



# Human Rights Watch

[China: New Leadership Should Address Tiananmen Legacy](#) [1]

Commitments to Rule of Law Empty Without Justice for Past Abuses

May 31, 2013

(New York) – President [Xi Jinping](#) [2] and other senior [Chinese](#) [3] leaders should demonstrate their commitment to the rule of law by acknowledging the government’s responsibility for the massacre of unarmed civilians 24 years ago, and by allowing commemorations of the anniversary, Human Rights Watch said today.

More than two decades after the deadly crackdown, the Chinese government continues to deny wrongdoing in the suppression of the Tiananmen protests. The government has covered up the killings, failed to bring to justice the perpetrators, persecuted victims and survivors’ family members, and maintained tight control over freedoms of assembly and expression.

“Chinese leaders continue to try to simply expunge Tiananmen from the history books,” said [Sophie Richardson](#) [4], China Director. “But the new leadership can choose to act differently and distinguish itself from its predecessors. A good start would be to ensure that family members and activists can commemorate the events of 1989 without fear of reprisals.”

In the run-up to this month’s 24<sup>th</sup> anniversary of the 1989 Tiananmen massacre, the Chinese government has tightened control over activist relatives of victims. Zhang Zianling, a member of the Tiananmen Mothers, a nongovernmental group made up of relatives of people who disappeared or were killed during the crackdown, was barred from leaving for Hong Kong to attend an event ahead of the anniversary. Other outspoken activists are also targeted during this “sensitive period.” For example, [Tang Jingling](#) [5], a Guangzhou rights lawyer, was taken away from his home by the police, according to media and nongovernmental organizations’ reports.

The Chinese government has stifled any discussion of the demonstrations and aftermath in the mass media and educational institutions, and systematically censored the internet for date signifiers, including 6/4 and 89 – and even obscure references designed to avoid scrutiny, such as the fake date of “May 35.”

According to media reports, in recent weeks the General Office of the Chinese Communist Party’s Central Committee issued a document on the “seven taboos,” a gag order to universities directing them to avoid discussions of certain subjects, including “universal values” and the

Party's past wrongs. Another document issued jointly by the Party's Central Organization department, Propaganda department, and the Ministry of Education's party committee at around the same time calls on universities to strengthen the "ideological education" of young lecturers. University students played a major role in the 1989 protests.

The Tiananmen crackdown was precipitated by the mass gathering of workers, students, and others in Beijing's Tiananmen Square and in other cities in April 1989 to peacefully demonstrate for a pluralistic political system. The government responded to the intensifying protests in late May 1989 by declaring martial law and authorizing the military to use deadly force.

On June 3 and 4, 1989, Chinese military opened fire and killed untold numbers of unarmed civilians, many of whom did not participate in the protests. Following the massacre, the government arrested thousands of people on charges of "counter-revolution" and other criminal charges, including disrupting social order and arson. According to the research body Dui Hua, [the last of those jailed for "counter-revolution" for more than two decades](#) [6] have only just been released.

The Chinese government has refused to account for the massacre or hold any perpetrators legally accountable for the killings. The government initially maintained that the crackdown was a valid response to a "counter-revolutionary incident," and stressed that some protestors attacked army convoys and burned military vehicles, resulting in casualties. It has refused to conduct an investigation into the events or to release data on those who were killed, injured, disappeared, or imprisoned, though it now refers to the incident as one of "political turmoil" (*zhengzhi dongluan*) rather than "counter-revolutionary" activity. The group [Tiananmen Mothers](#) [7] has established the details of 202 people who were killed during the suppression of the movement in Beijing and other cities.

After the massacre, the government passed the 1989 Law on Assembly, Procession, and Demonstration (the Assembly Law), which outlines a series of restrictive requirements that effectively bar citizens from exercising the right. For example, under the regulations, all demonstrations must be approved by the police. In practice, however, police in China rarely approve public protests, particularly ones that seem likely to be critical of the government. In the lead-up to the 24<sup>th</sup> anniversary, activists were [detained](#) [8] and harassed for applying to hold public assemblies to commemorate the occasion.

For many young participants in the pro-democracy protests in 1989, the events left an indelible mark on their lives and spurred them to become long-term activists, for which they have paid a high price. [Liu Xiaobo](#) [9], a lecturer turned protest leader in 1989, became one of China's best known dissidents and is now serving a 12-year sentence in prison for "inciting subversion." His wife, Liu Xia, is under unlawful house arrest in the couple's home in Beijing. Chen Wei, a student leader of the 1989 protests, went on to document human rights abuses in Sichuan Province and was sentenced in December 2011 to nine years in prison for "inciting subversion."

