

REVOLUTION OF THE WHEEL - THE FALUN GONG IN CHINA AND IN EXILE

A report derived from the CIPU China Country Assessment

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Note on Sources: CIPU has referred to a wide variety of sources in the research of this report. All authoritative sources have been referred to, spanning the whole range of opinion. Opinion is all quoted or paraphrased from sources: it is the opinion of the sources, not CIPU. At some points in this document, statements not directly attributable to one source are made for purposes of clarification: they are identifiable by their lack of a source reference at the end of the sentence. Otherwise, every sentence is sourced, with a reference, emboldened and bracketed, to "Bibliography & References" which gives details of the source.

OVERVIEW

A.1. This document has been produced by the Country Information & Policy Unit, Immigration & Nationality Directorate, Home Office from information obtained from a variety of sources, and supplements the China country assessment.

A.2. This document has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on an issue that is commonly raised in Chinese asylum claims made in the United Kingdom.

A.3. The document is sourced throughout. It is intended to be used by caseworkers, as a

supplement to the China country assessment, as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain; all the source material originated in the public domain.

Why has this document come about?

A.4. As the China assessment has grown over the years since Version One in April 1998, a number of topics have been of great importance but then have to be slimmed down as emphases change. In the case of Falun Gong information, the need for information to meet the needs of decision-makers within the asylum system has meant that the Falun Gong section has grown enormously over the past three issues of the China assessment. Falun Gong is still very much a live issue, but other issues are now emerging. To accommodate the bulk of information on Falun Gong without seriously over-balancing the assessment, this document has been created to archive such material. The Falun Gong section in the assessment will consequently be greatly condensed.

Updating of this document.

A.5. This document will be updated periodically but not frequently. It is essentially static between editions; updates on Falun Gong developments are to be found in the China assessment. This document is intended to include further background material, and further assessment of older material.

Structure of the document.

A.6. The document divides into three areas (of unequal length) of the study of the movement:-

theoretical, the movement itself in terms of theory, self-understanding, and practice of the group, and its context in terms of leadership and membership.

political, the history of organisation, the PRC authorities' understanding of the movement, and reaction to and involvement in key events, particularly in terms of human rights abuses. It includes an understanding of the current position of practitioners in PRC, the authorities' campaign against Falun Gong and current research and comment on the phenomenon of the reaction.

migration issues are considered.

Format of the document.

A.7. The document is characterised by summary sections at the front of each section, roughly corresponding to the condensed text in the assessment. Please note that section 3b - asylum issues is rudimentary at this stage and in this edition.

GLOSSARY OF CHINESE TERMS

<u>Term</u>	<u>Approximate Pronunciation</u>	<u>English Translation and Notes</u>
Falun Dafa	Fahlun Dahfa	"wisdom of the wheel of law" or "wisdom of the law of change"
Falun Gong	Fahlun Gohng	"people of the wheel of law" - wheel as in ever-moving process of change.
Falun Zhuangfa	Fahlun Jhuang-fah	"The Falun standing stance": the second main exercise
Falun Zhoutian Fa	Fahlun Jhow-tee-ahn Fa	"The great heavenly circuit": the fourth main exercise
feng shui	fuhng shway	"wind / water": ancient Chinese art of geomancy
Fozhan Qianshou Fa	Foh-jhwan Tchee-an-shwou Fa	"Buddha showing a thousand hands" the first main exercise
Guantong Liangji Fa	Gwahn-twang Lee-ahng-jee Fa	"Penetrating the two cosmic extremes" the third main exercise
I Ching	yee cheung	"book of change": ancient Chinese form of divination
kexue	kai-shue	"scientific" - meaning "thorough, orderly, methodical" as much as Western understanding of scientific.
Li Hongzhi	Lee Hohng-jhur	Founder (or "re-discoverer") of Falun Gong
Qigong	tchee gohng	ancient Chinese self-realisation and development regime
Sakyamuni	Sak-yah-moo-nee	An incarnation of Buddha; she is held in high esteem in Chinese Buddhism
Shentong Jiachi	Shung-twang jee-ah-chr	"Strengthening divine powers": the fifth main exercise

taiji	tie-jee	A Taoist symbol, of the interlocking black / white halves within a circle expressing Yin and Yang
taijiquan	tie-jee-tchuan	"T'ai Chi": ancient Chinese exercise and well-being regime.
wu yun liu qi	woo yuhn lee-oo tchee	"the five movements and the six forces": the circulation of forces in the world around and their influence upon human beings
xie	shay	"not lined up": active evil, as opposed to blocked qi , passive evil
xinxing	seenseeng	Spiritual health / outlook
Zhen, shan, rhen	jhen, shahn, reuhn	"Truth-Goodness-Forbearance"
Zhongnanhai	Jhong-nahn-hay	Central Beijing compound for Communist party and government elite
Zhuan Falun	jhouan fahlun	"Special [way to the] law of changes" Key Falun Gong publication

Section One: Theoretical Basis

1a. Theoretical basis: Philosophy

Nature of the movement

Summary

1.1. The practice / philosophy that is loosely known as Falun Gong (pronounced "fahlun gohng") was founded in 1992 in China by Li Hongzhi (pronounced "Lee Hohng-jhir") as a development from the ancient Chinese self-realisation and development regime known as qigong (pronounced "tchee-gohng"). **[3g]** While the practice of qigong is a tradition within China, Falun Gong is novel in its blending of qigong with elements of Buddhist and Taoist philosophy. **[3g,20h]**

The name matters

1.2. Falun Gong translates as "Wheel of Law" and strictly speaking refers to the first main

exercise and/or to the main five exercises held to be the defining practice. Falun Gong, as a term defining the group, philosophy and practice altogether, is used mainly by non-practitioners. **[3g]** Practitioners do use the term, but as an inexact, colloquial name.

1.3. Many terms such as Falun Dafa, Falun Gong, and Falungong are used in relation to the movement. The Canadian Immigration Refugee Board (IRB) document CHN33180.DOC details how and where these terms have been used. **[3g]** In short, the term Falun Dafa is preferred by practitioners themselves to refer to the overarching philosophy and practice **[3g]**

1.4. Part of the naming confusion seems to have occurred in December 1995 when Li Hongzhi withdrew / was expelled from the China Qigong Science Research Association. Up to that point Falun Gong was held to be akin to other qigong, and was so called to both associate and differentiate it within the ranks of many competing "gongs". After separation from the Association until exile in 1996, Li Hongzhi had to handle carefully the name of the movement. **[3g]**

Traditional qigong.

1.5. Qigong is the modern name for an ancient philosophy of well-being rooted in the background concepts of traditional Chinese medicine. The basic concept is of the circulation of forces in the world around and their influence upon human beings, a doctrine known as *wu yun liu qi*, the "five movements and the six qi". There are six qi, the elemental forces of wind, cold, heat, dryness, dampness, and extreme or summer heat. They are linked to the five "phases of being" - metal, wood, water, fire, and earth. All these elements are further affected by the constant turning of the two primordial forces of the yin and the yang, symbolised by the *taiji* (the interlocking black / white halves within a circle). **[3g,20h]**

1.6. "Blocked" qi is held to be the cause of many of humanity's ills, a passive "evil" usually identified as the excess of one force at the expense of another. Positive, active "evil" is known as *xie* (pronounced "shay" - literally means "not squared up, not straight up"), and is anything that seeks to disrupt the harmonious movements of life. Qigong is one of many spiritual disciplines (such as *feng shui*, *taijiquan* = "*t'ai chi*", *I Ching*) to rectify perceived imbalances. Qigong is made up of physical, mental and spiritual routines and exercises, imparted under the instruction of a spiritual master. Traditionally, "balance" is achieved after many years' tuition and practice. **[3g,20h]**

1.7. The practice of qigong is recognised throughout the Chinese world. In PRC, it originally fell under the category of "superstitions" in the eyes of the Communist Party. It has been accommodated through the registration of a national qigong association - the China Qigong Science Research Association. (*For further information about the Association, official understanding of traditional qigong and qigong groups other than Falun Gong - see below*)

[3g]

1.8. Qigong is not without its own imbalances: excessive intensive practice can lead to Qigong Psychotic Reaction, a culture-bound psychological syndrome. It can be confused with schizoid episodes, in terms of hearing disembodied voices. **[20i]** Falun Gong practitioners hold that Falun Gong does not produce such a syndrome as such: it is the excessive practice of qigong exercise pursued with "false" intentions, such as for attaining supranatural powers or for ill-intentions. (See below) **[15e]** Further, Falun Gong practitioners deride the importance given by commentators to the syndrome as something of a Western urban legend tied in with a misunderstanding of oriental martial arts.

1.9. Traditionally, qigong masters have been credited with extraordinary powers. Some "gongs" particularly emphasis this miraculous element, but it is not a defining feature of Falun Gong. Falun Gong promises better health and happiness, but not extraordinary powers. **[15e]**

Falun Gong's qigong roots.

1.10. The prime difference between other forms of qigong and Falun Dafa lies in Li Hongzhi's claim that Falun Dafa has a greater, more complex attention to "Buddha Law" (see below). It combines elements of Buddhist self-cultivation with the traditional qigong physical and breathing exercises to harness "qi" (inner energy or force, again pronounced "chee"). **[3g]** Emphasis on qigong supernatural powers are important to Falun Gong, especially in relation to the understanding of what is "scientific" (see below)

1.11. Falun Gong has incorporated elements from many other spiritual traditions, for symbolism such as Taoist symbols within the main Falun Gong symbol (see below), to yogic and qigong elements of posture and breathing (see below); Buddhist philosophy (see below) and perhaps a Christian-like understanding of forbearance under persecution (see below), and even elements of New Age beliefs such as extra-terrestrial influence (see below) . **[22f]**

1.12. Exercises. There are five main exercises within the exercise regime element of the movement. They are in turn broken down to about twenty specific physical movements in all. The five exercises are:-

1.
Buddha showing a thousand hands - *Fozhan Qianshou Fa*
2.
The Falun standing stance - *Falun Zhuangfa*
3.
Penetrating the two cosmic extremes - *Guantong Liangji Fa*

The great heavenly circuit - *Falun Zhoutian Fa*

5.

Strengthening divine powers - *Shentong Jiachi* [22g]

The *Wan* Symbol

1.13. The symbol of the Falun Gong is **the *Wan* symbol**. The *Wan* of Falun Gong is a golden-yellow right-hand swastika-like symbol on a red circular background, within a larger circle with further *wan* at the cardinal compass points followed by *taiji* (Yin-Yang) symbols in between. Adepts are said to see that the wheel symbol is turning. [22f] It represents the perpetual motion of the universe, and its elemental *Chi* [5s].

Principal Publications

1.14. The **principal publications** are *Zhuan Falun* and *Falun Gong: a basic introduction*. Another publication is *Falun Buddha Law*, a collection of lectures given around the world. All the publications are available via all the websites.

1.15. A key element of teaching, and for which Li Hongshi is held to be the Teacher as well as the Master i.e. (re-)discoverer of the way, is Li Hongshi's series of pronouncements, usually privately given but publicly distributed (mainly via Internet). These pronouncements are show a continuing development in thought, and are an essential adjunct to the static scriptures of *Zhuan Falun* and *Falun Gong*. It has been argued by academic commentators that Li Hongzhi's teaching has changed over the years, moving away from emphasis on healing and being healed, as in the early writings, to emphasis on "truth-goodness-forbearance". [23a]

Buddha Law

1.16. "Truth-Goodness-Forbearance" (*Zhen, shan, rhen*) is a key ethical formula for the Falun Gong. It is the practical translation of the doctrine of *xinxing*, of developing a better "spiritual health" or "spiritual outlook". *Xinxing* is the overarching goal of the exercises, with improved physical and mental well being a natural outward sign of such attainment. [22a]

1b. Theoretical basis: Leadership

Summary

1.17. **Li Hongzhi** is the key figure in Falun Gong. As re-discoverer of the Way, he has a

unique status as the principal teacher, final arbiter of doctrine, and his pronouncements are taken as guiding principles. His symbolic role is important to both the Falun Gong as a movement, and the Chinese authorities. Therefore his life story is a battle ground for propaganda, and where he is and what he says is vital for both sides. The last time he was sighted was in July 2000 in New York State, and is said by Falun Gong activists to be in hiding in the US. [22ax]

Who is Li Hongzhi?

1.18. Li Hongzhi's date of birth is a matter of controversy. Li and Falun Gong give the date as 13 May 1951, on the Buddha's birthday and of great symbolic resonance to Chinese Buddhists; the Chinese authorities dispute this and give 7 July 1952 as an alternative. [5q] Other sources give further details: the 13 May is the birth-date of the Buddha Sakyamuni, an incarnation of the Buddha that has a special resonance within Chinese Buddhism, and one commentator is gives credence to the charge that Li falsified his birth-date in favour of this coincidence. [5s]

1.19. Li Hongzhi's early life is shrouded in some mystery by Falun Gong apologists. Their main concern is with the transmission of the Fa, and that begins with Li's discovery in 1992. After four years giving teaching, Li fell out with firstly his sponsoring organisation and then the authorities, culminating in his rapid exile from People's Republic of China (PRC) in 1997. [5s]

1.20. In exile, Li has become a remote, idealised figure who communicates with the wider Falun Gong movement by symbolically-couched postings to the main Falun Gong website. He has been greatly vilified throughout the Chinese propaganda campaign. [4lj] [4lz] [4mn] [11h]

Chinese authorities' propaganda view of Li

1.21. The development of Li Hongzhi as a hate figure is a key element of the PRC propaganda campaign. They are particularly interested in Li's early life and activities in PRC to portray him as a confidence trickster with an inflated ego. Accounts of his early life dismiss him as 'a very ordinary boy, whose only talent was that he could play the trumpet a bit'. [4dx] [21f]

1.22. The Chinese authorities from July 1999 officially saw the movement as organised, predatory, dictated by foreign influence. [11h] The aspect of subject to foreign influence was something that they had attached to Li personally since February 1997. They closely identified the movement with Li Hongzhi, and emphasised his personal influence and ambitions in their reviews of the movement. [3g]

1.23. Li Hongzhi is held to be personally responsible for the April 1999 Zhongnanhai protests, deliberately orchestrating a challenge to the government. Li Hongzhi is alleged to have preyed upon personal spiritual voids and uncertainties as the country enters a period of economic change, and on the long history of popular personality cults and feudal superstition. **[11h]**

1.24. Li Hongzhi is personally defamed as a deceiver, a megalomaniac, and a manipulator, having allegedly identified himself with an ancient hero, Yui Fei; all for comic effect. **[4dx]**

1.25. Li Hongzhi is branded with many other labels, most recently as a guilt-ridden figure falling back on a secluded, luxurious life away from the consequences of his actions. **[4lj][4lz][4mn]** In contrast, Falun Dafa is keeping Li's location a secret because of possible death threats. **[4nn]**

1.26. An arrest warrant has been issued in respect of Li Hongzhi. **[4az]** Interpol was approached with regards to the warrant, but refused to serve it as the warrant was clearly politically motivated. **[5q]** Likewise, Li's visit to the UK in August 1999 was not impeded and Interpol stated that Li would not be arrested in London as the movement is not illegal in the UK. **[4qh]**

The position of Li Hongzhi

1.27. Li's pronouncements have been few and far between in 2000 and 2001. They have taken on mystical and apocalyptic elements: many are now in verse. In turn the Chinese authorities have denounced them as coded calls to action, particularly in the time of the Beijing burnings (see below).

