



Australian Government
Refugee Review Tribunal

Country Advice

China

China – CHN37989 – Laogai – Laojiao –
Re-education through labor – Black jails –
Christians

12 January 2011

- 1. Please advise whether reports indicate that “compulsory re-education classes” or local “brainwashing” classes were utilised by the authorities in Fujian or China more broadly during the period 1988 – 2007 and whether there are any descriptions of such classes being run at schools, in particular as may apply to their discouragement of the Christian faith?**

The Laogai Research Foundation provides comprehensive information on China’s system of labour camps. It provides the following definitions: *Laogai* is ‘reform through labour’ and *laojiao* is ‘reeducation through labour’. According to its latest report, covering the period 2007 – 2008 *laojiao* ‘reeducation through labor’ is a component of the Laogai system. The *laojiao* ‘reeducation through labor’ allows for the arrest and detention of petty criminals for up to three years without formal charge of trial, and this system is not considered by the Chinese government to qualify as a prison.¹

The entire Laogai system is composed of approximately one thousand camps. The legislative framework for the institution of the Laogai was established in 1954 as part of the “Regulations on Reform through Labor”.² The Handbook states that because of the closed and secret nature of the Laogai system, it is impossible to provide a precise and accurate record of the exact number of laogai camps and the number of inmates who are detained therein. The Chinese government authorities consider that data pertaining to the laogai system are state secrets and for this reason do not allow outside entities to access these camps. Moreover, the Handbook states that it does not contain data about detention centres, which are usually run by the Public Security Bureau (PSB) at the village, township and county levels.³

Most Laogai camps have two names: a public/commercial name such as Qinghe Knitting Mill (usually an enterprise name) and an internal administrative name such as Beijing Municipal No. 1 Prison.⁴

The Handbook makes no reference to prisons bearing the name of a school in the Fujian province; the available list of prisons for Fujian Province is attached.⁵

¹ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 1

<http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

² TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 5, 8, 19

<http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

³ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 26-27

<http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

⁴ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 29

<http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

The report mentions some prisons in other provinces which were in the past listed as schools or are currently listed as a school.

In Guangdong Province: Yangjiang Prison which for a period was listed as Zhanjiang Region Dongfanghong Cadre School⁶; Huizhou Integrated Work and Reform School.⁷

In Hunan Province: Hunan Prov. Xinlu Vocational-Technical School⁸; Xinqiao Vocational Training School⁹; Xiangtan County #8 Middle School.¹⁰

In Yunan Province: Qujing City Reeducation Through Labour Prison which incorporates Qujing City Jinghui School (inmates educational base).¹¹

In 2005, a report in *The New York Times* highlighted how labour re-education camps enabled the police to act outside the law and to detain large groups of people without them having access to legal assistance or a trial:

Labor re-education camps opened in 1957. The system has become a quick, easy way for the police to imprison people in infractions that violate the social order. Critics say the system gives the police so much latitude that they can arbitrarily choose whether to file criminal charges against someone or simply place that person in labor re-education.

...

Conditions and treatment in the more than 300 prisons in the system are said to vary. All inmates are expected to do some type of factory work or manual labor. Some imprisoned intellectuals have described fairly mild conditions, while other people have reported much harsher treatment.¹²

Illegal Detention Facilities

In addition, unlawful detention facilities known as ‘blackjails’ or ‘black houses’ exist, whereby buildings or parts of buildings are requisitioned to serve as detention facilities. This was reported by Human Rights Watch in November 2009:

Since 2003, large numbers of Chinese citizens have been held incommunicado for days or months in secret, unlawful detention facilities. These facilities, known informally as “blackjails” (黑监狱) or “black houses” (黑房屋), are created and used primarily by local and provincial officials to detain petitioners who come to

⁵ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 64 -79 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

⁶ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 107 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

⁷ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 109 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

⁸ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 238 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

⁹ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 241 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

¹⁰ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 251 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

¹¹ TheLaogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 508 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010 – Attachment 1

¹² Yardley, J. 2005 ‘Issue in China: Many in Jails Without Trial’, *The New York Times*, 9 May <http://www.nytimes.com/2005/05/09/international/asia/09china.html> - Accessed 11 January 2011 – Attachment 2

Beijing and provincial capitals seeking redress for complaints that are not resolved at lower levels of government. Public security officials in Beijing and other cities have not intervened to close the jails and, in at least some instances, have directly assisted black jail operators. This report, drawing on dozens of face-to-face interviews with former detainees in Beijing and other cities, details what happens to individuals once inside. Detainees are often physically and psychologically abused. Many are deprived of food, sleep, and medical care, and they are subject to theft and extortion by their guards. They have no access to family members or to legal counsel or to courts. The makeshift jails are found in state-owned hostels, hotels, nursing homes, and mental hospitals, among other locations. Some Chinese researchers and civil society activists suggest that the number of individuals detained in black jails each year reaches into the thousands.¹³