Chen Xi, a university staff member in Guizhou Province and a protest leader in 1989, became an organizer of the Guizhou Human Rights Forum and was imprisoned in December 2011 for ten

years on charges of “inciting subversion.” All three experienced their first imprisonments in 1989 as part of the government’s nationwide crackdown on the pro-democracy protests.

“Government denial and repression make it impossible for the [wound of Tiananmen to heal](#) [10],” Richardson said. “Justice and accountability have been critical to resolving countries’ tragic histories all over the world – the question now is whether Xi Jinping is brave enough to face that challenge.”

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# Human Rights Watch

[The Tiananmen Legacy](#) [1]

Ongoing Persecution and Censorship

May 13, 2009

## Ongoing Persecution of Those Seeking Reassessment

The Chinese government continues to persecute those who seek a public reassessment of the bloody crackdown. Chinese citizens who challenge the official version of what happened in June 1989 are subject to swift reprisals from security forces. These include relatives of victims who demand redress and eyewitnesses to the massacre and its aftermath whose testimonies contradict the official version of events. Even those who merely seek to honor the memory of the late Zhao Ziyang, the secretary general of the Communist Party of China in 1989 who was sacked and placed under house arrest for opposing violence against the demonstrators, find themselves subject to reprisals.

Some of those still targeted include:

**Ding Zilin and the Tiananmen Mothers:** Ding is a retired philosophy professor at People's University in Beijing whose 17-year-old son, Jiang Jielian, was killed in central Beijing on June 4, 1989. Ding has since become the spokesperson and driving force behind the Tiananmen Mothers, a loosely organized group of around 150 family members of other June 1989 victims. Security forces routinely subject Ding to detention, interrogation, and threats demanding silence from her and other Tiananmen Mothers members ahead of "sensitive" dates, particularly June 4. "China has become like an airtight iron chamber and all the demands of the people about June 4, all the anguish, lament and moaning of the victims' relatives and the wounded have been sealed off," reads a petition by the Tiananmen Mothers, signed by 127 people and submitted to China's parliament in March 2008.

**Jiang Yanyong:** Jiang is a 77-year-old army surgeon who treated some of the victims at Beijing's 301 Military Hospital in the immediate aftermath of the June 1989 military assault. Jiang first gained public prominence in 2003 for exposing the government's cover-up of the country's outbreak of severe acute respiratory syndrome, or SARS. In March 2004, Jiang wrote a letter to China's parliament, the National People's Congress, urging a reassessment of the government's position on the Tiananmen Massacre. The letter exposed the brutality of the June

1989 massacre, including the People's Liberation Army's use of "fragmentation bullets of the kind banned by international convention." Jiang subsequently told foreign media the government's response to that letter was to dispatch state security forces to abduct him from his office, hold him for seven weeks at an army guesthouse, and subject him to "study sessions." After being allowed to return home, Jiang was placed under house arrest for several months and barred from overseas travel. In March 2009, Jiang wrote a letter to Chinese President Hu Jintao demanding an apology for the period he spent in detention in 2004 and the subsequent months of house arrest.

**Zhang Shijun:** Zhang is a 40-year-old former soldier who took part in the military crackdown in Beijing on June 3-4. In March 2009, Zhang published an open letter to Chinese President Hu Jintao urging an official re-assessment of the "June 4 tragedy, the event in China's recent history that causes bitter weeping and choking back tears." Zhang was detained by security forces shortly after his letter was made public, and remains under detention in an undisclosed location.

**Sun Wenguang:** Sun, a 75-year-old retired professor in Jinan City, Shandong province, was assaulted on April 4, 2009, by five plainclothes thugs who appear to have been working at official behest. He was en route to Jinan's Martyrs' Park to mourn Zhao Ziyang, the Chinese Communist Party secretary-general who tried to prevent the use of force by the military in June 1989. Zhao was stripped of his position following the crackdown and spent the last 15 years of life under house arrest in Beijing. The assault on Sun, which left him with three broken ribs, occurred just minutes after he had evaded some 20 uniformed police who attempted to prevent him from leaving the university campus where he lived.

