

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

Please provide information on reform through labour and detention centres or jails with names similar to Dengta Prison that were operating as places of detention or imprisonment in July 1999 to June 2000.

RESPONSE

Please provide information on reform through labour and detention centres or jails with names similar to Dengta Prison that were operating as places of detention or imprisonment in July 1999 to June 2000.

A prison in Dengta City in Liaoning Province is listed in the *Laogai Handbook: 2005-2006*. The *Handbook* indicates that the prison in Dengta was established in 1949, is known both as the Huazi Prison and as the Liaoyang No.1 Prison and also operates as a commercial enterprise known as the Xinsheng Cement Plant.

The *Handbook* indicates that there are more than sixty Laogai (reform through labour) camps in Liaoning Province as well as detention centres at the village, township and county levels. According to the report:

The *Handbook* does not contain information about detention centers usually run by the Public Security Bureau at the village, township and county levels. However, prisoners in detention do suffer from numerous human rights abuses, and for many these centers are just the beginning of a much longer and darker journey through the Laogai system.

Most Laogai camps have two names: a public name (usually an enterprise name), and an internal administrative name. These names represent the political and economic functions of

the camps. Yinying Coal Mine in Shanxi Province, for example, is the public name for the Yangquan No. 1 Prison. Laogai facilities may operate under multiple enterprise names in order to publicize their production and participate in the commercial arena, as well as to avoid detection by international observers. Furthermore, Laogai facilities may also operate under multiple internal names as designated by the Judicial Department in the course of implementing central government edicts (Laogai Research Foundation 2006, *Laogai Handbook: 2005-2006*, <http://www.laogai.org/news2/book/handbook05-06.pdf> – Accessed 1 August 2008 – Attachment 1).

The Falun Dafa Clearwisdom website – which reports on the treatment of Falun Gong practitioners in China, including details of arrests – mentions Dengta in a number of reports relating to the Huazi Prison and other places of detention. References to the more relevant reports follow, in date order.

- An article from March 2003 mentions the “Dengta City Public Security Bureau” having taken a person to the “Masanjia Forced Labour Camp” (‘Dengta City Court Officials Sentence Four Falun Dafa Practitioners to Harsh Prison Terms’ 2003, Falun Dafa Clearwisdom website, 12 March <http://www.clearwisdom.net/emh/articles/2003/3/26/33819.html> – Accessed 4 August 2008 – Attachment 2).
- An article from June 2003 refers to a person “currently jailed at Dengta Prison” (‘Confessions Extorted Through Torture and Imprisonment – Facts on the Persecution of Falun Dafa Practitioners by Police at Yingzhou District, Tieling City, Liaoning Province’ 2003, Falun Dafa Clearwisdom website, 23 June <http://www.clearwisdom.net/emh/articles/2003/6/23/37260.html> – Accessed 4 August 2008 – Attachment 3).
- An article from March 2004 mentions persons “in custody at the Liaoning Province Huazi Prison, which is located in Dengta City, Liaoyang” (‘Latest News from China – February 21, 2004’ 2004, Falun Dafa Clearwisdom website, 21 February <http://www.clearwisdom.net/emh/articles/2004/3/16/46082.html> – Accessed 4 August 2008 – Attachment 4).
- An article from November 2005 mentions the “Liaoyang Huazi Jail (Address: Mail Box 088, Liaogong, Huazi City) and the Dengta City No. 3 Jail in Liaoyang (Address: Huajia Village, Huazi Town, Dengta City, Liaoning Province, Postal Code: 111312)” (‘Latest News from China – November 1, 2005’ 2005, Falun Dafa Clearwisdom website, 1 November <http://www.clearwisdom.net/emh/articles/2005/11/10/66722.html> – Accessed 4 August 2008 – Attachment 5).
- A report from June 2006 refers to the “Dengta City Detention Center” (‘Additional Persecution News from China – June 24, 2006’ 2006, Falun Dafa Clearwisdom website, 24 June <http://www.clearwisdom.net/emh/articles/2006/7/13/75408.html> – Accessed 4 August 2008 – Attachment 6).
- An article from August 2006 refers to a person “being illegally held by the Dengta City Police Department” (‘Additional Persecution News from China – August 31, 2006’ 2006, Falun Dafa Clearwisdom website, 31 August <http://www.clearwisdom.net/emh/articles/2006/9/12/77931.html> – Accessed 4 August 2008 – Attachment 7).

