [China's Communist leaders] found themselves without the laws they needed to vigorously persecute a peaceful meditation society, the Party simply ordered up some new laws. Now these will be applied - retroactively, of course... By these standards, Stalin was a scrupulous observer of civil rights."

It is with such complete disrespect for human rights and disregard for the law that the PRC government has carried on the persecution of Falun Gong practitioners. Police forces all over



China were instructed to “destroy their reputation, ruin them financially, and exterminate them physically,” and were told that “no measure is too excessive against Falun Gong.” All imaginable coercive methods have been used against Falun Gong practitioners: they have been deprived of jobs; their properties have been appropriated; elders have had their pensions suspended; they have been forced to divorce; their children have been expelled from school; they have been arbitrarily detained; they have been abducted in broad daylight; they have been electric shocked, burned, drowned, buried in snow, hung and lynched, bitten by dogs and snakes, and force-fed feces and urine; female Falun Gong practitioners have been stripped naked, gang raped, and had blunt objects inserted into them; pregnant Falun Gong practitioners have had forced abortions; they have been killed by beatings, burning, freezing, drowning, electric shocks, starvation, hanging, poison, being pushed off of tall buildings, and other heinous methods; large numbers of Falun Gong practitioners have been murdered by the extraction of their vital organs.

A large number of violation cases against Falun Gong practitioners have been included in many annual reports by Special Rapporteurs of the United Nations Human Rights Council (UNHRC). Media reports and reports from other government agencies and NGOs, including the United States State Department, Amnesty International, Human Rights Watch, and Human Rights in China, also reveal the severe and extensive violence against Falun Gong practitioners.

The PRC government’s deprivation of dignity and all basic rights of Falun Gong practitioners violates all articles of the UDHR, and in particular Articles 1, 2, 21, 22, 28, 29 and 30.

2. Deprivation of the Right to Life, Liberty and Personal Security

As of August 31, 2008, 3,175 Falun Gong practitioners were confirmed to have died from police violence. Large numbers of Falun Gong practitioners, perhaps exceeding tens of thousands, have been systematically murdered and their vital organs extracted; in one concentration camp, four to six thousand Falun Gong practitioners have been murdered for their organs.

In August 2006, three UNHRC Special Rapporteurs inquired to the PRC government about the allegation of organ harvesting from Falun Gong practitioners. The PRC government categorically denied the allegation, but failed to address specific questions raised by the Special Rapporteurs. In January 2007, two UNHRC Special Rapporteurs repeated their requests to the PRC government to fully explain the allegation and the sources of organs for the sudden increase in organ transplants that began in China in the year 2000.

There are several other independent investigations that found evidence of systematic organ harvesting from Falun Gong practitioners in China.

The PRC government’s mass killing of Falun Gong practitioners violates UDHR Article 3.

3. Slavery

Hundreds of thousands of Falun Gong practitioners have been sent to forced labor camps. They have been forced to do hard labor, often to 18 hours a day, to make products for export. Hundreds of Falun Gong practitioners have escaped China and testified about the enslavement.

The PRC government’s enslavement of Falun Gong practitioners violates UDHR Articles 4 and 24.

Torture and Cruel, Inhuman or Degrading Treatment or Punishment

Almost all Falun Gong practitioners arrested have suffered several forms of torture, including beatings, electric baton shocks, hanging for hours to days, deprivation of sleep for days, being



forced to run for hours, forced to stand, sit, or squat for days, handcuffed over the back for days, cigarette burns, scorched with boiling water, stripped naked and left in the freezing cold, forced to walk barefoot in the snow, drowned in water, drowned in feces and urine, forced-fed feces and urine, mustard oil, vinegar, saturated salt solution, or alcohol, toothpicks piercing the fingers, pulling off of finger nails, knocking out teeth, suffocation, squeezing the testicles, pouring salt over open wounds, sodomy and more.