## **Tiananmen's Survivors: Exiled, Marginalized and Harassed**

The Chinese government is particularly hostile toward those individuals it has identified as part of the leadership of the 1989 Tiananmen student protests. Student leaders who served time in prison or fled China in the aftermath of the bloody crackdown of June 1989 have become unwilling exiles. Several of those former protest leaders have been turned back from China by Chinese immigration officials even when trying to visit aging family members they left behind or to attend their funerals. Student organizers who stayed in China remain subject to tight surveillance and harassment despite having served long prison terms for their participation in the protests of June 1989. Perhaps most tragically, survivors maimed or handicapped in the June 1989 military assault in Beijing and other major cities continue to face pressure from state security forces to lie or stay silent about the causes of their injuries.

Tiananmen survivors who continue to suffer due to the role they played in the student protests in 1989 include:

**Wang Dan:** A former Beijing University student leader who topped Beijing's Tiananmen most-wanted list until his arrest in 1989, Wang received a four-year prison sentence in 1991, was released in 1993 when China was bidding to host the Olympics, was re-arrested in 1995 for "subversion" and was sentenced to an 11-year prison term in 1996. Wang was sent to the United States in 1998 on medical parole and has been barred from return by Chinese immigration officials who have refused to issue him a new Chinese passport. In 2008, Wang launched a

campaign to urge the Chinese government to allow him and other blacklisted former Tiananmen protest leaders to return to China in line with Article 13 of the Universal Declaration of Human Rights which specifies that, "Everyone has the right to leave any country, including his own, and to return to his country."

**Han Dongfang:** Han was detained in June 1989 for his role in the Tiananmen protests and for organizing China's first independent trade union since 1949, and was subsequently held for 22 months in prison without charge. In 1992, the Chinese government permitted Han to go to the US for medical treatment, but subsequently cancelled his passport and has refused his multiple efforts to return to China without disclosing the legal basis for those refusals. Han is based in Hong Kong, where he researches labor-rights abuses and publishes the *China Labor Bulletin*.

**Ma Shaofang:** In June 1989, Ma was 10th on the Chinese government's list of most-wanted dissidents and served a three-year prison term for his role as a Tiananmen student protest organizer. Two decades later, Ma, now a Shenzhen-based businessman, continues to be subject to police monitoring of his movements and activities. On October 13, 2007, Ministry of State Security officers warned Ma not to attend a writers' conference in Beijing during the 17th Congress of the Chinese Communist Party. In a blog posting in which Ma recounted the encounter, the State Security officers warned that, "If you get into trouble, we will be there and it won't be good for you."

**Fang Zheng:** A 42-year-old former student at the Beijing Academy of Physical Science, Fang had his legs crushed on June 4 under a tank while pushing a female student protester out of the tank's path. Fang was subsequently expelled from school after refusing to publicly deny the source of his injury, but went on to become China's wheelchair discus and javelin champion in 1992 and 1993. However, Fang's Tiananmen connections prompted the Chinese government to bar him from competing in the Far East Games for the Disabled in Beijing in 1994 despite his promise not to discuss with foreign journalists the cause of his injury. Fang told a reporter from Singapore's *New Paper* in September 2008 that he maintained public silence and avoided travel to Beijing around the 2008 Beijing Olympics due to promises from government security forces that he would be given a job if he kept quiet and stayed away Beijing ahead of during the Games. "I will wait and see what they have to offer, since I have nothing more to lose," Fang said.

## Censoring History

The Chinese government continues to systematically erase from the public record any mention of the events of June 1989 that do not conform to the government's assessment of the bloody crackdown as a "political disturbance."

China's online censors quickly remove any references to the 1989 crackdown, and internet search engines in China are carefully calibrated to filter out any images or references to the deaths of unarmed civilians for search requests on topics including "Tiananmen Square" and "June 4." Web searches for such terms typically yield "page could not be found" messages, and generally do not inform the user that the search has been censored.

Under dictates of China's official Propaganda Department, the domestic print media are forbidden to publish articles on the events of June 1989 inconsistent with the government's version. In 2003, then-US Senator Hillary Rodham Clinton pulled her memoirs from sale in China after it was revealed that her Chinese publisher had without her approval omitted her references to the 1989 democracy demonstrations in Tiananmen Square.