- An article from November 2006 mentions a person “sentenced to a seven-year term and ... detained in Huazi Prison in Dengta County, Liaoyang City” (‘In Liaoning Province Mr. Cao Guangfu’s Family of Three Persecuted – Son Illegally Sentenced to 10 Years in Prison’ 2006, Falun Dafa Clearwisdom website, 14 November <http://www.clearwisdom.net/emh/articles/2006/11/23/80222.html> – Accessed 4 August 2008 – Attachment 8).
- An article from December 2006 refers to persons “illegally held” from 2002 to 2004 in the “Huazi Prison: Huajia Village, Huazi County, Dengta City, Liaoning Province” (‘Qinghua University PhD Student Wang Xin from Shenyang City, Liaoning Province is in Jail for Practising Falun Gong’ 2006, Falun Dafa Clearwisdom website, 12 December <http://www.clearwisdom.net/emh/articles/2006/12/12/80803.html> – Accessed 4 August 2008 – Attachment 9).
- An article from June 2007 refers to a person from Dengta City “presently being held at the town,s [sic] police department” and another having been arrested and subsequently “sent... to the city’s detention center” (‘Additional Persecution News from China – June 6, 2007’ 2007, Falun Dafa Clearwisdom website, 6 June <http://www.clearwisdom.net/emh/articles/2007/6/13/86726.html> – Accessed 4 August 2008 – Attachment 10).

Further information

Further information which may be of interest is the following from the *Laogai Handbook: 2005-2006* regarding “forms of imprisonment” in China:

The Chinese Communist Party utilizes numerous forms of imprisonment under China’s Public Security Bureau (PSB), the Ministry of Justice, and the People’s Liberation Army. LRF has gathered evidence on the main components of the Laogai as defined by Chinese law, policies, and practices. The legal definition of the Laogai includes the following components: prisons (jianyu), reform-through-labor detachments (laodong gaizao dui or laogaidui), reeducation-through-labor facilities (laodong jiaoyangsuo or laojiaosuo), forced job placement (qiangzhi jiuye or liuchang jiuye), detention centers (kanshousuo), custody and repatriation (shourong qiansong), shelter and investigation (shourong shengcha), and juvenile offender facilities (shaoguansuo). A less official component is psychiatric hospitalization. In general, prisons and Laogai detachments house “convicts,” prisoners who have received formal sentencing by the courts (due process and judicial independence in China notwithstanding). The distinction in the terms prison and laogaidui stems from a 1994 prison law that replaced the term Laogai (reform through labor) with prison (jianyu). An article in the January 7, 1995 edition of the government-sanctioned Beijing Legal Daily (Fazhi ribao) revealed the reasoning behind this superficial change:

Our renaming of the Laogai is what our associating with the international community calls for, and it is favorable in our international human rights struggle. Henceforth, the word “Laogai” will no longer exist, but the function, character and tasks of our prison administration will remain unchanged.

Reeducation through labor facilities, or laojiaosuo, house prisoners who receive “administrative discipline” and sentencing of up to three years by police or the courts with no formal trial. Detention centers are for “convicts” sentenced to short-term (usually less than two years) imprisonment by a court, those awaiting sentencing, and prisoners who are awaiting execution. Juvenile offender facilities are for adolescent “convicts” or reeducation

through labor detainees. Finally, forced job placement personnel are subject to indefinite assigned labor at forced labor facilities as directed by the courts or the Laogai Department following the completion of their sentences. These prisoners are deemed “not fully reformed” and are therefore denied their freedom even after the completion of their sentences. This kind of extended imprisonment was widely practiced through the 1990s. Today forced job placement has been largely abolished, but is still practiced in some regions.

Prisoners in all eight Laogai components are equally deprived of their freedom and basic human rights. Furthermore, all of those detained, with only rare exceptions, are forced to labor against their will. In this book, the term Laogai is used to refer to all forms of imprisonment because the CCP depends on each one to maintain control and power.