1.28. Li has not been seen publicly since 1999, with the last known portrait photograph taken in July 2000 (displayed on the home page of Minghui) **[22ax]** Li has developed a symbolic value in two ways, and seems to be no longer needed as the main progenitor of the faith. On the one hand, accounts of Falun Gong detainees often refer to "the Master's words" as a comfort during torture, visualising the Master as a presence in ways akin to Christians under pressure. **[5q]** Idolising in such a way prevents the real man from speaking out any longer in a credible meaningful fashion. Likewise events have grown far larger than the man; the media offensive, the publicity stunts and the general machinery of protest are now far removed from Li. Conversely, there is a real danger, fed by understandable paranoia, that Li will be killed, and thus must remain in hiding. **[22ax]**

1c. Theoretical basis: Organisation

Summary

1.29. Technically there is no formal organisation amongst the Falun Gong. However, standardisation of websites, information flows and the nature of protest initially inside, and now outside PRC indicate levels of activism and informal organisation, if not some controlling group. **[23a]**

Nature of organisation

1.30. On the one hand, sources of information set up by practitioners, stress that Falun Dafa is above organisation, in that it is a philosophy and life-style regime free to all. **[15e]** The websites and other publications of practitioners claim practitioners are bound together loosely by common interest but have allegedly no wish to create a formal structure. (see websites below) **[3g]**

1.31. However it has been clear from the outset that Falun Gong has been organised from the North American group since 1999, at least in terms of the production and publicising of material, and has developed a shadow campaigning body, the Friends of Falun Gong USA in late 2001. **[22ak]** This new support group made up of US, particularly New York, activists such as Gail Rachlin. It signposts news reports originating from Falun Dafa Information Center, with a particular US interest, and has issued statements on issues. **[22ak]** (see websites below)

1.32. Technically leaderless, each country "organisation" has contacts and spokespersons. For instance, Peter Jauhal and associates usually speak on UK Falun Gong matters, with press gravitating towards these contacts, whether because other practitioners defer or because media relations have been made is unknown. **[9dr]**

Membership

1.33. Membership in terms of organisation is held by the Falun Dafa Institute to be non-existent. Anyone can practice Falun Gong exercises. Practitioners practice the exercises together because they enjoy each others company. Conferences, and conference organisation, are portrayed as the efforts of enthusiastic volunteers. **[22a]**

1.34. Membership is a very fluid aspect of the movement. To quote the CESNUR (Center for Studies on New Religions):-

'Membership' may not be an entirely applicable concept. In fact, although the movement recommends a nine-day introduction course and frequent contacts with local centers, it also states that everybody can simply start practising Falun Gong by

following the instructions from one of the many books, cassettes and websites ... quickly available in a variety of languages. The possibility of such a self-initiation, without a master and a lengthy discipline, is at the core of the criticism by other Qigong groups against Li and his movement. **[3g]**

1.35. The profile of the typical Falun Gong practitioner can be validated against an official survey of 12,500 practitioners in Guangdong Province, taken in 1998 and quoted by the Falun Dafa Institute. The findings were that 72.1% of the sample were female and 51.6% were over 50 years in age. The Falun Dafa Institute has extended the profile to claim that the elderly, pregnant and women with children, children, and the infirm have taken the brunt of the authorities' brutalities. **[22a]**

1.36. Practitioners reportedly eschew medical treatment, and use faith healing. Most are middle-aged and middle-class. Until the crackdown they gathered in parks and open spaces to practice traditional meditation and breathing exercises. **[4an][11f][10t][10u]**

1.37. There are no known membership lists, but there have been press reports claiming the Chinese authorities have assembled a list of a thousand names of activists and organisers operating outside the PRC.**[9j]** The Falun Gong also maintain a site where mainland practitioners, having been forced to recant as part of their re-education, can, when able, make a "solemn declaration" pledging their allegiance once more to Falun Gong, with 208 declarations as of 14 March 2002. **[22an]**

1.38. In November 2000, CIPU and the Falun Gong Association (UK) were in communication, and the Falun Gong Association (UK) assisted in clarifying some Falun Gong viewpoints. Membership was reiterated as being very loose, with organisational practice in China as loose as in countries, outside PRC. **[15e]**

1.39. The Human Rights Watch of January 2002 **[12i]** teases out interesting profiles of groups typically attracted to Falun Gong. One section of the pre-ban Falun Gong population was drawn from the professional elites, adding a certain cachet and respectability (and who were often co-incidentally Party members and thus alarming to the Party leadership.) Another group was of computer-literate technocrats and students, who have facilitated Falun Gong's quick spread and leap overseas by use of the Internet. **[12i]**

1.40. Further explanation is given of the middle-aged and elderly health-seekers, further narrowing the group to 50-60 year old people. Typically, they were workers in state enterprises and lower-level government functionaries who missed out on formal educational opportunities during the disruption of the Cultural Revolution and were pitched out of employment in the late 1990s. **[12i]**

1.41. However, interestingly, nothing in the report was mentioned with regards to the high

number of teenage and young women drawn to Falun Gong, a trend identifiable from reports of deaths, arrests and detentions. **[12i]** (see below on detentions and death in custody)

Organisation in PRC before banning

1.42. In PRC, before Li was obliged to leave, the question of organisation was a key issue as the Falun Gong pressed to be given recognised group status. Li operated as a teacher and writer, living on the proceeds of *Zhuan Falun*. **[5q]** **[5s]**

1.43. Most of the qigong groups were arranged around "teaching stations" - places where teaching and practice sessions could be held. A review of the Wong and Liu 1999 book had "an organisation in mainland China including 39 teaching centres, 1,900 instruction centres, and 28,000 practice sites." **[20p]** It is also known that once Falun Gong had outgrown Li's personal circle, practice sessions were held in parks and other public open spaces, probably constituting the 28,000 practice sites. **[5s]**

1.44. Initially, transmission was by teaching delivered by Li, but soon after 1992, primary transmission became by word of mouth, though public practice sessions and through written material distributed at little more than cost price. **[5q]**

1.45. The Falun Dafa Institute maintains that the Falun Gong Research Society folded in 1994, after two years' operation, and most of its money going to the (officially recognised) China Qigong Science Research Society as parent body. **[22a]** The China Qigong Science Research Society's account of involvement with Li runs that Li was expelled in 1996 for breaking the terms of association. **[4lj]**

Organisation in PRC after banning

1.46. One academic source points out the limitations of gaining information about Falun Gong practitioners in mainland China. Apart from the limited access by Western journalists and the propaganda campaign by the Chinese authorities, the only other major sources of information to the Western press have been the Hong Kong based Information Center on Human Rights and Democratic Movement in China, and the Falun Dafa Institute office in New York. This Falun Gong office operates through the Rachlin Management and Media Group (owned by Falun Gong spokeswoman Gail Rachlin, a practitioner). **[23b]** However, The Human Rights Watch report, *Dangerous Meditation*, published January 2002 has added further analysis of the Falun Gong's situation. **[12i]**

1.47. One source argues that the difference will increase with the splitting of the older-aged, mainland followers left to their own resources from the overseas nucleus clustered around the Falun Dafa Institute. **[23a]** Falun Gong practitioners hotly deny that Chinese PRC

practitioners have been so abandoned. **[15e]**

1.48. The Canadian IRB has noted that reports on Falun Dafa practice in Fujian Province are scarce: there are as of yet no reports on Fujian listed in the list posted on 1 September 1999 on one of the major (purported) Falun Dafa websites. News reports quoted in the IRB extended response noted official activity in line with other provinces such as the destruction of Falun Dafa publications.**[3i]** Chinese sources in Hong Kong have maintained that Falun Gong membership and activity is very small in the Fujian region, and claims from Fujianese claimants are often a cover for emigration for economic reasons. **[4fs]** NGO reports of arrests have highlighted arrests around the Beijing area, with few authenticated reports from Fujian province. **[2a]**

1.49. The Political Counsellor of the Canadian Embassy in his fact-finding mission noted:-

"According to local authorities, this organisation had fewer followers in Fujian than in any other Chinese province. We were advised that there were less than 200 Falun Gong practitioners in the four counties in metro Fuzhou that have been the source of illegal immigration to Canada. The demographic of typical Falun Gong practitioners (older, urbane, often in uncertain health and predominantly female) is not consistent with most of the illegal immigrants arriving in Canada by boat." **[3r]**

Organisation in exile

1.50. One source holds that there are four main areas of Falun Gong teachings and organisation that are problematic, and further study of is needed. Firstly, Li Hongzhi's stance of demanding absolute spiritual authority, extended into a notion of an elite within the organisation, with a negation of all "ordinary people" i.e. non-believers. The teachings are held to create an atmosphere conducive to abandoning (Western) medical care. Finally, the source points to misinformation propagated by the Falun Dafa Institute on their websites, such as the "awards" given to Falun Gong by several U.S. cities. Such awards are easily obtained and routinely given as public relations gimmicks by US states and cities, but are portrayed as being US endorsements of Li Hongzhi and Falun Gong to mainland Chinese in a way they were never intended. They are presented as infusing "honorary citizenship" with a legal status. Such awards have since been rescinded, but are still displayed. The source concludes by calling for a wider study of Falun Gong than just human rights in China, particularly research into the émigré organisation in the U.S. **[23b]**

1.51. In April 2000, there has been speculation by journalists about a rumoured leadership coup within Falun Dafa, with Li Hongzhi quietly edged away from the central leadership and the emergence of a hard-line group with tendencies towards martyrdom. **[4gj]**

1.52. One press article of 2000 on Falun Gong has argued that Falun Gong is 'undergoing

a dark evolution'. It alleges that Li Hongzhi has "disappeared" and may have been sidelined as leader of the movement, with the 'spawn[ing of] a sophisticated Falun Gong public-relations and lobbying machine. It is successfully focusing world attention on abuses committed by Chinese security forces in their crackdown.' Again, it is alleged that a martyrdom mentality, with individuals wishing to confront the authorities, has been cultivated. **[9ac]**

1.53. Some American commentators have looked at from which quarters the Falun Gong is drawing support in the US. **[5q]** A liberal commentator "warned" in 1999 that the Falun Gong were attracting support from right-wing organisations, specifically interested for the purpose of "China-bashing". **[5q]** Indeed one of the letters of protest reproduced on the FalunInfo website is from the Deseret News, Salt Lake City, Utah, quoted Rep. Matt Throckmorton, R-Springville, "But we are not going to let the Communists (in China) set the legislative agenda here," referring to a resolution appealing against the Utah governor's decision not to issue a statement of support for the Falun Gong. **[22bj]** Likewise, a key board member of the Friends of Falun Gong is the wife of a Republican senator. **[22ak]**

Websites

1.54. Falun Gong has been identified as a movement that has been a prime beneficiary of the Internet. The Falun Gong websites, once Li was displaced to the US, have been the core of the transmission of Falun Gong and its documents. **[3g]** Current and future print licensing restrictions affect and will affect the dissemination of Falun Gong materials in the PRC.**[3bg][3bm][4sn]** Most reports of arrests and detentions for printing Falun Gong materials relate to the period in 1999 shortly after the July ban **[3bm]**; more recent cases of dissemination relate to use the internet and electronic media **[4sk]**, so the Internet is increasing the key method of dissemination: (this is despite bizarre contraptions found purportedly by the Chinese authorities around PRC in October 2001. **[4tb]**

1.55. The Falun Dafa Institute, purportedly headed by Li Hongzhi, is now the principal source of information about the practice of Falun Dafa. The sites connected to the Institute website have lists of contacts, world-wide websites, and volunteer contacts. Details are given of local groups and practice times. The websites are uniform in style, though they profess to be only loosely linked by common interest. **[3g]**

1.56. The main suite of websites, as they stand in March 2002, includes the following. FalunInfo.net - a website with emphasis upon news updates and all that appertains to the struggle between Falun Gong and Chinese authorities. **[22ar]** Falun Dafa Clearwisdom.net, the English-language version of Minghui.org - a website developed out of Falun Gong's internet presence in the late 1990s, and feels as though it is primarily designed for the PRC market. **[22as]** FalunDafa.org, by contrast with Clearwisdom.net, seems to be practice-based for Western practitioners, designed with swift access to the exercises and ancillary

materials. **[22at]** PureInsight.org, which is purely dedicated to the philosophy and thought of Falun Gong, attempts an New Age, all-embracing understanding of the Falun Gong cosmology. **[22au]**

1.57. Supplementary to the main suite of websites, there are specific group and issue websites. The Friends of Falun Gong US is a particularly interesting development.**[22ak]** Developed by New York activists in late 2001, it reiterates Faluninfo news stories, ostensibly with a slant towards mobilising US practitioners. **[22ak]** A further issue / campaigning site is SOS! Urgent : Rescue Falun Gong Practitioners Persecuted in China. **[22ay]** This site notes and highlights elements of Faluninfo regarding on-going lists of reported cases of prisoners, tortured and deaths. **[22ay]** There are "action" sites such the Canadian practitioner (Connie Chapkar) on a trans-continental walk. **[22az]** Finally, a new development since 5 March 2002, there is a FGM TV website with downloadable video clips. **[22ba]**

1.58. There are national and sub-national group websites, e.g. UK **[22aw]** Brazil **[22bb]** US (Missouri) **[22bc]** US (Virginia) **[22bd]** US (Oregon) **[22be]** US (Texas) **[22bf]**. These sites show a greater latitude in sophistication of site, but all tend to centre around the basic topics of practice sites and sessions in their area, with a tendency to link to faluninfo for news stories. The sites tend towards certain common graphical elements, indicating that there seems to be some measure of control over corporate image.

Breakaway group in Hong Kong

1.59. In August 2000, there have been claims of further internal division. A Hong Kong business woman, Belinda Pang (Chinese name given as Peng Shanshan), has said openly, on 5 August, that Li Hongzhi should stand aside and let her take on the leadership of the movement. Her following numbers about 30 people. Some commentators have seen her challenge as being purposely engineered to cause dissent. (See *Hong Kong*) **[4hr][9z]**

1.60. There have been developments on the Falun Dafa Institute website that might be interpreted as addressing internal divisions. The Falun Dafa Institute has tried to impose their website, Minghui Net, as an authoritative source of information, with Li Hongzui's seal of approval. **[22b]** There have been reports of the same group, the Falun Dafa Institute of North America, extending to a radio station aimed at north and central China. **[9ab]** Likewise, post Pang's challenge, there are warnings on Minghui Net, in the name of Li Hongzhi, warning of infiltrators and false leaders on the one hand **[22c]** and over-zealous elements on the other **[22d]**.

1.61. Academics' recent studies of Falun Gong have noted possible internal divisions within the Falun Gong, noting Peng Shanshan's / Belinda Pang's bid for leadership. **[23a][23b]**

1.62. Among known sources of information on Falun Gong is the reference in Apologetics Index. **[22a]** Taken from a fundamentalist Christian perspective, it is very partial in tone, dismissing Falun Gong's claims wholesale. It however does have a number of sources in relation to the Hong Kong Peng Shanshan group. **[22a]**

1.63. The essence of the Peng Shanshan group beliefs are that there is but one true master of the Fa, who may manifest in any particular body, and around Li Hongzhi's Falun Gong official 50th birthday (May 2001) departed to the new master, Peng Shanshan / Belinda Pang. Signs and wonders are to happen around a particular statue of the Buddha in Hong Kong. (More information under Key Development 1: Hong Kong)

1d. Theoretical basis: Nature of the group

1.64. Summary. The Falun Gong is a faith group that does not readily fit in with established faith groups, in or outside China. **[23a]** The Chinese authorities have formally branded Falun Gong as an "evil cult", and draw parallels to new religious movements outside the PRC that have presented problems to other governments. However, Falun Gong cannot be understood in terms of a "cult" in the Western understanding of the term, lacking a number of key essential features; nor as a religious faith, in Western terms. It is a phenomenon that makes sense in its Chinese context, while attractive in its all-encompassing vagueness and strangeness to Western practitioners and potential converts. It is still a debatable point as to whether it is a religion in terms of the 1951 Convention, though strong arguments have been produced that the Falun Gong are a "social group". Falun Gong is best described as a PRC cultural and now political phenomenon with religious group aspects. **[23a]**

Cult, sect or group?

1.65. Likewise, Falun Gong practitioners deny that it is a cult with a pernicious political agenda, saying that they practice Falun Gong simply to improve their health and become good people with high morals. **[4a][11f][10t][10u]**

1.66. Falun Dafa rejects the notion of being a cult. It identifies cults as being associated with money-making ventures, stating:-

"All instruction in Falun Gong throughout the world is free.... No practice site in the world collects any money, as no fees or donations are accepted. This is a lousy way to run a business, but a great way to run an upright self-cultivation practice." **[22a]**

1.67. Likewise, they emphasise that they do not teach anything that approximates to an

apocalyptic ending to the world. **[22a]** This is perhaps not to be confused with forbearance in times of trial, though it may be two strands of an eschatological ("study of the last things") line of thought, common in traditional religious thinking and a hallmark of new religious movements. It leads one academic source to state that he wishes to examine Falun Gong in terms of a religious movement: that the "fanaticism" of practitioners is a resilient and resisting expression of faith inherent to the type of movement. "Its public expression reflects the urban and text based nature of the movement, which more or less prescribes this form of visible resistance." **[23a]**

1.68. An academic source however warns against using the term "sect" in a Western understanding of the term (usually used pejoratively). "China has a long tradition of labelling all kinds of religious phenomena and building categories out of them which in no way correspond to the actual phenomena or to western scholarly analytical categories." **[23a]**

1.69. The sources also holds that 'Li Hongzhi and his Falun Gong are a PRC phenomenon and should not be mistaken for a new religious group ("sect") of the traditional type. **[5s]** 'The Falun Gong emphatically denies being a religion, cult or sect, although it does present a cosmology, moral system and practices that intend to fit human life into the overall cosmic process in a way that we normally call religious.' **[23a]**

1.70. Therefore is Falun Gong a group dealing with just well-being in all its senses? Falun Gong has been held by many commentators, including Falun Gong practitioners, to have moved away from qigong in its current practice, developing religious tendencies. **[23a]** Though there is no strong organised group with buildings, rituals, patterns of worship, etc, there is strong informal group identification, of belonging to a movement that seems to extend the notion of transmission of practice to a revered leader / devotee status. **[5s]**

1.71. Other commentators have seen a noticeable shift from Li Hongzhi's original emphasis upon Falun Gong for wholeness and health, to the development of wholeness that has overtly moral and spiritual (even mystical) elements. **[5q][5s]**

Is Falun Gong a religious faith?

