

Raising their Names: Chinese Political and Religious Prisoners at the January 2024
PRC Universal Periodic Review and Beyond

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Mr. Chairman, Mr. Cochairman, and distinguished Members of the Commission, thank you so much for holding this hearing and for inviting me to speak. Today’s hearing is so important to me, as the wife of imprisoned Chinese human rights lawyer Ding Jiayi. We must continue to speak out about the horrific human rights violations committed by the PRC government and the Chinese Communist Party. This is all the more important in the wake of the Chinese official delegation’s denials about its human rights abuses and the Chinese government’s allies’ empty praise of poverty alleviation and so-called rights safeguards at the Universal Periodic Review (UPR) in Geneva, last Tuesday, January 23, 2024.

As I begin my testimony, I want to thank the Commission for tweeting about cases of political prisoners on social media in advance of the PRC’s UPR. More broadly, I would like to publicly thank the U.S. Government for its robust statement during the UPR and its advance questions, including the focus on political prisoners and human rights defenders arbitrarily detained by the PRC government.

Since my testimony two years ago at the CECC hearing in February 2022 at the time of the Beijing Winter Olympics, I spoke at length about the cases of my husband Ding Jiayi and his colleague and co-defendant, legal scholar Xu Zhiyong, whom Chinese authorities detained after they held a private gathering of friends to discuss civil society and rule of law in China. Chinese authorities held Ding and Xu in pre-trial detention for nearly two years and six months before trying them secretly in June 2022 and sentencing them in April 2023 to 12 and 14 years in prison. To date, no verdict has been issued to the families. After the Shandong High People’s Court refused their appeal, authorities sent my husband Ding Jiayi to Jiangbei Prison in Hubei province, and Xu Zhiyong to Lunan Prison in Shandong province in November 2023.

In April 2023, following the announcement of Jiayi’s verdict, I had the honor of testifying before Chairman Smith at a hearing of the House Foreign Affairs Committee together with Ms. Geng He, the wife of disappeared lawyer Gao Zhisheng. Geng He and I discussed how Chinese authorities persecute human rights defenders through forced disappearance, secret detention, torture, coerced confession, fabricating criminal evidence, closed-door trials and sentences, and the use of ongoing surveillance even after human rights defenders are released. These constitute violations of the Chinese constitution and laws as well as the international laws and conventions that the Chinese government is obligated to adhere to and respect.

Today, I am holding up an image that shows many current political prisoners in China. My heart aches terribly every time I see this picture. But I put it on my desk at home, and I look at it every day. I must let the world know the true human rights situation in China. I must fight for their rights and call for the release of all of them!

There are many more prisoners beyond this image. Some of their cases are documented in the Commission's Political Prisoner Database (PPD)—the research staff informed me that there are now **11,116** records in the CECC's PPD, among which **2,714** are cases of currently detained individuals. Human rights NGOs such as Chinese Human Rights Defenders, Hong Kong Watch, the Dui Hua Foundation, various Uyghur and Tibetan groups, the China Aid Association, Falun Gong groups, and others have also documented detentions.

For the remainder of my testimony, I will highlight the main human rights-violating tactics used by Chinese authorities against human rights defenders with specific case examples.

No. 1: Forced disappearance. Prominent human rights lawyer Gao Zhisheng was “disappeared” in August 2017, his family in the U.S. have had no news of him since then. Sun Wenguang, an outspoken retired professor of Shandong University, was in the middle of an interview with Voice of America (VOA) when police broke into his home in Jinan and forced him off air on 1 August 2018. A few days later, the 84-year-old scholar and his wife disappeared. Their wellbeing and whereabouts were unknown until March 2022, when news emerged that he died in secret detention in 2021, aged 86, and his family and friends had been silenced. The circumstances surrounding his death remain unclear. In October 2020, pregnant public health activist He Fangmei was disappeared together with her husband and two children, after she splashed paint on the gate of a government office in Huixian. The family was not heard from for more than a year. In March 2022, Ms. He's sister received a notice about her arrest. Then through a lawyer the family learned that Ms. He had given birth to a baby girl in a psychiatric hospital in Huixian; her two young daughters, including the older girl who had become disabled as a one year old due to a faulty vaccine, are still locked up in the hospital, even after their mother, He Fangmei, was taken to a detention center; her husband Li Xin, also an activist, was sentenced to five years in prison; her son has been placed in foster care. He Fangmei is still waiting for a verdict. Dong Yaoqiong, who famously splashed ink on Xi Jinping's portrait on July 4, 2018, was locked up in a psychiatric hospital in Zhuzhou, Hunan for the third time on February 6, 2021. She has not been heard from since. Her father Dong Jianbiao died in prison under suspicious circumstances in September 2022. Another Hunan-based human rights activist Wang Yifei, who was previously jailed for commemorating the Tiananmen Square Massacre, disappeared in May 2022. He had written several articles about his experience in the detention center and prison. He is believed to have been taken by state security in Changsha but no details are known. Peng Lifa disappeared in October 2022 after he held an individual protest on a bridge in Beijing, calling on Xi Jinping to step down due to the Chinese government's harsh zero-COVID policy. The whereabouts of Peng's wife and child are also unknown, and they are believed to be held under some form of detention. Qiao Xinxin (a.k.a. Yang Zewei) was a passionate fighter against China's censorship apparatus, the “Great Firewall”, he was taken into incommunicado detention by Chinese police from his residence in Laos and extradited back to China in June 2023, and his whereabouts were unknown for more than two months before news emerged that he had been held in a detention center in Hunan province.

