

# Immigration and Refugee Board of Canada

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## Responses to Information Requests

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18 October 2013

### CHN104580.E

China: Treatment of family members of Falun Gong practitioners by authorities; situation of persons who assist Falun Gong practitioners; the treatment of such persons if they deny knowledge of having assisted Falun Gong practitioners, agree to cease such assistance, or denounce Falun Gong (2010-September 2013)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### 1. Treatment of Family Members of Falun Gong Practitioners by Authorities

The Research Directorate corresponded with a journalist who is based in Beijing for part of the year and who has been published in several Western news sources such as the *New York Times* and the *New Yorker*. This Pulitzer Prize-winning journalist (who received this award in 2001 for his coverage of Falun Gong in China), stated that there has been "no change of treatment of Falun Gong practitioners or their family members" in recent years (Journalist 17 Sept. 2013). Likewise, in an interview with the Research Directorate, a lecturer in Chinese Politics at the University of Auckland, who has written on the Falun Gong movement (including for an upcoming paper looking into the present situation of the movement in China), stated that the treatment of practitioners, family members and persons associated with Falun Gong seems to have remained "more of the same" (Lecturer 17 Sept. 2013).

Sources indicate that authorities hold campaigns against Falun Gong (ibid.; US 20 May 2013, 13). Notably, the US Department of State's *2012 International Religious Freedom Report for 2012* states that "[a]uthorities reportedly instructed some neighborhood communities to report Falun Gong members to officials and offered monetary rewards to citizens who informed on Falun Gong practitioners" (20 May 2013, 9). The lecturer stated that efforts to identify family members of practitioners are part of "public outreach efforts against Falun Gong", adding that family members and relatives may be detained and questioned in order to expose practitioners (Lecturer 17 Sept. 2013). However, the lecturer noted that he hadn't come across specific cases of family members of Falun Gong practitioners being "hunted down" or targeted by authorities over the course of his research, for which he consulted Chinese media, government documentation, officials and Falun Gong practitioners (ibid.). He stated that, nonetheless, there were clearly efforts to identify practitioners through family members, even outside of mainland China (ibid.).

A 2008 report by the Falun Dafa Information Centre (FDIC), the official press office of the Falun Gong movement (FDIC n.d.), states that "[s]pouses, parents, children, and siblings of those who practice Falun Gong have suffered various degrees of persecution, ranging from loss of employment to torture" (FDIC 17 May 2008). In a telephone interview with the Research Directorate, a spokesperson for the Falun Dafa Association of Canada stated that some family members of practitioners have suffered the "same mistreatments as practitioners" themselves, including detention and torture (Falun Dafa 17 Sept. 2013). The 2008 report states that this allegedly includes pressuring spouses to divorce, threatening to end the careers of relatives, expelling the children of active Falun Gong members from school, and leaving some children orphaned or alone due to the detention or execution of one or both of their parents (FDIC 17 May 2008). The report adds that

[b]ecause they internalized the Party's propaganda portraying Falun Gong as a "dangerous organization," because they feared repercussions, or because of naiveté about the regime's intentions, family members have taken part in persecuting their relatives who practice Falun Gong. (ibid.)

In correspondence with the Research Directorate, the Executive Director of Friends of Falun Gong USA (FOFG), a non-profit organisation founded in 2000 with a "mission is to support the freedom of belief of persons who practice Falun Gong". (FOFG n.d.), indicated that the 2008 report still accurately describes the treatment of family members and relatives of Falun Gong practitioners by the Communist Party of China, except "that the Public Security database has improved, allowing them to be more precise in who they target and in carrying out the persecution" (FOFG 22 Sept. 2013). Corroborating information on the mistreatment of family members could not be found by the Research Directorate within the time constraints of this Response.

### **1.1. Examples of Treatment by Authorities of Family Members of Falun Gong Practitioners**

According to the FDIC, family members of three Falun Gong practitioners who died in detention at Jiamusi Prison in Heilongjiang province "have been harassed and beaten, as the authorities seek to cover up the deaths" (FDIC 26 Apr. 2011). It was also reported that family members of other practitioners who asked to see their loved ones were also "detained or beaten" (ibid.).

The Falun Gong-affiliated newspaper reported in November 2012 that family members of a Falun Gong practitioner who died while in detention in Daqing Prison in Harbin City in Heilongjiang province were "frequently harassed by the authorities" (14 Nov. 2012). According to *The Epoch Times*, authorities were apparently concerned that the practitioner's wife and son would appeal to the 18th [Communist] Party Congress in Beijing and threatened them both with detention (ibid.).