1.72. Falun Dafa emphasises that Falun Gong is not a religion, but a method of self-cultivation. No deity is worshipped, there is no ritual membership or profession of faith. Falun Gong exercises and reading key texts can be practised equally in a group or alone. Membership, in terms of religious affiliation, can be as nebulous as being an occasional practitioner of the exercises. **[22a]**

1.73. Falun Gong has however attracted adherence from people of many different backgrounds, including groups with religious leanings such as traditional Chinese Buddhists. **[23a]**

1.74. The leaders of the patriotic associations of the five recognised religions have produced statements condemning Falun Gong as a cult with no legitimate basis in religion. **[4hy]** This is not just a propaganda move, it also has roots in the registration system of religious groups, explained in detail in the *CIPU China Assessment*.

1.75. One final observation is that Falun Gong refers to many signs within paranormal phenomenon. This makes sense in a Chinese context, as in any context where traditional religions have been actively persecuted and forced into a despised minority status. On the one hand, "tradition" is found in the (previously) unexplained, eg. the Hopi Indian prophecies foretelling the coming of Li and the Falun. **[22aq]** On another, the mysterious under the guise of the scientific is most appealing. There are overtones to the question of the "scientific method" in Falun Gong (see below) and documents allude to the all-embracing nature of Falun Dafa. For example, the article on "scientific experiments" on fish that proves the existence of the "third eye" within the pineal gland. **[22av]**

2. POLITICAL ISSUES

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2. POLITICAL ISSUES

2A. History, reaction and protest

[Part 1](#)

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Section 2: Political Issues

2a. Political issues: history, reaction and protest

Summary

2.1. From 1995, Li Hongzhi fell further and further out of favour with local and national authorities, leading to his rapid departure to the US in February 1997. **[3h]** The protests first in Tianjin, and then around the Zhongnanhai, Beijing incurred the full wrath of the Party, with protests disrupted between April 1999 and the banning of Falun Gong on 22 July 1999.

2.2. The pattern of protest has been of initially large scale protests (Zhongnanhai, April 1999) characterised by silent, orderly protest of mainly middle-aged and elderly practitioners, displaying banners. **[10af][10ah]** After the July 1999 ban this moved to typically protests of groups of practitioners, displaying cloth banners in public places (principally Tiananmen Square, Beijing) [1999 -January 2001]. The suicides of four protesters in January 2001 in Tiananmen Square changed the situation. Protestors were arrested upon sitting down and taking up the primary meditation stance. Since late 2001, only foreign nationals have protested publicly (ensuring a media presence when doing so) and typically with smuggled cloth banners and shouting "Falun Gong hao" - "Falun Gong is good". e.g. **[9do]** After the events of 5 March 2002, police units guarding against such protest (the units under the direction of the "6-10" offices) have allegedly been given orders to shoot to kill on sight. **[22ax]**

Key Events in the history of the Falun Gong movement

2.3. Up to December 1999 is based on *A Chronological List of Events for the Falun Gong Movement* produced on 5 December 1999 by the United States Immigration and Naturalization Service. **[3h]** This is corroborated with the chronology of a particular commentator, Danny Schlechter, and Schlechter's chronology is used for December 1999 to June 2000 **[5q]** Other dates and events have been added up to February 2002.

2.4. Basic dates are as follows:-

13 May 1951 - Date of birth of Li Hongzhi (Falun Gong)

7 July 1952 - Date of birth of Li Hongzhi (PRC authorities)

22 May 1992 - Li Hongzhi founds Falun Gong

August 1993 - Falun Gong accepted as an associated sub-group into the China Qigong

Science Research Association

1995 - Li Hongzhi stops teaching Falun Gong, authorities in Hangzhou take action to stop the spread of Falun Gong.

24 July 1996 - Chinese government bans Zhuan Falun and other publications.

February 1997 - Li Hongzhi formally expelled from the China Qigong Science Research Association.

February 1997 - Li Hongzhi and family apply for asylum in New York, leaving at apparent urging of the authorities.

18 April 1999 - Tianjin protests.

22 April 1999 - Beijing protests

25 April 1999 - Zhongnanhai protest.

22 July 1999 - Falun Gong banned.

29 July 1999 - Arrest order for Li Hongzhi issued.

30 October 1999 - Law outlawing cults passed.

February 2000 - Zhong Gong declared a cult and banned.

25 April 2000 - First anniversary of the Zhongnanhai protests; 100 protesters arrested in Beijing.

26 June 2000 - period of increased protest by Falun Gong; 1,200 practitioners arrested in 1 week.

23 January 2001 - The Beijing immolations and subsequent crackdown

25 April 2001 - Second anniversary of the Zhongnanhai protests; some public protest in Beijing; mainly protests outside PRC.

21 September 2001 - first reports of actions taken against "terrorists" in China, in the wake of 11 September.

1 October 2001 - National Day: no reported protests.

5 March 2002 - Falun Gong interrupt cable signal in Changchun, broadcast pro-Falun Gong programmes for an hour.

13 March 2002 - Police orders allegedly escalated to shoot Falun Gong protesters on sight.

4 April 2002 - Arrests of about 20 Changchun practitioners announced by authorities after month-long period of investigation.

Key period: around the Zhongnanhai protests to the July banning

2.5. In April 1999, more than 10,000 adherents of Falun Gong staged a demonstration outside Beijing's leadership compound, Zhongnanhai. The gathering was by far the largest since the 1989 Tiananmen Square protest, and took the authorities by surprise. It came a week after a large demonstration in Tianjin against a magazine that had denigrated the sect. The Tianjin demonstration had triggered five arrests, and the Beijing demonstration was to demand redress. The Beijing protesters, many of who were into middle or old age, dispersed peacefully after being promised a meeting between the organisers and the State Council. The demonstration was held by the government to be a surprising challenge, and at that point, Falun Gong was held to a threat to stability. **[2e][9z][9ww][22a]** The Falun Dafa Institute has been at pains to explain the movements of Li Hongzhi prior to the Beijing / Zhongnanhai protests. Li Hongzhi arrived on 22 April, and stayed in PRC for 44 hours. The PRC authorities claim he was behind the protests; Falun Dafa deny this charge. **[3n][22a]**

2.6. Beijing police prevented several thousand Falun Gong members from holding a mass protest three months later. Many practitioners were rounded up and taken to sports stadia in Beijing and around the country. On 22 July 1999, the authorities banned the Research Society of Falun Dafa and its organisation Falun Gong, classifying it as a 'cult' that threatened social chaos and cheated people. **[4aq]**. Millions of Falun Gong publications have been destroyed and the 'cult' has been widely condemned in official publications. **[4aq]**. The following activities were decreed illegal and liable to prosecution: distributing or promoting Falun Gong materials or gathering to carry out meditation exercises to promote or protect Falun Gong anywhere at any time; silent sit-ins, gatherings, marches or demonstrations to protect or promote Falun Gong; fabricating or spreading rumours to incite social disorder, organising or directing activities to protest relevant government decisions.**[4am]**

2.7. More recent demonstrations have clustered around the anniversary of the banning of Falun Gong (22 July 1999). In late June, 1,200 members were reported as having been detained after a series of protests in nine provinces. **[4ha]** On the 19 July 2000, more than

100 protesters were arrested in Tiananmen Square, and a further 90 detained on the 20 July. [4hh][4hj][9aa] Most detained were female and middle-aged. [4hi]

2.8. On 1 October 2000, the commemoration of the 51st year of the Communist State was overshadowed by Falun Gong protests in Tiananmen Square. Security was high, with police maintaining shoulder to shoulder barriers around the Square. Of the thousands of people that congregated in the Square, most were bystanders, but at 08:30, throngs of Falun Gong protesters emerged, unfurling banners and shouting slogans [9ai]. The police temporarily lost control of the Square, and all entrances were closed for half an hour. [4je] The police detained from 300 to up to 1,000 protesters (depending on varying reports), amongst mass expulsions from the Square for the sake of public order.

[4jb][4jc][4jd][4je][9ad] The official account states that all the detentions were achieved within an hour, and all order restored. [4jr] The protesters were mainly middle-aged men and women, in some cases accompanied by children or elderly relatives. The demonstrations were sporadic, with small groups beginning protests as soon as the police ended others. [4jf]

Chinese authorities' reactions and reasons for banning

2.9. The question of why the Falun Gong was banned is often asked. Two articles have been found that sum up Western commentators' speculation of why the authorities banned the Falun Gong and PRC-based media comment on the ban. [11d][11h]

2.10. An Asia Times online article has suggested the following six reasons for why Falun Gong is such a contentious issue for the Chinese authorities. [11d] Firstly, the government is aware of the history of the mobilising power of such spiritual movements, such as the 19th century movements of the Taiping and the Fists of Righteousness. [11d]

2.11. It also challenges the Communist revolution as a popular rising, giving an alternative focus for those people who have recently suffered from general economic hardship, e.g. the elderly, redundant workers. [11d] The position of Li is therefore often emphasised within the PRC understanding of Falun Gong, with the PRC authorities seeing Li as a charismatic leader with worrying sub-tones of Chairman Mao. [5q]

2.12. It has infiltrated the Party and is perceived as having weakened internal control. [11d]

2.13. Fourthly, the authorities have developed a policy emphasising nationalist aims, and Falun Gong is held to undermine such national bonding, particularly after Li Hongzhi was exiled to the USA. [11d] One source indicates that Li himself had fostered the American connection in 1996 before he was obliged to leave PRC in 1997. [5q]

2.14. A spiritual movement, again attracting those who have suffered under the new economic climate, is held to be detrimental to the emergence of a managed market economy. **[11d]**

2.15. Finally, in a similar fashion to economic freedom, Falun Gong challenges the amount of increasing freedom given to groups dealing with social issues. **[11d]**

2.16. In short, an alternative populist movement acting potentially as a conduit of discontent was not a welcome development for the Chinese authorities as they re-engineered the country to a different economic basis. **[11d]**

Propaganda Campaign and Official Reasons for Banning

2.17. Details from the banning regulations of 30 October 1999, banning "evil cults", outline the following reasons for the legislation. They talk of protecting social stability, safeguarding the people and the reform process. The regulations talk of "the principle of combining education with punishment" and of punishing "the handful of criminals". Specifically, "the majority of the deceived members shall not be prosecuted, while those organisers, leaders, and core members who committed crimes shall be investigated for criminal conduct". Those who voluntarily surrender will receive lesser punishments. "Long-term, comprehensive education" should be carried out. Banning cults "... goes hand-in-hand with protecting the normal religious activities and people's freedom of belief." A "comprehensive management system" should be put in place and ends, "this is an important, long-term task that will ensure social stability". **[21d]**

2.18. The official reasons for banning in the light of the above are interesting. Falun Gong is held to be a cult, undermining the ancient spiritual discipline of qigong and posing as a religious organisation **[11h]**.

2.19. In January 2001, with emphasis on educating the masses **[4le]**, the authorities have claimed great popular support in intensifying the campaign against the Falun Gong. **[4lv]** Mass demonstrations are pointed to as examples of such support. **[4ly][4mv]** There has been the creation of anti-FG organisations with their own de-programming techniques **[4li][4mt][9be]** pressure has been brought to bear on overseas Chinese communities **[9bz]** and the Canadian government is probing allegations of threats made to Falun Gong activists in Canada. **[4mu]**

2.20. Generally, all PRC representatives have begun broadcasting a new central message: that Falun Gong is "anti-human, anti-society and anti-science". Professor ter Haar is of the opinion that most anti-Falun Gong propaganda is a stigmatizing of religious phenomena.

[23d]

Specific issues of the propaganda campaign

Health issue

2.21. The authorities have often played upon the health issue, claiming that Falun Gong followers unwisely eschew modern "Western" medicine, and rely totally on the balancing of *Chi* through Falun Gong practice as their route to health. [4bk]

2.22. Another area of contention is the linguistic battle between Falun Gong and the Chinese authorities over the "science" (*kexue*) and scientific terms. Falun Gong is held by practitioners to be a "science of well-being" and the authorities discredit Falun Gong on "scientific grounds". The source explains such claims to the scientific are significant to the Chinese context. Falun Gong is held by the authorities to endanger life by eschewing modern medicine, and inducing a psychotic state in followers. [11h][23a]

2.23. The authorities have claimed Falun Gong has been responsible for over 1,600 deaths through misleading practitioners to avoid proper medical attention. [4he][4hf][9v] Likewise, that Falun Gong attracts the mentally disordered, and has a hypnotic quality akin to a drugged state. [4hn][4ib]

2.24. Derided as "a social cancer", Falun Gong has been castigated by the official media and seen as a threat: "its germs have certainly not been completely cleaned out and are still trying to erode our society's healthy organism." [4bk] Further reports echo these sentiments. One official news source article ends: "China's measured educational reaction toward Falun Gong should win the understanding of unbiased observers." [4gv][4gw][11h]

2.25. Given the health issue, hence the emphasis on the reported words of one of the burns victims, matching ridiculously his belief with his injuries. [4mi] The health issue propaganda has alleged that Falun Gong "is responsible" for 1600 deaths of followers from reluctance to seek medical assistance, often referred to as "suicide" or "suicidal delusion". [4mi]

2.26. The health issue has also encompassed and extended the understanding of qigong psychotic reaction, a culture-bound psychological syndrome, with the Mental Hygienics Institute, Beijing University, arguing for such an understanding. [4mk] Falun Gong representatives are keen to stress a misapplication of the phenomenon. [15e]

2.27. The popularity of qigong and other health promotion systems were encouraged as part of health promotion in the early 1990s, but the Falun Gong situation has prompted a reconsideration, and thus a promised reform of healthcare. The government has

announced a new healthcare system for rural areas, giving 800 million people better access to healthcare. Plans are, apparently, well advanced and should be approved at the end of the year. [9bt]

2.28. One commentator has seen the health issue, specifically in terms of 'scientific' meaning Western medicine or as a well-being method, as being the crucial trigger in the government / movement standoff. A train of events began when He Zuoxiu, a physicist and member of the Chinese Academy of Sciences, wrote the first major condemnation of Falun Gong in early 1999. He argued that Falun Gong harmed teenagers, citing 'victims' among his own students. [5q] This triggered the Tianjin protests, leading to Zhongnanhai protests, and so on. (see above).

2.29. Falun Gong has responded in two ways. Firstly, Falun Gong websites are at pains to moderate any impressions that Falun Gong has ever been recommended as a replacement for medical treatment, emphasising its complementary health benefits. There also seems to have been a quiet shift in emphasis to western understandings of well-being rather than relating miraculous cures.