Particular egregious are sexual insults and assaults of female Falun Gong practitioners. Almost all Falun Gong practitioners in custody have been stripped naked. Some Falun Gong practitioners have been stripped naked, tied down, and left in the open air in freezing winter or under scorching Sun in summer for days. There are many cases of female Falun Gong practitioners being raped and gang raped. In one case, 18 female Falun Gong practitioners were stripped naked and handed over to male criminals. Many female Falun Gong practitioners have also had objects insert into them, or bamboo sticks pierce their breasts.

It is not possible to list all the torture methods. One UNHRC Special Rapporteur stated in her 2003 annual report, "the cruelty and brutality of these alleged acts of torture defy description."

The PRC government's torture of Falun Gong practitioners has violated UDHR Articles 5.

4. Deprivation of Protection of Law, Access to Legal Help, and A Fair Trial

Thousands of Falun Gong practitioners have been sentenced to long jail terms, up to 21 years, without a fair trial. The PRC government has issued orders to prohibit lawyers from representing Falun Gong practitioners. Lawyers who have represented Falun Gong practitioners have been intimidated or had their license suspended. In more severe cases, one lawyer (Mr. Guo Guoding) was forced into exile in Canada, and one lawyer (Gao Zhisheng) has been arrested and tortured.

The court system in China assists the PRC government's persecution of Falun Gong. Falun Gong practitioners are often sentenced to jail terms without a trial. In some cases of show trials, family members were not allowed to attend. Falun Gong practitioners are not allowed to speak and defend themselves. In some severe cases, when Falun Gong practitioners insisted on speaking up, the police beat them right in front of the judge. In other cases, when Falun Gong practitioners, who suffered bodily damage from torture, petitioned for medical parole, the court denied them.

The forced labor camps have been used most to incarcerate Falun Gong practitioners. The forced labor system, aka "re-education through labor," is completely arbitrary. Any policeman can write a "ticket" to send a Falun Gong practitioner to a labor camp for three years. Any communist party official can do the same. The term can be arbitrarily extended. The UNHRC Working Group of Arbitrary Detention has long declared that such labor camps used to force people to change their thoughts is a form of arbitrary detention.

The PRC government's deprivation of Falun Gong practitioners' access to the legal system violates HDHR Articles 6, 7, 8, 10, and 11.

5. Arbitrary Detention

Millions of Falun Gong practitioners have been arbitrarily detained by Chinese authorities under the pretext of "disturbing the social order." Many cases of the PRC government's arrest of Falun Gong practitioners have been submitted to the UNHRC Working Group on Arbitrary Detention (WGAD). WGAD has deliberated on several dozen of such cases and, without exception, concluded they were arbitrary detention.

The PRC government's mass detention of Falun Gong practitioners violates UDHR Article 9.



6. Destruction of Families

The PRC government's arrest and killing of Falun Gong practitioners have broken up numerous families and made numerous children orphans. In addition, the PRC government has forced spouses of Falun Gong practitioners to divorce and break up their families. Many families have been driven from their homes, and their children expelled from school.

There are many cases of pregnant Falun Gong practitioners who were subjected to forced abortion in custody. Many young mothers who were still breast-feeding have been arrested and separated from their babies. There have also been some cases in which couples who were Falun Gong practitioners were not allowed to have children (the PRC government has a inhuman population control policy).

The PRC government's destruction of Falun Gong practitioners' families violates UDHR Articles 12 and 16.

7. Deprivation of Freedom of Movement, Right to Nationality, and Right to Asylum

To prevent Falun Gong practitioners from petitioning to the central government, authorities all over China prohibit them from traveling to Beijing. Numerous checkpoints have been set up in train stations, bus stations, and other places to intercept and arrest Falun Gong practitioners. Residents in Beijing are specifically warned to not rent their rooms to Falun Gong practitioners. Falun Gong practitioners are constantly rounded up in Beijing and sent to labor camps. Authorities all over China also instruct neighborhoods to tell on and apprehend Falun Gong practitioners, forcing Falun Gong practitioners to be displaced to other areas.