No. 2: Torture, especially while held under “residential surveillance at a designated location” (RSDL). RSDL is a form of incommunicado detention that allows authorities to hold individuals up

to six months. Political prisoners are extremely vulnerable to torture and other forms of maltreatment during RSDL. Both Ding Jiayi and Xu Zhiyong were held for months in RSDL and reported that they were severely tortured. In recent years, torture also has been reported in prison—in other words, after rights defenders have spent considerable time in detention centers, and then are tried, sentenced, and transferred to prisons. One such example is the torture of the unjustly imprisoned young computer coder Niu Tengyu, the Guangdong-based female veteran rights activist Li Biyun, and Nanjing-based dissident Shao Mingliang. Both Li and Shao have disabilities and were subjected to horrendous mistreatment and torture in prison.

No. 3: Lengthy pre-trial detention. Li Yuhan is a defense lawyer, and she represented one of the “709” lawyers, Wang Yu. Li was detained, tortured, and suffered many health problems in the detention center for six years before her first trial was held in October 2023.

No. 4: Lack of access to medical treatment in detention and denial of medical parole. Li Qiaochu was detained because she spoke up for her partner, the legal scholar Xu Zhiyong. She had mental health challenges even before being detained. After detention, she experienced severe auditory hallucinations, and needed medical treatment. Her mother submitted over 10 requests for medical parole, but all were denied. Most detainees who were tortured suffered from many types of health issues in the detention center or in prison but had no access to medical treatment. Zhang Zhan, who is serving four years in prison in Shanghai for reporting on COVID-19 from Wuhan, has been gravely ill as she has been on hunger strikes to protest her innocence since her arrest in May 2020. Her family and lawyer’s applications for medical parole were declined too. Yang Maodong’s (a.k.a. Guo Feixiong) health also steadily declined as a result of hunger strike since he was arrested in December 2021 following his request to leave China and visit his terminally ill wife in the U.S. His wife died in January 2022. Yang is now serving eight years in prison for “inciting subversion”.

No. 5: Heavy prison sentences for human rights defenders. Uyghur scholar and ethnic rights advocate Ilham Tohti was sentenced to life imprisonment in 2014 on the charge of “splitting the country.” China democracy advocate Wang Bingzhang was sentenced to life in prison in 2003 for alleged espionage and organizing and leading a terrorist group. Many rights defenders have been sentenced to more than 10 years on fabricated or trumped-up charges.

No. 6: Restrict defense lawyers’ rights or impose officially assigned lawyers to the detainee. Defense lawyers face multiple obstacles in representing human rights defenders, such as authorities not allowing lawyers to meet with their detained clients and withholding case documents and evidence, all of which are in violation of Chinese lawyers’ legal practice rights. The Chinese authorities also pressure or coerce legal counsel representing human rights defenders to sign confidentiality agreements, thus preventing defense lawyers from speaking publicly about cases that authorities deem to be politically sensitive. This has a further negative impact in that Chinese authorities thus have space to malign human rights defenders or publicize false information about them. Chinese authorities often assign a lawyer of their choosing to legally represent rights defenders in order to cover up the truth of the case. This was evident in the case of Ruan Xiaohuan, a computer engineer who provided information to the public about how to circumvent the “Great Firewall.” Since Ruan’s first trial, his family has been fighting very hard to authorize a lawyer for Ruan during the appeal trial instead of the officially assigned lawyers.

No. 7: Forced labor in prison. Cheng Yuan, the managing director of an NGO and rights advocate, and Ou Biaofeng, another rights advocate, reportedly had to engage in forced labor at Chishan Prison in Hunan province. Cheng Yuan recently was moved to a different unit in Chishan Prison where he no longer has to do forced labor, according to his wife Shi Minglei, who now lives in the U.S. The Taiwanese rights defender Lee Ming-che, who also was held in Chishan Prison, reported that he worked from 7:00 a.m. to 7:00 p.m. every day at Chishan Prison while he served a five-year prison sentence.