2.30. The medical threat of Falun Gong in late 2001 / 2002 is still a reoccurring theme, with emphasis on the authorities' side of Falun Gong inducing mental and social instability. An alleged case of Falun Gong brainwashing that led to domestic homicide on 25 November 2001 was widely reported. [4tp][4tl][22k] 1,600 deaths have been caused by the Falun Gong, claim the authorities. [4tp]

2.31. Indeed, a constant propaganda theme by the PRC authorities is the portrayal of the authorities as a caring, socially responsible government. This is continued in domestic propaganda drives, local measures, with local drives, rallies, crackdowns, as in the example of the Tibetan Autonomous Region, with a rally in Lhasa on 1 May 2001. [4ou]

2.32. This aspect of anti-Falun Gong propaganda is particularly emphasised by the anti-cults organisation, the CACA, in its 'solemn warnings'. [4sf]

Cult issue

2.33. PRC propaganda has talked repeatedly of Falun Gong not being a "true" religion, though "a true religion" is very hazily defined, if at all, but suggests moral overtones. On the 15 October 1999, Falun Gong was denounced as an "evil" religion, as a "heretic" religion, by which was meant that it was held to have a strong religious flavour but not to be a religion as such, and was thus a deception. [4bk][4ep]

2.34. Articles have started to talk of the "scriptures" of Li Hongzhi, disparagingly referring to messages to all followers posted by Li Hongzhi on the Clearwisdom website. [4lg] A

particular message dated 1 January 2001 is held to have "ordered" followers to take on a martyrdom role. **[4lg][22l]**

2.35. A three-fold approach seems to have been adopted on this issue. The first element is a play upon "popular outrage" with "spontaneous" demonstrations and the emergence of anti-cult associations, such as the formation of such a group in Yunnan reported 17 January **[4li]**, and the demonstration in Beijing of 6 February. **[4mv]**. All the official religious leaders have been obliged to make statements **[4ma]** with the Buddhist masters at pains to denounce as heretical the Buddhist elements of Falun Dafa. **[4md]** **2.36.** Thirdly, the authorities are keen to show that their repression of Falun Gong is part of legitimate efforts of states against cults that operate to the detriment of the public good. Loose reference is made to Waco and other incidents involving cults. **[4nc,4nd]** (see also Key issue: Hong Kong, on cults)

Foreign influence

2.37. Emphases in year 2000 have been on Falun Gong and Li as "agents of Western hostile forces", with the West using Falun Gong as an excuse to interfere in China's internal matters. **[4hd,4he,4hi]** Previously in 1999, there were allegations of the movement being politically motivated, involved in the stealing and revealing of state secrets, and subverting employees of the public sector. **[4dv,4el]**

2.38. Falun Gong has been branded "as degenerating into a tool in hands of Anti-China elements", with Li Hongzhi singled out as a western agent (see above). **[4lj,4mi]**

2.39. Hong Kong was held in February 2001 to be developing into both a gateway and a base of anti-China subversion. (It is the first outright attack on Hong Kong's current position of tolerance.) **[4mj]**

2.40. Increasingly, the Chinese authorities will see the Falun Gong as an external movement, and with the development of foreigners as protesters, will have to face other governments on this issue. However, the charge of outside interference will consequently become more potent. It is an aspect that may increase in future.

The "Evil Cults" legislation and subsequent campaigns

2.41. A media offensive was launched mid-October to prepare for the banning of Falun Gong as a sect. **[4bk, 4ep]** A book was subsequently published on 30 October 1999, entitled *Falun Gong is a Cult*, highlighting the alleged dangers of Falun Gong, relating alleged medical cases, crimes committed, and other revelations. **[4eo]**

2.42. The banning of Falun Gong necessitated new legislation defining and outlawing sects. It was openly held to target Falun Gong as an "unprecedented" development, but conveniently rounded on other sects, outlined below in s 5.11. **[4cy, 4ep]** Cases of infringement of the new law are held to "especially serious" if involving trans-regional recruitment, overseas collaboration, large-scale publishing or causing death or injury. **[4eq]** It relies on Article 3000 of the Chinese Criminal law for penalties and a general proscription. **[4cu]**

2.43. The authorities made a distinction between ordinary followers of Falun Gong, and its leading figures in 1999 and 2000. **[4ak]** Of the many practitioners rounded up in July 1999, many were released after 5 to 10 days. **[4aw,4az]**

2.44. Other groups were targeted: "Since Falun Gong was outlawed in July ... women followers have basically severed their ties with the group and turned to other types of exercise and social activities." **[4ba]** The mechanics of enforcing the ban on Falun Gong was and is achieved by the police relying on neighbourhood committee informants. **[4bg]**

2.45. A renewed campaign was begun in response to the protests of 1 October 2000. **[9ah]** Two weeks previously, a literature campaign was initiated with the publication of a collection of articles attacking Falun Gong. **[4io]**

2.46. By the 30 October 1999, the new anti-cult legislation was announced. **[21d]** (see above) The Human Rights Watch report of January 2002 has emphasised that the development of new laws and the interpretation of existing laws is faulty, highly political, and capricious, summarised as "a rule of law veneer". **[4tu,12i]**

2.47. After 23 January 2001, the authorities introduced further legislative measures, in the form of instructions to the police, increasing police powers.

2.48. Further curbs were announced on the 10 June 2001, with the issuing of a legal directive that hardened the crackdown on Falun Gong members. **[4oz,9cd]**

2.49. After 11 September 2001, the Chinese authorities moved against a number of groups, branding them as "terrorists". Since the Falun Gong has never taken up arms or protested in any way other than peacefully, the Chinese authorities appreciated that the group was far from being recognisably a terrorist group. Beijing has preferred therefore to refer to the Falun Gong as an "evil cult" with "terrorist-like features and activities". **[4tr]**

2.50. However, in late 2001, Falun Gong was still close to being branded a terrorist organisation by Beijing, according to press reports on the three-day national conference on religion. **[4tl]** Also out of the national conference on religion, there has been a call by

President Jiang Zemin to "strengthen propaganda" on "the reality of the situation", referring to both issues post-11 September and to the Falun Gong. **[4tl]**

"Last ditch" struggle

2.51. Throughout the whole period since April 1999, the Chinese authorities have claimed victory, either imminent or long-term.

2.52. In July 2000, the authorities seemed at a point of grim acceptance that Falun Gong protests were able to maintain a presence, and spoke of long term measures - "vigilance should be maintained as the struggle against Falun Gong would be a long one" (though the message was that victory over the Falun gong had been achieved.) **[4hf] [9aa]**

2.53. The 23 January 2001 was presented in terms of horror and grim determination to combat Falun Gong, but ironically, by their silence the authorities seemed confident that they had been presented or had achieved a public relations coup.

2.54. Again, in October 2001, Falun Gong was held to be fighting a last ditch struggle. It was "refusing to resign to its shameless failure". Again, the world's approval was mentioned - "the effort made by the Chinese government to ban Falun Gong according to law has won support and understanding from people of China and the rest of the world." **[4sz]**

Mobilisation of Chinese Society

Government employees

2.55. A circular from the State Council issued 15 October 1999 has warned of dismissal or demotion for any state employee if they continued to take part in activities organised by the Falun Gong.**[4cj]** It was announced as a "solemn test" for civil servants - "We must strictly follow the provisions of the document ; seriously differentiate different circumstances; untie those who should be untied; educate those who should be educated; do not investigate and affix responsibility for those who should not be investigated and affixed responsibility." **[4cs]**

Police

2.56. The police have been affected and shaped to meet the Falun Gong challenge in a number of ways since July 1999. The main development in terms of organisation has been the evolution of Bureau 610. It seems to have grown in power since 1999.

2.57. In January 2001, just before the burnings, the PSB (Ministry level) announced a general reorganisation of riot-police units, trained and equipped to diffuse public disorder.

Provinces were now expected to retain riot squads of 300 members per municipality and of 200 per provincial capital. **[4ln]** By November 2000, however, Bureau 610, set up in 1999, was being identified by one news source as the lead police unit in the campaign against the Falun Gong. **[9bd]** Bureau 610 achieved a great boost in its co-ordinating position within the PSB. **[4ln]**

2.58. From 1 January 2001, the unit has been issuing orders to neighbourhood committees and local police units to enforce restrictions on Falun Gong activists. One NGO that monitors human rights in China (ICHRD-C) has alleged that Bureau 610 has permitted any measure or method to ensure control of known activists and to elicit information about possible activists. **[9bd]**

2.59. Later, in July 2001, Bureau 610 was assigned a longer term role as a "specials tasks" unit. It was now able to draw from both local (*Gong An Ju*) and central (*Gong An Bu*) PSBs. **[4oy]** The Bureau has allegedly given instructions permitting the shooting of Falun Gong activists on sight since 13 March 2002. **[22ax]**

2.60. In the aftermath of the Beijing burnings, one source claimed that the police unit based in Tiananmen Square was upgraded to a full unit of 500 officers. However, the unit still proved unable to prevent Falun Gong protests in the weeks following, and a brigade of "thousands of unemployed people" was set up to patrol the Square. **[4lr]**

2.61. Police on a local level have been required to reorganise to ensure the grip on Falun Gong. Hong Kong police, in February 2001, have been required to reform in order to upgrade surveillance of local and international groups. **[4nm]** The police service in Guangdong Province and in the provincial capital Guangzhou (Canton) has been included in the reorganisation of local government services in a plan to be implemented over the next five years. **[4oy]**

2.62. A key theme of the latest articles on the Falun Dafa information website has been the increased intimidation and abuse of young female activists by police, with allegations of deliberate targeting. **[22o]**

2.63. The Canadian IRB has produced a report that has collected reported instances of PRC government efforts to restrict the movement of suspected Falun Gong activists within PRC, exiting and entering the PRC by PRC nationals, and entering the PRC by foreigners. Indications are that name lists ("black lists") of suspects are maintained. **[3az][pace 4pm]**

Party

2.64. Party members have again been urged to renew their efforts. It was stated that "the

government is trying to educate and save the majority of the practitioners of the cult from the spiritual control of Falun Gong. **[4mm]**

2.65. The Party rules on resignation over religious affiliation and other matters of conscience have been investigated by the Canadian IRB. The Constitution of the Communist Party of China, Articles 9 and 38 - 42 are quoted. Of note is that Party members are free to withdraw from the Party, and the incompatibility of religious belief and Party membership, and therefore being a bar on progression in government careers. **[3av]**

2.66. Cadres, Party members and army officials were urged in 1999 to quit Falun Gong or face internal discipline or prosecutions. **[4ao]**

2.67. The Party has also responded by concentrating on renewed political training of cadres, highlighting corruption and political incorrectness as major issues. **[4gz]**

Academics

2.68. The Chinese Academy of Sciences organised a forum for academics on 31 January 2001 in response to the burnings: the academics issued statements condemning the group as "evil". **[4lx]**

Religious leaders

2.69. The five registered religious groups' representatives have reiterated their condemnations of Falun Gong. **[4ma]** After the burnings, by december 2001, the latest propaganda associated with the religious Affairs Bureau included a continuing demonisation of Li Hongzhi, developing notions of Li as "controlling spirit" and as "the heretical spirit of Falun Gong". **[4sk]**

Anti-Cult Organisation

2.70. A two day International Symposium on Destructive Cults was held in Beijing on the 9 / 10 November 2000, according to Chinese domestic news services, giving the impression that there was international concern over destructive cults and by extension, Falun Gong as well. A national anti-cult association was developed out of the symposium. **[4jz]**

2.71. The anti-cult association (China Anti-Cult Association - CACA) held its first national meeting on 19 December 2001, for a two day symposium on combating the Falun Gong.

More than 50 papers and working reports were submitted. 30 participants exchanged their experience in rehabilitating former Falun Gong followers. **[4to]**

2.72. Since January 2001, the CACA has been giving advice to other bodies, for instance, advising on 'the right way to do qi-gong' given in March 2001 in conjunction with the China Qigong Science Research Association. **[4ob]**

2.73. The CACA presented the UNHCR with a petition of 1.5 million signatures "of the Chinese public", supporting the Chinese government's approach. **[4ub]**

2.74. Besides the national association, there are reports of local, provincial associations being set up, for example in Yunnan province in February 2001. **[4mt]**

2.75. Enthusiastic former Falun Gong adherents were reported in January 2001 as having set up their own anti-cult organisation and encouraged to relay their remorseful tales. **[4li]**

(Chinese Government) Human rights specialist .

2.76. A human rights specialist, Yu Pinhua, a member of the China Human Rights Society and a research fellow with the Jiangxi Provincial Academy of Social Sciences, has devised an argument that Falun Gong "oppresses the human rights of the Chinese people:-

"Outlawing the cult Falun Gong is intended to protect the fundamental human rights of the general public including those who are following the Falun Gong," said the research fellow, who also lashed out at western countries for having a double standard on the issue of human rights and the treatment of cults.' **[4mb][9bu]**

2.77. Since then Chinese news reports have talked of 'the recent crime of the Falun Gong as inhuman and violating human rights.' **[4ue]**

Overseas organisation

2.78. On 2 February 2001, there was a forum for overseas Chinese organisations - mainly liaison committees, where the main propaganda message was reiterated. Overseas communities were urged 'to expose the sophistries and heresies of Li Hongzhi and his Falun Dafa with ironclad facts.' **[4mf][4ms]**

2.79. Examples of communities called upon include "Taiwan compatriots in Beijing" **[4tx]** and of "a group of Chinese" in Switzerland in March 2001 **[4ua]**

2.80. Chinese ambassadors and embassies have promoted the view that the West is being

duped by Falun Gong; that Falun Gong hides behind a "benign cloak" and reiterate that the Chinese government have adopted "the right approach". **[4uf]**

Lawyers

2.81. Jurists in Beijing have called, following the burnings, for the law to be used as a weapon in the war on Falun Gong. **[4mh]** Previously in November 1999, Beijing lawyers stated there was a consensus that approved of the anti cult moves (i.e. the Anti-cult law of October 1999). **[4ud]** This was a day after Han Zhubin, Procurator-general called for all procurators to take a more active role in smashing cults. **[4ul]**

2.82. Lawyers, as professionals, are being drafted into the local anti-cult organisations, e.g. the Hunan Provincial anti-cult organisation in March 2001. **[4uc]**

Schools

2.83. Schoolchildren have been seen a key group for the propaganda campaign, and there has been a specific crackdown initiated mid-February in colleges and higher education establishments. **[9br]**

2.84. The All-China Women's Federation in February 2001 expresses their concern and "called on a joint effort from the whole of society to protect children's rights of survival and development and protect them against the harm of Falun Gong cult". **[4tz]**

Public rallies and exhibitions

2.85. Ever since 1999, there have been propaganda exhibitions. "Spontaneous" public rallies seem to been developed in 2001.

2.86. Former members of the Falun Gong are being paraded to give their confession and recanting in public. **[4pe]**

2.87. Exhibitions after the Beijing burnings include a major exhibition in the Military Museum of the Chinese People's Revolution, Beijing, which showed gruesome footage of the burnings and similar "crimes" set in the context of the Communist Party and government's on-going concern for the people. **[4ui][12i]**

2.88. A Hong Kong three-day photo exhibition (with similar footage) in September 2001, entitled "Oppose evil cult, Uphold civilization" chose a different cultural slant, emphasising the need to face up to Falun Gong as it really is, for the sake of stability and prosperity in Hong Kong. **[4ug]** The organisers (various pro-Beijing newspaper and trade interests)

deemed the exhibition a success with over 1,000 visitors. [4uh]

2.89. Exhibitions have been showing in the main cities of China, e.g. in Guangzhou, in September 2001. [4uj]

2.90. Public rallies have been reported, akin to public execution ceremonies, in remoter provinces, for example, a Tibetan rally in February 2001, showed support for the anti-Falun Gong campaign by signing a condemnation of the group. [4ty] This contributed to the presentation to the UNHCR the next month [4ub]

Demonstrations and Protests

2.91. The nature of Falun Gong protest has developed since the first protests in 1999. There seems to have been an escalation of tension and desperation in protests, with the authorities moving away from surprise, occasionally overwhelmed and acting with no more than usual heavy-handedness, to an iron vigilance and ruthless movement. Whereas the ordinary Chinese practitioners peacefully presenting themselves have entirely disappeared, the iron-willed, well co-ordinated foreign protesters are the activist face of Falun Gong in 2002. [10af][10ah] [9do]

2.92. The Tianjin and Zhongnanhai protests were marked by a particular approach to showing protest. According to Schechter, the demonstrators were "many older people and workers drawn from every level of society". [5q] The organisers of the Zhongnanhai protests apparently ensured that no placards, banners, shouting or singing were carried out; simply a wall of people standing up to eight deep around the Zhongnanhai in silent protest. [5q][9z][9ww]

2.93. Falun Gong and many commentators point out that the Tianjin and Zhongnanhai protests were consistent with a traditional Chinese approach to protest towards authority. "Appeals", in the sense of massing in front of the authorities to present an appeal, pre-date the Communist Revolution, and have been accepted by feudal and Communist authorities alike as a gauge of popular feeling. [5q]

2.94. The overriding feeling felt by the protesters was a mood of indignation, that Falun Gong had been slandered and had done nothing wrong, existing quite within the law and being promoters of social stability, not of social disharmony and dissension. [5q]

2.95. In mainland China, protest after Zhongnanhai often took the form of silent sit down protests in Tiananmen Square with multiple arrests. [10af,10ah] Increasingly, the police acted with speed, and developed a strategy of policing public places to guard against protest in public places.

