

11th November 2013

We have duly received the joint letter sent by the Chair-Rapporteur of the Working Group on arbitrary Detention; Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the situation of human rights defenders; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (UA G/SO 218/2 G/SO 217 G/ 214(67-17) Assembly & Association (2010-1) Health (2002-7 G/SO 214 (107-9) G/SO 214 (53-24) CHN 8/2013). The Chinese Government has carried out a careful investigation on the matter mentioned in the letter. The following is the reply:

1. Ni Yulan is a woman of 53 years of age. She belongs to the Han ethnic group and she is of Beijing origin. On the 18<sup>th</sup> of December, 2008 (from 15 April, 2008 to 14 April, 2010), she was sentenced to two years imprisonment by the Beijing West District People's Court on the charge of the crime of interference with state functions. On fulfilling her sentence, she was released from prison on the 14<sup>th</sup> of April, 2010. On the 27<sup>th</sup> of July, 2012, she was sentenced to two years and six months in prison by the Beijing First People's Middle Court on the charge of the crime of provocation (from 6 April, 2011 to 5 October, 2013). She has fulfilled this sentence and is currently released.

2. Zhao Chang Qing is a man of 44 years of age. He belongs to the Han ethnic group and he originated from the Shang Luo, Shanxi province. His current residence is in the Shi Jing Shan District, Beijing. On the 18<sup>th</sup> of April, 2013, he was under investigation by the Beijing Public Security Organ on suspicion of the crime of unlawful assembly. On the 25<sup>th</sup> of May, 2013, there was a warrant out for his arrest. This case is currently under review.

3. Xu Zhiyong is a man of 40 years of age. He belongs to the Han ethnic group and he originated from Min Quan County, Henan province. He is a lecturer at the Beijing University of Post and Telecommunications. On the 16<sup>th</sup> of July, 2013, he was under an investigation by the Beijing Public Security Organ on suspicion of the crime of assembling a crowd to disturb order at public places. On the 22<sup>nd</sup> of August, 2013, there was a warrant out for his arrest. This case is currently under review.

4. Zhang Lin is a man of 40 years of age. He belongs to the Han ethnic group and he originated from Beng Fu city, Anhui province. On the 19<sup>th</sup> July, 2013, according to the law, he was under an investigation by the Anhui Public Security Organ on suspicion of the crime of assembling a crowd to disturb order at public places.

5. Hou Xin is a woman of 45 years of age. She belongs to the Han ethnic group and she is a self-employed business woman. She currently resides in Feng Tai District, Beijing Municipality; Yuan Dong is a man of 43 years of age. He belongs to the Han ethnic group. He is an employee of the EZCapital. He currently resides in Hai Dian District, Beijing Municipality. Zhang Baocheng is a man of 54 years of age. He belongs to the Han ethnic group and he is unemployed. He currently resides in Feng Tai District, Beijing Municipality. Ma Xinli is a man of 47 years of age. He belongs to the Hui ethnic group. He is an employee of Bus No. 323, the Beijing Public Transport Group Holding Limited. He currently resides in West District, Beijing Municipalities. On the 31<sup>st</sup> of March, 2013, according to the relevant law, the four above-mentioned people were put under an investigation by the Beijing Public Security Organ on suspicion of the crime of unlawful assembly. On the 12<sup>th</sup> of April, 2013, Hou Xin obtained a guarantor pending trial. On the 7<sup>th</sup> of May, 2013, there were warrants issued for arresting Yuan Dong, Zhang Baocheng and Ma Xinli, according to the relevant law. At the present, this case is under further review.

6. Li Wei is a man of 42 years of age. He belongs to the Han ethnic group and he originated from Wu Han, Hubei province. He is unemployed and is currently resides in Hai Dian District, Beijing Municipality. On the 11<sup>th</sup> of April, 2013, according to the relevant law, he was put under an

investigation by the Beijing Public Security Organ on suspicion of the crime of unlawful assembly. On the 18<sup>th</sup> of May, 2013, there was a warrant out for his arrest.

7. Wang Yonghong is a man of 41 years of age. He belongs to the Han ethnic group. He works as an employee of at the airport branch of the China Airport Construction Group Corporation of CAAC. He currently lives in the Hai Dian District, Beijing Municipality. On the 16<sup>th</sup> of April, 2013, he was put under an investigation by the Beijing Public Security Organ on suspicion of unlawful assembly. On the 24<sup>th</sup> of May, 2013, there was a warrant for his arrest on the charge of unlawful assembly. This case is currently under further review.

8. Sun Hanhui is a man of 42 years of age. He belongs to the Han ethnic group. He is an employee of the North Dragon Net (Beijing) Technology Co., Ltd. He currently resides in Chang Ping District, Beijing. On the 17<sup>th</sup> of April, 2013, according to the relevant law, he was put under an investigation by the Beijing Public Security Organ on suspicion of unlawful assembly. On the 25<sup>th</sup> of May, 2013, there was a warrant for his arrest. This case is currently under further review.