The PRC government has pressured other governments to deny Falun Gong practitioners' asylum applications, and deport Falun Gong practitioners who have already obtained international refugee status back to China. In August 2002, Phnom Penh police arrested Ms. Zhang Xinyi and her husband Mr. Li Guojun, who have UN refugee status, and sent them back to China. The police admitted that the Chinese Embassy in Cambodia had imposed the arrest. In Russia, several UN refugees have also been forcibly sent back to China. In Thailand, dozens of UN refugees have been incarcerated for months, and are in imminent danger of being sent back to China.

In February 2007, 14-years-old Zhao Youran came to New York with a delegation to participate in a winter camp. When Chinese agents found out that Ms. Zhao practiced Falun Gong and had been in contact with her uncle in New York who also practices Falun Gong, the head of the delegation kidnapped her and forcibly took her to a flight back to China, so as to prevent her from a possible asylum application. The US customs rescued Ms. Zhao.

The PRC embassies around the world have routinely denied passport renewal to many Chinese citizens residing in other countries, simply because they practice Falun Gong.

The PRC government's deprivation of Falun Gong practitioners' freedom of movement and rights to nationality and to asylum violates UDHR Articles 13, 14, and 15.

8. Deprivation of Fundamental Civil and Political Rights

The Chinese police routinely arrest Falun Gong practitioners for practicing Falun Gong, for passing out Falun Gong materials, for petitioning to the government, for visiting other Falun Gong practitioners, for explaining Falun Gong to others, for receiving interviews by foreign journalists or officials, and even for writing petition letters to the UN Secretary General and UN High Commissioner for Human Rights.



The PRC government's deprivation of Falun Gong practitioners' fundamental civil and political rights violates UDHR Articles 18, 19, 20, and 21.

9. Deprivation of Basic Economic, Social and Cultural Rights, and Right to Personal Development

The Chinese authorities have wantonly appropriated Falun Gong practitioners' businesses and properties, including their personal property. They have also dismissed Falun Gong practitioners from work, and from schools, and stopped pension payments to elderly Falun Gong practitioners. The nationwide persecution has left Falun Gong practitioners discriminated against everywhere, and thus deprived them of opportunities for social, cultural and personal development.

The PRC government's deprivation of Falun Gong practitioners' social and cultural rights violates UDHR Articles 17, 23, 25, 26, and 27.

10. Conclusion

The gross and systematic violation of human rights of tens of millions of Falun Gong practitioners over the past 9 years, and particularly the systematic harvesting of vital organs from live Falun Gong practitioners, is the most serious human rights crisis in the world today. A similar gross and systematic violation of human rights has also been committed by the PRC government against Tibetans, Uyghurs, Mongolians, Christians, dissidents, and other victim groups, making the PRC government the worst human rights offender in the world. This makes the PRC's voluntary pledge to the UNHRC a blatant lie and an insult to the intelligence and conscience of international society, and PRC's membership a mockery to the UNHRC.

11. Recommendations

To the UN General Assembly: Follow GA Resolution 60/251, Article 8, and suspend the PRC's right of membership in the HRC for its continuing commission of gross and systematic violations of human rights;

To the UNHRC and members of the UNHRC: Follow GA Resolution 60/251, Article 10, and hold a special session to discuss the crisis situation of the PRC's persecution of Falun Gong;

To members of the UN: Do not cooperate with the PRC government in its persecution of Falun Gong;

To the PRC government: Genuinely follow the UN Charter and the UDHR and stop the persecution of Falun Gong and other groups immediately.

Attachments:

- *United Nations Reports on Harvesting Organs from Falun Gong Practitioners*
<http://www.falunhr.org/reports/UN2008/UN-OrganHarvesting-07-08.pdf>
- *The United Nations Annual Reports on China's Persecution of Falun Gong*
<http://www.falunhr.org/index.php?option=content&task=category&id=111§ionid=8&Itemid=>
- *The Falun Gong Report 2003:* <http://www.falunhr.org/reports/2003/Report2003.pdf>
- *The Falun Gong Report 2002:* <http://www.falunhr.org/reports/2002/Report2002.pdf>