2.96. The Beijing immolations were quite different. As a protest, they seem to be outside the Falun Gong's usual range of protest. However, as Ter Haar has pointed out, such protests are preceded within Buddhist traditions. It may have been the unilateral actions of a group of practitioners: both the authorities and Falun Gong may be asking the wrong questions with "who organised the self-immolations?" in the sense that they were not planned by anyone other than the protesters themselves.

2.97. They have had, however, great significance for both sides; and they were arguably a propaganda coup for the authorities.

2.98. The authorities have since paraded one survivor in April 2002 as a warning and evidence of the anti-social nature of Falun Gong.

2.99. There was a spate of protests by Falun Gong in the earlier part of 2001 after the burnings, but by June / July, protest by Chinese practitioners had practically ceased as protest was met by increased savagery. **[12i]**

2.100. After 11 September 2001, protests in China were undertaken only by foreign adherents. Such protests, though peaceful on the Falun Gong side, have been undertaken by fit young activists who seem to have had some instruction in passive resistance, and there are always covert media in attendance.

2.101. On 14 April 2002, an American student performed a solo protest in Tiananmen Square. The protest was notable in that the police did not mistreat or visibly strike the protester when apprehended; claimed the protester was never arrested, simply detained so that he could be removed; and at one point had to retrieve the detainee as he wandered off unsupervised. **[9ek]**

2.102. Most police brutality has (hitherto) primarily occurred during interrogation when the foreign activists were deemed uncooperative. **[4te]**

2.103. The hijacking of the TV cable services on the 5 March 2002 is a new, different development. Though Falun Gong activists have their rationale, it is a defiant act that breaks laws that are recognisably unrelated to specific measures against the Falun Gong or evil cults.

2.104. The PRC's reaction to the cable TV hijack was swift and initially chaotic. The city of Changchun was purportedly overrun by security forces throughout mid to late March 2002. **[22bl]** It was likened to "a police state", with reported aim of ensuring total surveillance during investigations. **[22bl]**

2.105. At the beginning of April 2002, the police announced the detention of about 20 people, and were expecting to make a number of arrests. Three people were identified as activists and ringleaders in the action: Liang Zhenxing, Zhou Runjun and Zhao Jian. Liang Zhenxing was accused of spending 11,000 Yuan on video and cable equipment, and planning the interruption in January 2002. He allegedly had assistance from "others", the report possibly hinting at help from outside China. **[9dt] [4vb]**

2.106. Falun Gong sources have talked of a number of developments. They have stated that there have already been two deaths in custody during the Changchun crackdown. One victim has been identified by Falun Gong as Liu Yi, and the other has not yet been identified (as of 21 March 2002). The police have been accused of with-holding details, denying access to the bodies and arranging for their subsequent swift cremation. **[22bm]**

2.107. With regards to police actions, the Falun Gong alleges the police are operating 24 hour dragnets through the city and stop checks throughout. **[22bl]** Likewise, known Falun Gong practitioners are being monitored around the clock. **[22bl]**

2.108. Further Falun Gong reports later in March 2002 (25 March 2002) allege that 5,000 practitioners and other people have been detained by the police. **[22bn]** It contrasts with the 20 detainees stated in the police report to Reuters, relayed by the BBC, on 2 April 2002. **[9dt]**

2.109. Allegedly, police have been given quotas of five Falun Gong arrests per officer **[22bn]** Officer have been given permission to use "forcible methods" and allegedly, routine torture and abuse are evident in the arrests. **[22bl]** Likewise, Changchun City Police Department headquarters are being used as a torture centre. **[22bl]**

2.110. The Falun Gong have put the Changchun death toll as high as 100 in their latest reports. **[22bn]**

2.111. Information about Changchun has been gathered very quickly by the Falun Gong, and immediately posted onto the Faluninfo website. There seems to have been a slip in checking sources: an urgent action alert posted by the Human Rights Internet (Toronto, Canada) **[22bo]** has been erroneously ascribed directly to Amnesty International, which has slightly skewed two Falun Gong reports. **[22bm][22bn]** Amnesty International did indeed issue an urgent action alert, with rather different wording, expressing general concern about police operations in Changchun. **[6aa]**

2.112. Falun Gong rallied on Friday 12 April 2002 in Hong Kong to protest and draw attention to the Changchun city arrests, assembling in Chater Garden in the city centre. The Chinese authorities did not reply to the protests. **[9ej]**

2.113. On 30 March 2002, another breach of the ban on Falun Gong information occurred when two of Li Hongzhi's poems were printed in the Guahngzhou Daily. [4va] The poems were not attributed to Li, and there was some confusion as to whether they had been printed deliberately, but a financial editor of the paper has been arrested. [4uy]

2.114. - 2.120. *Sections blank and not used - originally reserve numbering for any protest development between draft and publication.*

Key Development 1: the Hong Kong Issue

Background

2.121. Prior to year 2001, the key Falun Gong issue in Hong Kong (HK) was the admittance of Falun Gong activists from outside PRC. Repeated denial of entry of known Falun Gong activists, most notably a heavily pregnant activist, Wendy Fang Wengqing, sparked controversy. Hong Kong immigration officials downplayed any targeting of Falun Gong. Hong Kong commentators however see the Falun gong entry issue as a test of Hong Kong's special status. [4gy][4hb][4hk][4hl][4hm] Falun Gong activists in Hong Kong in early October 2000 attempted to file a law suit against president Jiang Zemin, leading to the detention of two activists. [4jo][4jp][9ag] There were reports that Hong Kong police apprehended and detained three Japanese activists attempting to enter mainland China for the 1 October celebrations. [4iz]

2.122. Both association and practice of Falun Gong are legal in Hong Kong. Hitherto, Falun Gong has benefited from the "one country, two systems" policy's recognition of Hong Kong as a Special Autonomous Region. Falun Dafa Info Center has alleged that the PRC authorities are pressing Hong Kong Special Autonomous Region authorities to extend its persecution of Falun Gong adherents. [22k]

2.123. Up and until 2001, there were no indications that Hong Kong authorities intended to change the status of Falun Gong in Hong Kong (legal, exercises permitted in public places, free speech.) However pro-Beijing factions have in 2001 been calling for a subversion law, sketched out in principle under Article 23 of the mini-constitution adopted after July 1997 but not developed or enacted. The adoption of a subversion law, and hence extending PRC's ban on Falun Gong is held by most commentators to be a great test of HK's autonomy. [4lw][4ml][4mo][4mp]

2.124. A political split is now evident between senior officials. A move to repeal Falun Gong's registration under the Societies ordinance has also been mooted in conjunction with the subversion law move, and has been controversial. [4me]

2.126. After the Beijing burnings (23 January 2001), the (Hong Kong) authorities announced that they were to keep an eye on developments and on the Falun Gong as a group. The secretary for security, Regina Ip, on 1 February 2001, said that while Falun Gong members had done nothing illegal in Hong Kong, the movement had developed a "higher profile" and would be monitored. **[4mc][9bp]** The Hong Kong Security department is to study other countries' legislation on cults as part of preparation for the subversion law. **[4nk]**

2.127. Hong Kong was branded as a base of anti-China subversion on 3 February 2001, adding external pressure to internal calls for the Chief Executive, Tung Chee-hwa, to use his "special executive powers" irrespective of the development of the subversion law. **[4lw][4mj][9bp][9by]**

2.128. The UNHCR has questioned the need for the proposed subversion law and further, has suggested that the best way for the Hong Kong executive to deal with the Falun Gong is to ignore the group. **[4mr][4mx]**

2.129. The Hong Kong Immigration Department admitted in May 2001 that it kept a "blacklist of unwanted people". **[4pl]** Regina Ip, head of the Hong Kong Ministry of Security, would not be drawn as to whether it included Falun Gong activists. **[4pm]** The Hong Kong Chief Secretary, Donald Tsang Yam-Kuen, was likewise oblique as to whether "undesirable elements" meant Falun Gong in talking about such lists. **[4pg][4ph]** It is akin to the black lists maintained by the PRC authorities at border entry points. **[3az]**

2.130. The Falun Gong has hitherto been able to demonstrate in Hong Kong. For instance, the Falun Gong demonstrated in Hong Kong throughout October 2000, along with many other pressure groups - on one occasion they were ignored in favour of protesting pensioners. Falun Gong activists are permitted to practice exercises openly. **[4ja][4jt]**

2.131. Before the crackdown on the mainland, Falun Gong was almost defiant from its vantage point in Hong Kong with mass demonstrations in public parks **[9bj]** and a large conference in mid-January 2000 **[4lf][9bk]** with a weekend filled with mass rallies and practice sessions. **[9bl]**

2.132. There was a reported increased official uneasiness of Falun Gong in the period 1 January to 23 January 2001. On 15 January 2001, after Falun Dafa had staged a major conference in the city, Falun Dafa stated that 13 members had been refused entry to Hong Kong, alleging for political reasons, though this was denied by Hong Kong immigration. Falun Dafa alleged that immigration officials were denying access on a blacklist supplied by Beijing. **[4lf]** Pro-Chinese elements of the media protested at the conference's booking of the City Hall as a venue. **[4lf]** However, for a number of months after the Beijing immolations, the local Falun Dafa group adopted a low profile. **[4mz]**

The cult question

2.133. The question of whether Falun Gong is a cult and what is meant by 'cult' is a hot topic in Hong Kong. During preparation for legislative changes to the Subversion Law, many models of anti-cult legislation were apparently studied [4p] but the model chosen was based on a recent French law. [22o]

2.134. There have been a number of off-hand comments from the Hong Kong establishment suggesting that Falun Gong is "a bit of a cult" [4pl] and yet, that the legislation proposed is firmly focused on the exclusion of dangerous cults and "Jonestown-style incident(s)". [4pl][4pn]

2.135. In this light, Leung Chunying, the Executive Council Convenor, has called for "international scrutiny" of the Falun Gong. [4pk] The Falun Gong particularly objected at the branding of the group as "evil" by the SAR's Chief Executive, Tung Cheehwa on 10 June 2001 and demonstrated in protest on 15 June 2001. [4pf][9ce]

2.136. Other groups in Hong Kong have felt concern. The erosion of the freedom of religion particularly worries Christian groups. [4na][9bx] There is general concern felt by faith-based groups, especially the Falun Gong, in Hong Kong over forthcoming terrorist legislation and over the adoption of PRC terrorist list. [4tg]

Peng Shanshan group

2.137. Hong Kong is the base for a group, of about thirty members, who has split with Falun Dafa. On 5 August 2000, Peng Shanshan, also known as Belinda Peng, a Hong Kong business woman, openly declared that Li Hongzhi should stand aside and let her take on the role of Master. [4hr][9z] However, the group has developed a millenarian belief centred around the big Buddha statue on Lantau Island, Hong Kong SAR, which they have the Temple of Heaven Buddha Statue. The group no longer seems to be active, though they still maintain a website. [23d]

2.138. Some commentators at the time saw her challenge as being purposely engineered to cause dissent. [4hr][9z] Falun Dafa activists have accused Pang of having 'a suspicious background and a hidden agenda.' [20m]

2.139. Apologetics Index has picked up two local Hong Kong reports on Falun Gong / Pang group difficulties around July 2001 when the Pang group forfeited a space at the Hong Kong book fair at considerable cost. The Hong Kong Falun Gong group had attempted a block on the Pang group's attendance. [20m] [20n]

Current situation

2.140. The Falun Gong in Hong Kong have been exercised over immigration issues, with complaints of delays in entry into Hong Kong for foreign Falun Gong. **[4sg]**

2.141. Likewise, formal complaints have been lodged by the Falun Gong about police actions during Falun Gong protests and sit-downs in front of the Beijing Liaison Office in November 2001 **[4td]** and in March 2001. **[22bk]**

2.142. Some elements of the Hong Kong and the international (particularly PRC) media have suggested that ordinary citizens in Hong Kong are very divided in their opinion of the Falun Gong, with many considering activists to be a nuisance, even to the point of being driven to violence. **[4pf][4pi]**

2.143. Other citizens see the Falun Gong as a test case and a symbol of how far Hong Kong will accept PRC's agenda. **[22o]**

2.144. Demonstrations in response to Changchun were staged in mid-April 2002, with the protests passing off peacefully. **[9ej]**

Key Development 2: The Beijing Immolations

2.145. Of all the human rights issues facing the PRC, treatment of the banned group Falun Gong catapulted into becoming the prime issue in February 2001. The immolation in Beijing during the Spring Festival brought Falun Gong back into international media attention. **[9bi]** The deaths have coincided with a sensitive time, namely when Falun Gong's status in Hong Kong is under discussion. **[9bi]**

2.146. On Tuesday 23 February 2001, on the eve of Chinese New Year, four women and one man set themselves on fire in Tiananmen Square at 14:40hrs local time. The group had doused themselves with petrol. One woman died: the flame on the others was smothered and they were rushed to hospital, badly injured. **[9bm]** One of the injured was later identified as a twelve year old girl. **[9bo]**

PRC version of events

2.147. PRC official news sources were the first to release the story. They clearly identified the people as Falun Gong activists, setting fire to themselves in a suicide bid for international media attention. **[9bm]** The child aspect was quickly taken up as a propaganda tool, saying Liu Siying felt cheated by her mother Liu Chunling, who died from her injuries. **[4lq][9bo]** A later report added that the male participant, Wang Jindong, was

unrepentant and "not worried about his horrific burns because he is a Falun Gong disciple." **[4mi]** Further details put the original number of protestors at seven, but two protestors were intercepted before igniting. **[4ls]**

Falun Gong version of events

2.148. Falun Gong were insistent from the first report that the protestors had acted independently, and that Falun Gong as corporate group of believers did not condone their actions. Falun Gong representatives soon turned around the charge of inspiring the incident by countercharging that the incidents had been fabricated in part, and alleged that the authorities may even have contrived the incident. **[4lt][9bm]** PRC reaction's to these allegations was to brand them "feeble". **[4ne]**

2.149. The immolation of 23 January were compounded by a second incident, the death of lone male, Tan Yihui, on 16 February in Beijing's Wanshoulou district. **[9bs]** Again, Falun Gong representatives denied knowledge and association, while the authorities claimed that was a clear trend towards fanatical martyrdom amongst the group's members. **[9bu][9bv]** The authorities continued the theme of such martyrdoms being directly inspired by Li Hongzhi's call to forbearance. **[9bw]**

Commentators

2.150. Professor Barend ter Haar has produced a very interesting analysis of the situation:-

On January 23, five persons attempted to immolate themselves through burning, on Tianmen Square in Beijing. The timing is clearly connected to the New Year's celebrations according to the Chinese lunar calendar. The incident was witnessed by an CCN television team. Although their video was purportedly confiscated, video-images have reached the West nonetheless. The authorities claim that these were Falun Gong protesters, whereas the American-based Falun Dafa website denies this claim. At present I am not in a position to evaluate the validity of these claims. However, the act fits in a pattern of ongoing Falun Gong protest against their prohibition in the PRC. Furthermore, there is an old Buddhist tradition of self-immolation, whether of the complete body through burning as a kind of sacrifice to the Buddha, or only parts of the body. This tradition was taken up by Buddhist monks in Vietnam protesting against the war in the 1960s and 1970s, but actually has century-old Chinese roots. We also knows that lay Buddhist believers have also joined the Falun Gong and have taken part of their original religious culture with them. Whether this interpretation also fits the present incident depends on the motivations of these five people, quite independent of what the Chinese state itself feels about it. The fact that the PRC state takes up this incident as evidence of their own position on the dangers posed by the Falun Gong to public health does not

mean that these people could not have acted from a respectable and age-old Buddhist tradition. **[23d]**

2.151. Other commentators have talked of a PRC propaganda coup **[4lu]** and of "a giant fighting a ghost", meaning that the PRC authorities are faced with a dilemma of either opposing Falun Gong and meeting resistance, or not opposing and finding Falun Gong becomes a focus of popular dissent. **[4ll]** Media reports have increased talk about the nature of cults. **[4ni]**

The Crackdown

2.152. In the period before the renewed crackdown, political protest (e.g. The China Democracy Party) has been seen to be so greatly weakened as to be negligible as a vehicle of popular protest. **[9ba][15l]** A human rights milestone pact was achieved in November 2000 with the signing of an accord between the United Nations and the PRC government. **[9bb]**

2.152. As to the blacklisting of Falun Gong members, the Canadian IRB noted the different forms of "blacklisting" found in sources in relation to the PRC authorities. It noted blacklists of people exiled attempting to return on visits; a "most wanted" list of people on criminal charges; a list of "blacklisted" businessmen who are listed for fraud; and local Public Security Bureau lists. **[3au]**

2.153. PRC authorities originally denied a crackdown, saying that PRC was continuing with its on-going concern to ensure the public's safety from the Falun Gong. **[4lk]** Hong Kong then announced that it would monitor the activities of the Falun Gong in Hong Kong. **[4lm]** After the Beijing burnings, the authorities heralded Falun Gong as a "serious threat" and launched a new offensive. **[4mi][10ao]** The new offensive was announced, in February 2001, as a "new phase" in the fight against Falun Gong. **[4ng]**

2.154. The summer of 2001 appeared to be a consolidation of the crackdown, with increased activity in July 2001. Debate moved to conditions of detainees by June 2001.