9. Liu Ping is a woman of 49 years of age. She belongs to the Han ethnic group. She is originally from Xin Yu County, Jiang Xi Province and she is a retiree from Xin Yu Steel Work; Wei Zhongping is a man of 50 years of age. He belongs to the Han ethnic group and originally comes from Xin Yu County, Jiang Xi Province. He is an employee of the Factory of Steel cable of the Xin Yu Steel Work; Li Sihua is a man of 56 years of age. He belongs to the Han ethnic group and he is originally from the Xin Yu County , Jiang Xi Province. He used to work for the Communist Party School of the Xin Yu Municipal Commission and he is currently unemployed. On the 28<sup>th</sup> of April, 2013, these three people were put under an investigation by the Jiang Xi Public Security organ, according to the relevant law on suspicion of unlawful assembly. Later, on the 21<sup>st</sup> of May, 2013, 22<sup>nd</sup> of May and 23<sup>rd</sup> of May respectively, there were warrants out for their arrest. At present, this case is under further review.

10. Huang Wensun is a man of 23 years of age. He belongs to the Han ethnic group and he originally comes from Hui Zhou County, Guang Dong Province; Yuan Bing ( Internet name: Yuan Fengchu) is a man of 31 years old. He belongs to the Han ethnic group and he originally comes from Chi Bi County, Hubei Province; Yuan Xiaohua is a man of 41 years of age. He belongs to the Han ethnic group and he is originally from Yuan Jian County, Hu Nan Province; Li Yinli is a woman of 44 years of age. She belongs to the Han ethnic group and she is originally from Chi Bi County, Hubei Province; Chen Jinxin, another name is Chen Jianxiong, is a man of 39 years of age. He belongs to the Han ethnic group and he is originally from Chi Bi County, Hu Bei Province. On the 25<sup>th</sup> of May, 2013, these five people were put under a investigation by the Security Organ of the Hubei Province on suspicion of unlawful assembly.

11. Zhang Xiangzhong is a man of 44 years of age. He belongs to the Han ethnic group and he is unemployed. He originally comes from Ji Ning County, Shang Dong Province. He currently resides in the Hai Dian District, Beijing Municipalities. On the 3<sup>rd</sup> of July, 2013, he was put under an investigation by the Beijing Public Security Organ on suspicion of gathering crowd to disturb public order. At present, this case is under further review.

12. Li Gang is a man of 40 years of age. He belongs to the Han ethnic group and he is unemployed. He currently resides in Chang Ping District, Beijing. On the 12<sup>th</sup> of July, 2013, he was put under an investigation by the Beijing Public Security Organ. On the 16<sup>th</sup> of August, 2013, There was a warrant out for his arrest. At present, this case is under further review.

13. Ye Haiyan, internet name “ hooligan Yan”, is a woman of 38 years of age. She is from Wu Han Municipalities, Hubei province. On the 31<sup>st</sup> of May, 2013, according the relevant law, she was administratively detained for 13 days by the Public Security Bureau of Bo Bai County, Yu Lin City, Guang Xi Autonomous Region on the charge of deliberately infringe a light injury of others with a knife.

14. For the flowing people mentioned in the letter : Qi Yueying, Ding Jiayi, Li Xuemei, Zou

Translated from Chinese Mandarin

Guiqing, Li Huanjun, Du Bin, Wan Tiejun, Ding Hong Fen, Qu Fengsheng, Shen Aibin, Xu Haifeng, Wu Ping, Zheng Bingyuan, Zhu Guiqing (the above-mentioned names are phonetically translated), there is a lack of valid data. We are, therefore, unable to verify their true identity and the information concerning them.

China is a Country where rule of law prevails. Our judicial bodies review cases strictly according to the law and we guarantee various legitimate rights and freedom of the people involved in the cases. The Special procedure of the Human Rights Council sent us letters on the people concerned for many times, the Chinese government carefully replied to each and every one of them. This fully demonstrates its willingness to respect and cooperate with the work of the Human Rights Council of the Special Procedure.

The Chinese government cordially requests that the text mentioned above be included in full in the relevant U.N. documentation.



No. GJ/91/2013

The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the letter 【UA G/SO 218/2 G/SO 217/1 G/SO 214 (67-17) Assembly & Association (2010-1) Health (2002-7) G/SO 214(107-9) G/SO 214 (53-24) CHN 8/2013】 dated 9 August 2013, has the honor to transmit herewith the attached reply by the Chinese Government.