The *Handbook* also mentions Laogai enterprises in Liaoning province having “developed” in the last decade, reporting that:

Throughout the last decade, Laogai enterprises in certain regions, most notably Liaoning and Shandong provinces, have developed into small economic empires. These camps produce hundreds of millions of yuan in profit and pay millions in taxes. The international community and even the ordinary Chinese citizen is completely unaware of how the economic function of the Laogai often supersedes the legal purpose (Laogai Research Foundation 2006, *Laogai Handbook: 2005-2006*, <http://www.laogai.org/news2/book/handbook05-06.pdf> – Accessed 1 August 2008 – Attachment 1).

List of Sources Consulted

Internet Sources:

Government Information & Reports

UK Home Office website <http://www.ind.homeoffice.gov.uk>

US Department of State website <http://www.state.gov>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org>

Human Rights Watch website <http://www.hrw.org>

Topic Specific Links

China Human Rights website <http://www.chinahumanrights.org/>

Falun Dafa Clearwisdom website <http://www.clearwisdom.net>

Falun Dafa Information Center website <http://www.faluninfo.net>

Human Rights in China website <http://www.hrichina.org>

Human Rights Without Frontiers website <http://www.hrwf.net>

Laogai Research Foundation website <http://www.laogai.org/news/index.php>

Search Engines

Copernic search engine

Databases:

FACTIVA (news database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

MRT-RRT Library Catalogue

List of Attachments

1. Laogai Research Foundation 2006, *Laogai Handbook: 2005-2006*, <http://www.laogai.org/news2/book/handbook05-06.pdf> – Accessed 1 August 2008.
2. ‘Dengta City Court Officials Sentence Four Falun Dafa Practitioners to Harsh Prison Terms’ 2003, Falun Dafa Clearwisdom website, 12 March <http://www.clearwisdom.net/emh/articles/2003/3/26/33819.html> – Accessed 4 August 2008.
3. ‘Confessions Extorted Through Torture and Imprisonment – Facts on the Persecution of Falun Dafa Practitioners by Police at Yingzhou District, Tieling City, Liaoning Province’ 2003, Falun Dafa Clearwisdom website, 23 June <http://www.clearwisdom.net/emh/articles/2003/6/23/37260.html> – Accessed 4 August.
4. ‘Latest News from China – February 21, 2004’ 2004, Falun Dafa Clearwisdom website, 21 February <http://www.clearwisdom.net/emh/articles/2004/3/16/46082.html> – Accessed 4 August 2008.
5. ‘Latest News from China – November 1, 2005’ 2005, Falun Dafa Clearwisdom website, 1 November <http://www.clearwisdom.net/emh/articles/2005/11/10/66722.html> – Accessed 4 August 2008.
6. ‘Additional Persecution News from China – June 24, 2006’ 2006, Falun Dafa Clearwisdom website, 24 June <http://www.clearwisdom.net/emh/articles/2006/7/13/75408.html> – Accessed 4 August 2008.
7. ‘Additional Persecution News from China – August 31, 2006’ 2006, Falun Dafa Clearwisdom website, 31 August <http://www.clearwisdom.net/emh/articles/2006/9/12/77931.html> – Accessed 4 August 2008.
8. ‘In Liaoning Province Mr. Cao Guangfu’s Family of Three Persecuted – Son Illegally Sentenced to 10 Years in Prison’ 2006, Falun Dafa Clearwisdom website, 14 November <http://www.clearwisdom.net/emh/articles/2006/11/23/80222.html> – Accessed 4 August 2008.
9. ‘Qinghua University PhD Student Wang Xin from Shenyang City, Liaoning Province is in Jail for Practising Falun Gong’ 2006, Falun Dafa Clearwisdom website, 12 December <http://www.clearwisdom.net/emh/articles/2006/12/12/80803.html> – Accessed 4 August 2008.
10. ‘Additional Persecution News from China – June 6, 2007’ 2007, Falun Dafa Clearwisdom website, 6 June <http://www.clearwisdom.net/emh/articles/2007/6/13/86726.html> – Accessed 4 August 2008.