2.155. The events of 11 September, as related above, and the 5 March broadcasts have moved argument away to a great degree from the burnings. The last development has been Falun Gong's strenuous refutations of the PRC's interpretation of events, claiming a PRC conspiracy in some of its analyses. **[22]**

Protest outside China

2.156. 13,000 Falun Gong Taiwanese members sent a letter of protest to the Chinese

leadership, stressing that the movement is not a religion or a cult, but a kind of traditional Chinese qigong, a blend of meditation and breathing exercise. [4dv] Falun Gong activists participated in protests in London, culminating in a candle-lit vigil in central London on the 19 October 1999.[4cr] Falun Gong members have been vocal in their concern about the fairness of trials for fellow members held in the mainland. [4ev] Australia Falun Gong has petitioned president Jiang Zemin [4ix]

2.157. It is known that Chinese overseas organisations, both official, semi-official and influenced, have been pressed into service by the Chinese government to hold and express anti-Falun Gong opinions. [4mf][4ms]

2.158. On 15 August 2000, an Australian newspaper claimed that PRC security services were harassing Falun Gong members in Australia, with Australian Falun Gong groups adding to the claim. [4ht][4hu] The PRC denounced the newspaper's allegations as "deliberately slanderous". [4hx]

2.159. Similarly, the Overseas Chinese Council in Tokyo sent a petition on 1 September 2000 to the Japanese authorities urging them not to grant charitable status to the Japan Falun Dafa Society, according to official domestic news reports. [4ih]

2.160. The Human Rights Watch report of January 2002 gives good reportage of Falun Gong difficulties with Chinese authorities outside the PRC. It reports that some countries, particularly within Asia have bowed to PRC pressure to restrict Falun Gong public activities. [12i]

2.162. Such pressure lead to the cancellation of a Falun Gong conference in Thailand, originally organised for late April 2001, with the cancellation announced on 27 February 2001. [4oa]

2.161. Embassies have become showcases regarding anti-Falun Gong propaganda. In January 2002, in Ottawa, Canada, a Chinese mainland student went to the Canadian police after he was allegedly beaten up for photographing an anti-Falun Gong exhibition set up within the Chinese embassy. The Canadian police were unable to assist as the alleged offence took place on Chinese territory, namely the Chinese embassy. [4st]

2.163. Domestic news services have reported that the resident Chinese community in the United States was opposed to Falun Gong. [4ko] Likewise, there has been manipulation of foreign Chinese press. In Quebec, on 11 November 2001, the Quebec Supreme Court issued an injunction against two newspapers, the Sing Tao Daily and Les Presses Chinoises, for slandering the Falun Gong [4tk][22k] The injunction halts publication of the papers while the case is being heard. [4tk]

2.164. Falun Gong activists, both within nations and internationally, have been keen to canvass any support possible from 1999 onwards. It has lead to the sporting of many honours of dubious value on its websites **[23b]** and keeping company with unlikely supporters. **[5q][22bj]** Falun Gong often lobby governments, for example on 18 June 2001, Falun Gong practitioners handed in a letter of protest in Canberra, to request the support of the Australian government. **[4pd]**

2.165. The PRC has complained about a conspiracy to sue a Chinese official. **[4sx]** The complaint relates to a court summons issued to Zhao Zhifei, head of the PSB in Hubei province, when he visited the US in mid-July 2001. The petitioner was a Falun Gong practitioner Peng Liang.**[4sx][22ak]** The Chinese news report claimed the summons was a set-up by Falun Gong activists using Peng as a dupe, and the article ignores the charges raised by the summons. **[4sx]**

2.166. The attempted issuing of court summons when Chinese officials step upon foreign soil may be a continuing trend. Indeed, in April 2002, a lawsuit was filed in the US by a group of 50 US practitioners against two Chinese Government Ministries. **[9ei]** The allegations of theft, vandalism, physical intimidation, etc. relate to incidents in the US. **[9ei]**

2.167.The Falun Gong activists are developing a strategy of appearing at any given international event. The Falun Gong were apparently the most prominent group pitched in front of the Waldorf-Astoria hotel, New York as the World Economic Forum was underway on 4 February 2002. They were not involved in attendant violent scuffles. **[9dp]**

2.168. Further, the Falun Gong are fast developing a profile as an active evangelising group in the eyes of some media sources. The Hong Kong activists intended to set up stalls, hand out literature and badges, and launch a pop song *Falun Dafa is Good* . **[4tv]**

2.169. Likewise, Falun Gong activists set up stalls in Salt Lake City to capture media attention around the Winter Olympics in February 2002. **[9dq]**

2.170. *Section blank and not used - originally reserve numbering for any protest development between draft and publication*

2b. Political issues: Detentions, trials and sentences

Detentions and round-ups at protests

2.171. The Human Rights Watch, as other commentators previously, found that with regards to information about arrests, detentions, and deaths in custody, there were no sources other than the Falun Gong's and the Chinese authorities' accounts. Their January 2002 report attempts to take a cautious line on available data. **[12i]**

2.172. However, key demonstrations have had the advantage of being staged to, initially, a primed and alert media, and then as part of orchestrated media events, so the initial arrests in reported demonstrations can be viewed and analysed. Arrests are clearly seen to be performed with force on unresisting protesters, and there are instances of brutality (hitting, punching, throwing to the ground) in a number of cases before the arrest is completed. The brutal tactics are not moderated on the basis of the individual's gender, age or whether they have children in tow. **[5q]**

2.173. Reports of demonstrations, arrests and trials continued throughout the winter/spring from 5 December 1999, mainly around 1 January 2000, along with other unregistered groups.**[4ez]**

2.174. The authorities were particularly sensitive to protest in the run up to the anniversary of the 25 April demonstrations of 1999. On 14 April 2000, a protest in Tiananmen Square was broken up by police. **[4gm]** The second anniversary itself was marked by a number of protests in Tiananmen Square, resulting in 33 detentions. **[4oq]** The protesters were filmed, though the security forces later accosted foreigners with cameras and detained a foreign film crew. **[4op]** The protesters were predominantly middle-aged and female. **[4op]**

2.175. There were mass arrests after 1 Jan 2001, particularly so around Tiananmen square with over 100 activists arrested throughout the day; 41 activists were arrested in the square between noon and 14:00hrs. **[4lc]**

2.176. The events of 23 January 2001 dramatically changed the opportunity to protest. (See above) By the second anniversary, public protest was noticeable by its quick suppression (there were 33 arrests in tainanmen Square) **[4oq]**

2.177. Protests in Tiananmen Square are fast becoming an activity only taken on by Western activists. On 11 February 2002, two young men, a Canadian citizen and an American citizen, were arrested after unfurling Falun Gong banners and shouting slogans. **[9do]** The Human Rights Watch has concluded that since September 2001 the Falun Gong have been forced totally underground. **[12i]**

2.178. The Human Rights Watch report of January 2002 concludes that as of December 2001, "there was reason to belief that Falun Gong was having a hard time keeping its movement alive... Although followers presumably could continue with solitary practice at home, even private practice proved dangerous when it was brought to the attention of the

police or to Party officials." [12i]

Strategic round-ups and detentions

2.179. Action taken by the authorities has been taken as a consequence of the July banning, the declaration as 'an evil cult', and in response to protest by Falun Gong activists. Up to 70 organisers have been imprisoned and have or are likely to face prosecution.[4ar] Four key members were arrested on 20 October, named as Li Chang, Wang Zhiwen, Ji Liewu and Yao Jie in Beijing, on charges of breaching state security and running illegal businesses.[4eu] Other arrests include seven in Chengdu, Sichuan province; and five arrested on 1 October in Changchun, Jilin province, and sentenced on 12 October to one year's "re-education through labour" on charges of "disrupting social order". [4do]

2.180. The Amnesty International annual report for the year 1999, published year 2000, puts detentions in thousands. [6t] Amnesty International subsequently compiled a report recording nearly 2300 cases of detention, arrest or sentencing of Falun Gong practitioners from June 1999 to March 2000. [6s] News dated 28 June 2000 reported that police had detained 1,200 suspected Falun Gong members after Falun Gong protests in nine provinces. [4gx]

2.181. A Hong Kong based group, the Information Centre for Human Rights and Democracy Movement in China (ICHRDMC), has produced their own estimates of Falun Gong arrests. The ICHRDMC in June 2000 claimed over 35,000 people detained since June 1999. However, the Chinese authorities have claimed the figure quoted represents the total number of acts of detention, including occasions when protesters are escorted away from, and diverted from joining, protests. They claim arrest on criminal charges amounts to 111 key Falun Gong activists, and 150 arrested under the anti-cult law (unclear whether the 111 arrests are part or separate to the 150 arrests). The ICHRDMC has claimed a further 500 have been sentenced to labour camps (under "re-education through labour") [5q] Other human rights groups, in June 2000, have estimated over 1000 in labour camps, and an unspecified number of people in short term detention. [5q]

2.182. They claim 450 leaders have been sent to prison; 10,000 practitioners sentenced to re-education through labour for up to three years; 25,000 in detention centres for up to one month; and 600 practitioners held in psychiatric units. The figures have not be confirmed by the Chinese government, or corroborated by other group's estimates. ICHRD and the Chinese authorities have claimed and counter-claimed over the number and nature of arrests. [4hi]

2.183. Falun Gong community outside PRC has monitored how Falun Gong has been included in the Chinese anti-terrorist clampdown, post 11 September. [4sy] It has claimed that there have been sharp increases in anti-falun Gong activity, particularly in deaths in

custody, with the Falun Dafa Information Center reporting that 24 deaths were reported in the past 26 days (up to 16 January 2002). **[22an]**

2.184. Judging the effect of these campaigns is very difficult - the Chinese authorities frequently claim new 'success' in combating Falun Gong. Overall, there is the appearance that control has tightened over year 2001 since the Beijing burnings, more so after 11 September. The Falun Gong however are still able to surprise the authorities, namely the 5 March 2002 broadcasts, though increasingly as ventures springing from outside PRC.**[4tw]**

Strategic management of Falun Gong members

2.185. The management of Falun Gong practitioners and activists has been thorough, and increasingly so after January 2001, through families, neighbourhood committees, re-education that is not detention-based, and police surveillance, all at a local level. There are conflicting reports of how PRC citizens perceive the movement and thus how pervasive such surveillance is. The local situation seems to be variable. Schechter talks of outrage and anti-government scepticism amongst his PRC Chinese friends and contacts in 1999 **[5q]**; Saich refers to indifference and mild annoyance towards Falun Gong by his Chinese friends in the same time frame. **[5r]**

2.186. Information has been drawn together by the Canadian IRB on the harassment of relatives of Falun Gong activists and practitioners. **[3bp]** Most cases quoted of relatives being caught up in complications date from 2000 and early 2001. Falun Gong websites talk of immediate relatives losing their jobs, and a practice of relatives being held as "guarantors" of future good behaviour of practitioners. **[3bp]**

2.187. There has been manipulation of the employment sector, with Falun Gong adherents being placed into jobs where increased surveillance can be maintained. **[5q]**

2.188. As for management in terms of corrective detention, the Chinese authorities rarely take Falun Gong cases to trial, usually detaining under administrative detention provisions in re-education-through-labour camps. Increasingly (from 2001), the authorities rather than sending to re-education-through-labour camps prefer forcible admittance to psychiatric healthcare institutions. (*Further details below*).

Trials

2.189. Trials are rare (see numbers below), with Falun Gong defendants being arraigned on charges that are in addition to membership of a banned organisation and / or evil cult. Further charges usually relate to public order offences under the Criminal Code. There is a noticeable trend of rape and fraud allegations to be brought, with the taint of witnesses who seem to have been subject to pressure to testify.

2.190. The Amnesty International annual report for the year 1999, published year 2000, reiterates the 111 cases of criminal charges by 4 November 1999, and the trial of the four key figures in Hainan, also in November 1999. **[6t]**

PRC authorities stated on 29 January 2000 that 242 core Falun Gong activists have been prosecuted. The actions of the authorities were "... we strike, according to law, harsh blows at an extremely (*sic*) few Falun Gong disciples who commit crimes." **[4lp]**

2.191. On numbers of prisoners and detentions, the Human Rights Watch report of January 2002 states that the number of actual judicial sentences was few, with both the Chinese authorities and Falun Gong gravitating towards a similar number (350 sentenced - Beijing; 259 - Falun Gong), but no number of detainees awaiting trial. **[12i]**

2.192. In February 2001, the Canadian IRB researched the question of whether Falun Gong detainees arraigned for trial have access to adequate legal representation (if any). The Falun Gong website resources allege that the Beijing Bureau of Justice issued a notice on 29 July 1999 that set out a procedure for reporting all requests of consultation and legal representation relating to Falun Gong. A Reuters report echoed this assertion, though a US academic source stated that the notice had not been seen by legal practitioners in Nanjing or Shanghai, i.e. outside Beijing. **[3ay]**

2.193. Amnesty International have alleged that legal representatives have failed to give adequate defence of clients and are subject to detention if they appeal to the Standing Committee of the National People's Congress. **[6s]** The US State Department report for 2001 (publ. February 2002) echoes this, saying that vigorous defences by defence lawyers are unknown.

2.194. The judiciary operates under the Chinese understanding that the court is essentially in sitting to decide a just sentence, not to establish guilt. If the procurator's office has decided upon a charge, then that charge has to be answered (i.e. there is a presumption of guilt, not of innocence.)

Sentences

2.195. The official figures released in late August 2000 stated 151 criminal convictions in Falun Gong cases by the 15 August 2000. **[4ic]** Since then, the number of sentences given other than administrative sentences has been about 300 **[12i]** but the sentences handed out have been between seven and twelve years. Sentences that been pronounced on Falun Gong detainees convicted of "crimes against the state" have been held by commentators to be harsh compared to non-Falun Gong convicted prisoners. **[5q]** Since 13

march, there has been a report alleging that convicted Falun Gong activists are to be given life imprisonment. **[22ax]** Trials and sentences seem to be reported in 'blocks', possibly for publicity purposes to underpin campaign messages.

2.196. To quote the Human Rights Watch report of January 2002, encapsulating nicely the 'blocks' of trials and sentences with typical offences and sentences, "On August 19, the *Beijing Daily (Beijing Ribao)* reported that forty-five followers had been tried in nine separate cases over the "past few days." At least five were sentenced to terms of up to thirteen years for a variety of offenses including renting a safehouse, organizing the printing of leaflets and banners, and recruiting followers for protests." **[12i]** Further, recent sentences passed have included, in mid-December 2001, sentences up to 12 years' for six students caught downloading and distributing Falun Gong materials. **[4sj]**

2.197. Though there have been deaths in custody, there has yet to be a death sentence handed out by a court to a convicted Falun Gong activist.

Laogai and Laojiao (In the prison system)

2.198. The operations of the Chinese prison system are covered in the CIPU China Assessment. At best (Chinese government visits of 'model' institutions notwithstanding), the Falun Gong detainees are subject to the standard conditions found within the Laogai (prison camps for convicted prisoners) and the Laojiao (administrative sentence determined, re-education through labour camps). Falun Gong ex-prisoner accounts talk of further degradations and routine tortures particularly twisted towards breaking female detainees. **[22bq]** These are recounted graphically and fully in Falun Gong and Falun Gong sympathetic sources. **[22a] [22g] [22bq] [5q]**

2.199. Overall, there seems to have been a pattern of an initial period of detentions and then a smaller flow of new detentions. Within institutions there has been initial "make or break" situations whereby "repentant" Falun Gong from 1999 / 2000 have been processed out of camps and an "unrepentant" core is left. The first spate of recognisably prison-based deaths appeared in year 2000 (not the first Falun Gong deaths, but the first cluster of convicted prisoners). **[4iw]** By Spring 2001, the question of camp conditions and prison deaths were a key issue (see below) having noticeably increased **[6x]**; and prison deaths in 2002 seem to be the core of reported Falun Gong deaths.