The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Office of the High Commissioner for Human Rights  
Geneva

联合国人权理事会任意拘留问题工作组主席、强迫失踪问题工作组主席、言论自由特别报告员、和平集会和结社特别报告员、健康权特别报告员、“人权卫士”特别报告员、酷刑问题特别报告员发来的联合紧急呼吁函[UA G/SO 218/2 G/SO 217/1 G/SO 214(67-17) Assembly & Association (2010-1) Health (2002-7) G/SO 214 (107-9) G/SO 214 (53-24) CHN 8/2013]收悉。中国政府对来函所涉情况作了认真调查，现答复如下：

一、倪玉兰，女，53岁，汉族，北京人。2008年12月18日，因犯妨害公务罪被北京市西城区人民法院判处有期徒刑2年（2008年4月15日至2010年4月14日），2010年4月14日刑满释放。2012年7月27日，因犯寻衅滋事罪被北京市第一中级人民法院判处有期徒刑2年6个月（2011年4月6日至2013年10月5日），目前已刑满释放。

二、赵常青，男，44岁，汉族，无业，陕西商洛人，现住北京石景山区。2013年4月18日，因涉嫌犯非法集会罪被北京市公安机关依法审查，5月25日被批准逮捕。目前案件正在进一步审理之中。

三、许志永，男，40岁，汉族，河南民权人，北京邮电大学讲师。2013年7月16日，因涉嫌犯聚众扰乱公共场所秩序罪被北京市公安机关依法审查，8月22日被批准逮捕。目前案件正在进一步审理之中。

四、张林，男，50岁，汉族，安徽蚌埠人。2013年7月19日，因涉嫌犯聚众扰乱公共场所秩序罪被安徽省公安

机关依法审查。

五、侯欣，女，45岁，汉族，个体工商户，现住北京市丰台区；袁冬，男，43岁，汉族，华泰证券员工，现住北京市海淀区；张宝成，男，54岁，汉族，无业，现住北京市丰台区；马新立，男，47岁，回族，北京市公共交通控股集团323路职工，现住北京市西城区。2013年3月31日，该四人因涉嫌犯非法集会罪被北京市公安机关依法审查。4月12日，侯欣被取保候审；5月7日，袁冬、张宝成、马新立三人因非法集会罪被依法逮捕。目前案件正在进一步审理之中。

六、李蔚，男，42岁，汉族，湖北武汉人，无业，现住北京市海淀区。2013年4月11日，因涉嫌犯非法集会罪被北京市公安机关依法审查，5月18日被批准逮捕。

七、王永红，男，41岁，汉族，中国航空港建设总公司机场分公司员工，现住北京市海淀区。2013年4月16日，因涉嫌犯非法集会罪被北京市公安机关依法审查，5月24日因非法集会罪被批准逮捕。目前案件正在进一步审理之中。

八、孙舍会，男，42岁，汉族，北龙中网（北京）科技有限公司员工，现住北京昌平区。2013年4月17日，因涉嫌犯非法集会罪被北京市公安机关依法审查，5月25日被批准逮捕。目前案件正在进一步审理之中。

九、刘萍，女，49岁，汉族，江西新余人，新余钢铁厂退养工人；魏忠平，男，50岁，汉族，江西新余人，新钢公司钢绞线厂职工；李思华，男，56岁，汉族，江西新余人，

原新余市市委党校工作人员，无业。2013年4月28日，该三人因涉嫌犯非法集会罪被江西省公安机关依法审查，后分别于5月21日、5月22日、5月23日以非法集会罪被批准逮捕。目前案件正在进一步审理之中。

十、黄文勋，男，23岁，汉族，广东惠州人；袁兵，网名袁奉初，男，31岁，汉族，湖北赤壁人；袁小华，男，41岁，汉族，湖南沅江人；李银莉，女，44岁，汉族，湖北赤壁人；陈进新，又名陈剑雄，男，39岁，汉族，湖北赤壁人。2013年5月25日，该五人因涉嫌犯非法集会罪被湖北省公安机关依法审查。

十一、张向忠，男，44岁，汉族，无业，山东济宁人，现住北京市海淀区。2013年7月3日，因涉嫌犯聚众扰乱公共场所秩序罪被北京市公安机关依法审查。目前案件正在进一步审理中。

十二、李刚，男，40岁，汉族，无业，现住北京市昌平区。2013年7月12日，因涉嫌犯聚众扰乱公共场所秩序罪被北京市公安机关依法审查，8月16日被批准逮捕。目前案件正在进一步审理中。

十三、叶海燕，网民“流氓燕”，女，38岁，湖北武汉人。2013年5月31日，因持刀故意伤害他人至轻微伤，被广西壮族自治区玉林市博白县公安局依法行政拘留13日。

十四、来函提及的齐月英、丁家喜、李雪梅、邹桂琴、李焕君、杜斌、浣铁军、丁红芬、瞿峰盛、沈爱斌、许海凤、吴萍、郑炳元、朱桂琴（以上名字均为音译）等人情况缺乏

有效信息，无法查实其真实身份和资料。

中国是法治国家，司法机关严格依法办案，并依法保障有关人员的各项合法权利与自由。人权理事会特别机制多次就有关人员情况来函，中国政府逐一认真答复，充分体现了对人权理事会和特别机制工作的尊重和配合。

中国政府谨请将上述内容全文载入联合国有关文件中。