Amnesty International (AI) reports that the five relatives (including the brother and sister-in-law) of a Falun Gong practitioner incarcerated at Gangbei Prison in the city of Tianjin were detained in November 2011 after the practitioner's family organized a petition drive requesting his release (AI 8 Feb. 2012).

Some sources note that in 2012, local officials in Wugang City, Hunan province, required that parents sign statements that they would not participate in Falun Gong activities as a condition for having their children registered in schools (US 20 May 2013, 13; Human Rights Watch Jan. 2013). Similarly, the lecturer stated that graduate students must sign declarations that they renounce Falun Gong and will call on others to do the same, noting that requirements of similar actions are present throughout the education system and the Chinese bureaucracy (17 Sept. 2013).

### **2. Treatment of Persons who are Associated with or Assist Falun Gong Practitioners**

The US Congressional-Executive Commission on China's *Annual Report 2012* states that the government and Communist Party of China continue to "harass and detain" those who attempt to assist Falun Gong practitioners (US 10 Oct. 2012, 82). Freedom House likewise states that authorities punish those who appeal on behalf of Falun Gong practitioners (2013).

According to the Executive Director of Friends of Falun Gong USA, "anyone who publicly supports Falun Gong or its practitioners is dealt with harshly" (22 Sept. 2013). A spokesperson for the Falun Dafa Association of Canada added that people are afraid of being associated with Falun Gong because there are cases of people "getting into trouble" for being linked to the movement (17 Sept. 2013). However, the lecturer explained that while simple association or showing sympathy for practitioners may "raise eyebrows," he offered the opinion that this would not be sufficient to pose a "real danger" to those involved, adding that there would need to be a "clear, credible sense of assisting Falun Gong" or clear links to the movement to attract the attention of authorities (17 Sept. 2013).

According to the Executive Director of FOFG USA,

If the authorities determine that the support was provided unknowingly or unwittingly, the supporters are often released if it is a first offense. Subsequent offenses are dealt with more harshly. (22 Sept. 2013)

Amnesty International (AI) reports that six villagers from Zhengding County in Hebei Province were detained in Summer 2012 for leading a petition campaign asking for the release of a jailed Falun Gong practitioner which had collected over 1,000 signatures (22 Oct. 2012). According to AI, three of the villagers were sentenced to "Re-education through Labour" while the three others faced criminal charges and were "at risk of torture and other ill-treatment" (22 Oct. 2012). AI added that there had been a crackdown by police in July and August 2012 against local villagers who had mobilized in support of the detained practitioner, resulting in the detention of at least 16 people, some of whom claimed to have been tortured and 6 of whom were still in detention as of October 2012 (22 Oct. 2012). Minghui.org, a Falun Gong-affiliated website, which records the situation of Falun Gong practitioners worldwide, but most notably in China (Minghui.org n.d.), also

reports on the arrests that have taken place following the initial detention of the aforementioned Falun Gong practitioner, stating that authorities were attempting to determine who was behind the support campaign (Minghui.org 11 Oct. 2012). However, according to Minghui.org, all those arrested were Falun Gong practitioners (ibid.)

## **2.1 Treatment of Human Rights Lawyers who Defend Falun Gong Members**

Sources indicate that lawyers who defend Falun Gong members may face difficulties with authorities (Lecturer 17 Sept. 2013; Journalist 13 Sept. 2013; UK 30 June 2013). The lecturer stated that human rights lawyers defending Falun Gong can get into "considerable trouble" with authorities as this is seen as having close ties with the movement (17 Sept. 2013). He added that these human rights lawyers risk "harassment, detention or worse" (Lecturer 17 Sept. 2013). The journalist similarly stated that many prominent lawyers have been detained for defending Falun Gong practitioners (17 Sept. 2013).

According to Radio Free Asia (RFA), human rights lawyers, including those who defend Falun Gong, face "unexplained delays" in having their business licenses renewed, because "China frequently withholds the licenses of lawyers who represent 'sensitive' and disadvantaged groups, such as those who pursue complaints against official wrongdoing" (6 June 2013). RFA also reports that "[n]ew rules introduced in the past two years ban lawyers from defending certain clients and leave them vulnerable to being charged themselves with subversion if they defend sensitive cases" (6 June 2013).

The lecturer noted that there appeared to be more instances of lawyers experiencing difficulties with authorities for defending religious minorities such as Falun Gong in the southeast of the country, particularly in Fujian Province, but could not offer an explanation for why it would happen more often in that region (17 Sept. 2013).