2.200. Information has been sparse outside ex-prisoners' accounts, with even numbers of detentions being difficult to establish. By 8 November 1999, the Information Centre of Human Rights and Democratic Movement in China [ICHRDMC] had estimated 500 or more followers have been sentenced to labour camps without trial. **[10am]**

2.201. From Falun Gong ex-prisoner accounts, and hints from the Chinese authorities, it

seems certain camps have been developing Falun Gong re-education as a specialism (e.g. Tuanhe). However, other indications point to local camps taking in Falun Gong routinely in areas such as in Liaoning and Jilin Provinces where Falun Gong practice had been widespread (e.g. Dalian town prison camp). Some camps seem to be both, such as Masanjia.

2.202. Masanjia re-education through labour camp, Liaoning province is one of a number of camps which have been accused by Falun Gong activists and human rights' watchers of torture. Allegedly it is practising a humiliating, degrading, violent regime based on torture and wilful neglect to "process" Falun Gong members from activists to broken conformers. **[4pc]** The PRC authorities are quick to deny torture claims. **[4ox][4pc]** Western journalists were shown round the re-education through labour camps by the authorities in June 2001, to dispel allegations, namely the Tuanhe Camp. **[4pa][4pb][4pc]** and the Masanjia Camp. **[4ot]**

2.203. At the same time, June 2001, the Chinese authorities announced that the prison system generally is about to embark on further internal reform. This was outlined as part of the speech of the Procurator-General, Han Zhubin, to the fourth procuratorial conference on work related to prisons and reform-through-labour and reeducation-through-labour camps. Han Zhubin called for greater focus on strike-hard and rectification programme issues, with greater attention to released detainees as soon as their sentences expire, but also closer monitoring of detainees after release. **[4ow]**

2.204. Previously, in March 2001, a Ministry of Justice official announced that legislation was being planned to establish common ground rules for re-education through labour camps. **[4om]** This announcement was followed a few weeks later by a call from the Minister of Justice, Zhang Fusen, that all the institutions of the justice system should gear up to furthering the objectives of the strike-hard and rectification campaigns. **[4on]**

2.205. However, as the present work-based system continues, a large Western company was reported as, unwittingly, having purchased promotional goods made by forced labour working in Beijing's Xin'an labour camp, including by Falun Gong inmates. **[4sl][4sr]** There are reports that the "stay in prison employment" scheme is being abused on individual levels, whereby detainees are not released after their sentence is up but retained as prison labour. **[5q]**

Protests within prison

2.206. Working backwards from accounts of deaths in camps, some kind of protest is mentioned by both sides. The PRC has only recently (June 2001) openly admitted Falun Gong deaths were occurring within the prison camp system, giving starvation through hunger strike as the cause of death. **[4ov]** The Chinese authorities' routine dismissal of

such higher profile deaths, stemming from 'prolonged hunger protests' undertaken by 'fanatical' Falun Gong detainees, always include a theme of helplessness and bewilderment in the face of such 'martyrs'. **[4ov]**

2.207. Developing the theme of "inexplicable fanaticism", the PRC authorities have claimed in October 2001 that the Falun Gong have used new ways of spreading Falun Gong messages, talking obliquely of "electronic devices ... which work like a tape recorder". These devices have been smuggled "near rehabilitation houses and government department buildings, in parks, schools and other public places to broadcast Li Hongzhi's instructions through remote control and timer". **[4tb]**

2.208. Falun Gong accounts are different. They talk of routine humiliation, routine deprivation, and torture and violence. Re-education continues, and former detainees talk of continuous pressure placed upon detainees to 'reform'. Practices include detainees within camps are being made available for (supervised) interview. **[4os][4ot]** Constant propaganda strategies, for example, a Maoist era soldier hero, Lei Feng, has been developed as "a model for former Falun Gong to look up to and learn from", with inmates from Masanjia re-education through labour camp, Liaoning province taken to the Lei Feng Memorial hall for correctional lectures. **[4ox]**

2.209. In the same vein, former Falun Gong members are being depicted as having been brainwashed but now cured: "the care and love shown by our party and our government for Falun Gong practitioners have found a clear expression in the successful conversion of Falun Gong practitioners." **[4or][4os]**

Torture

2.210. The accounts of torture are graphically recounted on the Falun Gong websites, particularly on SOS!. Besides physical torture, former and present detainees have alleged constant discrimination as Falun Gong practitioners; frequent taunting, particularly along the lines of "where is your forbearance now" and "where is master Li now" during physical abuse. **[22ay] [22bq]**

2.211. Types of torture alleged include a wide variety of apparatus and machines to inflict pain, with electrocution via mouth and genitals frequently being mentioned. All the major sites and reports have photographs of severe bruising and cuts. Some particularly graphic tortures / deaths are illustrated with drawings. **[22ay]**

2.212. The use of inhumane punishments and degrading practices in psychiatric hospitals have been corroborated by the report written by Robin Munro **[9cv]** and by extension these practices happen to Falun Gong inmates.

2.213. Torture occurs in accounts of interrogation and police detention, and many of the deaths that are listed on the various deaths lists relate to violence during arrest or in police custody. Ill-treatment during investigation appears in the accounts of foreign nationals. **[4te]**

2.214. Torture in custody, once sentenced has the specific purpose of ensuring the quota number of 'reformed' prisoners. At this point, brutality is institutionalised in a regime that has to be lived daily. The Chinese authorities point to 'model' regimes, stressing the educative principle. Former detainees' accounts talk of the education regime as coercion disguised. The Human Rights Watch report of January 2002 draws the conclusion that there is evidence that torture and other abuses are common practice in some institutions. **[12i]**

2.215. The number of female deaths would indicate that women are particularly vulnerable, irrespective of their media appeal emphasising vulnerability in Falun Gong accounts. **[22bq]**

2.216. Falun Gong activists have seen women practitioners as a particularly vulnerable group, and in July 2001 developed this perception into a report, *Women of Conscience*. **[22bq]**

2.217. Torture methods are given in detail, identifying more than 40 methods "regularly used against women who practice Falun Gong" **[22bq]**

2.218. The mother/child relationship and forced abortion / miscarriage is another aspect that is identified in the report. **[22bq]** Also illustrated in **[22ay]**

2.219. No information can be found by CIPU at the moment as to whether any documentation, such as release notices or certificates announcing reformed status, is given to processed, 'reformed' detainees upon release. There have been accounts of such documentation being presented in asylum hearings that has then been found to be fraudulent. **[24k]**

2.220. There are accounts that former detainees have problems with employment and social benefits upon release. Similarly, there are accounts that former detainees remain under suspicion and are liable for further investigation and detention.

Abuse of psychiatric treatment

2.221. In October 1999, reports started to mention that Falun Gong activists have been sent to psychiatric institutions. **[10ab][2e][2g]** Likewise, the Falun Dafa Institute monitors reports of practitioners sent to mental hospitals. **[22h]** Likewise, an article on *Index (on Censorship) Online* website, dated 8 May 2000 picked up on various cases listed in the Amnesty International report, illustrating human rights abuses claimed ranging from secret

trials, forced abortion, retroactive charges, misuse of psychiatric treatment, and deaths and torture in custody. **[11c]**

2.222. A Faluninfo article on the treatment of Falun Gong activists within the psychiatric hospital system alleges that activists were routinely tortured. **[22o]** The article suggested that the detention for psychiatric treatment is a preferred option by the PRC authorities rather than holding in re-education through labour camps, as it further debases the individual's credibility, and the state's beneficence, by labelling "mad" rather than "bad". **[22o]**

2.223. Falun Gong claims include the allegation that Falun Gong practitioners are sent not only to ordinary psychiatric institutions, but to a network of institutions run by the Ministry of Public Security, known as Ankang ("peace and health") institutions. **[22bh]** Allegedly, all staff are employed by the Ministry of Public Security and wear military uniforms under medical white coats. **[22bh]** There are currently 20 Ankang institutions in PRC, with plans by the authorities to establish an Ankang in every Chinese city with a population of one million plus. **[22bh]** **[22bi]** Further, a total of 43 institutions have been identified as running regimes that abuse Falun Gong detainees. **[22bh]**

2.224. There were Falun Gong allegations made in October 2001 to the Geneva Initiative of Psychiatry that doctors, psychiatrists and other professional healthcare staff are under pressure and complicit in abusing the principles of healthcare for political purposes. **[22bh]** It was accepted by the meeting who issued a statement condemning the abuses. **[22bi]**

2.225. The Teng case typifies many of the issues around detainees. Teng Chunyuan went to PRC to research Falun Gong abuses. **[9dk]** She was arrested in May 2000. Teng, a US green card holder and the second of such to be arrested, was sentenced on 12 December 2000 to three years' imprisonment on spying charges. **[9bf]** **[9dk]** The Teng trial and sentence provoked the US State Department to condemn the case as "deeply disturbing" and has called for her immediate release. **[9bf]** Teng was then imprisoned in Tuanhe Detention Centre / Labor Camp. **[9dk]**

2.226. By December 2001, Teng's imprisonment experiences became a high-profile issue, as the PRC authorities arranged an interview with Teng as a "repentant" Falun Gong activist, who, importantly for propaganda purposes, has American residency as well. **[9dk]** By the time of the interview (6 January 2002) Teng had totally recanted and praised her captors. **[9dk]** Friends of Teng, Falun Gong practitioners of Falun Gong in New York, including Gail Rachlin (see assessment) found her reversal in one report, "inexplicable", and in a statement by Friends of Falun Gong, the effect of 16 months of torture and psychological pressure. **[22am]**

2.227. As a mechanism of recognition of the extreme pressure and coercion placed upon

detainees within PRC, the Falun Gong Minghui / Clearwisdom sites have a 'Solemn declarations' page for renunciations of confessions and recantations coerced in camp. **[22an]**

Deaths in custody

2.228. The first reported case was of an 18-year-old adherent of Falun Gong who died on 20 October 1999 from injuries sustained when she jumped from a train while under police escort. Falun Dafa alleged, via their US spokesperson, that she was intimidated and abused to the point of self-harm while in police custody. This denied by the police who claimed she wished to be a martyr. **[4eg,2e]**

2.229. The number of death has increased over time since the first death in October 1999. **[4hg][4hh][4hi][4ho][4hp][4hs][4il][4iw][6t][pace 9v][22g] [22ar]**. In December 2000, Amnesty International (AI) reported a rise in deaths, with 77 cases held to be confirmed. The Falun Dafa (North America) website places deaths at 155 by 23 February 2001, giving details of names and dates where known, but without AI's degree of confirmation. **[22m]** Both agreed that since 1 January 2001 the death rate in detention has increased. **[6x]** The Falun Dafa website then recorded the death toll as 228 (as of 21 June 2001) **[22o]** The number of confirmed deaths of adherents claimed by Falun Gong websites is put at 343 people as of 16 January 2002, and 378 as of 14 March 2002. **[22an]**

2.230. The number of 370 plus deaths refers to deaths that have been counted as confirmed by the Falun Gong themselves. There are many other reports of deaths that the Falun Gong cannot confirm, and estimate as many as 1,600 may have occurred in the past three years.

2.231. In August 2001, the Falun Gong plotted, month on month, the growth of reported deaths. **[22bg]** To have gone from 258 deaths in July 2001 to 381 (as of 19 March 2002), indicates that the rate of confirmation, if not of deaths themselves, has again doubled over an eight month period.

2.232. A profile of a typical Falun Gong activist who has died in custody can be drawn from the Falun Dafa information: female (66 cases), either in teens or early twenties or 40 to 65, from the North Eastern provinces of either Jilin, Heilongjiang, Liaoning, Hebei or (particularly) Shandong (28 cases) or from Sichuan province (6 cases). Male cases tend to be over 35 years old (47 cases) and more diffuse in province and manner of death, tending to more violent ends, with less details known. **[22m]** The list of deaths mirrors previous reports that point to typical Falun Gong activists being older males and females (typically 40 plus) from the Chinese heartland provinces, mainly the North East, or young female activists, typically of higher education age.

2.233. A fairly typical death occurred in December 2000, with a woman academic dying from injuries sustained in a police beating six months previously. **[9bg]**

2.234. There are allegations that bodies not returned to families after deaths in custody, but are disposed of by cremation very quickly after death. Actual causes of death are often alleged to be hidden or causes of death stated by the authorities held to be suspicious. **[22bl][22bm]**

2.235. Memorial tablets and grave stones of known activists are discouraged by the authorities. **[5q]**

2c. Political Issues: The effect of the "evil cults" clampdown on qigong organisations, other well-being organisations, religious groups, etc.

Registration, graduations of non-registration and penalties

2.236. The process of registration as an affiliate of the 'permitted' religions is described in detail in the CIPU China Assessment. In 1996, Li Hongzhi attempted to register Falun Gong as a faith group within the Buddhist tradition, and found obstacles before finding himself beyond the limit of the authorities' tolerance. **[5q]**

2.237. Many faith groups have evolved over the past decade or so, along with a rise in religious belief and membership. The authorities have recognised that the existing regulations do not deal with the subtle nature of these groups, and are seeking to reform the regulations. Since 11 September 2001, this has been sharply put into focus as the authorities adjust their understanding of "terrorism" and "terrorist groups". **[4se]**

Traditional, registered qigong

2.238. In September 2000, the PRC authorities issued regulations tightening the practice of qigong and the operation of associated societies and groups. The China Qigong Science Research Association is still in operation at a national level. Local groups however are to register as exercise groups, and the rules (published by the *China Sports Daily*) expressly forbid any association with Buddhist or other religious practice. The rules discourage large groups and creating networks. **[4ip]**

2.239. In March 2001, the CQSRA participated in promoting "the right way to do Qigong" in conjunction with the China Anti-Cult Association. **[4ob]**

Zhong Gong

2.240. The members of Zhong Gong, a qigong organisation has asked the United States to grant its founder, Zhang Hongbao, with political asylum. Zhang applied for asylum in the US territory of Guam. **[4hq][18b]** The US courts have moved carefully over the case, deciding initially on 16 June to give Zhang a decision but postponing the final hearing after the Chinese embassy handed in a formal protest on 16 July 2000. **[4if][4iq][4iu]** A court finally gave Zhang the status of "a withholding of removal" i.e. permitting Zhang to live and work in the US but stopping short of granting asylum on 22 September 2000. **[4iv]** The Chinese claims are based on investigations begun in 1990, purportedly into three claims of rape levelled against Zhang. **[4iv]**

2.241. Zhong Gong, short for China Life Cultivation and Wisdom Enhancement Skill, was founded in 1987, and claims to have 38 million practitioners. **[4hq][4iv][18b]** The movement differs from Falun Gong in its nature of organisation, in that it was from its start rigid in its membership, organisation and hierarchy. **[4iv]**

2.242. President Jiang Zemin has ordered a thorough investigation of the Zhong Gong group, on his personal orders. (There are claims that Jiang had received medical assistance for backache from Zhong Gong practitioners in the early 1990s.) **[4ia]**. There was the sentencing of Zhong Gong members in Guangdong in late July 2000. **[4hw]** On 9 October 2000, the 5th plenary session of the 15th CCP Central committee declared Zhong Gong an 'evil sect'. **[4iy]** On 11 October 2000, 2 further leading members were arrested and sentenced to jail and to re-education through labour. **[4ju]**

2.243. Zhong Gong supporters have rallied in Taiwan to press the US government to release Zhang Hongbao from detention in Guam. Zhang has been detained since 21 September 2000, while criminal charges laid against him by Beijing are investigated. His followers claim that such charges are "false statements". **[4mg]**

2.244. Zhang Hongbao has since been granted asylum by the US, though the US state Department report for 2000 just states he "resides abroad". **[1h]**

2.245. Two activists from Henan province were sentenced on subversion charges, according to ICHRD reports dated 19 September 2001. The reports claim 6000 Zhong Gong leaders and activists have been arrested nationally since September 1999. **[4su]**

Other unregistered qigong groups

2.246. Qing Yang and Tain Tang Baolian qigong groups are other qigong groups that purportedly operated in Liaoning Province between 1993 and 1998. The Canadian IRB was

unable to find information about these groups. The research report however reiterated that there were many qigong groups [3000 registered groups] operating before 1998 under that aegis of the Qigong Science Research Society; that qigong was encouraged by the Chinese government from the early 1980s onwards as a unique cultural asset and health promotion system. **[3al]**