No. 8: Randomly deprive political prisoners of their lawful right to be visited by family members. The Sichuan-based rights defender Huang Qi is serving a 12-year prison sentence and has not been allowed to see his mother since 2019. His mother is now 90 years old and is suffering from cancer. Similarly, both Ding Jiayi and Xu Zhiyong have been deprived of their rights to meet with their families and to communicate with them by letters to this day.

No. 9: “Non-release release.” Shanghai authorities released rights defender Cheng Jianfang in October 2024, but a group of plainclothes police have been outside her home surveilling her since that time, preventing her from enjoying her right to freedom of movement and association, including for medical appointments or to meet with friends. Another veteran activist Yin Xu’an served a four-year sentence for commemorating the Tiananmen Square Massacre and was released in November 2023. He was immediately placed under house arrest and has not been given medication for his extremely high blood pressure. On December 5, 2023, he told friends that his blood pressure was 270/170 mm Hg and he urgently needed to seek medical treatment. Since then, Yin has been out of contact. He is believed to be in a hospital under surveillance. His phone must have been confiscated and his family has not been told where he is. Other “non-release release” cases include the forementioned Li Biyun and Shao Mingliang, who have been under around-the-clock surveillance and deprived of the right to seek medical treatment.

No. 10: Persecution and/or harassment of the families of the human rights defenders:

- 1) **Detain and put into prison the rights defenders’ wife or loved ones:** Representative cases include Xu Yan, wife of detained human rights lawyer Yu Wensheng; Wang Liqin, wife of imprisoned poet Wang Zang; and Li Qiaochu, girlfriend of Xu Zhiyong. The children of rights defenders often suffer mental and physical health challenges due to the heavy pressure and surveillance placed on them. Additionally, the children are frequently prevented from accessing an education when both their parents are in prison. Among the most worrying cases currently are the three young children of He Fangmei and Li Xin, both are rights defenders.
- 2) **Deprive the children of rights defenders their right to attend school.** For example, authorities have prevented the children of human rights lawyers Li Heping and Wang Quanzhang from going to school in China for more than eight years.
- 3) **Impose travel bans not only on the rights defenders but also on their families.** There are many human right defenders who have been banned from traveling, including Ding Jiayi and lawyer Lu Siwei, who was sent back to China while trying to cross the border in Laos. Lawyers Wang Quanzhang and Li Heping and their families have not been allowed to go abroad. Chinese authorities also banned their children from going abroad. Children of rights defenders have been severely harassed and prevented from leaving China to receive an education abroad. This reflects a wider problem of the harassment of family members.

- 4) **Pressure landlords to revoke rental agreements**, Lawyers Wang Quanzhang and Li Heping and their families were forced to move many times last year and continue to expect that their housing may suddenly be revoked.
- 5) **Economically destroy the rights defender's capacity to support himself and his family** The Chinese authorities confiscated the life savings of Ilham Tohti shortly after he was sentenced, leaving his family in China to face severe economic difficulties. Plainclothes police officers often harass rights defenders when they are trying to find a job, leaving them jobless and their family in difficult economic situations.

I could go on and on, but due to time constraints, I am not able to describe all the forms of persecution that Chinese human rights defenders and their families are facing.

Before ending my testimony, I would like to put forward a few recommendations of actions that I think the U.S. government and international society could take to help political prisoners and their families:

1. Human rights officers based in China from the United States and other countries should request to visit detention centers and prisons, and should report if these detention facilities are not compliant with Chinese detention center regulations or Chinese prison law. Routinely ask for such access so that Chinese authorities can't say no easily.
2. Apply visa restrictions on the those working at the Public Security Bureau, the Procuratorate, and the Courts who are directly involved in the human rights defender persecution cases, especially those who are involved in implementing various forms of torture, for example, the perpetrators who inflicted grievous harm on lawyer Gao Zhisheng and were named by Gao in his written testimony.
3. Human rights officers based in China from the US and other countries should visit human right defenders' families instead of inviting them to go to the foreign embassy and being blocked or detained on their way.
4. Call for humanitarian assistance and education for the children of the rights defenders when both parents have been detained or imprisoned by Chinese authorities.
5. Call for international attention to the children of rights defenders who are not allowed to go to school because of their parents' rights activism.
6. Request medical parole or call for humanitarian assistance to political prisoners serving life sentences and require the release of elderly political prisoners and those in bad health condition, such as Wang Bingzhang and Qin Yongmin.

I deeply appreciated the countries, in addition to the US, that specifically asked the Chinese government to end arbitrary detention and forced disappearance, and its abusive treatment of human rights defenders, during the UPR. I look forward to your continuous support to the families of human rights defenders to fight for basic rights and to seek the unconditional release of these arbitrarily detained political prisoners!

Thank you!