Like individuals who speak publicly about Tiananmen, media outlets that do so are also punished. In June 2007, the Sichuan province daily newspaper the *Chengdu Evening News* reportedly sacked three editorial staff after the paper ran a classified ad which paid tribute to the families of victims of the Tiananmen Massacre. Copies of the paper which carried the one-line ad with the words "Saluting the strong mothers of the victims of 64 [a reference to June 4]" were quickly pulled from circulation.

On March 31, 2009, Beijing Public Security Bureau officers briefly detained Jiang Qisheng, 61, deputy chairman of the Independent Chinese PEN Centre and a former Tiananmen Square student protester, due to concerns that he was writing an article to commemorate the 20th anniversary of the Tiananmen Massacre. "They said not a single article was allowed this year for the 20th anniversary," Jiang later told the *South China Morning Post*.

In 1995, former Tiananmen student protester and political activist Li Hai was sentenced to nine years in prison on charges of violating state secrets laws for compiling a list of names of those killed in June 1989. Li spent the majority of his jail term in solitary confinement.

One result of this official chokehold on information about June 1989 is a profound lack of public knowledge of one of the most important events in China in living memory. At least three foreign news organizations including a US Public Broadcasting Service program, *Frontline*, have conducted informal surveys over the past 10 years, asking groups of university students and Beijing residents to identify the context of the photograph-iconic outside of China-of "tank man," an unidentified Beijing citizen who on June 5, 1989, stood down a column of 17 army tanks near Tiananmen Square. Few if any have been able-or willing-to do so.

## **Human Rights Watch Recommendations**

### **To the Chinese Government:**

- The Chinese government should issue an immediate amnesty for those still imprisoned on charges related to the events of June 1989 and launch an independent review of their cases to determine possible miscarriages of justice in terms of violations of due legal process. The government should absolve and compensate those individuals determined to have been unfairly or illegally imprisoned.
- The Chinese government should immediately permit the unimpeded return of Chinese citizens exiled due to their connections to the events of June 1989.
- The Chinese government should respect and enforce citizens' rights to freedom of speech and expression and cease the detention and harassment of individuals who challenge the official account of the events of June 1989.

- The Chinese government should permit an independent inquiry into the events of June 1989. Such an inquiry should be open to the public, allow the participation of victims' families, including the Tiananmen Mothers, and the substance of its proceedings and conclusions should be made public in a complete and timely manner. Such an inquiry is obviously impossible until the government stops harassing and silencing the victims of the events of June 1989 and takes substantive steps to preserve the historical record of what transpired at that time. When these prerequisites have been met, the Chinese government should issue and uphold explicit public guarantees that participants will not be subject to official reprisals.
- The Chinese government should initiate a mechanism for victims of the violence of June 1989 and/or their family members to claim official compensation for their losses.
- The Chinese government should launch criminal proceedings against any government and military officials who gave the orders for and/or participated in the use of lethal force against unarmed civilians in Beijing and other major cities in June 1989.
- The government should amend its recently released National Action Plan for Human Rights to include specific references which stipulate respect for the rights of the victims of June 1989 and their families.

### **To the International Community**

- The European Union should resist calls to lift its arms embargo until the Chinese government completes an independent public investigation of the crackdown and holds accountable those government and military officials responsible for the use of lethal force against unarmed civilians. In addition, the EU should insist on a general amnesty for all those jailed for all forms of peaceful protest in China. Those convictions should be reviewed and overturned if there were procedural safeguards or lack of evidence of serious criminal acts.
- Governments, particularly those that have bilateral human rights dialogues with the Chinese government, should make their concerns about the 1989 crackdown and its legacy a touchstone of its engagement with the Chinese government on human rights, and establish measurable benchmarks and timelines for the Chinese government to address the rights abuses, past and present, connected to the events of 1989.
- Foreign governments should urge China to amend its recently released National Action Plan for Human Rights to include specific references which stipulate respect for the rights of the victims of June 1989 and their families and actionable targets and deadlines to ensure those rights are respected.
- Foreign governments should publicly observe the 20th anniversary of the events of June 1989 by opening their embassies in Beijing to the general public on June 3-4, 2009, as safe zones where Chinese citizens could access uncensored information about the events of June 1989, and engage in discussions about those events and their legacy.
- Those countries with bilateral human rights dialogues with China should make these recommendations a key component of their human rights engagement with China in 2009.

Member states of the Berne Process for human rights engagement with China should reconvene on or around June 3-4 to discuss means to adopt and implement these recommendations.



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