2.247. Qing Yang and Tain Tang Baolian qigong groups are listed in the Amnesty International list of targeted groups (March 2000). **[3al][6u]** Qigong groups listed in the report, besides Falun Gong and Zhong Gong, are Guo Gong ("nation gong") and Cibeigong ("Compassion gong"). **[6u]**

2.248. Guo Gong emerged in reports in November 1999, with the arrest of alleged leaders in Sichuan Province, founder given as Liu Jineng. **[6u]**

2.249. Cibeigong was reported after the arrest of the alleged founder, Xiao Yun, in Wuhan city, Hunan Province on 8 September 1999. Allegedly in 1997, Xiao Yun set up five practice stations in the provinces of Hubei, Hunan, and Jiangxi, attracting 900 followers. Cibeigong teachings are reportedly largely copied from Falun Gong teachings. **[6u]**

2.250. Not a qigong group, but akin as a meditation practice, the "Guan Yin Method" was founded in 1988 by "Supreme Master Ching Hai" and introduced to mainland China in 1992. Stresses vegetarianism and five "noes" - no killing, no telling lies, no stealing, no lewdness and no drinking. Claims 500,000 followers in 20 municipalities in at least seven provinces. Ching Hai is now based in Taiwan, from a rich Vietnamese family, and active in Hong Kong before July 1997. In 1996, the PSB in Sichuan Province discovered a list of several thousand members; alarmed by the number of cadres involved, the Guan Yin Method was labelled a "reactionary religious organisation". Further labelled an evil cult after the Falun Gong ban of July 1999. **[3aw]**

2.251. Another qigong group has come to light in 2001, courtesy of the Canadian IRB, namely, "Human Body Science". The leader, Shen Chang, was arrested in 2000 for "using an evil cult to breach the law", a cult "with many anti-scientific elements" and held by the prosecutors to be as dangerous as Li Hongshi. He was sentenced under tax evasion and illegal business practices in September 2001. **[3bn]**

2.252. The IRB were unable to find reports relating to another purported group, the Hui Ling Qigong masters. **[3bn]**

Other unregistered religious organisations

2.253. An unregistered Christian group, the Fang-Cheng church, was subject to mass arrests in August 2000. The group claims 500,000 members. The August arrests numbered

130 members from central Henan province. [4id] 85 members were later prosecuted. [4ii][4ij] A total of 14 unregistered Christian groups have been branded as 'evil cults', using legislation prompted by the Falun Gong crackdown. [4ij]

2.254. Other groups have expressed concern about the crackdown on Falun Gong, particularly within Hong Kong. The Catholic Church in Hong Kong has been worried about erosion of religious freedom in the SAR, as well reports of the PRC authorities blowing up church buildings in Wenzhou. [2g][9bh][9bx] The recent crackdown effect has brought about increased vigilance of dissidents, reformers and unregistered groups generally.[4mq]

3: Migration Issues

3a. Migration issues

3.1. Migration issues cover the extent of Chinese authorities' permission to exit for Falun Gong practitioners and of re-entry into China; the position of Hong Kong immigration and PRC immigration regarding the entry of foreign activists and their deportation. The second part addresses Falun Gong PRC nationals claiming asylum outside PRC, firstly in terms of countries other than the UK, and then regarding the UK; and the exploitation of the claim by economic migrants and associated organised people-smuggling groups.

Deportations and Chinese immigration issues

3.2. Chinese authorities have been known to cause difficulties in processing passports for known Falun Gong and former Falun Gong activists, but tends to be local and not a deliberate, central policy. [2i]

3.3. In 2000, there were reported cases in Japan of known Falun Gong PRC nationals being refused re-entry into PRC, and being refused exit visa renewals.[4iz]

3.4. Hong Kong immigration has frequently been accused of being pliable to pressure from the PRC authorities on the one hand, and being too permissive by the PRC on the other. Key flash points have been case of Wendy Fang Wengqing, an activist denied entry many times in year 2000 / 2001 and who gained increased media attention when attempting access during the latter stages of pregnancy. [4pg][4pl]

3.5. The Hong Kong immigration issue is important as it uncovers the amount of co-operation between the Hong Kong authorities and the PRC authorities, with the implications

of effecting PRC policy. (See above, Key issue 1: Hong Kong, for details) **[4pl]**

3.6. Since late 2001, foreign protesters have been the prime if not the sole activists in protests in PRC. Examples include the following, which seem to indicate a pattern of arrival, offence, a dispute over handling by police and then swift deportation.

[4te][4tf][4ti][9dh][9di]

3.7. A Japanese Falun Gong activist was deported on 2 January 2002 **[4sq]**, which followed much coverage of the detentions and deportations of 10 foreigners in late November 2001. **[4te][4tf][4ti][9dh][9di]** The deported activists accused the PRC police of brutality during arrest and detention. The main abuses occurred during interrogation, appearing to be police frustration over the protesters' refusal to give or sign statements. **[4te]** The Chinese authorities countered that they had acted "strictly in accordance with the law and relevant regulations," adding all of them (the protesters) were treated humanely and with fairness." **[4tf]** The arrests / deportations have generated particular media interest in Australia. **[4ti][4tj]**

3b. Asylum Issues

Asylum Cases

3.8. Li Hongzhi was granted asylum in the US in February 1997.**[5s]**

3.9. US decisions began in November 1999, when two cases of asylum granted by the U.S. Immigration and Nationality Service. The first was reported on 8 November 1999, and the other reported on 17 November 1999. The first was granted in New York to a 17 year old practitioner.**[2a]** The second was granted to a female applicant in San Francisco.**[9i]**

3.10. Both press reports were announced by the applicants' lawyers. The reaction of the Chinese authorities was swift after the first case, viewing the acceptance as an affront, alleging the U.S. IDS had disregarded "the basic facts" that "the Chinese government's handling of the Falun Gong problem has earned staunch support from the people across the country and the understanding of the international community". **[4ew]**

3.11. Reuters reported in January 2001 that claimed membership of the Falun Gong was the principal claim to a growing number of asylum applicants to the US. Jack Lin of the U.S. INS Asia desk said: "Four years ago, they used reasons such as the one child policy most often. Later on, they thought that was not too feasible... so they changed it to Falun Gong... Some of them don't even understand the meaning of political asylum. Nine out of ten cases, they are coached." **[4ld]** The Chinese government agreed that illegal immigrants were becoming adept at using "hot button issues" to secure asylum. **[4nj]**

3.12. Four Canadian cases mentioning Falun Gong have been posted on the Canadian Immigration and Refugee Board website. **[24e][24f]** They introduce two aspects of Falun Gong cases. The first case is where the applicant claimed persecution by association, namely that his father was a practitioner. **[24e]** The presiding judge agreed that there were many doubts as to the applicant's credibility, and dismissed the appeal. The applicant displayed many of the key features of a typical Fujian economic migrant: had little knowledge of Falun Gong; had a very stilted, vague and formulaic approach to explaining his involvement, with lapses into contradictions; and had been smuggled into Canada by snakeheads, entering without any documentation. **[24e]**

3.13. The second Canadian case was one in which the applicant's appeal against a negative first decision was also disallowed. **[24f]** The case turned on how credible the applicant was, and it was held that there were two main doubts as to his credibility. Firstly, he was very vague over the contents and format of the *Zhuan Falun* after claiming to have studied it closely. Further, he claimed to be a "leader" of the Falun Gong in his home city. This was agreed to be unlikely as his knowledge of Falun Gong was so sparse. **[24f]**

3.14. In the abstract of one case **[24g]**, the claimant admitted to the court that the information given on his Personal Information Form (PIF) was substantially untrue, with an involvement of two months and not many years with the Falun Gong. There were indications that the claimant was coached in his Falun Gong claims. **[24g]**

3.15. The question of continued Falun Gong practice by failed asylum claimants on return to China arose in a November 2000 case. **[24h]** The claimant displayed great enthusiasm for continuing practising Falun Gong whatever might happen to him, and convinced the Refugee Division that he had a claim to a well-founded fear of persecution. **[24h]**

3.16. Australian cases in 2001 that have come before the (Australian) Refugee Review Tribunal have come to similar conclusions. One case illustrates how a claimant has overlaid many strands of involvement but has not satisfied the tribunal in the totality of her claim **[24i]**. There is one particular issue raised in this case of whether Falun Gong practitioners can practise the exercises in private and alone and be held to be in danger of persecution. This decision concluded: 'I do not accept that the requirement that the Applicant practise Falun Gong in private amounts to such a restriction or interference with her right to freedom of religion as to amount to "persecution" for the purposes of the Convention.' **[24i]** This decision also illustrates how some asylum claimants push purported involvement in Falun Gong activities outside PRC. This decision roundly dismissed the individual applicant's involvement. **[24i]**

3.17. In June 2001, there was a case where the applicant was held to have been involved in Falun Gong demonstrations, sufficient to warrant the discriminatory attention of the authorities and to have a credible record of persecution by the police. **[24j]** In this case, the

question of practice in private was raised again, and the Tribunal Member (equivalent to adjudicator in the UK system) decided that as public practice of the exercises was not a requirement of faith set upon Falun Gong practitioners, there was a measure of discretion in practise that could be undertaken. This point was made separately from the grounds on which the applicant was granted a review. **[24j]**

3.18. In a case heard in January 2001, the tribunal heard and accepted that a letter from the applicant's employer in China dismissing the applicant for Falun gong involvement and similar documentary evidence were fraudulent. The applicant's case was rejected. **[24k]**

3.19. Sometimes, claimants conflate Falun Gong claims with other claims. One such case was rejected as being so contrived by the RRT in May 2001, where the applicant shifted between claims of involvement in the 1989 student demonstrations, general opposition to the PRC authorities and involvement with Falun Gong as, he claimed, a vent towards displaying his opposition. **[24l]**

UK Cases

3.20. There are Falun Gong activists in the UK who have claimed to escaped torture and detention in PRC, with asylum claims currently pending. **[9cf]** Irrespective of the merits of those cases, trends have emerged in tribunal hearings from year 1999 onwards with regards to asylum claims based on Falun Gong membership.

3.22. Firstly, there has been a general acceptance by adjudicators that there is evidence of state persecution of the Falun Gong as an identifiable group in PRC. **[24b] [24c] [24d]**

3.23. The Home Office Immigration and Nationality Directorate (IND) likewise has recognised such persecution does happen in the PRC, and individuals have been granted asylum on the basis of their involvement, where there has been clear evidence of a well-founded fear of persecution. However, some UK cases from 2000 and 2001 have been granted further review by adjudicators at appeal on the basis that special fast-tracking procedures ("certification") were held to have been improperly applied, for example in **[24d]**. This has arguably worked in the appellant's favour, putting undue emphasis on the situation of the Falun Gong in China rather than assessing the Appellant's particular case. Hence the threshold of involvement as leader seems to have been taken as lower in **[24d]** than in similar cases e.g. **[24c]**.

3.24. However, many individual claims have been regarded by IND as manufactured and failing the tests set by the 1951 Convention, and so rejected. The IND statistics do not break down according to claim, (indeed, many claims could be so entered under multiple headings, and such an approach does not respect the complexities of the individual's claim) but involvement with Falun Gong has appeared in the majority of Chinese claims since

1999.

3.25. Out of the Chinese cases listed in the Electronic Immigration Network database, only two specifically mention Falun Gong claims. **[24b][24c]** However, this is disproportionate to the amount of claims that have not been brought to appeal, or are not reported, and are Falun Gong based.

3.26. A key factor in the history of the claim emerged during the trial of Perry Wacker and Ying Guo in April 2001. Wacker was the driver of the lorry transporting the 60 stowaways involved in the events of Dover, 19 June 2000, that lead to the death of 58 people. Ying Guo, a Chinese translator based in London was charged with being a contact between illegal arrivals and various firms of London solicitors. **[4qm]**

3.27. Ying Guo had the role of contact and it was apparent from evidence given at the trial that she was not only a contact but also knew of incoming shipments of illegal entrants. At 08:30 she had rung a solicitor, Jimmy Wong, in Streatham to say that she expected 60 arrivals, only to ring later that morning, once she learnt of the disaster, and her computer had been impounded by the police. **[4qm][4qn]**

3.28. In the case of **[24a]** the appellants had been persuaded to drop their Falun Gong asylum claims in favour of a human rights act claim, thus confirming that coaching in asylum claims occurs amongst Fujian illegal entrants. **[24a]**

3.29. The question of leadership and active, prominent involvement has been encountered in UK cases, **[24c]** just as in the Australian cases above. **[24j][24k][24l]** In the case reported **[24c]** the appellant's purported leadership role was below a reasonable threshold of involvement and he was held to be unlikely to attract attention from the authorities for his past involvement. **[24c]**

3.30. A full analysis detailing trends with the UK cases has yet to emerge, and the situation seems to be under-developed in other countries as well. The whole of the above section (section 3b. asylum cases) has been written on the basis of published cases found, and is comparatively rudimentary. It is an on-going area of study and should not be taken as fully developed. It does not constitute policy lines taken or to be taken by the UK Home Office, but is a description of an area of Falun Gong issues that has hitherto been unreported.

Postscript

Views of commentators on future developments

P.1. A number of commentators, mainly academics, have probed aspects of the Falun Gong phenomenon on an open access but moderated discussion forum, and come up with some conclusions, away from Falun Gong / PRC interpretations. **[23c]** Firstly, there is anecdotal evidence of outside (non-state) perceptions of the Falun Gong (that most PRC citizens up to July 1999 perceived Falun Gong as a variant of qigong, as a health promotion system and not as an ideological system.) Then, there is further speculation on Falun Dafa organisation, "validation" in PRC minds by the use of US cities "Certificates" and perceived differing political motivations of US and PRC Falun Gong communities. Further discussions centre on Falun Gong as a compensation in the face of economic change and part of a wider Chinese yearning for eclectic solutions. **[23c]**

P.2. Commentators have therefore taken three particular stances. One is to work closely with the Falun Gong and take a sympathetic line in the face of the abundant evidence of mistreatment. **[5q]** Another is to take the abuse metered out to the Falun Gong in China as part of a larger Chinese cultural and historical phenomenon, and exploring these aspects. **[23a]** Another approach has been to take the abuse in China as understood, but to look at the nature of the group's beliefs and explore apparent contradictions in the Falun Gong account and approach. **[23c]** No commentator doubts that the Falun Gong have suffered persecution, but there is a pattern emerging of the abuse of political asylum by non-practitioners that feeds directly from the unique nature of the movement and its persecution. **[24b]**

P.3. On the one hand, the outlook is evolving towards a wounding stalemate. The Chinese authorities before January 2001 were resigned to a long struggle with Falun Gong, grudgingly acknowledging the group's persistence, according to one news source. **[9v]** The Party newspaper *the People's Daily (Renmin Ribao)* states that a great victory has been won by the authorities, but "vigilance should be maintained as the struggle against Falun Gong would be a long one". **[4hf]** An article on *Index [on Censorship] Online* website, dated 8 May 2000 suggested that Falun Gong protests are continuing counter to the authorities' claim of "'smashing' Falun Gong". **[11c]**

P.4. The Beijing immolations and the consequent crackdown, in the main, shocked commentators. They saw an inexorable escalation of tension between the two sides. **[4my]** They talked of "the ghost and the giant", meaning Falun Gong is evading the PRC authorities and still organising effective peaceful protest, while the authorities would respond ever more harshly. **[4ll]** One commentator speculated that Falun Gong was heading for mass suicide at the hands of the authorities. **[4nb]** The Mainland Affairs Council of the Taiwanese administration saw Falun Gong as part of a general growth in social unrest in mainland China **[4hz]**.

P.5. Most commentators saw that where popular support lies may be a key factor in future

developments. [4ll][4lu][4lv][4mq] In hindsight, that was a perceptive line of thought, as the Chinese authorities have been able to capitalise upon a public revulsion. Likewise, internal security issues have been played upon after September 2001, though mainly in relation to Uighur separatists. The events of March 2002 have yet to unfold fully, but the antagonism has increased, with Falun Gong employing the full rigours of non-violent resistance rather than passive positions during peaceful protest.

P.6. The nature of the Falun Gong seems to have changed. The Human Rights Watch has concluded that since September 2001 the Falun Gong has been forced totally underground. [12i] It may be that there are no longer any PRC practitioners independent of a very small, necessarily secretive active organised core with external links. That core may in turn not even exist. It may be that the active Falun Gong is now limited to foreign organisations, their media controllers, and earnest activists.

P.7. Meanwhile, Chinese illegal migrants are exploiting the issue of Falun Gong persecution. [4ld][4nj]

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