### **2.1.1 Examples of Treatment by Authorities of Lawyers Linked to Falun Gong**

Sources indicate that in May 2013, a number of human rights lawyers were detained in Sichuan province, after reportedly trying to investigate a centre allegedly being used to detain Falun Gong practitioners (UK 30 June 2013; CHRCLG 14 May 2013, 10; RFA 13 May 2013). Sources report that some of the lawyers were beaten by authorities (ibid.) or "unidentified persons" (CHRCLG 14 May 2013, 10).

Sources report that in April 2013, lawyer Wang Quanzhang was detained for defending a Falun Gong practitioner (UK 30 June 2013) in Jiangsu province (SCMP 6 Apr. 2013). Sources also note that he was released after protests by other lawyers (UK 30 June 2013; SCMP 6 Apr. 2013).

According to the *2012 International Religious Freedom Report*, lawyer and "religious freedom advocate" Wang Yonghang, who defended practitioners of Falun Gong, has been serving a seven-year sentence since 2009 for "'using a cult to undermine implementation of the law'" and has been tortured while in jail (US 20 May 2013, 10)

The *2012 International Religious Freedom Report* also states that lawyer Zhu Yubiao, who previously "handled Falun Gong cases" and was charged for "'using a cult to undermine the law'", failed to be released in August 2012 after serving his two-year sentence for possession of Falun Gong books and DVDs and was instead transferred to a centre where mandatory "study" sessions for Falun Gong practitioners are allegedly held (US 20 May 2013, 11).

According to sources, in April 2013 lawyer Cheng Hai, who was trying to defend Falun Gong clients in the city of Dalian in Liaoning Province, was reportedly beaten by police (UK 30 June 2013; Reuters 12 Apr. 2013). According to Reuters, Cheng and another lawyer were detained when they tried to obtain information about the "sudden postponement" of a trial of 13 Falun Gong practitioners (12 Apr. 2013). RFA also states that a legal team was barred from the trial of 13 Falun Gong members in Liaoning province in June 2013 (RFA 21 June 2013).

Sources note that lawyer Gao Zhisheng has been jailed for defending Falun Gong practitioners (Journalist 17 Sep. 2013) as well as Christians (US 10 Oct. 2012, 82). According to the US Congressional-Executive Commission on China's *Annual Report 2012*, Chinese officials claimed in December 2011 that Gao Zhisheng "had violated the conditions of his parole and ordered him to begin serving his original three-year criminal sentence", one week before a five-year suspended sentence he was serving was about to expire (ibid.).

## **3. Treatment of Persons if they Deny Knowledge of Having Assisted Falun Gong Practitioners, Agree to Cease Such Assistance, or Denounce Falun Gong**

Information about the treatment of persons if they deny knowledge of having assisted Falun Gong, agree to cease such assistance, or denounce Falun Gong was scarce among the sources consulted by the Research

Directorate. The journalist stated, "it's my understanding that if one denounced Falun Gong that one normally is then released from detention. Normally, though, one has to prove this in some way, such as by cursing the founder of the group, Li Hongzhi, or in some way denying belief in it" (17 Sep. 2013).

According to the Executive Director of FOFG USA, "[p]eople are often treated well on the first 'offense', if they cooperate with the authorities" (22 Sept. 2013). Information corroborating the statements that the journalist and Executive Director provided could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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## Additional Sources Consulted

**Oral Sources :** A professor of political science at the Université de Montréal and a lecturer in the politics of China at Oxford University could not provide information for this Response. Attempts to reach a professor at the University of California in Los Angeles, an associate professor at the Australian National University, a doctoral candidate at the Chinese University of Hong Kong and a representative of the Dui Hua Foundation were unsuccessful. A representative of the Falun Dafa Information Centre did not provide information within the time constraints of this Response.

**Internet Sites, including:** Asian Human Rights Commission; Australia – Refugee Review Tribunal; British Broadcasting Corporation; China – Beijing Municipal Public Security Bureau, Guangdong Provincial Public Security Department, Ministry of Public Security, Shanghai Municipal Bureau of Public Security; *China Daily*; eoi.net; Embassy of the People's Republic of China in the United States; *The Epoch Times*; Factiva; Facts.org.cn; Human Rights in China; Human Rights Watch; Ireland – Refugee Documentation Centre; Minghui.org; Pureinsight.org; *Tapei Times*; United Kingdom – Home Office; United Nations – Refworld; Xinhua News Agency.

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