This report cites an instance when an abandoned primary school was used as a detention facility for petitioners:

A March 2009 investigative report in the China Youth Daily uncovered how government officials and security forces from Jiangsu province's Xiang Shui County had abducted local petitioners in Beijing, returned them under guard to Xiang Shui, and imprisoned them in a black jail which the county's Civil Affairs Bureau described as a "Petitioning Study Class." The report revealed that at least ten local petitioners had been detained in the facility, located within an abandoned primary school, and subjected to threats, intimidation, and physical violence until they paid a 10,000 yuan (US\$1,471) "deposit" and a "food fee" of 200 yuan (US\$29) per day. They were prevented from leaving until they signed an affidavit stating that they would never petition again.¹⁴

A report in *The Sydney Morning Herald* in October 2004 refers to a woman detained for practicing Falun Gong. She was detained in state detention centre which was disguised as a "Law School". This report indicates the methods used to 'reeducate' and how sleep deprivation is part of the programme:

A small nameplate beside the high, burnished metal gates announces the building inside as "Guangzhou City Law School". But this grimy industrial area on the outskirts of China's great southern commercial metropolis is an unlikely place for an academic institution...

According to one woman who has been inside, the school is a front for a state gulag, where police re-educate followers of Falun Dafa, a quasi-religious movement based on meditation and taichi-like exercises that was banned by the Government five years ago as a "dangerous cult".

"It is a brainwashing centre - one of many in China, almost one in every district," says Tang Yiwen, a slight and soft-spoken 37-year-old interpreter who was grabbed off the street by police in February and taken to the Guangzhou institution. "It is said to be one of the most brutal."

She said the inmates are mostly Falun Gong followers who, like her, have refused to renounce their beliefs even after serving three to four years in brutal labour camps like the one across the river.

She said the school put inmates through an intensive program of mental and physical torture that included beatings, prolonged interrogations, sleep deprivation and continuous exposure to video and audio propaganda.¹⁵

¹³ Human Rights Watch 2010, China "An alleyway in hell", November p.2
<http://www.hrw.org/en/reports/2009/11/12/alleyway-hell> – Accessed 16 November 2009 – Attachment 3

¹⁴ Human Rights Watch 2010, China "An alleyway in hell", November p.19
<http://www.hrw.org/en/reports/2009/11/12/alleyway-hell> – Accessed 16 November 2009 – Attachment 3

According to a report from the Canadian Refugee Board published in November 2002, there was a school used in the Liaoning Province which was used as a detention centre:

In August 1995 the Dalian Township government had set up three detention centers: one in the government compound, one in the rabbit farm and one in the Dongge School. Anywhere from 200 to 400 people, including 40 to 50 women, might be locked up at one time. Approximately 2,000 to 3,000 people were held in these detention centers between early July to August 18.¹⁶

Attachments

1. The Laogai Research Foundation 2008, *Laogai Handbook 2007 - 2008*, September, p. 1 <http://laogai.org/system/files/u1/handbook2008-all.pdf> – Accessed 9 July 2010.
2. Yardley, J. 2005, 'Issue in China: Many in Jails Without Trial' 2005, *The New York Times*, 9 May <http://www.nytimes.com/2005/05/09/international/asia/09china.html> - Accessed 11 January 2011.
3. Human Rights Watch 2010, China "*An alleyway in hell*", November <http://www.hrw.org/en/reports/2009/11/12/alleyway-hell> – Accessed 16 November 2009.
4. McDonald, H. 2004, 'Inside China's brainwashing gulag', *Sydney Morning Herald*, 16 October <http://www.smh.com.au/articles/2004/10/15/1097784050386.html> – Accessed 12 July 2010.
5. Immigration and Refugee Board of Canada.2002, *CHN40232.E – China: The "one child policy" in Liaoning province (1982-November 2002); reports of forced abortions in Dalian, Liaoning (2000-November 2002)*, 19 November.

¹⁵ McDonald, H. 2004, 'Inside China's brainwashing gulag', *Sydney Morning Herald*, 16 October <http://www.smh.com.au/articles/2004/10/15/1097784050386.html> – Accessed 12 July 2010 - Attachment 4

¹⁶ Immigration and Refugee Board of Canada.2002, *CHN40232.E – China: The "one child policy" in Liaoning province (1982-November 2002); reports of forced abortions in Dalian, Liaoning (2000-November 2002)*, 19 November - Attachment 5